# BLACKFORDS

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Date:

24 October, 2016



**Dear Sirs** 

RE: CABIN BAR AND BREEZE NIGHTCLUB, PORTHCAWL

We write with reference to the above named premises and can confirm that Blackfords LLP have been instructed to act on their behalf with regards to the application for a review of the premises licence.

We would be grateful if all correspondence could be copied to our firm during the course of this matter.

It is noted that a decision has been made to hear the application for a review of the premises licence as a 'closed hearing'. We respectfully request details as to why such a decision has been made and indicate that our client wishes to be present during the hearing, along with their legal representatives.

We can confirm that witness statements and supporting documents by way of representation will be forwarded to the council during the course of this week.

It is noted that full grounds for review have not been made available to our client and we would request that this be forwarded as a matter of urgency.

We also request full details and copies thereof, of all representations made by interested parties with regards to the application.

Yours faithfully

PARTNERS Gary Bloxsom Nicola Chamberlair Daniel Cundy Trevor Franct Dlana Payne

LAWYERS

Mark Dakir

Mark Dakir

Laura Frank
Kiran Gibsor

Hannah Giles

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DX 33005 Cardiff Tel: 029 2032 9645 Fax: 029 2037 1669 24 Hour Police Station Emergency Line: 07876 081080



BLOODAND UP
BLACKFORDS LLP

## IN THE MATTER OF AN APPLICATION FOR REVIEW

## OF A PREMISES LICENCE UNDER S.51 OF THE LICENCING

**ACT 2003** 

## AND IN THE MATTER OF CABIN BAR AND BREEZE NIGHTCLUB

# **WITNESS STATEMENT OF KARL SVENSON**

- 1. My name is Karl Svenson and I acquired the lease of The Cabin Bar on 31st October 2014.
- 2. As of the 31<sup>st</sup> October 2014, I became the Designated Premises Supervisor.
- 3. Further to the acquisition of the lease, I subsequently refurbished the first floor of the premises and opened 'Breeze Nightclub and Function Suite' in July 2015.
- 4. I have managed several licenced premises over the last twenty years as 'DPS'.
- 5. I have an impeccable record of complying with all requirements and stipulations related to licenced premises
- 6. I currently employ fifteen members of staff at the venue, including a manageress.
- 7. All members of staff receive comprehensive training and support to ensure that they comply fully with licencing laws and operate in a safe manner (KS/1).
- 8. It has been surprising and saddening that South Wales Police are reviewing the premises licence of The Cabin Bar and Breeze Nightclub, given my willingness to cooperate and my continuous efforts to try and maintain a positive working relationship with South Wales Police.
- 9. I will deal with each of the allegations in order:

# **Licencing Objectives**

"There are numerous, persistent and an unacceptable number of incidents, many of these occurrences have resulted in injury to customers, some severe, where alcohol has played a prominent part"

- 10. In recent months, the number of incidents at the venue has declined, this is as a result of the consistency and hard work of the Door Supervisors in adopting a zero tolerance approach to antisocial behaviour and the bar staff's vigilance when dispensing alcohol to customers.
- 11. We keep a comprehensive record of all incidents that occur on the premises.
- 12. Since January 2016, there have been only four recorded incidents (KS/2):
  - a. 16<sup>th</sup> April 2016
  - b. 22<sup>nd</sup> April 2016
  - c. 19<sup>th</sup> June 2016
  - d. 29<sup>th</sup> July 2016
- 13. Of these incidents, only one (22<sup>nd</sup> April 2016) resulted in injury to a customer/member of the public.
- 14. Violent behaviour is not tolerated and we always aim to prevent any such incidents occurring.

"Customers have had to be forcibly handcuffed, whilst one was so violent that he had to be subdued with a taser weapon i.e what is commonly referred to as 'tasered'"

- 15. It is inevitable, given the nature of the business that occasionally the police will need to detain members of the public.
- 16. In relation to this specific incident (1<sup>st</sup> August 2016), we challenge the description of the event that has been put forward by South Wales Police.
- 17. A member of the public was refused entrance to the premises. He was found to have a substance on him who the Door Supervisor's believed could be illegal drugs.
- 18. It is acknowledged that he could have been a potential customer, he did not, in fact, enter our premises.
- 19. He was arrested more than 150 yards from the premises and the premises' security staff supported South Wales Police in detaining the individual

"In the last few months a number of police officers summoned to deal with disturbances have also been assaulted"

- 20. It is acknowledged that there have been two incidents where police officers have been injured in the vicinity of the venue.
- 21. The first incident (1<sup>st</sup> August 2016) could have been prevented. The Security Officers who were on duty at the premises assisted the police to put a member of the public to the floor. They were then ordered to release him which subsequently resulted in him causing injury to the police officer.
- 22. We are aware of a second incident involving two female police officers at the entrance to Eastern Promenade.
- 23. This was again a situation where the premises' security staff assisted the police in detaining an individual.
- 24. We have no written incident log as the incident did not happen at our premises or in the immediate vicinity.
- 25. The individual involved had not entered the premises and our security staff confirmed this to the police at the time.
- 26. We made available our CCTV footage to South Wales Police but the incident was too far away and, as a result, there was no evidence which assisted.

"The most serious offences have been committed under the Licencing Act 2003"

27. Given the wide range of offences which this Act covers, a further breakdown of the offences would assist in our understanding of the Police's allegations against the premises.

"Similarly, serious offences have been detected under other legislation which is appended to the Applicant".

28. We would reiterate that clarification of such allegations is required in order for us to fully address matters.

"In fact, the list of incidents associated with the premises highlights that it has an extended history of violence and disorder"

- 29. As a venue, we work tirelessly to ensure that we operate in a manner which ensures the safety of both our customers and our staff.
- 30. In recent months, the number of incidents at the venue has decreased. This is as a result of the consistency and hard work of the Door Supervisors in fostering a zero tolerance approach to antisocial behaviour and the bar staff's vigilance when dispensing alcohol to customers.

"These occurrences and offences recorded to date are totally unacceptable and even if they were to remain constant a review is warranted, however, they have increased since 2014 and will increase further unless drastic changes take place"

- 31. We challenge that incidents will increase further unless drastic changes take place. As already explained there has been a decline in disorderly incidents at the venue in recent months.
- 32. Staff have received, and will continue to receive, extensive training in order to minimise any incidents of alcohol related disturbances. It should be acknowledged that prior to my acquiring the lease for this venue, it was in a very poor state of repair and subsequently held a small number customers. It was often shut by 9p.m in the evening.
- 33. Due to the vast improvement in the building and facilities of the venue, the volume of customers will naturally increase. Unfortunately this can result in an increase in anti-social behaviour which we are constantly working hard to reduce.
- 34. There have not been any incidents at the venue for over three months. This has been during our busiest time, including the Elvis weekend.

"Since Karl Svenson became DPS in late 2014 and the nightclub reopened in July 2015 having been unused for a number of years as it had fallen into disrepair, there has been an increase in alcohol related violence, crime and disorder"

35. As outlined at paragraphs 33-34, the improvement in the premises has had a knock-on effect in increasing customer footfall and therefore increasing the possibility of incidents of antisocial behaviour. We continue to work hard to reduce such incidents.

"Additionally the licencing objectives have been further and seriously undermined by events during the Elvis Festival"

- 36. Further clarification is required in relation to the events alleged by South Wales Police.
- 37. Elvis Weekend was a successful weekend for the venue, even though footfall had significantly increased as a result of the event, there were no reported incidents of any type at the premises.

"From 2015 up to and including September 2016 numerous occurrences have been reported many of which have subsequently been recorded as criminal offences"

- 38. It is acknowledged that there have been occasions where criminal offences have been committed, it should be noted that there have been incidents where one member of the public has been charged with several offences.
- 39. We suggest that the list is somewhat skewed as a result of not being related to specific incidents, to show the exact number of incidents relate to such offences.

# **Theft**

- 40. We are unaware of any incidents of theft directly related to our venue or our customers.
- 41. We can recall one occasion where a customer alleged her mobile telephone had been stolen and myself, along with and an amount of the subsequently interviewed at Bridgend Custody Suite.
- 42. No further action was taken in respect of this offence.

# **Sexual Assault**

- 43. We are unaware of any incidents of sexual assault at our premises.
- 44. Officers from South Wales Police attended the premises and sifted through over three hours of CCTV footage with the assistance of

- 45. It was concluded by the Police Officer in attendance that the offence in question happened at a premises with 'steel stairs' which this venue does not have.
- 46. The officer therefore acknowledged that the incident could not have taken place at The Cabin Bar/Breeze Nightclub.

# Possession of Class A, B and C Drugs

- 47. The venue has a strong anti-drugs ethos and conducts frequent searches of a wide cross-section of customers.
- 48. A female Door Supervisor has been employed in order to ensure that both male and female customers can be searched.
- 49. Although we frequently conduct searches we have not found any customers with drugs since December 2015.
- 50. Prior to this date, four people were refused entry to the premises on separate occasions (KS/5):
  - a. 1st August 2015
  - b. 7<sup>th</sup> August 2015
  - c. 28<sup>th</sup> August 2015
  - d. 18<sup>th</sup> December 2015.
- 51. As a venue, we endeavour to eliminate all instances of possession of illegal substances but again, due to the nature of the business, this will always be a challenge, however, it is a challenge that all similar venues will face and we continue to be vigilant and ensure our staff are appropriately trained.

# Offences under the Private Security Act

- 52. Further clarification is required in order to ensure we are in a position to address these points.
- 53. In relation to the Elvis Weekend, the premises licence states: "The premises licence holder will ensure that two SIA registered supervisors are employed at the premises on Fridays and Saturdays from 2200 hours until closure" and "The premises licence holder will ensure that two SIA registered supervisors are employed at the premises on the Saturday only of the 'Elvis Weekend' from 1400 until closure.

- 54. Both of these conditions were fully satisfied and, in fact, the number of registered SIA registered supervisors exceeded the mandatory number at all times.
- 55. Our attention was drawn to an incident where a member of staff incorrectly signed the premises supervisor 'signing in' log. The member of staff in question has been spoken to and disciplinary proceedings have been instigated (KS/6)

"It is also significant that customers have become very violent and many have been so intoxicated on arrest that custody officers have had to conduct regular 30 minute welfare visits to the cells to monitor their demeanour"

"Custody records detail that prisoners are still drunk many hours after arrest and visits have taken place from the commencement of their detention until their release many hours after their arrival at the police station".

- 56. As previously explained, all of our staff are highly trained in order to identify customers that have consumed too much alcohol. We are concerned that customers to whom we have refused entry because of their levels of intoxication, are subsequently engaging in alcohol related crime and are being linked to our premises even though they have been refused entry.
- 57. Furthermore, when arrests are made in the vicinity it is worth noting that there are several venues positioned within a small radius.

# **Engagement**

"South Wales Police have engaged in different approaches to promote the licencing objectives including warning/advice letters and meetings. There has, in fact, been two letters served recently.

There was also a failed attempt by the police to convene a meeting at Bridgend Police Station in July 2016 to address matters.

However; the two meetings which have taken place as well as the letters served have had no impact and incidents involving drunken, violent customers as well as other serious occurrences continue to be recorded. "

58. The initial meeting in August of last year addressed concerns regarding incidents relating to the venue. Although it is stated that there were incidents on the 8<sup>th</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup> August 2015, this was soon after the meeting.

- 59. The number of incidents at the venue has consistently declined since we opened in July 2015 and there have been no recorded incidents since July 2016.
- 60. It was alleged that the venue had failed to provide CCTV, however, historically, the venue has provided CCTV many times to the police and o occasions remained at the venue until the early hours of the morning in order to ensure the police retrieve evidence as promptly as possible.
- 61. This has also resulted in additional members of staff being paid in order to attend the venue and extract CCTV to a memory stick.
- 62. The CCTV which we have on site is a system which cost around £7,500.00. It has extensive coverage of both inside and outside the venue and features a high quality picture.
- 63. I was unaware that the police required any CCTV footage and, as I explained at the meeting, have never withheld any CCTV from the police. In the past I have gone above and beyond in order to ensure the police receive access to CCTV footage in a timely manner.
- 64. During the meeting a plan was put in place in order ensure there is now a single point of contact for when CCTV is required by the police. This will ensure that there is no further confusion in the future.
- 65. There have been no further issues regarding CCTV since the meeting with the police.
- 66. It is disputed that there were failed attempts to convene a meeting. This was not due to Mr Evans' unwillingness and South Wales Police were invited to attend the venue but this failed to materialise.
- 67. A meeting did take place between myself and South Wales Police.
- 68. There was no refusal to attend the meeting by any party, only a suggestion for the meeting to be held at the premises rather than at the police station.

"Despite the meeting, serious matters were subsequently evidenced during a joint-agency enforcement operation at the Porthcawl Elvis Weekend in September 2016"

- 69. Again, we would request further information as to the allegations which are being put forward by the police regarding the Elvis Weekend.
- 70. We have outlined the requirements of the premises licence at paragraph 53.

# Warning/advice letters served on the licence holder and DPS by South Wales Police

"The incident again highlighted that a customer's intake of alcohol was excessive and played a significant part in the assault.

At 02:03 hours on Saturday 23<sup>rd</sup> July 2016 (Friday trading) customers became involved in a disturbance upon leaving causing officers to alight from a vehicle and intervene in an attempt to part the factions.

Sergeant 4717 Davies was taken to the ground where he was punched in the face by a customer who, after a struggle, was eventually arrested and handcuffed. He was very intoxicated."

71. I raise the same concerns that it is difficult to be certain that they had, in fact, been inside our premises and had not been refused entry due to their level of intoxication There are numerous licenced premises in the vicinity and it should be noted that the location of our premises is at a through route for people walking from the town centre venues and returning to Trecco Bay. With this in mind, it cannot always be attributed that individuals who have consumed too much alcohol and who are situated outside our venue have necessarily been one of our customers.

"These concerns are strengthened given that the advice and warnings have been given and meetings held, yet there continues to be a failure to promote the objectives. In fact, the management are in denial of what is regularly occurring."

- 72. Only one of the meetings held referred to alcohol related incidents and this was over 12 months ago. Since that meeting there have been no concerns raised, other than an issue regarding CCTV which was concluded by both parties disagreeing with the events which resulted in the CCTV not being provided.
- 73. A way forward was agreed with regards to the provision of CCTV in the future and there have been no subsequent issues.
- 74. Had I been made aware of the concerns which have now been raised by South Wales Police, then I would have ensured that I worked with the police and licencing in order to overcome any difficulties.
- 75. I am concerned, with the exception of the meeting which was held on 14<sup>th</sup> August 2015, that no concerns regarding alcohol related incidents have been raised with me or with the premises holder.
- 76. We seek to work in collaboration with South Wales Police and to foster a positive working relationship. In order to so then it is essential that we have an open and honest dialogue.

- 77. It is frustrating that rather than address these issues with me, you have taken the step to review the premises licence.
- 78. Further confusion is added by the agreement on the 8<sup>th</sup> September 2016 to grant two Temporary Event Notices (TEN) allowing me to remain open until 4am on 24<sup>th</sup> September 2016 (Saturday trading Elvis Weekend) and also the same hours for the forthcoming Boxing night (26<sup>th</sup> December 2016).
- 79. In light of the incidents which are alleged to have taken place at the premises, then this I find it difficult to comprehend the authorisation of the TENs.
- 80. Throughout the allegations, there have been common themes which relate to the difficulty in determining where members of the public have been consuming alcohol prior to offences being committed.
- 81. Furthermore, it has been highlighted that some incidents have occurred as a result of individuals being refused entry because they are too intoxicated. We cannot take responsibility for individuals who have consumed alcohol at other venues.
- 82. As a venue, we have a comprehensive set of documents to certify that we work effectively and safely in order to ensure the well-being of staff and customers alike. These include:
  - a. Training Manuals
  - b. Health and Safety Risk Assessments
  - c. Fire Safety Records
  - d. Prevention of Underage Drinking and Drug and Alcohol Violation
  - e. Challenge 21 Policy
  - f. Tool Box Talk Scheme
  - g. Incident Logs
- 83. It should be noted that since November 2014, the Cabin Bar has experienced an exceptionally small number of incidents, only two of which have required the attendance of the Police.
- 84. I disagree with some of the statements which have been put forward by South Wales Police in respect of the premises but it is evident that there do need to be changes made to further ensure the safety of customers, staff and the wider public. With this in mind, we have considered a number of 'Action Points':
  - a. Staff training to continue to be a vital part of ensuring customer and public safety;
  - b. From this weekend, two SIA approved Security Officers will assist in the dispersion of customers once the venue has closed with the aim of eliminating any incidents.

c. Upon reviewing the time it takes customers to disperse following the closure of the premises, it is clear that there is often a lack of taxis available and in light of this, we have engaged with PD Travel, who have agreed to provide taxis from the venue on Friday and Saturday nights from 11pm onwards.



DATED: 25.10.16



**Bridgend County Borough Council** 

Civic Offices **Angel Street Bridgend CF31 4WB** 

BRIDGEND COUNTY BOROUGH COLVE 2.7 OCT 2016 COENSING & REGISTRATION SE

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26 October, 2016

**Dear Sirs** 

RE: CABIN BAR AND BREEZE NIGHTCLUB, PORTHCAWL

We write with reference to the above named premises, for which an application to review a premises licence has been made by South Wales Police.

We enclose copies of signed statements which put forward our representations in respect of the application which is before the council.

We reiterate the contents of our letter dated 24th October 2016 and believe that it would be prudent for our clients to have sight of the full application, together with copies of any other representations which have been made by interested parties.

This will ensure that the licencing committee have are appraised of all relevant information and the committee will note that there are areas which our client has some difficulty in answering, due to the vague outline of allegations which has been provided to date.

We of course reiterate our request for this hearing to be held in such a manner that our client and/or their representatives can attend. We are sure that the council are as keen as our clients to ensure that there is full transparency when such decisions are being taken by the licencing committee.

Yours faithfully

**BLACKFORDS LLP** 

Riad Ahmed Christiana Briscoe John Connelly Idrew Keenan OBE Adrian Lovett Patrick Muste

Laura Franks Kiran Gibson

tthew McGoldrick Jibran Mirza

Natalle Mitchell Gulcan Olurcan Simon O'Meara nifer Richardson Aisling Rowe

Nadia Rymar Lucinda Shand

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# Breeze Night Club & Function Suite - Training & Induction Matrix

Health & Safety

raining Understood 1 Yes   No	Camments	Engloyee Sign art	lanageas/ign/DR
Manual Handling			
СОЅНН			
PPE			
Check Fire Exits			
Check For Slips, Trips, and Falls Hazards			
Fire & Life			
alning Understood - Yes - No	Comments.	Emplayee Sign off	Paragel Sign Dif
Fire Evacuation Procedure			
Fire Extinguisher Locations			
Correct Fire Extinguisher Use			
Location of First Aid Kits			
Appliances			
aining Understood   Yes   No	Committee	- Employee Sign of	kinoper Sign Off
Correct Use of Dish Washer			
Correct Use of Ice Machine			
How to Use The Tills			



Breeze Night Club & Function Suite - Training & Induction Matrix

Preparation of Bar	Dieeze Nignt Ciub & runction Suite - Iraining & Induction Matrix
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etc.	
Check Bar Runners are	
out	
Check The Fridge	
Stock	
Rotate Stock	
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citeck spirits	
Check The Dish	
Washer	
Check Table Tops Are	
Clean	
Check Beer Mats Are	
Out	
Check Floors Areas	
Are Clean	
Check Toilets	
Remove all waste	
Before Opening	



# Breeze Night Club & Function Suite - Training & Induction Matrix

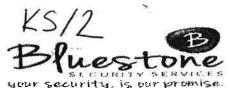
# Individual Training

Correct use of Radios	
Understanding Other Roles	
How To Deal With	
Aggressive Customers	
How To Communicate	
With Door Team	
Incident / Accident	
Reporting	
How To Complete	
Timesheets	
Weights &	
Measurements	
Correct Refusal Of	
Alcohol	
Recognising Legal	
Identification	
Correct	
Understanding of	
Challenge 21 Policy	

I have been fully trained and understand each of the above points

Date://
Signature:
Name:





Site Number Breeze Date 16/04/16 Day Suturduy.

Radios Checked CCTV System Checked All Keys Present

Visiting Manager Name

22:00 22:00 12-00	
99.00	
97:00	

Serial	Enter details, including time of all important and unusual occurrences	Time 4.	Initia
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the body warmer also began arguing with due to first males Behaviour is the strategy the behaviour Manager Centracted WI, GUP anicel and a Shot while cater SWP more male an in green body warmer 1st male in that top left in taxis situation Resolved OI: 27.



Breakdown of Mgt.

2-Refused NO FD.

1- positive drugsearch hadroging found Male
betweed Entry.

4- Ejected for Routly Jouggressive we wehavior.

Appendix



# The Breeze Nightclub & Functions Suite - Incident Report

Date & Time:
Location of Incident: In front of DD Area
Duty Manager Informed: (Yes) / No
Police/Ambulance/Fire attended at:
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Print Signature:

Signature:

Date: 22/04/14

Appendit (4)



# The Breeze Nightclub & Functions Suite - Incident Report

Name:
Date & Time: 19/6/16. Time approx 01:30 Am.
Location of Incident: Known ENFronce of BReaze.
Location of Incident:  Main CNI-rovec of BR0+20.  Duty Manager Informed: (Yes) / No
Police/Ambulance/Fire attended at:
Incident Type:  at experoximally 01:20 am. I was an Front door of Breeze night club. I had hered Someone Charling as I  Turned around & Door Superviser  Them and he thin Started an a make approx  5ft kinch with white T-Shirt and blue Jeans.  abked them to leave fook the note who with  white T-Shirt and blue Jeans away from the Situation  and told him go back upstairs. The outside the church  3. modos. I make loft black top (T-Shirt) started shouting  abuse then the other 2 mates followed swift I. nate then  Tryind Pushing him way past I stopped them Then 2 makes.  Tried I pushed this back then I make him 2 makes  then I was Reasonable force to get him away from building  then the other 2 makes come at forward towards me and  used Reasonable. Force on 3 makes. to get the away from  building (Police attention).

Print:

Signature:

Date: 19/6/16.



# The Breeze Nightclub & Functions Suite - Incident Report

Name:
Date & Time: 191616
Location of Incident: Dieze
Duty Manager Informed (Yes) / No
Muself.
Police/Ambulance/Fire attended at:
pauce.
Incident Type:
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club.
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of door Myself and door superusal D. Samuels aliffused situation and Sent the lad waring black at the door P.
Sept the lod waging block and
some door P.
Print: Signature

Date: 19/6/16

and the other back into club. All residued a this time



# The Breeze Nightclub & Functions Suite - Incident Report

Name:
Date & Time: APPROX 01:30 am 19/6/16
Location of Incident: BREEZE - FRONT DOWN
Duty Manager Informed: Yes / No
Police/Ambulance/Fire attended at: Pouce ATTENDED
ncident Type: AT APPROX 01:30mm AV ALTERCATION
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Date: 19 / 4 / /4

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	ar Assaulted police officer.	100.01.	
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Appendix (7)

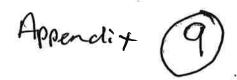


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Appendix 8



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	and	danyan	endments, te	mporary or otherwise, o	communicated to me	at the start of mys	hift	
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Site Number	0616	Date	18-	12-1	5	Day	Frida	ay
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Visiting/Manager	Name							

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93 1x male stopped drugs 2x box of white 2020  Powed in Rock form found in machstich  Post left Pochl of Jeans Police Called  male defanded arested by police at 20-30
Post left Pochl of Jeans Police Called Male defanded arested by police at 23-30
Post left Pochl of Jeans Police Called Male defanded arested by police at 23-30
male detarded arested by police at 20-20



# Summary Log 01.08.15

# INCIDENT 1 of 01.08.15

This incident took place at the entrance of Breeze, where a male known as \_\_\_\_\_was refused entry after a search was carried out and drugs were found in his possession.

was at no time on our premises.

Once had been instructed to leave the entrance of Breeze, he became abusive towards door staff along with the 2 x males that accompanied him.

All 3 x males left the area later to return where they were faced with the Police who dealt with the said incident.

### Please note:

was intoxicated prior to his arrival and the incident took place away from our venue.

Please see attached log from our records.

## INCIDENT 2 of 01.08.15

A dispute took place outside the venue where the police were present. Door staff detained  $1 \times 10^{-5}$  x male and on command from officers was told to let him go. As he was let go, he assaulted a police officer.

This could of easily been avoided if police officers had listened to door staff in the beginning.





Streitunder RRezze Date 01-08-15 Day SATORNAY .

Reighe Gledred / Convoyatenilchecked / Allkeysinesent —

Viertung vienager Name —

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	Er Assaulted police officer.	<b>_</b>	
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Site rumber RREZZE Date 01-08-15 Day SATURDAY 1

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Visiting Wenger Name —

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## Summary Log 01.08.15

### **INCIDENT 1 of 01.08.15**

This incident took place at the entrance of Breeze, where a male known as entry after a search was carried out and drugs were found in his possession.

was at no time on our premises.

Once had been instructed to leave the entrance of Breeze, he became abusive towards door staff along with the 2 x males that accompanied him.

All 3 x males left the area later to return where they were faced with the Police who dealt with the said incident.

#### Please note:

was intoxicated prior to his arrival and the incident took place away from our venue.

Please see attached log from our records.

#### INCIDENT 2 of 01.08.15

A dispute took place outside the venue where the police were present. Door staff detained  $1\,\mathrm{x}$  male and on command from officers was told to let him go. As he was let go, he assaulted a police officer.

This could of easily been avoided if police officers had listened to door staff in the beginning.



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Visiting Manager Name —

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# Summary Log 07.08.15

## INCIDENT 1 of 07.08.15

- 1 x male was ejected from front door for smoking inside the premises.
- 1 x male was arrested outside by police for refusing to leave site.
- 1 x male refused entry as an empty bag of white substance was found on his possession

The above 3 incidents were not related to our venue. However, below there was a fight that occurred in our venue and was dealt by our door staff and no police were needed

4 x males ejected for fighting in the club.





Site Number 35501	Date 7-8-15	Day Friday	
Radios Checked /	CCTV System Checked	All Keys Present	_
Visiting Manager Name		D of the second	

	Name	Signature on Duty	Time On Duty	Time off Duty	Signature	off D
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Site Number 35501	Date 7-8-15	Day Friday
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Visiting Manager Name		

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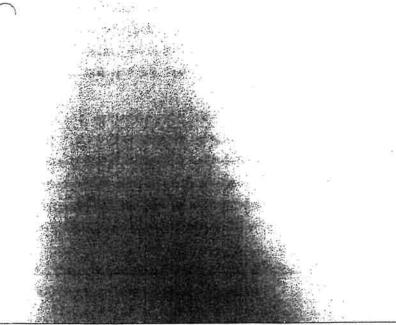
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# **DOOR STAFF ELVIS**

DATE	TIME	STAFF	License No	
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	19:00 - 02:00	Ti		
	21:45 - 02:00	1		
	22:00 - 02:00			1977

DATE	TIME	STAFF	Licence No	
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	14:00 - 02:00			
	19:00 - 21:00			

<b>SUNDAY 25TH</b>	TIME	STAFF	Licence No	
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	14:00 - 02:00			
11	14:00 - 02:00	<del>-</del> 1		
	19:30 - 01:00	-		



Private and Confidential

To be opened by addressee only



Sent: [Recorded Mail]

Contact person

Karl Svensen

Phone

E-mail

karlsvensen@bluestonesecurityservices.co.uk

Investigation outcome - Final Written Warning

27th September 2016



I write to confirm the outcome of the investigation meeting held conducted by myself, Karl Svensen, Executive Manager on 26<sup>th</sup> September 2016 at the Cabin Bar in Porthcawl.

The allegation that was discussed at the investigation meeting was:

Signing the Door Supervisor Register on 23<sup>rd</sup> September 2016.

It was discussed with yourself that you signed the door register on behalf of the door team as you did not want to get anyone into trouble not realising the full extent of your actions. I acknowledge this is something you have never done before and this is an isolated occasion due to the willingness to help.

On this occasion, your conduct/performance was unsatisfactory your actions resulted in potentially damaging the company's reputation therefore I have decided that given the serious nature of this incident but also taking onto account your honesty in admitting the incident and previous conduct you will receive a Final Written Warning. This warning will be placed in your personal file but will be disregarded for disciplinary purposes after a period of 12 months, provided your conduct improves/performance reaches a satisfactory level.

- A) The nature of the unsatisfactory conduct or performance was: Signing the Door Supervisor Register
- B) The conduct or performance improvement expected is:

  To ensure this is an isolated incident which does not reoccur
- G) The timescale within which the improvement is required is:



You have the right of appeal against this decision. Please [write] to **Karl Svensen**. Within **7 days** of receiving this disciplir I'd like to thank you for your patience during the investigation. Please do not hesitate to contact me should you wish further.

Yours Sincerely

Karl Svensen

Manager

# BLACKFORDS

**Bridgend County Borough Council** Civic Offices **Angel Street Bridgend CF31 4WB** 

Your Ref:

Our Ref:

**CARDIFF** 

Direct Dial:

Office for Reply:

02920 329647

Email:

Eleanor.Jefferies@blackfords.com

CJSM:

Cardiff.office@blackfords.cjsm.net

Date:

27 October, 2016



**Dear Sirs** 

RE: CABIN BAR & BREEZE NIGHTCLUB, PORTHCAWL

We write further to our previous correspondence dated 24th October and 26th October and with reference to the application of South Wales Police for a premises licence review of the above named venue.

Please find enclosed a signed statement from Mr Patrick Evans by way of representations to be considered as part of the review process.

This statement should be read in conjunction with that of Mr Karl Svenson which has already been served upon the council.

Yours faithfully

Blackfords LLP

Mark Dakin Laura Franks Kiran Gibson Hannah Giles Sarah Hall Emma Harris Laurence Imrle Mark Jones Matthew McGoldrick Jibran Mirza Natalle Mitchell Gulcan Olurcan Simon O'Meara Jennifer Richardson Alsilng Rowe Nadia Ryman Lucinda Shand

Riad Ahmed Christiana Briscoe John Connells drew Keenan OBE
Adrian Lovett
Patrick Musters
Deborah Sharpley Jemma Trundle Philip Williams

LITIGATION EXECUTIVES Natalle Bematovitch George Deguara Rhiannon Evans Vikki Field Anne-Marie Geraghty Eleanor Jeffries Jo Kaucher Paul Rexsti Jack Rubin Chris Slater Victoria Smith garet Stapleto Terri-anne Taylor

PRACTICE DIRECTOR

## SOLICITOR-ADVOCATES, SPECIALIST FRAUD, REGULATORY & SERIOUS CRIME LAWYERS

www.blackfords.com

Fax: 020 8681 5078 ncy Line: 07876 081080 15 Old Balley EC4M 7EF

DX 161400 Old Balley 5 Tel: 020 3427 3343 Fax: 020 3427 3344 24 Hour Police Station ency Line: 07876 081080 Cleary Court 169 Church Street East Woking GU21 6HJ 2958 Woki

8 St Andrew's Place Cardiff CF10 3BE

DX 33005 Cardiff Tel: 029 2032 9645 Fax: 029 2037 1669 24 Hour Police Station Emergency Line: 07876 081080



IN THE MATTER OF AN APPLICATION FOR REVIEW OF A PREMISES LICENCE UNDER S.51 OF THE LICENCING ACT 2003

# AND IN THE MATTER OF CABIN BAR AND BREEZE NIGHTCLUB

## WITNESS STATEMENT OF PATRICK EVANS

- 1. The family have owned the freehold to the Cabin Bar since 1979.
- 2. Until last year, the licence was tendered out and the licence ran alongside any tenancy.
- 3. There were several individuals who had managed the premises over the years.
- 4. I have held the premises licence without any significant incident and there has always been an excellent working relationship with the police.
- 5. I do not seek to address specific issues in this statement as I am not at the premises on a day-to-day basis.
- 6. I have always been willing to cooperate and to assist when the police required. For example, I have been approached for CCTV footage on a number of occasions, as my CCTV cameras cover a very wide area.
- 7. I even assisted in providing CCTV footage for a murder which took place last year in Trecco Bay.

- 8. The Eastern Promenade is a thoroughfare from the town centre. When all of the venues in town are closing, people use this as a walking route to Trecco Bay Caravan Park. Locals also use it as a route home.
- 9. As the Cabin Bar is the only venue with a late licence, it is always a final port-of-call for those who have been drinking elsewhere. I have always had complete faith in the door security staff to refuse entry to those individuals who should not be in the premises.
- 10. With regards to the meeting which was suggested by South Wales Police, I would like to clarify that there was never a refusal to attend.
- 11. I suggested that it might be more appropriate to meet at the venue itself, in order to discuss any issues and so that if access to CCTV was required, then it could be provided at the time.
- 12. This request was not answered.
- 13. I am aware that Karl Svenson has been approached on occasion to provide CCTV footage and that he has always complied with such requests. I have no reason to believe that he would have refused on this occasion.
- 14. The police are aware of the coverage that my CCTV system has and I can confirm that no request was made to me to obtain any CCTV footage from my systems.
- 15. I have an excellent working relationship with Karl Svenson and have complete trust in him to operate the venue in accordance to all licencing laws.

Moreover the annual lease granted to him requires [the Tenant] to "take all reasonable and necessary steps to maintain the Premises licence"

- 16. His desire to run the venue in accordance to legislation has been evidenced by the low number of incidents which have occurred at the premises since he took over.
- 17. He has invested in the premises and has undertaken to renovate it to a very high standard. This has an effect in attracting the right sort of customers.
- 18. We have been considering entering into formal discussions with the council and police regarding opening the old function suite which is adjacent to the Cabin Bar. Obviously operating our venues to a high standard of safety is important and this is something which we would seek to foster in any future business venture of licenced premises.
- 19. We would be seeking to employ at least 30 people if the function suite re-opens and obviously any impact on our licence could have a knock on effect for such future employment, as well as for the individuals who are already employed by Karl Svenson at the Cabin Bar.
- 20. I would seek a detailed breakdown of all allegations which are being put forward by South Wales Police with regards to the review of the premises licence to ensure that they understand that some allegations relate to the same incidents.

SIGNED:



DATED: 25/10/16