

WITNESS STATEMENT OF  
KIRSTY GREEN  
1<sup>ST</sup> STATEMENT ON BEHALF OF THE APPLICANT

**BEFORE THE LICENSING COMMITTEE OF  
BARNSELY METROPOLITAN BOROUGH COUNCIL**

IN THE MATTER OF A REVIEW OF  
PREMISE LICENCE UNDER  
SECTION 51 OF THE  
LICENSING ACT 2003

CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE

And

SUGAR CLUB  
SUGAR EVENTS LTD

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**WITNESS STATEMENT OF**

KIRSTY GREEN

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My name is Kirsty Green and I work for South Yorkshire police in the capacity of a licensing enforcement officer. My role is to look after all licensed premises within the Barnsley area.

There are several references in the statement to 'Street Safe'. 'Street Safe' is the operation name given to policing of the night-time economy by South Yorkshire Police. When referencing visits carried out during 'Street Safe', information has been obtained by myself from the Street Safe document.

The conversations detailed in my statement by licensing enforcement officer John Kirkham have been taken from information recorded on the South Yorkshire Police Innkeeper System.

1. On the 8<sup>th</sup> January 2022 at 23:24, South Yorkshire Police received a complaint alleging that there was a number of underage people drinking in Sugar Club.

(Police Incident SYP-20220108-0968 08/01/2022 23:24)

After receiving the complaint, police officers visited and conducted a licensing check. Upon entering a number of customers left. Four customers were confronted who all admitted to being 15 and 16, stating that they had visited Sugar Club as they knew no one was challenging for ID. Officers spoke with several other people inside Sugar Club who appeared to be under 18 and were unable to produce any ID. **Please see PC Sabato statement.** BWV – MTS/1 – 746060 - Sugar Club Licence Check.

2. On the 10<sup>th</sup> January 2022, telephone call made to leaseholder and Designated Premise Supervisor (DPS) Ashley Stockton. There was no response therefore, I left a message asking him to call me back as soon as possible.

3. On the 10<sup>th</sup> January 2022, telephone call made to premise licence holders Hartwood Estates where I spoke with a representative named Sarah. I explained what had occurred at the venue on the 8<sup>th</sup> January 2022 and asked for a meeting with themselves and Mr Stockton to discuss further.

Sarah called me back a short while later and advised that Alan who was responsible for the Barnsley area was not available to meet that week. Sarah also advised that she had spoken with Mr Stockton who had stated that he was feeling unwell and was going to undertake a PCR test. I stated that although I was disappointed that we would be unable to meet that week, I stressed that I had now highlighted the problems brought to my attention for them to address for the forthcoming weekend.

4. On the 10<sup>th</sup> January 2022, there was an email exchange between Mr Stockton and myself. The purpose of the email was to bring the concerns highlighted from

the 8<sup>th</sup> January 2022 to his attention and to try to arrange a meeting. Please see **Exhibit 1** for the content of the email exchange.

5. On the 14<sup>th</sup> January 2022, Licensing Enforcement Officer John Kirkham spoke with Mr Stockton on the telephone in relation to the incident on the 8<sup>th</sup> January 2022. Mr Stockton advised that after becoming aware of the issue he had taken steps to address it by employing security staff from 20:30 and had arranged for his DPS at Truth32 Mr Craig Wildsmith, to support the manager at Sugar Club. A meeting was arranged for the 20<sup>th</sup> January 2022 to review paperwork at the venue and to implement an action plan.
6. On the 20<sup>th</sup> January 2022, John Kirkham attended the Sugar Club in company with BMBC Licensing Officer Martin Cooper, also present was Mr Stockton and manager Vlad Sevciuc. A review of Mr Stockton's policies was carried out and the following was noted for elements that needed amending;
  - Anti-theft policy – details of the process regarding found property and process for dealing with anyone found stealing in the venue needed adding.
  - Child protection policy – procedure if young person falls ill inside the venue. Identification of member of staff with safeguarding training was missing. At the time, Mr Stockton advised that he would arrange safeguarding training for staff.
  - Licensed door staff procedure – required details of information given to door staff during briefing. Mr Stockton was advised that the briefing document must be signed by security staff on duty to indicate understanding.
  - Crime prevention policy – add details regarding the risk assessment conducted to decide security staffing levels.
  - First aid – identify a 'safe area' and include it in the policy.

- Managing conflict – document detailed DPS always on site, therefore recommended that this was amended to DPS or personal licence holder.

John Kirkham was unable to review their search policy at the time of the visit. John Kirkham also reviewed their incident log, toilet check sheets and refusal log, noting that the last refusal was the 15.01.2022. A check was conducted of the CCTV with no problems highlighted with quality. Highlighted to Mr Stockton was a camera with obstructed views due to foliage and a 'blind spot' in the same area near to the DJ booth. The external seating area was covered by one camera, however part of the seating area was not covered; therefore John Kirkham recommended that this camera was repositioned to give full coverage. Mr Stockton stated that the system retained images for 30 days and that both he and Mr Sevciuc could operate the system fully, this being demonstrated at the time. A further meeting was arranged for Mr Stockton the following day to implement the action plan.

7. On the 21<sup>st</sup> January 2022, John Kirkham received a message from Mr Stockton stating that he would be unable to attend the meeting due to his son being unwell and would rearrange the meeting.
8. On the 26<sup>th</sup> January 2022, I tried to call Mr Stockton however there was no response. Therefore, I sent an email to him rearranging the meeting with John Kirkham giving him the time and date of the proposed meeting.
9. On the 27<sup>th</sup> January 2022, meeting held with John Kirkham and Mr Stockton, also present was Inspector Clive Collings and Craig Wildsmith the DPS at Truth32. Truth32 is another venue in the town centre that Mr Stockton holds the premise licence for; he is the managing director of Truth Nightclub LTD that is currently detailed as the premise licence holder. Mr Stockton was served with an action plan following the incident on the 8th January where underage persons were found drinking in the venue and a subsequent review of the policies and

procedures. The details of the action plan were explained and the action plan was agreed and signed by Mr Stockton, Inspector Collings and John Kirkham. Mr Stockton was informed that the action plan would be monitored for compliance during the next twelve months and that regular visits would be made to the venue. He was also advised that further action would be taken in respect of failure to comply with the action plan or if further incidents occurred. Please see **Exhibit 2** for the Action Plan.

10. On the 28<sup>th</sup> January 2022, visit conducted as part of Street Safe. All in order.
11. On the 31<sup>st</sup> January 2022, information received that on the 30.01.2022 at approximately 02:00 there was a large quantity of underage people inside the venue.
12. On the 4<sup>th</sup> February 2022, visit conducted as part of Street Safe. All in order.
13. On the 20<sup>th</sup> February 2022, visit conducted as part of Street Safe. All in order.
14. On the 21<sup>st</sup> February 2022, information received that an argument was overheard from the street at the weekend. The argument being between a girl who was allegedly 14 years old and a family friend who confronted the girl after she left Sugar Club, with the adult female instructing the young girl to go home.
15. On the 21<sup>st</sup> February 2022, after being unable to speak with Mr Stockton via telephone, I sent an email to him advising that I had received information alleging that underage people had been frequenting the venue at the weekend. The email also reminded Mr Stockton of his responsibilities at the premise. Mr Stockton sent an email back acknowledging this. Please see **Exhibit 3** for the content of the email exchange.
16. On the 26<sup>th</sup> February 2022, visit conducted as part of Street Safe. All in order.
17. On the 3<sup>rd</sup> March 2022, John Kirkham carried out a licensing visit at Sugar Club with BMBC Martin Cooper to review the action plan set in January 2022, also present was Mr Stockton and DPS Mr Servciuc. John Kirkham inspected their refusals and ejection logs and noted that they been completed and had entries

from the previous weekend. Challenge 25 posters were displayed in prominent points in the club including at the point of sale for alcohol. A document containing details of all staff (including security staff) was produced indicating that all members of staff had read and understood the policies and procedures held by the club, which were dated confirming receipt of the training. A briefing document for security at the commencement of their shift was in use and was again signed by the member of staff acknowledging receipt of the briefing. The CCTV system was viewed and found to cover all areas of the club. The quality of images on playback were good and the system stored images for 30 days with access being given to footage on request. A basic risk assessment was provided in respect of security numbers required on a regular basis to allow the safe running of the club. Policy and procedure documents were checked and the following required attention;

- under 18 event policy required clarification in respect of safeguarding and appropriately trained staff.
- The search policy required further information in respect of searching persons in a room for privacy reasons, to ensure that two persons were present and the room used was covered by CCTV.
- The first aid policy required further information to ensure that staff trained in first aid were present and identifiable at the venue and identifiable by other staff members during the time it was operating.

Mr Stockton stated that he would include the information in the policies as required and would ensure that all documents were presented in a folder for ease of viewing and that the completed version would be sent via email. Mr Stockton was advised that the action plan remained in place and that further visits would be conducted to ensure compliance.

18. On Friday 4<sup>th</sup> March 2022, officers who were conducting Street Safe patrols raised concerns about potential underage people in the venue. **Please See PC Pollard's statement for more information.**
19. On the 17<sup>th</sup> March 2022, information received that underage were frequently using the venue and being sold alcohol and that many Barnsley supporters, many of whom who are underage are also accessing the premise during match days and drinking alcohol. Information received was that underage people were using fake IDs that were not being scrutinised by security in order to gain entry.
20. On the 19<sup>th</sup> March 2022, Temporary Police Sargent Botham whilst conducting duties as part of Street Safe spoke with a female on Pitt Street. The female was underage, and although she was not seen going in or coming out of the premise, stated that she had been in the Sugar Club. **Please see T/PS Botham's statement for more information.**
21. On the 21<sup>st</sup> March 2022, information received that that on the evening of the 19.03.2022, underage people had been frequenting the venue.
22. On the 23<sup>rd</sup> March 2022, after being unable to speak with Mr Stockton via telephone, I sent an email advising that I had received information of individuals on pubwatch frequenting Sugar Club. I reminded Mr Stockton that as both individuals were currently on a pubwatch ban, that both should be refused entry and service in the venue. Mr Stockton sent an email back stating that he would brief security once more to ensure that they were refused entry.
23. On the 25<sup>th</sup> March 2022, intelligence report submitted 14/30402/22. This detailed the visit that was conducted by police officers on the 08.01.2022 where underage people were found inside the venue.
24. On the 2<sup>nd</sup> April 2022, visit conducted as part of Street Safe. All in order.
25. On the 5<sup>th</sup> April 2022, information received that underage people were frequenting the venue on Friday and Saturday nights and being sent up to the 'VIP' area to evade any officers carrying out checks at the weekend.

Further information was also received that underage people were frequenting the venue on Friday and Saturday nights and that footage from social media had been seen of underage individuals inside the venue on those nights.

26. On the 5<sup>th</sup> April 2022, I tried to call Mr Stockton on the telephone, however there was no response; therefore I left a message asking him to contact me as soon as possible.
27. On the 5<sup>th</sup> April 2022, telephone call made to Mr Wildsmith advising that I needed to speak with Mr Stockton. Mr Wildsmith stated that he was also struggling to get hold of him, however stated that he was scheduled to speak with him later that day and would pass on my message and ask him to contact me.
28. On the 5<sup>th</sup> April 2022, email sent to Mr Stockton advising that I needed to speak with him and that I needed to arrange a visit to the venue.
29. On the 6<sup>th</sup> April 2022, email exchange with Mr Stockton. The email raised concerns that had been brought to my attention again about individuals on pubwatch and reports of underage people frequenting the venue and also concerns about being unable to contact him. Please see **Exhibit 4** for content of email exchange.
30. On Saturday 9<sup>th</sup> April 2022, South Yorkshire Police carried out a targeted operation on Sugar Club. Safeguarding issues were highlighted as part of the operation with the club allowing entry and serving alcohol to underage children. Several underage children admitted to drinking alcohol, one identified as being vulnerable and at risk of child exploitation. (Police Incident SYP-20220409-1099 at 23:40) **Please see Inspector Peter Spratt's statement.**
31. On the 13<sup>th</sup> April 2022, South Yorkshire Police received a late report that occurred at the venue on the 4<sup>th</sup> March 2022, (Police Incident SYP-20220413-1064 - 23:13 (FROM 04.03.2022)). Crime number - 14/71225/22. This incident involved a male who was punched in his eye causing trauma and requiring



medical treatment at Barnsley hospital and Royal Hallamshire hospital in Sheffield. This investigation was concluded with no offender being identified.

32. On the 14<sup>th</sup> April 2022, South Yorkshire Police received a homophobic complaint that occurred in the venue – Police Incident SYP-0030-14/04/2022. Complainant was in the venue when he was grabbed by the throat and called a name which he believed to be homophobic. Crime investigation 14/71073/22 completed – no offender identified and case closed.

33. On the 19<sup>th</sup> April 2022, I received a telephone call from Mr Stockton. Mr Stockton stated that he would like to rebuild the working relationship with me that he believed we once had and acknowledged that he needed to talk with me more. I advised that I had tried to speak with him on several occasions but there had been no response and he had failed to call me back, therefore leaving emails as my only communication method with him. Mr Stockton stated that he would now be available should I call and need to speak with him.

Mr Stockton spoke with me regarding another venue alleging that they were allowing underage people into the premise. I advised that I would report this through the correct channels. Mr Stockton then went on to state that he knew who had been complaining about him and that there were further issues there. I advised Mr Stockton that we had continued to receive complaints of underage people in the venue, which subsequently led to the operation on the 09.04.2022, where underage people were indeed found in the premise.

I enquired if there had been an altercation at the venue in the early hours of the 15.04.2022. Mr Stockton acknowledged that a male had frequented Sugar and may have been assaulted as he left the venue. Mr Stockton however stated that once outside the same male continued to cause problems on the street, which resulted in Police being called. I advised that I would like to see the footage of this incident via CCTV and would arrange to visit.

34. On the 16<sup>th</sup> April 2022, licensing visit carried out as part of Street Safe. Whilst PC Fallis was inside the premise it was noted that one female was unable to produce any ID as proof of age, instead she advised that she had presented ID on her mobile phone in order to gain entry. Information obtained from the Street Safe document. **Please refer to PC Fallis' Statement.**

35. On the 20<sup>th</sup> April 2022, licensing visit carried out with BMBC Martin Cooper, also present was Mr Stockton, Mr Servciuc and Chris Demondy who stated that he worked at the venue alongside the door staff. I asked to see their refusal logs to be presented with one for two bars. I asked how refusals were recorded for the other bar, to which Mr Servciuc stated that staff from the back bar came to the front bar to record any refusals made. I stressed that two refusal logs were required, one for each bar. I was presented with refusal logs for the front door; however, the last entry was the 02.04.2022. I queried where the refusals were from that day to present, to which they advised that they did not know.

I inspected the briefing sheets for security to find that the briefing sheet produced by Shadow Security was a generic one and noted all policies and procedures in place. I advised that the briefing should be specific to their venue and detail; previous problems at the venue, any problematic individuals, matters arising from pubwatch, issues regarding underage people and checks etc. I was then shown a piece of torn paper that was headed with 'briefing for security' for the 16.04.2022, with signatures from security staff with just one comment regarding asking for IDs. I stressed that this was not sufficient and was only for one day as they were unable to produce any other dates.

I discussed with them an incident that was brought to my attention in the early hours of the 15.04.2022. Mr Demondy advised that he had been working that day and explained that a male had been causing problems inside the venue that resulted in several other customers fighting and getting involved. Mr Demondy advised that they had managed to get all parties outside and the male had

continued to cause problems on the street, which resulted in the Police attending. I advised that police attended the incident as operators from the CCTV room had noticed an altercation on the street and sent officers to respond. I questioned why the incident had not been called in from the venue. I stressed that if police had been called when the male had been initially causing problems and trying to fight customers inside, then this may have prevented such an escalation outside when all the parties were ejected out onto the street. I queried how many staff were working that day, to which I was advised that four staff and a DJ were employed that night. Therefore, I stated that in my opinion there was sufficient staff for one of them to alert police. I inspected their incident log to find that no time had been recorded on the log.

I then inspected the remaining incident logs to find that a further nine logs had been completed incorrectly with no time recorded and limited information on the incidents, several of which were recorded by Mr Servciuc. I reviewed their policies and procedures to find that for incident recording, the instruction was to alert management to the incident immediately and they would then complete statements and the necessary paperwork as well as reviewing CCTV of the incident. This I stated that clearly not being practised.

One of the incidents on the 12.03.2022 noted that a 'female had passed out in the toilets. Placed in taxi'. Again, no time was recorded for the incident, with no person details, no taxi details and it had been recorded by Mr Servciuc. Martin Cooper and I stressed that they had a duty of care for this female especially given recent priorities in the area linked with vulnerable females and spiking. We asked for further details relating to this incident to which Mr Servciuc could not provide.

I queried the incident that had been reported to Police on the 04.03.2022 to which there was no incident log for and no knowledge of.

I spoke with Mr Stockton and stressed that the paperwork was poor and that although Mr Servciuc was the DPS, I stressed that he should also take

responsibility for this as the premise licence holder to ensure that Mr Servciuc was completing things properly and to a high standard. Mr Stockton's response to this was 'it's not that bad though is it' and 'we are trying'. I questioned the competency of Mr Servciuc stating that he had not done any of the policies and procedures, Mr Wildsmith had in fact wrote them. I highlighted that Mr Servciuc had clearly not read the policies and procedures for the venue, given that he had failed to stick to what was specified in them or instruct his staff to follow them. I advised that following the meeting on the 03.03.2022 with Mr Stockton, John Kirkham had requested several changes to be made to the policies and procedures to make them specific to this venue, to which I stated that they had failed to do despite having 6 weeks to complete.

I asked to review the CCTV of the incident on the 15.04.2022, to which I was actually shown an incident that occurred in the early hours of the 13.04.2022 at 03:45. This involved a group of males fighting inside the venue, which was bundled outside by staff/security. A short time after two females could then be seen fighting inside the venue that was again separated by staff. There was no call from the venue to police to report this incident nor was there any completed incident log.

When asked if we could see the CCTV from the early hours of the 15.04.2022 it transpired that the CCTV only recorded between 08:00-04:00 the following day. Therefore, between 04:00-05:30 when the premise was still open there was no CCTV coverage. Thus meaning that the incident in the early hours of the 15.04.2022 had not been captured as it occurred at approximately 05:00.

I asked to see their premise licence, which was produced from behind the bar, it was not displayed in the venue as is required.

36. On the 20<sup>th</sup> April 2022, application submitted for the Review of the premises licence for Sugar, under the Licensing Act 2003. Refer to **Exhibit 5**.

37. On the 23<sup>rd</sup> April 2022 at 23:20hrs, Police Officers as part of Street Safe visited Sugar Club and noted that the DPS was obstructive and tried to refuse them entry. **Please see PC Thornton's statement for more details.** BWV captured incident.
38. On the 24<sup>rd</sup> April 2022, South Yorkshire Police received information that there were underage people in the venue (**Police Incident SYP-20220424-0093 24/04/2022 (02:07)**). Following receipt of this information officers attended at 02:20 and carried out a visit to Sugar Club. No underage people were discovered inside the venue, however the DPS was angry and verbal towards officers present. **Please see PC Kean's statement.**
39. On the 25<sup>th</sup> April 20022, I received a telephone call from Thomas White who advised that he was scheduled to be put in position as the DPS at the venue and wanted to speak with me and notify me of this decision. I advised that I would be unable to discuss anything in relation to the venue until he was named as the DPS.
40. On the 27<sup>th</sup> April 2022, email received from Mr Wildsmith containing a copy of the policies and procedures that they had in place for Sugar Club. Email sent back to Mr Wildsmith highlighting areas for improvement in the paperwork provided. Copy of email exchange as **Exhibit 6.**
41. On the 28<sup>th</sup> April 2022, I received a telephone call from Mr White advising that a meeting had been arranged with Professional Security to discuss changing door company at the venue.
42. On the 30<sup>th</sup> April 2022, licensing visit carried out as part of Street Safe, no issues identified.
43. On the 1<sup>st</sup> May 2022, licensing visit carried out as part of Street Safe, no issues identified.

44. On the 1<sup>st</sup> May 2002, email received from Mr Wildsmith containing the policies and procedures from Sugar Club, however there did not appear to be any changes from the original documents that I was sent previously.
45. On the 3<sup>rd</sup> May 2022, I made a telephone call to Mr White. I advised that I had reviewed the policies and procedures that Mr Wildsmith had re-sent on Monday and they appeared to be the same from the previous week with no amendments. I asked if he had looked through the paperwork, to which Mr White informed me that he had not, but that he had asked Mr Wildsmith to make the necessary amendments following my email last week. I stressed that this was no longer Mr Wildsmith's responsibility but his own. I advised that I would give him the benefit of the doubt and give him until Friday to review all the paperwork, to familiarise himself with it and make all the necessary changes. I stressed that he needed to ensure that all points within the paperwork was relevant to himself and was how he wanted the venue to operate. I stressed that he should not be giving anyone else the responsibility to complete/amend this, stressing that he should do this. Mr White advised that he had a meeting the following day with Professional Security with the intention of changing security companies and would keep me updated with any developments.
46. On the 3<sup>rd</sup> May 2022, I forwarded the email to Mr White that I had sent to Mr Wildsmith the previous week and confirmed our earlier telephone conversation.
47. On the 4<sup>th</sup> May 2022, I received a telephone call from Mr White. He enquired if the training containing all the policies and procedures had to be completed by this Friday as I had previously requested. I stated that yes they did, as they were open to the public, therefore I would expect all policies and procedures in place by then. I stated that I was not asking him to re-write them, just become familiar with them and make the necessary amendments.

48. On the 4<sup>th</sup> May 2022, I then received a further telephone call from Mr White. He advised that he had looked through the policies and was scheduled to send them through in a short while for me to review once more to see if I was happy with them. I enquired how many security staff he had working at the venue to which he advised that they had one from 9pm when they opened and then another at 10-10:30, both until close. I asked Mr White if he was present at the venue from open until close, to which he advised that if he was not then a personal licence holder was. I stressed that he was new in position and it would be my strong recommendation that while the premise was open he was there, especially given recent problems at the venue.

49. On the 4<sup>th</sup> May 2022, email received from Mr White containing policies and procedures for Sugar Club.

50. On the 5<sup>th</sup> May 2022, John Kirkham spoke with Mr White regarding the policies and procedures that he had sent through the previous day. John Kirkham advised that after reviewing the paperwork the content did not reflect the changes suggested. The following was then discussed;

- Sugar Club policies – Contained details of age verification i.e. young people producing ID. Mr White agreed that this section should be contained within the age verification policy and amended the document.
- Counter terrorism policy – Mr White confirmed that he had not received training regarding project Argus and was not able to disseminate this training. It was discussed that Mr White would arrange the training for himself, however the comments regarding the DPS being trained would be removed pending the training taking place.

- Disorder strategies – The policy did not contain a direction that staff will complete an incident/ejections log following an incident.
- Drugs policy – Mr White confirmed that toilet attendants were now employed in both male and female toilets. The search policy was mentioned however, there was no detail of what that policy was. Mr White stated that he would review this and add further detail i.e search of bags, pockets etc. there was also no mention of the SIA standards in relation to drug searches. Mr White stated that he was not aware of these standards and would obtain details which would be incorporated in the policy.
- Drunkenness policy – Whilst on the telephone Mr White made the following amendments; any refusal of entry would be recorded in the refusals log by security staff/staff members. Anyone inside the premises appearing to be drunk would be removed by security staff and again a record would be made. Anyone falling unconscious would be attended to by a first aid trained member of staff and an ambulance would be called. If their condition improved then they would be removed to a quiet/private area. An incident log would be completed by the DPS/staff.
- First aid policy – The paperwork now indicates where first aid boxes are sited and identifies the DPS as first aid trained, however John Kirkham recommended that other members of staff should receive first aid training, as he may not always be available. Mr White advised that he would arrange this and would also identify security staff with this training.
- Managing conflict policy – Mr White accepted that there was no training course available to staff and would remove comments in



respect of this. John Kirkham advised again that the policy should contain details of what is expected from staff during an incident as per previous emails sent.

- Theft policy – Mr White stated that he would amend to contain details of where found property would be securely stored and that a property log would be completed by staff.
- Duty of care/Vulnerable people policy – Policy currently contains comments that a member of staff must attempt to deal with a customer under the influence of an illegal substance on their own. Mr White was asked to clarify in the policy what is expected from staff during such incidents.

Mr White advised that he would again review all of the policies and would make the amendments discussed. He stated that the policies would be complete and submitted by Friday 6th May 2022.

51. On the 6<sup>th</sup> May 2022, email received with policies and procedures for Sugar Club from Mr White.

52. On the 6<sup>th</sup> May 2002, licensing visit carried out as part of Street Safe, no issues identified. However, Mr White was not present in an official capacity at the venue, when the venue was visited by police officers he was in town socialising on a night out.

53. On the 7<sup>th</sup> May 2002, visit conducted as part of Street Safe. All in order.

54. On the 9<sup>th</sup> May 2022, I made a telephone call to Mr White to advise that I had reviewed the policies and procedures that he had sent through once more on the 06.05.2022 and I had made the following observations and comments;

- Counter terrorism policy - despite being under the counter terrorism policy title, crime prevention measures are then referenced and there is no mention of any counter terrorism.

- Crime scene policy - although it states that the scene should be preserved, as a side note I stated that I would stress that the area should not to cleaned or cleared up.
- Disorder strategies/managing conflict - I advised Mr White that there was no reference to how he wanted staff at the Sugar Club to deal with issues. For example there was no reference to glass collectors and their role with prevention of crime and disorder. I explained that they are ideally placed to be able to witness if any problems/issues arise in the venue. Therefore, how would he like them to address this, ie tell a member of security staff/management? Likewise, there was no mention of bar staff, who again are ideally placed within the venue. Again, should they witness anything how would he want them to address this? I stated that there was a lot of reference to the roles and responsibilities of security staff and how they would monitor people inside and when they go into the toilets. I advised that he had previously informed me that he employed one security guard from opening for the first hour and half, with an additional guard employed until close. Therefore, with limited security staff available, I would suggest that this is not feasible as part of their role, given that security would be positioned on the door.
- Drugs policy - within the drugs policy it states 'admissions will be refused to those suspected of dealing drugs, but only if it is believed that such action will not endanger the safety of staff and customers'. I therefore asked Mr White to clarify this, questioning that if the individual who is refused service is causing problems then would they still be allowed into the venue? I also raised that I thought that Mr White would need to specify that they had a drugs box, as reference is

made to this, then in another section a 'safe place' is referenced. I advised that toilet checks are also referred in this section, however it does not detail how often these are completed. I advised Mr White that it is noted that 'appropriate gender will be used for searching'. However, I stressed that he did not employ any female security staff. Mr White advised that every female bag is searched upon entry and that when doing so a female member of staff is brought from behind the bar to witness such search. I advised that I would make enquiries as to whether this is necessary as a body search was not being completed just checking inside their bag. I stated that my concern was that this was an unachievable goal, unless a member of female staff was constantly on the door.

- I stressed to Mr White that he should read the policies and procedures to ensure that they made sense, an example being within the drunkenness policy it reads, 'the refusal log will be completed by the refusal log'.
- I advised Mr White that in my opinion the age verification policy needed expanding further, given the problems with underage that have been highlighted.
- I explained that upon review of the vulnerable person policy there was reference to individuals under the influence of substances and sexual harassment, however there was no mention either in this policy nor in the age verification policy of what you would do if anyone underage was identified inside the venue.

I raised concerns that I felt that as the DPS he should be present in the venue whilst it was open, especially on Friday and Saturday nights and being new in position. I stated that I raised this with him the previous week, only to be notified

by officers that on Friday he was not present and he was on a 'night out'. Mr White advised that he was also out of the country for the forthcoming weekend, but he had a personal licence holder to remain on site. I stressed that if he was not in the country then he was limited as to what he could do for this weekend, however I stressed once more that as the DPS at the venue he needed to be present and working on those busy nights.

55. On the 9<sup>th</sup> May 2022, email sent to Mr Stockton and Mr White confirming the earlier telephone conversation and highlighting points raised.
56. On the 10<sup>th</sup> May 2022, Mr White failed to attend the pubwatch meeting and there was no representative present for the venue.
57. On the 10<sup>th</sup> May 2022, - Police Incident SYP-20220510-0143 - Female reporting that her drink was 'spiked' causing her condition to deteriorate before collapsing outside. Crime Investigation 14/86977/22 – completed and filed as no offender identified.
58. On the 13<sup>th</sup> May 2022, John Kirkham received a telephone call from Mr Wildsmith who advised that he would be managing the Sugar Club and Truth32 the forthcoming weekend as Mr White had some pre booked leave that he was taking. Mr Wildsmith advised that there would be a manager and personal licence holder present at Sugar Club whilst it was open. John Kirkham advised Mr Wildsmith that this was not ideal and that Sugar Club required robust management in light of recent incidents. Mr Wildsmith stated that he was fully aware of the issues and would ensure all staff were briefed.
59. On the 13<sup>th</sup> May 2022, email received from Mr White of the most recent policies that he had amended.
60. On the 13<sup>th</sup> May 2022, visit conducted as part of Street Safe. All in order.
61. On the 16<sup>th</sup> May 2022, email sent to Mr White and Mr Stockton following receipt of their recent policies, advising that although I had witnessed an improvement in my opinion there were still gaps within the documentation;

- Counter terrorism policy - each bullet point needs expanding upon to give the detail of what the procedures are.
- Crime prevention - there is still no mention of specific staff and their roles, ie glass collectors and bar staff.
- Age verification - it needs to be detailed what forms of ID are accepted and that checks are conducted both on the door and on the bar by staff.
- Duty of care for vulnerable people - there is still no mention what you do or expect your staff to do if they identify any underage in the venue.

62. On the 17<sup>th</sup> May 2022, following mediation, additional licence conditions were agreed with Mr Stockton and his legal representatives.

63. On the 18<sup>th</sup> May 2022, Mr Stockton submitted a minor variation application to Barnsley Council Licensing to include the agreed licensing conditions on the premises licence.

64. On the 21<sup>st</sup> May 2022, visit conducted as part of Street Safe. All in order.

65. On the 22<sup>nd</sup> May 2022, visit conducted as part of Street Safe. All in order.

66. On the 23<sup>rd</sup> May 2022, email sent to Mr White and Mr Stockton, to arrange a meeting on the 14<sup>th</sup> June 222, to review what had previously been discussed to ensure that it had been implemented.

67. On the 27<sup>th</sup> May 2022, visit conducted as part of Street Safe. All in order.

68. On the 28<sup>th</sup> May 2022, visit conducted as part of Street Safe. All in order.

69. On the 4<sup>th</sup> June 2022, visit conducted as part of Street Safe. All in order.

70. On the 5<sup>th</sup> June 2022, visit conducted as part of Street Safe. All in order.

71. On the 11<sup>th</sup> June 2022, licensing visit carried out as part of Street Safe. Breach of premise licence conditions, laptop for ID scanner was currently broken so not in use and the violent incident protocol was not displayed. **Please see PS 576 Phillips statement for more details.**

72. On the 12<sup>th</sup> June 2022, licensing visit carried out as part of Street Safe. Breach of premise licence conditions with ID scanner was not working at time of visit, to which Mr White claimed that it was due to be inspected Monday. **Please see PS 576 Phillips statement for more details.**

73. On the 13<sup>th</sup> June 2022, email sent to Mr Stockton with copy of violent incident protocol, despite having already provided him with one.

74. On the 14<sup>th</sup> June 2022, licensing visit carried out present was Mr White, Mr Stockton, Debbie Bailey and I. I advised that the purpose of our visit was to review their conditions and ensure that everything was now in place, with clear breaches of the premise licence identified throughout the visit.

Mr White demonstrated the ID scanner and how it worked, showing us that information was stored on a database for the required length of time and could be reviewed upon request.

I advised that I was aware from the weekend that this had not been working, to which Mr White advised that they had a technician coming that week to resolve it. It was stressed that the ID scanner needed to be working whenever the venue was open as it was now a condition of their licence, to which Mr White stated that he understood.

He advised that the CCTV camera was scheduled to be installed on Thursday in the entrance to the venue, which would capture that the scanner was being used upon entry.

I reviewed their paperwork to find that the managers signature had not been completed on any of the signing in sheets for security, nor any of the incident logs. The paperwork was also very unorganised with different signing in sheets, toilet checks and incidents logs all mixed in and in no date order. I advised regarding this and stated that it needed to be better organised.

I proceeded to go through the conditions from their premise licence and asked Mr White what time their outside music ceased, to which he advised that it continued

until closing. I stressed that it was stated on his conditions that Sunday - Thursday it should cease at 00:00 and then Saturday at 01:30.

I then asked what time his last entry to the venue was on a night, to which Mr White stated that it was 04:30. I stressed that this was incorrect and that the condition on the licence clearly stated that the last entry was 04:00.

I advised that both of the above conditions had been on the licence prior to the review conditions being added. I stated that I was therefore very concerned that he was unaware of these, as I stressed that as the DPS at the venue this was something that he should have known.

I was advised that all drinks were now served in polycarbonate vessels both in and outside of the venue, therefore taking away the need for a risk assessment linked to this.

I asked to see their training that had been implemented with staff and the content of this training. Mr White stated that he had been 'waiting to get the green light' from myself before implementing any training with staff. I advised that I had sent several emails and had several conversations with Mr White regarding the quality of the policies and procedures, however I stressed that it was not my responsibility to either write the training/policies/procedures or to give him the 'green light' on any of his paperwork. I stressed again that he was the DPS and it was his responsibility to ensure that everything was in place.

At this Mr White alleged that he had scheduled a staff meeting on Friday to complete all training that they had in place. Mr White stated that he had sent all his training policies to a company for them to put it into a training manual and that all the paperwork was on his laptop at home. I queried again why he would not have a copy for us to inspect at this meeting, to which there was no answer. I reviewed their CCTV system and found that it recorded for over the 31 days specified and recorded until they closed at 05:30. I was advised that both he and Mr Servciuc were trained in the use of the cameras and how to download any

footage.

I queried with Mr White why Mr Servciuc was now working back at the venue, given that he had terminated his employment recently. Mr White stated that they were extremely short staffed at present and alleged that no one wanted to work for them so had been left with no alternative.

There was no record of any checks completed on the CCTV by management to ensure that it was working. Advised regarding this.

Challenge posters were displayed in the venue and Debbie Bailey recommended that they also display one at the front of the venue at the side of the ID scanner.

Mr White advised that the rear bar was no longer in use and that they only used the bar to the front of the premise, therefore refusal logs were located there and on the front door. The last refusal on the front door was the 04.06.2022. Mr White informed me that there had been no refusals on the front door last weekend.

There was no refusals on the logs located on the bar either, to which Mr White informed me that no refusals had been made on the bar.

I discussed an incident with Mr White that had been noted detailing an incident on the front door where a male had been refused entry and then had continued to cause a nuisance on the door, trying to film guards and refusing to leave. This resulted in the guards also filming the male and their phone being knocked out of their hands. Mr White confirmed that they currently had a town link radio, to which I queried why this had not been radioed through to alert other licensees of the male and to also ask for assistance in removing the male. Again there was no definitive answer and Mr White stated that he did not feel that it had been significant enough. I disagreed and stated that this was a prime example of what the radio should be used for.

I advised that the incident logs that I had seen were not of adequate quality, stating that many of the details required as part of the conditions were missing. Therefore, I stated that these incident logs should be reviewed to ensure that the



necessary information was captured.

I was shown the violent incident protocol which was located in a staff file.

There were no policies and procedures for us to inspect and review. Nor was there any training in place for security staff.

Mr White advised that they had tried to employ another security company that were accredited, however his enquires had been unsuccessful. Debbie Bailey gave him contact details of other security companies that operate in the town centre for them to make enquiries.

There was no written briefing of security staff prior to their shift and I advised that they should generate their own and not use Shadows, as I had discussed with them previously, as theirs were too generic, not venue specific and were too long winded and irrelevant to some venues.

Mr White advised that security staff did not currently wear BWV (Body Worn Video) and there was no policy in place to govern this.

I spoke with both Mr White and Mr Stockton and stressed that prior to the conditions being agreed linked to the review, I had raised concerns regarding Mr White and his competency of being the DPS at this venue. I stated that I voiced that I did not feel that Mr White was strong enough to manage this venue and I stressed that the lack of conditions implemented so far only supported my concerns. I stated that they had had considerable time to become familiar with the conditions and stressed that they should all have now been implemented. I stated that I would carry out another visit the following week and expected all the conditions to be in place. I advised that following the review we would not be visiting every week and recording breaches, I stressed that if no improvements were to be made, then we would be back at a review stage once more.

Both Mr Stockton and Mr White stated that they understood.

75. On the 15<sup>th</sup> June 2022, email sent to Mr White and Mr Stockton to arrange a follow up meeting for the 22.06.2022. The email highlighted that all paperwork

should be available to view and any outstanding actions would be noted as potential breaches.

76. On the 17<sup>th</sup> June 2022, visit conducted as part of Street Safe. All in order.

77. On the 18<sup>th</sup> June 2022, visit conducted as part of Street Safe. All in order.

78. On the 22<sup>nd</sup> June 2022, I carried out a licensing visit with John Kirkham to meet with Mr Stockton. Mr Stockton advised that all music had now been stopped in the outside area to prevent any confusion. All policies and procedures were now in place including training for staff with training logs. A CCTV camera had been installed at the entrance to the venue and captured the use of the ID scanner. I was also shown the briefing document that was in place for security staff at the start of the shift that was signed by those in attendance.

There was a diary for the checks to be completed on the CCTV, however there were no entries, therefore I recommended that they put a comment to indicate that it had been completed.

There had been no further incident logs completed since my last visit, therefore I was unable to ascertain if improvements had been made on their content.

Therefore, I asked that he refresh this once more with Mr White. In addition, I advised that they needed to properly organise their toilet check sheets, refusal logs and incidents logs, as these remained very unorganised.

Mr Stockton advised that he had purchased a body worn camera for security. However, the policy regarding this was very basic and was only one line. We advised that this needed to be expanded upon and that they needed to detail when it would be used.

Mr Stockton advised that Professional Security were scheduled to visit this weekend with the intension of taking over the door the following weekend. I stressed that when they were in place it was essential that they complete training with them and not just rely on what Professional have in place. Mr Stockton stated that he understood this and would ensure that it was completed.

79. On the 24<sup>th</sup> June 2022, visit conducted as part of Street Safe. All in order.
80. On 25<sup>th</sup> June 2022, visit conducted as part of Street Safe. All in order.
81. On the 29<sup>th</sup> June 2022, licensing visit to venue where I spoke with Mr Stockton.  
Mr Stockton showed me the amendments in the paperwork that I had suggested to him at the last meeting and demonstrated that the training for security staff was complete.
82. On the 29/06/2022 Police Incident SYP-20220629-0110 - 05:14 Male lawfully ejected by door staff. Assault-common assault emergency worker: suspect was arrested by PC 1609 Mcdowell for being drunk and disorderly in the town centre. On arrest suspect has started to resist and in doing so has attempted to spit at PC Mcdowell. Investigation 14/118152/22 – Investigation complete - filed with no further action taken.
83. On the 2<sup>nd</sup> July 2022 at 00:20, a visit was conducted as part of Street Safe.  
Breach of premise licence conditions with ID scanner faulty and not working. DPS was unavailable and busy with tasks inside club. A further visit was conducted at 01:30 and ID scanner had now been fixed and was working. **Please see PC 576 Phillips statement for more details.**
84. On the 2<sup>nd</sup> July 2022 at 23:45, visit conducted as part of Street Safe. All in order.
85. On the 4<sup>th</sup> July 2022, email sent to Mr White and Mr Stockton advising that I was aware that their ID scanner had not been working at the weekend and that it was imperative that all conditions were adhered to when the venue was open. It was stressed in the email that should the venue open and the ID scanner not be working, then it would be considered a breach. It also stated that prior to opening the ID scanner should be checked to ensure that it was in working order.
86. On the 7<sup>th</sup> July 2022 – Police Incident SYP-20220712-0997 - Assault-GBH. The victim, has been drinking in the Sugar Bar with his friend. Victim has no recollection of the evening from 21.45 hours until he has awoken at 07.00 hours on Friday 8<sup>th</sup> July. Victim has a fractured cheek bone, fractured upper jaw and

fractured eye socket which he has sought treatment for on the 12/07/2022 before reporting to police. Victim has noticed three bank withdrawals that he states he has not made totalling £90 and £20 cash stolen. His bank card and wallet remain with him and has not been stolen. Investigation 14/126776/22 – filed as injuries may have been caused either when complainant was ‘pushed’ out of club causing him to fall to floor or later when he again fell to floor.

87. On the 9<sup>th</sup> July 2022 at 00:34, a visit was conducted as part of Street Safe.

Breach of premise licence conditions with only one security guard working.

**Please see PC Johnson’s statement for more information.**

88. On the 10<sup>th</sup> July 2022, a visit was conducted as part of Street Safe. No issues.

89. On the 11<sup>th</sup> July 2022, email sent to Mr White and Mr Stockton bringing to their attention a further breach of their premise licence conditions that was recorded on the 09.07.2022. It outlined that at the time of the visit only one security guard was employed when conditions stipulate that two should have employed. The email reminded them once more of their responsibilities to ensure that all conditions were being adhered to when they were open to the public, otherwise it would be considered a breach. Stating that if conditions could not be adhered to then the premise should not open. The email also advised Mr Stockton that I had tried to contact him via telephone to arrange a meeting on the 12.07.2022, asking him to confirm that this time and date was convenient.

90. On the 11<sup>th</sup> July 2022, telephone call made to Mr White regarding an alleged incident at the weekend. He advised that two males were involved in a heated argument inside Sugar Club. Both were ejected however Mr White assured me that one male was removed first and they waited for him to leave the area before the other male was then ejected, who was followed out by the rest of his friends. Mr White stated that it was his understanding that this group then met with the other male and the altercation continued, resulting in a large fight on the street. Mr White advised that incident logs had been completed and were available to be

viewed.

I advised that it was my understanding that they only had one security guard working at the weekend, which I stressed would be a clear breach of the conditions on their licence. I stressed that this was not the first breach of the licence, stressing that only the week previous they had opened when their ID scanner was not working. I stated that every time they opened and were not compliant with their conditions then it would be considered a breach. Mr White stated that they had problems trying to get a second security guard at short notice after one of them had to go home for a family matter. However, Mr White stated that he understood this and would ensure that this did not happen again.

91. On the 12<sup>th</sup> July 2022, licensing visit with BMBC Debbie Bailey also present was Mr Stockton.

Debbie reiterated what was in my email regarding recorded breaches at the venue. She explained that there had already been recorded breaches at the venue since the conditions had been agreed, examples being with the ID scanner not working and insufficient security staff working.

Debbie advised that should they be unable to comply with their licensing conditions then they should not be opening and stressed the consequences of any further breaches. We reviewed incident logs from the weekend to find that there had been three incidents. The incidents logs had been poorly completed with incorrect dates recorded. We stressed that this was the reason why they should not be opening with only one security guard. We stated that as one guard needs to remain on the door for ID checks, there was then no one that could monitor either the inside or outside areas. CCTV was reviewed from the weekend which demonstrated that security staff on the front door were not checking IDs as females could be seen entering without any interaction from guards. Instead, they could be seen interacting with a car that was parked up on the main road. When a second female security guard did start work, it appeared that she stood on the

front door for a considerable length of time talking before even commencing work. CCTV footage showed that eventually the female guard did locate herself in the beer garden, however then she could be seen smoking and chatting to customers. I stressed that this was not acceptable and that although I appreciated that they were having difficulties employing another security company due to shortage of staff, they needed to ensure that they had employed an accredited security before this forthcoming weekend. I stressed that should they be unable to do this and open, then it would be considered a breach. I advised that the incident logs had been completed incorrectly, therefore Mr White should not have signed them off. I stated that this clearly showed that Mr White had not checked what had been written. We reviewed the incident from the 08.07.2022 and established that the incident had not started in the venue but appeared to start from up the road. The CCTV confirmed that none of the main suspects had been in their venue. This contradicted Mr White's account of this incident given to me during a conversation on the 11<sup>th</sup> July 2022.

It was reiterated once more regarding the conditions on their licence and that if they could not adhere to them then they should remain closed. It was also reiterated to Mr Stockton regarding changing his security staff for the forthcoming weekend.

92. On the 13<sup>th</sup> July 2022, telephone call received from Mr Stockton who advised that he had arranged for Professional Security to take over the doors and they would be starting on Friday.

I discussed numbers of security staff and advised that as there was an after party scheduled at the venue for the forthcoming weekend, then he should ensure that a risk assessment was in place for numbers of security staff employed. I also advised the new security company would need to complete the training and briefing.

I recommended to Mr Stockton that he review all paperwork from the venue to

ensure that it was being completed to a high standard, to which he assured me that he would do.

93. On the 13<sup>th</sup> July 2022, email sent to Mr White and Mr Stockton confirming all points that had been raised at the visit the previous day.
94. On the 15<sup>th</sup> July 2022, email received from Mr Stockton confirming that Professional Security would now be employed on the door at Sugar Club.
95. On the 15<sup>th</sup> July 2022 at 23:45, visit conducted as part of Street Safe. No issues identified, however Mr White confirmed that there was no BWV yet for security staff and stated that these had been ordered and they were awaiting delivery.
96. On the 17<sup>th</sup> July 2022 at 01:30, visit conducted as part of Street Safe. No issues identified, however again Mr White confirmed that there was no BWV yet for security staff.
97. On the 18<sup>th</sup> July 2022 – Incident 0033 – male punched in face by second male, causing facial injuries consisting of cuts and swelling. Victim did not support police action and no offender identified.
98. On the 18<sup>th</sup> July 2022, telephone call made to Mr Stockton regarding incident in the early hours of the 18.07.2022. Mr Stockton confirmed that an incident had occurred and advised that an incident log had been completed and that it had been done properly on this occasion.  
  
I advised that it had been brought to my attention that a male currently on a pubwatch ban had been frequenting his venue. Therefore, I asked Mr Stockton to speak with staff in relation to this. I also advised that I wanted to see CCTV of the incident and the incident logs, to which he assured me that he would send them over to me via Whatsapp.
99. On the 18<sup>th</sup> July 2022, telephone call received from Mr White. He advised regarding an incident on the 18.07.2022 and explained there had been an incident in the rear beer garden, where two groups had been involved in an altercation. Mr White explained that staff intervened and got one of the groups

outside whilst first aid was administered to the injured party. I questioned if security staff had been located outside to which they assured me that there were. Mr White advised that incident logs had been completed on the night.

Mr White denied that a male currently on a pubwatch ban had been in the venue.

100. On the 18<sup>th</sup> July 2022, CCTV and incidents sent over from Mr Stockton to myself via Whatsapp. Refer to **exhibit 7** – cctv footage

101. On the 18<sup>th</sup> July 2022, telephone conversation with Mr White. I raised concerns with Mr White regarding the CCTV in the rear yard relating to the incident on the 18.07.2022 and the fact that the punching machine restricts its view. In addition, I advised that there was also a blind spot in the rear area near the door that would need to be covered by CCTV. I also raised concerns that he had not picked up on either points raised above as the DPS.

I queried whether they had the radio system that Mr Stockton assured me that they were going to get which linked up the staff and security. Mr White stated that he would chase this up with Mr Stockton and get back to me. I stressed that after watching the CCTV my concern was that it appears that although a member of staff was positioned in the rear garden, security staff were not alerted to the incident quick enough or if in fact at all. I also advised that they should be using their town link radio to alert other licensed premises of potential problems. Mr White stated that he did not know that this was the purpose of the radio system and that now that he knew he would ensure that this was done. I stressed that he had been present at pubwatch meetings where the radio system had been discussed and the purpose of it, as well as having discussions with myself about the importance of it. I stated that although the radio was there to communicate with the SYP CCTV control room, its prime use was to increase communication between venues to try and prevent problems and problematic individuals from entering their venues. I arranged to visit the following week.



102. On the 18<sup>th</sup> July 2022, email sent to Mr Stockton and Mr White reiterating points of concern and issues raised during my conversation with Mr White and to arrange a follow up visit.

103. On the 20<sup>th</sup> July 2022, telephone call made to Mr White following a report of an alleged incident the night previous night at Sugar Club. I queried with Mr White if there had been an incident at the venue, to which he advised me that he was not at work, however no member of staff had contacted him to advise him of an incident, so suspected not.

I received a further call from Mr White a short while later and he advised that he had reviewed CCTV and found that there had been an altercation inside involving two groups. Mr White stated that the injured party had remained inside the venue at the time and continued their night out.

Mr White alleged that he had been up all night watching CCTV cameras in the venue as he had been unable to get into work. I questioned this stating that if this was the case, then how had he not been aware of any incident inside the venue when I had initially called him.

I advised Mr White that this had been the second incident in as many days. I stated that the number of incidents appeared to be increasing in the venue, not decreasing which would have been the desired result following the application to review. I stated that although the paperwork at the venue had improved, my concern was that the venue was not being managed properly, which I felt was leading to the increase in incidents.

I stated that it appeared that that his management of the venue was not strong and capable enough. I explained that I had reviewed CCTV on two occasions for the venue and on both occasions I had noted that the CCTV in the rear yard was obstructed by the punching machine, that there was a blind spot in the outside area and that security staff were not fulfilling their roles. I stated that these were all things that he as the DPS should be picking up on as part of his

responsibilities. I advised Mr White that I felt that there should be more security staff employed in the rear yard, as this appeared to be a weak spot at the venue. I advised that at present I was not sure that he could give the time and commitment to the venue that it required. I stated that the DPS at Sugar Club should be present whenever the venue was open, not just on Friday and Saturday nights, which I stated he was failing to do.

104. On the 20<sup>th</sup> July 2022, telephone call made to Mr Stockton. I reiterated my concerns with Mr Stockton following my conversation with Mr White. Mr Stockton stated that he was concerned that Mr White was more concerned with CCTV when it came to an incident than actually getting involved. I advised that this was not a view shared by myself as my experience showed that Mr White did not concern himself with CCTV enough. I advised that the incident that I reviewed that occurred on the street on the 08.07.2022, which transpired was not linked to their venue, was not the version of events that was portrayed to me by Mr White when I had contacted him. I explained that he had advised that one group had been retained inside whilst the other ejected, when I could find no evidence of any assault taking place in the venue after reviewing CCTV. I stated that if he had been aware of any incident or alerted to anything, then he should have reviewed CCTV and found all the facts and evidence prior to my call so that he could have made an informed observation and given accurate information.

I again raised concerns regarding key management aspects that had been overlooked with incident logs, CCTV and security staff, stressing that these should all have been managed by Mr White.

I advised that there had been a further increase in incidents at the venue, to which Mr Stockton stated that they could not stop incidents from occurring. I advised that given the review and conditions imposed, an increase in incidents would automatically be scrutinised and as a result I feel that the management of the venue had been rightly questioned.

I advised that I raised concerns initially about Mr White becoming the DPS and these concerns had not been alleviated. I advised that I had spoken with Mr White and explained, as I was doing so to him, that I did not think that Mr White was right for the role of DPS at Sugar Club.

105. On the 20<sup>th</sup> July 2022, telephone call received from Mr Wildsmith, who advised that he had spoken with Mr Stockton regarding our earlier telephone conversation. I advised that I had concerns regarding current management at the venue and he advised that he would speak with Mr Stockton and ensure that this was addressed.

106. On the 20<sup>th</sup> July 2022, further telephone call from Mr Stockton, who advised that he had spoken with Mr White and asked if Mr White could remain as DPS if he ensured that he was present on every night that it was open. I stated that we had now got to the stage where I did not think that this was adequate enough. I advised that I had questioned Mr White on too many occasions and in my opinion, Mr White was not right for the DPS position at the venue. I advised that I had also spoken with Debbie Bailey at BMBC and she had also shared this opinion. Mr Stockton advised that he would speak with Mr White and would advertise for the job. I stressed that whoever took on the role needed to be experienced and be able to commit to being present whenever it was open. Mr Stockton asked if he could speak with Debbie Bailey and I when he had someone in mind, to which I confirmed that he could do so. I advised that this would need to be a quick action, as due to incidents and concerns this could not continue.

107. On the 20<sup>th</sup> July 2022, email sent to Mr Stockton, which read;

'Following our earlier telephone conversation I would like to reiterate what we discussed and concerns raised.

Over recent emails I have detailed aspects of management which I feel have been poor in connection with CCTV, security and incident logs.

Following the application to review and the subsequent conditions that were

agreed, there has been an increase in incidents at the venue, which coupled with the above elements has led to grave concerns regarding the management of Sugar.

After reviewing incidents, I feel that a security guard should be present when the beer garden is in use, as this appears to be an area of weakness when incidents occur in the venue. This should be in addition to the two security staff that are already employed on a Friday and Saturday night.

As discussed on the telephone I do not feel that Tommy White is the correct DPS at this venue given the concerns already raised and his apparent lack of commitment to be at the venue when it is open, not only during the weekend but during the week.

I feel that this is a pressing matter that needs addressing with some urgency given the increase in incidents and our lack of confidence.

If you could please update me at your earliest opportunity as to how you will be proceeding, that would be much appreciated.

108. On the 22<sup>nd</sup> July 2022, visit conducted as part of Street Safe. No issues.
109. On the 23<sup>rd</sup> July 2022, visit conducted as part of Street Safe. No issues.
110. On the 25<sup>th</sup> July 2022, telephone call received from Mr Wildsmith informing me that Mr Stockton was interviewing for position of DPS at Sugar Club that afternoon and would keep me updated.
111. On the 27<sup>th</sup> July 2022, I attended a meeting at Sugar with Mr Wildsmith and John Kirkham.

Incidents that occurred on the 17<sup>th</sup> and 20<sup>th</sup> July were reviewed on CCTV, with a number of concerns raised;

- Both incidents occurred in the beer garden where there was a lack of both security staff and general staff.
- The CCTV of the incidents was poor as a great deal of the footage was obscured by a 'punching machine.'

- The member of security staff attending the incident on the 20th July was not easily identifiable as they were dressed in what appeared to be non-descript shorts and a white t-shirt. This gave the impression that he was not employed as a security guard and more a customer at the venue. Whilst Mr Wildsmith was informed that we appreciated that the weather on the day in question was exceptionally hot, the attire of the security staff should make them clearly and easily identifiable.
- In respect of the incident on the 17th July 2022, the footage identified 'blind spots' which prevented us from viewing the full extent of the altercation.
- On both occasions, the DPS of the venue was not present and cannot be seen on any of the footage viewed, despite been agreed during previous meetings that the DPS should be present at the venue when it is open.

Upon viewing the footage and hearing our concerns Mr Wildsmith stated that there was "no defence" to what he had seen. He also stated that action needed taking regarding the running of the club particularly as the owner, Mr Stockton was in the process of spending money to develop the upper floor of the venue to create a further bar.

112. On the 27<sup>th</sup> July 2022, email sent to Mr Stockton detailing the visit the previous day and outlining concerns.
113. On the 27<sup>th</sup> July 2002, John Kirkham had a telephone conversation with Mr White where the concerns raised at the visit the previous day were reiterated to him
114. On the 28<sup>th</sup> July 2022, John Kirkham sent an email to Mr White confirming points of concern following the visit the previous day upon his request via email.

115. On the 29<sup>th</sup> July 2022, email received from Mr Stockton advising that he had installed an extra system to the original cameras to capture all of the garden, which would prevent blind spots. Mr Stockton advised that he would be employing an additional security guard for the outside area from 23:30. In addition he informed that the forthcoming weekend would be Mr White's last as he had employed someone else to take the role of DPS.
116. The 30<sup>th</sup> July 2022, email received from email Operational Manager at Professional security;
- 'I wanted to make you aware of my decision regarding the Sugar Club. After various concerns since we took on the door, I have tonight decided to remove my door staff from this venue as I believe they are in danger and are unable to carry out their licensable duties correctly.
- There have been numerous red flags such as managers over riding my doorman's decisions and putting their safety at risk.
- We are an ACS accredited company with the SIA and I am not prepared to tarnish or ruin our companies reputation when things go wrong at this venue.
- I'm sorry if this causes issues for you Kirsty but I hope you can understand my reasons for doing so.'
117. On the 3<sup>rd</sup> August 2022, telephone conversation with Mr Dyson from Protech Security who confirmed that he had provided security for Sugar Club at the weekend after guards had failed to attend from Professional Security. It was during the conversation that Mr Dyson confirmed that he was not an accredited security company with the SIA. Therefore, this would have been a breach of the premise licence on the 29<sup>th</sup> and 30<sup>th</sup> July 2022 given that they opened without an accredited security company working.
118. On the 3<sup>rd</sup> August 2022, telephone call received from Mr Stockton. Mr Stockton advised that Professional Security had failed to attend on Saturday, which effectively left them with no security staff. He advised that they managed to

get some security from Protech Security last minute.

I advised that Professional Security had contacted me and advised that they had concerns regarding management over riding door staff decisions and as a result did not feel that they could fulfil their roles effectively.

I stated that I had spoken with Richard Dyson from Protech and he had confirmed that he was not an accredited company, therefore I stressed that he would not be able to supply security moving forward. I stated that whichever security company he chose to employ then he would need to ensure that they were accredited. I stated that should he fail to employ an accredited security company and still chose to open then this would be considered a breach of his licence.

Mr Stockton confirmed that Friday would be Mr White's last night and that his replacement would also be working on Friday to ensure that everything was completed and that conditions were being adhered to. Mr Stockton stated that all paperwork would be submitted this week to ensure that she was in charge from Saturday.

A meeting was arranged to meet the new DPS the following week.

119. On the 3<sup>rd</sup> August 2022, email sent to Mr Stockton confirming our earlier telephone conversation.
120. On the 5<sup>th</sup> August 2022, visits were conducted as part of Street Safe. No issues.
121. On the 5<sup>th</sup> August 2022, email received from Mr Stockton informing me that Phoenix Security would now be providing guards for Sugar Club.
122. On the 7<sup>th</sup> August 2022, email received from Catherine Simpson. This detailed a further breach of the licence conditions. DC Simpson detailed how she had visited on the 3<sup>rd</sup> August to collect some CCTV, only was unable to do so as Mr White stated that he did not know how to download it. Furthermore, she visited again on the 7<sup>th</sup> August and was unable to collect the CCTV due to confusion as to who was the DPS following Mr White's departure. In addition, DC Simpson

also raised concerns regarding the cleanliness of the bar area and behaviour of staff when she visited the venue. **Please refer to DC Simpsons statement.**

123. On the 7<sup>th</sup> August 2022, visit conducted as part of Street Safe. All in order.
124. On the 8<sup>th</sup> August 2022, email from DC Simpson forwarded to Debbie Bailey at BMBC for their attention with regards concerns raised about the cleanliness of the venue.
125. On the 8<sup>th</sup> August 2022, email sent to Mr Stockton. The email outlined the breaches of his licence with DC Simpson being unable to obtain CCTV footage from the venue on two occasions. It also advised that Mr Stockton needed to ensure that the correct paperwork had been submitted for the new DPS otherwise Mr White would still be detailed on the licence.
126. On the 8<sup>th</sup> August 2022, email received from Mr Stockton who confirmed the meeting the following week with the new DPS. Mr Stockton advised that he was unaware of any difficulty of officers obtaining CCTV and asked that they contact him and he would ensure that they had what they needed.
127. On the 8<sup>th</sup> August 2022, telephone call conversation with Mr Stockton. He reiterated that he was unaware of officers trying to obtain CCTV through Mr White on the 03.08.2022. Although Mr Stockton stated that he had been with officers the previous night whilst they tried to gather CCTV from their system and he advised that he was unaware that they had any difficulties. I advised that I would follow this up with the officer.  
  
Mr Stockton advised that the new DPS was now in position and stated that he felt that she already had a lot more control in the venue. I reiterated that he needed to ensure that the correct paperwork was submitted.
128. On the 8<sup>th</sup> August 2022, email sent to DC Simpson regarding CCTV from Sugar. Details of Mr Stockton provided in the email for her to contact should she need to.



129. On the 9<sup>th</sup> August 2022 – Police Incident SYP-20220809-0558 at 22:00.

Caller reporting that he was in Sugar nightclub and was assaulted causing bruising and pain to his head. Caller reports that he was sat in the smoking area when he was approached by two males who told him to "fuck off" before punching him to his head. Caller states he was under influence of crack/cocaine at time. Investigation 14/143518/22 – completed and filed as police action was not supported by complainant.

130. On the 10<sup>th</sup> August 2022, licensing visit with Debbie Bailey also present was DPS Anna Harper and Mr Stockton. Discussed in length previous issues at the venue and the reasoning behind the application to review the licence and imposed conditions. We explained that since the conditions had been added to the licence, there had already been a number of breaches. We explained that at present the venue was very close to being taken back to review, therefore it was imperative that no further breaches were carried out and conditions were adhered to. I also stressed to Mr Stockton that if things did not vastly improve then I would object to the application that he hoped to apply for to increase licensable activity upstairs. Debbie Bailey stressed to Mr Stockton that it was imperative that he invest the time and resources in Ms Harper so that she could have a positive impact on the venue. Debbie Bailey stressed that money would not be an excuse given the investment that he was currently putting into the work upstairs. We discussed problems with regards current staff and Mr Servciuc the previous DPS in particular. Discussed conditions and Ms Harper advised that she had not yet had full sight of these, to which Debbie Bailey advised that she would email them directly to her. We spoke about the need for security in the rear area and better communication from the radio system. I advised that although the security guard in the rear yard was not a condition, it had been a requirement from myself to Mr Stockton to put in place, following recent incidents in that area.

We discussed pubwatch and the need for her to be added to the group to ensure that she was aware of any problematic individuals.

Ms Harper advised that she already knew how to operate the CCTV, however would further look at this prior to the weekend.

Ms Harper advised that she was very proactive when the venue was open and was not afraid to get involved with defusing situations and on the front door. She stressed that she is very 'front of house' and would not be up in the office whilst the venue was open, she assured us that she intended to be very hands on.

131. On the 13<sup>th</sup> August 2022, email received from Ms Harper with an update from the weekend. Please see **Exhibit 8**.

132. On the 13<sup>th</sup> August 2022 at 00:15, visit conducted as part of Street Safe.

During search of premise officers spoke with two females seen drinking inside, when asked to produce ID neither had any, so were asked to leave. Both stated friends had their ID, so unclear if they had been allowed entry without this checking.

133. On the 13<sup>th</sup> August 2022 at 22:50, visit conducted as part of Street Safe. All in order.

134. On the 15<sup>th</sup> August 2022, telephone call made to Ms Harper who advised that she was aware that officers had asked two females to leave as they did not have any ID. She advised that she addressed this with security staff who advised that they had already seen their ID previously therefore had not asked them for it. Ms Harper advised she had now included in the nightly briefing that all customers needed to be asked for ID regardless of whether this had been seen before. I asked Ms Harper to review CCTV of an alleged incident that had been reported on the 09.08.2022 to which she advised that she would review the CCTV and also any past incident logs to see if an incident had occurred.

135. On the 20<sup>th</sup> August 2022 at 00:10 a visit was carried out as part of Street Safe. During the visit a breach of the licence was observed as there was no BWV

on bouncers. It was noted that only one guard was carrying a camera in their pocket that was not charged up, whilst the other was not in possession of one at all. **Please refer to statements from PC 952 Moffitt and PC 1413 Child.**

136. On the 22<sup>nd</sup> August 2022, email received from Ms Harper who advised that she had viewed all CCTV from the 09.08.2022 and had seen no incident occur at the venue.
137. On the 24<sup>th</sup> August 2022, email sent to Mr Stockton and Ms Harper regarding the breach recorded at the venue on the 20.08.2022.
138. On the 24<sup>th</sup> August 2022, email received from Ms Harper regarding the Street Safe visit conducted on the 20<sup>th</sup> August 2022. Details of email - **Exhibit 9** refers
139. On the 25<sup>th</sup> August 2022, - Police Incident SYP-20220825-0107 at 03:32 - Male reported being assaulted in Sugar. No further contact made and investigation concluded (14/156905/22) – injuries unknown.
140. On the 27<sup>th</sup> August 2022, visit conducted as part of Street Safe. All in order.
141. On the 28<sup>th</sup> August 2022, - Police Incident SYP-20220828-0194 at 04:28 - Doorstaff reporting a male barred from the town centre has entered the premises causing problems.
142. On the 28<sup>th</sup> August 2022, visits were conducted as part of Street Safe. No issues.
143. On the 2<sup>nd</sup> September at 23:40, visit carried out as part of Street Safe. Breach of licence conditions recorded at venue. It was noted that there were approximately 40 customers inside, however the ID scanner was not working and had not been all evening. They also stated they had a radio to communicate with CCTV however this was switched off and not charged. Officers liaised with the DPS who assured them that these would be rectified upon a return visit. A further visit was carried out at 01:15 and the ID scanner was working and radio had been turned on. Information obtained from the Street Safe document. **Please refer to T/PS 2948 Lee statement.**

144. On the 3<sup>rd</sup> September 2022 visit conducted as part of Street Safe. All in order.
145. On the 5<sup>th</sup> September 2022 email received from Ms Harper addressing the licensing visit conducted on the 2<sup>nd</sup> September 2022. **Exhibit 10** refers.
146. On the 5<sup>th</sup> September 2022 email sent to Ms Harper acknowledging receipt of her email and to reiterate that if all conditions are not being adhered to at the venue at the time of opening then it should not open, otherwise it would be considered a breach of the licence.
147. On the 6<sup>th</sup> September, email received from Ms Harper giving assurances that they would ensure that both sets of equipment were fully charged moving forward prior to opening.
148. On the 13<sup>th</sup> September 2022, I spoke with Ms Harper prior to a pubwatch meeting. Ms Harper advised that Mr Stockton had asked her to submit a minor variation to extend the use of the property and licensable activity to upstairs. Ms Harper advised that she had advised Mr Stockton at the time that this was not the correct process and that it would require a full variation, however she stated that he had dismissed her comments and ultimately the application had been rejected for that reason.

I advised Ms Harper that only a month or so prior I had strongly recommended that they hold off on submitting this application, as they needed to prove that there were able to manage the venue properly before expanding it. I stressed that since the new conditions had been added to the licence there had been countless breaches already recorded, which showed that they were unable to manage the premise properly.

Ms Harper advised that she had voiced concerns with Mr Stockton about her not opening the venue up at night. She advised that she wasn't starting work until approximately 11pm, which meant that she was not in control of staff and ensuring that conditions were been adhered to prior to opening. I advised that from the Street Safe visits that I was aware of it did appear that the problems

were occurring prior to her starting her shift and that when she was present she had more control and was addressing problems. Ms Harper stated that she had requested with Mr Stockton to allow her to open up and to remain in the venue all night. However, Ms Harper alleged that he had rejected her request stating that her wage bill would be too high.

I stressed that at the meeting when we had initially met her with Mr Stockton, we had stressed to him that his priority should be managing sugar and allowing her to carry out her role as DPS. We had stressed that his priority should not be to expand the upstairs with the renovation work and heavy investment upstairs. I advised that we had stressed at the time that if they could not prove that they could manage the venue effectively then any application would be appealed by SYP. I therefore stated that I was very disappointed that he had ignored our advice and had ultimately reduced Ms Harpers hours at what appeared to be at the expense of carrying out the renovation work upstairs.

149. On the 14<sup>th</sup> September 2022, email received from Ms Harper advising that following our conversation the previous day she had spoken with Mr Stockton and it had been agreed that she would now start work from 21:00 so that she had more control prior to opening and they would be postponing the variation to include the upstairs area at Sugar.

150. On the 17<sup>th</sup> September 2022, visit conducted as part of Street Safe. All in order.

151. On the 18<sup>th</sup> September 2022, visit conducted as part of Street Safe. All in order.

152. On the 18<sup>th</sup> September 2022 – Police Incident SYP-20220918-0991 at 23:21 - Report of a male inside the premises causing issues for other customers and demanding drinks from staff. Police officers attended and the male immediately left the premises. No offences were disclosed.

153. On the 23<sup>rd</sup> September 2022, licensing visit as part of an SIA (Security Industry Authority) operation that was being carried out in the town centre along with Debbie Bailey, and the Neighbourhood Policing Team.

Several visits were carried out through the night with the venue closed. We visited at approximately 23:00 and despite the doors still being locked, voices were heard in the outside area, therefore we alerted them to our presence. We were greeted by Mr Servciuc, before going inside to find Ms Harper.

We were advised that there had been a power cut, which had prevented them from opening as their CCTV was not working properly, neither was there ID scanner and they were unable to put any music on.

Checks were done on the two SIA guards that were present at the time and all was in order.

I queried with Ms Harper who would be providing the security staff moving forward, given the information that Professional Security had recently purchased Phoenix who currently supply their security guards. Ms Harper stated that she would be speaking with Mr Stockton about this. I reminded her once more that the security company must be SIA approved, otherwise it would be breach of their licence conditions.

I queried with Ms Harper why Mr Servciuc was present, after she had advised me that she had terminated his employment, to which she advised that he had come to collect something from the venue. When I asked Mr Servciuc about his collection, he stated that he had collected it ages ago.

154. On the 23<sup>rd</sup> September 2022, following my initial visit at the venue officers visited as part of street safe at 23:30. A licensing check was completed and although all was in order officers tried their driving licenses in the scanner and neither worked. **Please see PC Euan Reilly's statement for more information.**

155. On the 24<sup>th</sup> September 2022 visits were conducted as part of Street Safe. No issues.

156. On the 29<sup>th</sup> September 2022, email received from Ms Harper notifying me of the assistance that they had given SYP by providing CCTV to help with an investigation.
157. On the 30<sup>th</sup> September 2022, visits were conducted as part of Street Safe. No issues.
158. On the 2<sup>nd</sup> October 2022 at 00:01, a licensing visit was conducted as part of street safe with breaches of their premise licence conditions discovered. Officers found either of the security staff wearing BWV and that the ID scanner was not working. They raised this with staff and eventually the ID scanner was working.  
**Please see PC 1584 Wright's statement.**
159. On the 3<sup>rd</sup> October 2022, email sent to Mr Stockton and Ms Harper arranging a meeting for the 11<sup>th</sup> October 2022. Email later received from Ms Harper confirming meeting the following week.
160. On the 8<sup>th</sup> October 2022 at 01:34, a visit was conducted as part of Street Safe. No issues.
161. On the 8<sup>th</sup> October 2022 at 22:30, a visit was carried out as part of Street Safe. Breach of licence conditions recorded at venue as there was only security guard working at the time of the visit, when at that time there should have been two. **Please see PS 0244 Higgin's statement for more information.**
162. On the 9<sup>th</sup> October 2022, email received from Ms Harper asking to rearranging the scheduled meeting for the 19<sup>th</sup> October.
163. On the 10<sup>th</sup> October 2022, email sent to MS Harper advising that I was unable to attend on the 19<sup>th</sup> October as I was on leave.
164. On the 10<sup>th</sup> October 2022, telephone call made to both Ms Harper and Mr Stockton, no answer on either call.
165. On the 10<sup>th</sup> October 2022, text message received from Ms Harper advising that she was currently out celebrating her birthday and that the reason they wanted to reschedule the meeting was because the CCTV was not installed

upstairs yet at upstairs at Sugar. She stated that she was however due to attend the scheduled pubwatch meeting.

I replied back to Ms Harper via text message advising that I did not need to see the CCTV therefore if that was the only reason then I would like to keep the meeting.

Ms Harper replied to this stating that Mr Stockton was available and would therefore not attend a meeting without him being present. Ms Harper again requested a meeting on the 19<sup>th</sup> October.

I replied to Ms Harper stating that I was not available the following week as I was on leave.

166. On the 11<sup>th</sup> October 2022, there was no representative present at pubwatch from Sugar Club. The chairperson had been sent apologies from Ms Harper who claimed that she was feeling unwell.
167. On the 14<sup>th</sup> October 2022 at 23:48hrs, a visit was conducted as part of Street Safe. No issues were reported.
168. On the 16<sup>th</sup> October 2022, public disorder discovered by patrolling officers within Sugar Club at approximately 0040hrs. Reports suggested that a large group of women had begun fighting within the female toilets and it had spilt out onto the bar area. No disorder was seen by officers as all involved had begun to disperse but several women were told to leave the area due to their disorderly behaviour. One female refused and was arrested for being drunk and disorderly. Staff and security did not appear to be making attempts to help officers or eject those who appeared to be involved. **Please see PC Matthew Smith's statement for more information.**
169. On the 17<sup>th</sup> October 2022, South Yorkshire Police objected to a late TEN submitted by Sugar Club on the ground of public safety and Protection of children from harm. **Please see exhibit 11.**



170. On the 18<sup>th</sup> October 2022, John Kirkham contacted Ms Harper to request CCTV footage from the venue, which Ms Harper stated that she would download and deliver to the police station.
171. On the 18<sup>th</sup> October 2022, John Kirkham spoke with Mr Wildsmith after failing to speak with Ms Harper once more via telephone. Mr Wildsmith had been looking after Sugar Club on the 16.10.2022 in the absence of the DPS, whilst managing his other venue Truth32. Mr Wildsmith advised that he had not been present at the time of the incident but had been informed that a group of females had started fighting in the venue and had been ejected on to the street by door security. He was also aware that patrolling police officers were present outside the venue and had intervened to deal with the group. John Kirkham requested the CCTV of the incident and asked that it be brought to a pre-planned meeting on the 19.10.2022.
172. On the 19<sup>th</sup> October 2022, John Kirkham received a telephone call from Ms Harper in relation to the objection of the late TEN that they had submitted. Ms Harper voiced that Mr Stockton had invested heavily in the area upstairs and did not feel that it was fair that an objection had been made.
173. On the 19<sup>th</sup> October 2022, John Kirkham received a telephone call from Mr Stockton who wished to discuss why SYP had objected to the TEN that they had submitted.
174. On the 19<sup>th</sup> October 2022, Ms Harper attended the Police station and showed John Kirkham three reports from incidents that had occurred at their venue and provided him with CCTV from an incident on the 16.10.2022.
175. On the 22<sup>nd</sup> October 2022, crime reference 14/188954/22 refers to member of security staff at Sugar being assaulted. Investigation on going.
176. On the 22<sup>nd</sup> October 2022, email received from PS Oliver raising concerns about the quality of the CCTV that had been provided to SYP from Sugar Club in

relation to the incident on the 22.10.2022, deeming that the quality of the footage was that poor that it would be of no evidential value.

177. On the 23<sup>rd</sup> October 2022 at 00:13, visited conducted as part of street safe, no issues.
178. On the 24<sup>th</sup> October 2022, South Yorkshire Police submitted review papers submitted for sugar Club. **Please see Exhibit 12.**
179. On the 25<sup>th</sup> October 2022, South Yorkshire Police placed an objection to a variation put in place by Sugar Club. **Please see Exhibit 13.**
180. On the 29<sup>th</sup> October 2022, at 11:42 licensing visit conducted as part of street safe. It was noted that there had been a breach of their premise licence conditions by their being only one security guard working, when there should have been two and their town link radio not working.
- Later that night at 01:50 a further visit was carried out by officers who reported that there had been multiple incidents within the premise throughout the night, with known individuals linked to crime groups within the venue. Officers reported an altercation in the gents toilets, which resulted in police having to intervene. It was observed that security guards were too few in numbers and not robust enough to refuse entry or to eject nominals of note, which was compounded by the lack of town link radio. **Please see T/PS Phillips statement for more details.**
181. On the 30<sup>th</sup> October 2022, licensing conducted as part of street safe, no issues identified.
182. On the 2<sup>nd</sup> November 2022, email exchange with Ms Harper to arrange a visit to Sugar Club on the 8<sup>th</sup> November 2022 after the scheduled pubwatch meeting.
183. On the 2<sup>nd</sup> November 2022, telephone call with T/Inspector Kieran Frain who advised that he had been working as part of street safe on the 29.10.2022 and had observed a known nominal on pubwatch frequenting Sugar Club throughout the night. **Please see T/Inspector Kieran Frain's statement.**

184. On the 4<sup>th</sup> November 2022, licensing conducted as part of street safe, no issues identified.
185. On the 6<sup>th</sup> November 2022 at 01:30, licensing conducted as part of street safe, no issues identified.
186. On the 7<sup>th</sup> November 2022, I received a telephone call from Steve Butler who provides the radios for the day and night-time economy in the town centre. He advised that he was trying to get hold of Mr Stockton as he had failed to pay for the radio rental at the property, therefore would need to seize the radio.
187. On the 8<sup>th</sup> November 2022, Ms Harper attended a Town Centre pubwatch meeting and brought to the attention of members present the female who was involved in the assault of a security guard at Sugar Club on the 22.10.2022. The pubwatch chair informed Ms Harper that the female in question was already on a pubwatch ban and had been since March.
188. On the 8<sup>th</sup> November 2022, licensing visit carried out at Sugar Club, also present was PS Alun Oliver, BMBC Licensing Officer Martin Cooper, Ms Harper and Mr Stockton. Also present at the start of the meeting was Steve Maddock who is a representative from the radio company that provides the systems for the night time economy.
- Steve was attending following Ms Harper approaching him at the pubwatch meeting to inspect the radio at Sugar Club to ensure that it was working. Mr Maddock advised that he had just spoken with his head office who confirmed that Sugar Club were not registered as having a radio system and that the radio system was in fact registered to Truth32. This would therefore be a breach of the conditions on the licence, as they stipulate that they should have a radio at the venue. In addition, Mr Maddock confirmed that Mr Stockton had failed to pay the rental on the radio system, with the potential that the radio system would now be confiscated from them.
- Whilst there I asked if they could demonstrate how the ID scanner worked. Ms Harper initially tried to explain this verbally until I asked her if she could show me.

At this point Ms Harper produced a number of IDs to me, which she admitted to having in her possession for some time. I stressed that the process for handling IDs was that all confiscated and lost IDs would be given to the pubwatch chair at the end of the night, then the next working day I would be contacted for collection and to deal with them accordingly. I stressed that they should not be keeping the IDs for any length of time that was not necessary, as this was against home office guidance. Ms Harper then got out the ID scanner that was linked to a laptop. I asked her to demonstrate how it worked and we used the IDs that she had just given to me. We first used a driving licence that was fake and after scanning the ID the image on the licence came up on the computer screen. I asked if the ID scanner should flag that this was fake, to which Ms Harper stated that she did not know. We then tried to scan a real driving licence and exactly the same happened as before, with the image of the licence appearing on the computer screen. I therefore questioned how they were using the ID scanner given that they were unclear as to how it worked. Ms Harper asked Mr Stockton if he knew how to use it and he also stated that he did not know. Martin Cooper stressed that it was their responsibility as the premise licence holder and DPS of the venue to know how the ID scanner worked, to which Mr Stockton replied, 'it's always my responsibility though isn't it Martin'. At this we confirmed that as the premise licence holder yes it ultimately was. I asked to view the data that I was advised that the scanner collected, only to be told that the laptop that we were viewing the scanner through was new therefore did not hold any of this information. I asked to see the old laptop which held the information, only to be advised that a drink had been spilt on it at the weekend, therefore it was not working. Mr Stockton stated that when he had initially purchased the ID scanner this was the only one that he could find. I advised that there were a number of venues in Sheffield that used such scanners, so therefore they were not such a rarity, as he was implying. Martin Cooper then did a search on his phone, typing in 'ID scanners' and advised that a number of companies came up on the search engine. Mr Stockton asked him to send

him the details of the companies that he had found.

We then frequented a room upstairs where the CCTV was kept. This room was a small room just off the main area, with seating and neon lights on the wall saying '*owners enclosure*'. We reviewed CCTV from an incident that occurred when a member of security staff was assaulted on the 22.10.2022. PS Oliver explained that when he had reviewed the footage from outside the quality had been exceptionally poor. We were advised that the camera system had as recently as 2 weeks ago been replaced with better quality cameras. Therefore, it was established that the picture quality that was initially sent through was correct, which would again would have been a breach of their conditions given such poor quality footage. We reviewed the newly installed cameras to find that they were much better quality and had better definition.

I asked Ms Harper and Mr Stockton to update me about the ID scanner after Mr Stockton stated that he was going to contact the company.

189. On the 12<sup>th</sup> November at 00:45, licensing visit conducted as part of street safe, no issues identified.
190. On the 12<sup>th</sup> November at 23:15, licensing visit conducted as part of street safe, no issues identified.
191. On the 15<sup>th</sup> November 2022, email received from Ms Harper, advising that following contact with the radio operators the previous week, she had been unable to find the form to complete to apply for a radio at Sugar Club. After forwarding Ms Harper's email onto Steve Butler, I then received a further email from Ms Harper stating that in fact Mr Stockton had the email with the details that needed completing, so it was sorted.
192. On the 20<sup>th</sup> November at 01:30, licensing visit carried out as part of Street Safe. It was noted from officers that under 10 persons were present in the venue, with none appearing to be underage. Officers identified signs of drug use in the venue with 3 small empty clear resealable plastic bags located in the males toilets

beside the toilet basin. A further empty sealable bag was located on the floor near to the doorway leading out to the smoking area and another sealable bag containing a small quantity of white powder was located on the ground within the smoking area.

**Please see A/PS Craven's statement for more details.**

### **Summary**

Since January 2022 when the initial complaint of underage came into SYP, we have tirelessly tried to work with Mr Stockton and the various DPS' that he has employed at the venue. From the initial complaint received of underage in January 2022 to the operation that was conducted on the 9<sup>th</sup> April 2022 myself and John Kirkham had three meetings/visits with Mr Stockton, we had one telephone call with him and five further failed attempts to contact him. In addition to this, we also had a telephone call with the premise licence holder at the time. There were five emails sent addressing concerns, along with seven visits as part of street safe. This is all in addition to an action plan was completed with Mr Stockton on the 27<sup>th</sup> January 2022, to highlight areas of improvement and expectations. I think that this clearly demonstrates that SYP have tried various levels of intervention and interactions with Mr Stockton and have conformed with Section 182 of the Licensing Act.

In April following the application to review the premise licence, SYP tried to mediate and still work with Mr Stockton, with 18 new conditions implemented onto the premise licence via a variation. However, despite this being implemented in May, there have been 13 breaches of their premise licence conditions. Therefore, I think that this clearly demonstrates poor management at the venue and their inability to adhere to the agreed conditions on the licence.

Since January 2022 and the concerns being brought to our attention about the premise, there have been thirty one telephone conversations connected with the venue, with a further failed seven attempts to contact them. There have been thirty two emails sent to individuals connected to the venue, sixty one visits conducted as

part of street safe and fifteen visits completed by Licensing Officers. SYP have tried to support the venue and Mr Stockton, but despite our best efforts SYP feels that the Sugar Club and Mr Stockton have failed to alleviate our concerns in connection with prevention of crime and disorder and protection of children from harm. Therefore, SYP feel that we are left with no alternative but to seek revocation of this licence.

**Statement of Truth**

I believe that the facts in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in the truth.

**Signed:**.....K. Green.....

**Name:**.....Kirsty Green.....

**Date:**.....30.11.2022.....