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Date: Tuesday, 05 October 2021

Governance Support  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Dear Member

## **LICENSING SUB-COMMITTEE - THURSDAY, 7 OCTOBER 2021**

I am now able to enclose, for consideration at the Thursday, 7 October 2021 meeting of the Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>	<b>Page</b>
8.	<b>Review of a Premises Licence in respect of Jackz Bar, Parkham Road, Brixham, TQ5 9BU</b>	(Pages 2 - 20)

Yours sincerely

Governance Support  
Clerk

# Agenda Item 8

**From:** SMART Julie 50403 <[Julie.SMART@devonandcornwall.pnn.police.uk](mailto:Julie.SMART@devonandcornwall.pnn.police.uk)>

Sent: 30 September 2021 16:59

**To:** Licensing <[Licensing@torbay.gov.uk](mailto:Licensing@torbay.gov.uk)>; Clarke, Sarah <[Sarah.Clarke@torbay.gov.uk](mailto:Sarah.Clarke@torbay.gov.uk)>

**Subject:** JACKZ BAR ADDITIONAL REPRESENTATION

Good afternoon

Please accept this email as an additional representation in respect of the Review hearing for Jackz Bar, Brixham.

Since submitting the Review application on 4 August 2021, the following matters have come to police attention:

On 5 August 2021, after requesting Ms Harley to provide the CCTV of the incidents that occurred on 25 July and 30 July 2021, I received an email from Mr Hennessey, in which he included links to the CCTV footage in Dropbox and a summary of both incidents, indicating that incident and witness reports would be forwarded in due course. I responded to Mr Hennessey that I do not have access to Dropbox and requested that he provided the downloaded footage. I also explained that in relation to CCTV I require all the footage in relation to the incident on 11 July 21 and not just the part that occurred outside the front doors of the premises. A copy of this email is attached.

Shortly after this email correspondence I received 2 x USB sticks containing footage which was subsequently sent to our Digital Video Unit (DVU) to enable it to be played on police computers. On receipt of the footage back from DVU myself and Sgt Curtis viewed this footage.

In respect of the CCTV footage, I noted the following:

Footage from within the premises on 11/07/21 showed that none of the door stewards were wearing face masks within the premises and bar staff were seen to regularly move their masks from their nose and mouth to their neck area, where they remained for most of the footage, despite face masks still being required in licensed premises. Various customers were also seen walking around not wearing masks. On this night Mr Hennessey and Ms Harley had stated that a male wearing a yellow high visibility jacket had been employed in the role of a Covid Marshal to enforce the requirements, but no evidence of him enforcing the requirements is seen on CCTV. This footage also shows two males enter the premises after 1.00 am in breach of a condition contained on the premises licence that there shall be no entry or re-entry after 1.00 am. The footage provided briefly pixelates.

In respect of the incident on 25/07/21 where females were reported fighting outside the premises, footage from one camera showed a number of persons loitering outside the premises but no door

steward is visible. The footage again briefly pixelates and this footage is from the same camera as the footage of 11/07/21. Further footage of this incident was provided from a different camera consisting of 2 very short pieces of footage instead of one continuous piece of footage.

In respect of the incident on 30/07/21 involving a male causing problems in the premises, the CCTV shows a glass  $\frac{3}{4}$  full of what appears to be alcohol on a table at 0309 hrs, when the premises should have been closed. Mr Hennessey states in an email to myself that all persons present were bar staff, door staff and the partners of some female bar staff. In relation to this incident, I was again provided with 2 short pieces of CCTV from the same camera and not one continuous piece of footage.

At 0104 hrs on the morning of Tuesday 14 September 2021 police received a 999 call from a female who stated a male was outside the premises causing problems, throwing things at the window. The female stated that the door stewards had locked the front door and a window had been broken. In respect of this incident a crime of criminal damage has been recorded and is being progressed.

At 0020 hrs on morning of Sunday 19 September 2021 police received a 999 call from Mr Hennessey who stated that 4 customers had attacked him, he had driven off but they tried to get in his car. The 4 individuals were still outside Jackz Bar and he was concerned for the safety of his staff. The bar steward had locked the front door but the customers were trying to get back inside. Officers attended and established that an argument had occurred in the bar, resulting in a scuffle in the stairwell and a fight at the bottom of the stairs. A female door steward had been assaulted and officers were considering whether other offences had occurred.

On 19 September 2021 I received an email from Sergeant Ed Thomas, the Neighbourhood Sergeant for Brixham. He states that he attended a fight at Jackz Bar at about 0110 hours that morning. Sgt Thomas provided details of the door stewards on duty that night and raised concerns that a 19 year old male steward was clearly out of his depth and indicated he would not be working at the premises again. Sgt Thomas stated that he had received an unfounded allegation that the premises were being used for drug taking or supply. Sgt Thomas concluded his email stating "Personally, management of the premises appeared chaotic".

On 20 September 2021 I sent a letter to Ms Harley in relation to the breach of the no entry condition contained on the premises licence on the morning of 11 July 2021. A copy of that letter is attached.

Later that day Ms Harley responded to my email advising me that on the night in question the door stewards had been pre-occupied dealing with the incident. She apologised that these customers had slipped through the net and assured me that all staff and stewards are aware of the 1.00 am condition. She further stated that at 1.00 am the front doors of the premises are closed and locked to avoid anybody entering and this practice will be continued.

As I was aware of a condition on the premises licence that states "There must be 4 exits available in case of emergency, 3 of which are on ground level", and I was concerned that the locking of the

front doors may impact on evacuation of the premises should there be a fire, I replied to Ms Harley asking for clarification as to where the fire exits were located in the premises. After several emails I established where all the exits were located and forwarded the email chain to the Help Desk of Devon & Somerset Fire & Rescue Service for their information and advice.

On 21 September 2021 I received an email from Mr Roger Williams, Fire Safety Officer, Devon & Somerset Fire & Rescue Service, who indicated that a final exit must be one that is easily openable without the use of a removal key and that the use of a doorman to facilitate the unlocking of a final exit is unacceptable. He further stated that if renovations are being undertaken he would expect to see an updated and suitably action Premises Fire Risk Assessment reflecting this and that the occupancy of the premises should be documented in the Fire Risk Assessment. Within his email in he states "The establishment of an acceptable occupancy capacity for licensed premises (or events) is considered to be an essential factor in achieving the licensing objective 'Public Safety'".

At 4 pm on Thursday 23 September 2021 myself and Sgt Curtis met with Mr Hennessey and Ms Harley at Jackz Bar. Ms Harley's daughter was also present. Sgt Curtis advised them that we would be discussing the management of the premises with Ms Harley as she is the Premises Licence Holder and DPS, but Mr Hennessey was welcome to be present.

Discussions took place concerning the availability of Ms Harley to meet with us and we advised her that whilst we will try to accommodate her it is not always practical to meet at 4.00 pm or on a Monday, which is our busiest day. Ms Harley indicated that if we wished to meet to discuss important matters she will be able to swap her day off to enable this to take place.

We had a look around Jackz Bar, noting the fire exits, and also had a look at the premises below, which is called the Lounge Bar and not subject of this Review application. The Lounge Bar is currently being refurbished and Mr Hennessey advised us of his plans for this area.

I asked what the capacity of Jackz Bar is, and Mr Hennessey said that it is 150 based on the previous owners Fire Risk Assessment. He confirmed that a Fire Risk Assessment had not been completed since he took on the premises.

I advised them of my concerns in relation to the locking of the front doors at 1.00 am, that I had been in contact with the Fire Service and informed them of the advice I had received from the Fire Service. I also pointed out the condition on the premises licence that there must be 4 emergency exits and advised them that as they were not complying with this requirement, it would be advisable to remove the condition from the licence. Myself and Sgt Curtis advised them to complete an up to date Fire Risk Assessment.

We looked at the CCTV system, with Mr Hennessey showing us footage of the incident on 19/09/2021. I noted that there are 2 cameras covering the stairs and the lobby at the bottom, and I asked Ms Harley and Mr Hennessey why I had not been provided with footage from those cameras. Ms Harley stated that she did not know as Mr Hennessey had been responsible for providing the CCTV. Mr Hennessey indicated that he thought he had provided it on the USB but I informed him that he had not. I advised them both that the footage from the camera covering the front door that I had been provided pixelates and I questioned why the footage of 25 July and 30 July 2021 had been provided in two short pieces instead of one continuous piece. Mr Hennessey did not know why this had occurred but he too was aware of this. They were advised to have the pixelating camera looked at and establish if there was a fault with the system preventing continuous footage to be provided. They were also advised that when footage is requested the police require footage from every camera that covers an incident.

We discussed the incident on 19 September 2021 and Mr Hennessey stated that there were 2 door stewards on duty on the first floor and he was manning the front doors. Just prior to this incident he was called to attend Hennessey Cocktails and the front doors were unmanned. A group of persons entered the premises, including one who was banned, and they were told to leave by a steward. A scuffle took place on the stairs and in the lobby, which resulted in a female steward having a clump of hair pulled out. The stewards got the group outside, at which point he arrived back at Jackz Bar and saw the incident taking place. The group approached his vehicle and tried to get in or pull him out, which is when he contacted the police. Mr Hennessey stated that he had concerns in relation to the male door steward and he had contracted the services of a door steward company to supply 1 or 2 stewards, and he would employ an additional steward in-house.

We discussed the lack of a steward on the front door, who would have been able to prevent the banned person from entering. Mr Hennessey stated that on some occasions when they only have one steward, there is no steward on the front door but they sit at a table at the top of the stairs where they can view the premises and also see everyone entering. I advised Mr Hennessey that this is unacceptable as once a person has reached the top of the stairs they are already in the premises which makes it difficult to eject them, if required, and it is advisable to ensure a steward is positioned at the front door. Mr Hennessey said that on this occasion it was unfortunate that he had to leave the premises for a short period of time during which this group gained access.

We discussed the banning of individuals and Ms Harley stated that she had worked at the premises for many years and was aware that the previous owner had a long list of banned individuals. However since taking over the premises, these individuals had been allowed entry as Mr Hennessey wanted to give them a second chance and some of them are now again banned. This matter raises concerns of the influence Mr Hennessey has over the PLH/DPS and upon over the day to day running of the establishment.

In order to assist the Licensing Committee please find attached a document showing the logs and crimes recorded in respect of the premises, and a list of suggested conditions that the committee

may wish to consider. These conditions have been forwarded to Ms Harley, the Premises Licence Holder and DPS, for her information and consideration.

Kind regards

**Julie Smart**

Alcohol Licensing Officer - Torbay

Tel: 07921 933974

**Prevention Department**

Devon and Cornwall Police, Police Station, South Street, Torquay, TQ2 5EF

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## JACKZ BAR, BRIXHAM

### CRIMES 2009 TO 2021

#### 2009 X 3

CR/066301/09	30/10/2009 00:01	30/10/2009 08:00	BURGLARY OTHER THAN DWELLING WITH INTENT TO STEAL
CR/066969/09	21/06/2009 00:00	21/06/2009 01:00	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/067206/09	06/09/2009 02:00	06/09/2009 02:05	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT

#### 2010 X 0

#### 2011 X 3

CR/060211/11	21/03/2011 00:01	21/03/2011 08:30	THEFT BY EMPLOYEE
CR/060302/11	16/04/2011 02:30	16/04/2011 03:03	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/060588/11	23/01/2011 01:15	23/01/2011 01:30	THEFT - OTHER - INCLUDING THEFT BY FINDING

#### 2012 X 5

CR/059357/12	08/04/2012 01:25	08/04/2012 01:35	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/059359/12	08/04/2012 01:00	08/04/2012 01:30	COMMON ASSAULT
CR/059423/12	05/05/2012 18:30	05/05/2012 19:30	CRIMINAL DAMAGE TO PROPERTY UNDER £5000 - OTHER
CR/059449/12	13/05/2012 00:30	13/05/2012 01:30	COMMON ASSAULT
CR/059594/12	23/06/2012 01:00	23/06/2012 02:00	THEFT - OTHER - INCLUDING THEFT BY FINDING

#### 2013 X 2

CR/058286/13	23/11/2013 23:00	24/11/2013 02:00	THEFT FROM THE PERSON OF ANOTHER
CR/107648/13	05/01/2013 01:50	05/01/2013 02:10	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM

#### 2014 X 0

**2015 X 5**

CR/000396/15	01/01/2015 02:00	01/01/2015 03:00	RACIALLY / RELIGIOUSLY AGGRAVATED COMMON ASSAULT / BEATING
CR/082186/15	28/11/2015 00:30	28/11/2015 00:45	USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR TO CAUSE HARASSMENT / ALARM / DISTRESS
CR/083679/15	05/12/2015 00:05	05/12/2015 00:11	COMMON ASSAULT
CR/083680/15	05/12/2015 00:05	05/12/2015 00:11	POSSESS AN OFFENSIVE WEAPON IN A PUBLIC PLACE
CR/088903/15	27/12/2015 01:50	27/12/2015 01:55	COMMON ASSAULT

**2016 X 1**

CR/026236/16	24/04/2016 01:30	24/04/2016 02:00	THEFT - OTHER - INCLUDING THEFT BY FINDING
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**2017 X 2**

CR/064741/17	22/05/2017 00:01	01/08/2017 17:30	COMMON ASSAULT
CR/066436/17	04/08/2017 23:30	08/08/2017 03:00	THEFT - OTHER - INCLUDING THEFT BY FINDING

**2018 X 3**

CR/039470/18	07/05/2018 02:00	07/05/2018 03:00	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/057423/18	28/06/2018 23:50	28/06/2018 23:55	CRIMINAL DAMAGE TO PROPERTY VALUED UNDER £5000
CR/097497/18	13/10/2018 00:01	13/10/2018 23:59	THEFT - OTHER - INCLUDING THEFT BY FINDING

**2019 X 4**

CR/010575/19	24/11/2018 01:19	24/11/2018 01:22	COMMON ASSAULT
CR/046244/19	25/05/2019 00:50	25/05/2019 00:55	COMMON ASSAULT
CR/101570/19	09/11/2019 23:45	10/11/2019 00:15	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/103391/19	11/11/2019 00:30	11/11/2019 01:00	RACIALLY / RELIGIOUSLY AGGRAVATED INTENTIONAL HARASSMENT / ALARM / DISTRESS - WORDS / WRITING



**2020 X 3**

CR/069880/20	22/08/2020 00:01	22/08/2020 00:30	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/076614/20	12/09/2020 01:00	12/09/2020 01:17	ASSAULT BY BEATING
CR/078841/20	19/09/2020 01:50	19/09/2020 01:55	COMMON ASSAULT

**2021 X 2**

CR/064599/21	30/07/2021 03:00	30/07/2021 03:30	ASSAULT BY BEATING
CR/079754/21	14/09/2021 00:00	14/09/2021 01:00	CRIMINAL DAMAGE TO PROPERTY VALUED UNDER £5000
CR/081568/21	19/09/2021 01:10	19/09/2021 01:20	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM

**LOGS FROM JANUARY 2015 TO 30 SEPTEMBER 2021**

**2015 x 6**

03/05/15	0235 hrs	0111	Caller stated she had been assaulted in premises. Police attended and told police that a male had grabbed her dress strap so she threw a drink over him.
03/05/15	0314 hrs	0133	Male had his head banged against a wall. Ambulance requested. Male involved was same male as in above log.
28/11/15	0051 hr	0053	Caller stated that he was being threatened and had been spat at due to him being gay. Caller was spoken to by police and then said that he didn't want to pursue a complaint of assault but just wanted the incident to stop and for the other male involved to be spoken to by officers. Officer visited caller and discussed incident.
05/12/15	0010 hrs	0017	Call from staff at premises re a male that was ejected earlier who returned with a hammer and hit a male on the arm with it. Police attended and dealt with the matter.
27/12/15	0155 hrs	0121	Male assaulted within toilets by another male. Male suspect had left premises. Crime complaint recorded.
26/12/15	0237 hrs	0142	Male caller stated he had been assaulted by being punched and grabbed by the throat. Caller stated attackers were very drunk. Caller stated he was hammered and therefore matter was dealt with at a later date. CR/43742/16 refers

**2016 x 0**  
**2017 x 7**

19/02/17	0129 hrs	0068	Female caller was very drunk, upset and difficult to understand. Stated she had been kicked out of the club by bouncers and a male had hurt her arm. Established to be a domestic incident.
06/05/17	0054 hrs	0056	Owner of premises rang to advise that a male was trying to climb over a fence at the rear of the premises that is 10ft tall with a main road behind it. Owner advised that the male is banned from the premises but trying to get in. Police attended and dealt with the male.
04/07/17	2211 hrs	0981	Caller stated that is not an on-going problem but they have had loud music at the premises and it wouldn't be so bad if they didn't have all the windows open. Caller was given contact number for Environmental Health Out of Hours
18/08/17	0052 hrs	0040	Ambulance service reported they had received a call that a male had been knocked unconscious outside the premises and was still being beaten up.
16/09/17	0200 hrs	0099	Caller stated a male who was ejected from the premises had been banging and kicking the doors for 20 minutes and was refusing to leave the area.
29/10/17	0115 hrs	0100	Caller stated door staff were refusing him entry due to him being Polish. Call taker spoke to door steward on the phone who said the male had been refused entry. Log is updated that caller sounded in drink and worse for wear.
20/12/17	0045 hrs	0031	Caller reported a fight outside Jackz Bar which started inside and has moved outside. Caller stated that he heard someone say that they have been bitten. Window had been broken. Police attended but all parties had left before they arrived.

**2018 x 3**

04/07/18	0106 hrs	0090	Caller indicated that her daughter was drinking at premises and she had concerns for her mental health.
03/11/18	2126 hrs	0958	Owner reported that the cleaner had found a samuri sword in premises. Officers attended and collected item.
09/11/18	2358 hrs	1170	Door steward reported a fight outside premises, resulting in a shop window being broken.

**2019 x 7**

16/02/19	2349 hrs	1039	Caller reported that a male was drinking in the premises and would leave soon in his car.
25/05/19	0055 hrs	0047	Caller reported a male being detained by door staff after assaulting a female. CR/46244/19 refers.
28/09/19	0314 hrs	0136	Ambulance service received a call from a member of the public saying there was a male with facial injuries at the premises who had been jumped. Male left area prior to ambulance attendance. Male was subsequently located for a welfare check. CR/88336/19 refers.
07/11/19	0702 hrs	0124	Owner of premises reported on-going problems with a number of individuals who are banned from premises. Neighbourhood Officers provided advice.
09/11/19	2350 hrs	0943	Owner reported that a male who had been banned from the premises for a few years had assaulted the door staff and was threatening to smash windows. Male was arrested. CR/101570/19 refers.
11/11/19	0039 hrs	0020	Door staff reported male becoming aggressive whilst being ejected from premises and made racist comments. Police attended but male had left the area. CR/103391/19 refers.
19/11/19	0110 hrs	0037	Door staff reported that a male had smashed a window. Male had been drinking in premises for an hour and was heavily intoxicated. CR/104370/19 refers.
18/01/20	0121 hrs	0060	Owner stated a banned male was outside kicking off and threatening to assault others. Police attended and male left the area.

**2020 x 4**

22/08/20	0023 hrs	0040	Door staff reported an assault at premises. Suspect had been ejected and left the area. CR/69880/20 refers.
03/09/20	0023 hrs	0022	Owner reported a group of about 10 males and females with a male who is barred all trying to get into premises, kicking the door and attacking the doorman. Officers attended and the group left the area.
12/09/20	0117 hrs	0087	Door staff reported 3 males had been thrown out for being aggressive but they returned and were fighting with security staff. CR/76614/20 refers.
19/09/20	0108 hrs	0058	Owner reported that a banned male had entered the premises, was asked to leave but was becoming aggressive. Owner believed male be carrying a knife. Police attended and dealt with the male.

2021 x 6

30/05/21	0043 hrs	0069	Caller stated there were over 50 people in the premises with no social distancing, masks. He stated that premises is a nightclub and people were dancing inside. Officers attended and spoke to steward before entering for compliance check. 3 door staff overseeing social distancing and use of masks, no dancing seen.
25/07/21	0258 hrs	0199	Report of 3 females fighting outside premises with one jumping on the head of another. Officers attended and spoke to 8-9 people outside Jackz, all very intoxicated but none raised any issues.
30/07/21	0316 hrs	0117	Ambulance service reported that a male had had a fight with bouncers. Male stated he was 16 years and door staff had assaulted him and would not let him leave. Male stated he had possibly been bottled and bleeding and that door staff had the bottle. Male left the area but police spoke to him on the phone. He said that he was talking to the owner of the premises when he was assaulted by a door steward in an unprovoked attack, being strangled and punched. On phone male was drunk but not aggressive. CR/64599/21 refers.
14/09/21	0104 hrs	0034	Female reported a male throwing stuff at the window and causing problems. Door staff have locked front doors. Police attended and dealt with male. CR/79754/21
18/09/21	0240 hrs	0127	Caller rang 999 but did not speak to call taker. Sounds of disturbance could be heard in background, lots of shouting, people being aggressive, lots of male voices heard, female voice saying "Go in, go home". Officers rang number and spoke with a female who said that it was an accidental call and she was not forthcoming with information but when further questioned stated that people were 'gobbing off' and calling each other 'c***s' at Jackz Bar. She was asked if there was an on-going fight but she said her mum was ringing her and she wouldn't give her name. Call taker could still hear a disturbance in the background. Caller was phoned the following day she said she was walking past and wasn't involved. She said it wasn't fighting, just verbal, and the usual altercations on kick out at the club.
19/09/21	0120 hrs	0078	Mr Hennessey contacted police stating that 4 customers had attacked him. He had driven off but they tried to get in his car. They group of 4 were still outside the premises. Female bar steward locked the door and he was concerned for staff. A further call was received from another male stating that there was a fight outside Jackz Bar. Police attended and dealt with the matter. CR/81651/21 refers.



DEVON & CORNWALL  
CONSTABULARY

Ms Holly Harley  
C/O Jackz Bar  
Parkham Road  
BRIXHAM  
TQ5 9BU

Licensing Department  
South Street  
TORQUAY  
TQ2 5AH

20 September 2021

Dear Ms Harley

**Jackz Bar, Parkham Road, Brixham, Devon, TQ5 9BU**

I am writing to you in your capacity of Premises Licence Holder and Designated Premises Supervisor of the above named premises which has the benefit of Premises Licence Number PL0878, issued by Torbay Council.

CCTV footage provided by your premises in relation to an incident which occurred at approximately 0100 hrs on the morning of Sunday 11 July 2021, shows a males entering your premises at 0105 hrs and a further male entered at 0106 hrs. At 0108 hrs another male entered your premises but he left seconds later.

I would take this opportunity to remind you of the below condition on your premises licence:

*There shall be no entry or re-entry to the premises after 1am.*

As Premises Licence Holder it is your responsibility to ensure that the conditions on your licence are complied with at all times. Failure to comply with the terms and conditions of a premises licence is an offence under Section 136 of the Licensing Act 2003, and a person convicted of such an offence is liable upon conviction to an unlimited fine, up to 6 months imprisonment, or to both.

On this occasion please accept this letter as a written warning. However, should there be further concerns of this nature, I shall consider taking further action in the form of prosecution for any offences committed.

A copy of this letter has been forwarded to the Torbay Council Licensing Team for their information. Should you require any further information, please do not hesitate to contact me.

Yours sincerely

Julie Smart  
Police Licensing Officer – Torbay



**From:** [SMART Julie 50403](#)  
**To:** [Ross Hennessey](#)  
**Subject:** RE:  
**Date:** 06 August 2021 14:18:00

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Great thank you.

Julie

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**From:** Ross Hennessey [REDACTED]  
**Sent:** 06 August 2021 14:13  
**To:** SMART Julie 50403 <[Julie.SMART@devonandcornwall.pnn.police.uk](mailto:Julie.SMART@devonandcornwall.pnn.police.uk)>  
**Cc:** [REDACTED] CURTIS David 16415  
<[David.CURTIS@devonandcornwall.pnn.police.uk](mailto:David.CURTIS@devonandcornwall.pnn.police.uk)>  
**Subject:** Re:

Hi Julie,

No problem - that footage is now provided in its entirety.

USB stick has been made and packaged, waiting on collection from my sister from my driveway and she will either hand deliver or post it to the station within the next few days.

Thanks,  
Ross

Sent from my iPhone

On 6 Aug 2021, at 11:32, SMART Julie 50403  
<[Julie.SMART@devonandcornwall.pnn.police.uk](mailto:Julie.SMART@devonandcornwall.pnn.police.uk)> wrote:

Hi Ross

Unfortunately the police don't use dropbox and our systems will not allow us entry.

Therefore please can you provide the downloaded footage by posting to Torquay Police Station as requested within my email to Holly.

In relation to your comment below concerning the footage required in relation to the incident on 11 July 2021, I requested the footage in relation to 'the incident involving the door steward'. This incident commenced when the male became aggressive and stewards intervened and it finished when the male left the area, therefore we were expecting receipt of all the footage for this incident. In order to assess whether the actions of the door stewards were appropriate, we need the entire footage in order to view the levels of violence offered by the male when he

was inside the premises.

I would be grateful if all relevant footage can be supplied in the future please.

Kind regards

Julie

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**From:** Ross Hennessey [REDACTED]  
[REDACTED] August 2021 23:51  
**To:** SMART Julie 50403 <[Julie.SMART@devonandcornwall.pnn.police.uk](mailto:Julie.SMART@devonandcornwall.pnn.police.uk)>  
**Subject:**

[REDACTED]  
[REDACTED]

I believe the second link wasn't the correct one, here is the correct one

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**From:** Ross Hennessey [REDACTED]  
**Sent:** 05 August 2021 22:58  
**To:** SMART Julie 50403 <[Julie.SMART@devonandcornwall.pnn.police.uk](mailto:Julie.SMART@devonandcornwall.pnn.police.uk)>  
**Subject:**

Dear Julie,

Holly has said that you are unsatisfied with the footage provided in regards to the incident involving [REDACTED]. Here is an additional camera showing the inside of the premises and how the male started the assault, you just needed to ask for extra, in your request to Holly you said you wanted footage of the incident involving the door steward and the member of public, which is what we provided ... Our new system can hold footage for 28 days, twice the amount that is required on the licence.

[REDACTED], so have had to do everything remotely if you require a USB stick of the events then I will be able to post it from next Monday, but I'm sure this will be sufficient.

Here is a link for the cameras for the night in question, please use it to download the footage so you have your own copy as I believe it only lasts on 'dropbox' for 30 days.

[REDACTED]

Here is a link for the girls in the street that you have requested. I believe your question is/was - did doormen intervene? Answer is, yes they did. We had already kicked everybody out before 3am, and the doormen weren't aware of anything outside the premises until they saw it on the monitor, so they quickly intervened.

As you can see from the video it was approximately 40 seconds long, both parties weren't injured and left the premises immediately in opposite directions. Here is a link to the footage.

[REDACTED]

Finally here is the footage from [REDACTED] who was allegedly 'glasses and assaulted by our doorman.'

As you can see in the footage, he has an altercation with [REDACTED], one of my staff members boyfriends who came to walk her home, and my doorman [REDACTED] immediately intervened. I know your immediate response will be its 3:09 why are there 8 people on the premises. So I have listed names and who they are.

Ross Hennessey (myself)

[REDACTED] (doorman)

[REDACTED] (Bar Staff)

[REDACTED] (Bar staff and partner of Emma Jeakins)

[REDACTED] (Bar Staff)

[REDACTED] (Partner of Becca Slade)

[REDACTED] (Formerly Jade Rourke - Bar Staff)

[REDACTED] (Partner of Jade)

As we finish at 3am most of the girls partners come to walk the girls home from their shift, being a late finish and the fact that none of them drive, this is the safest option for them.

As you can see from the footage, [REDACTED] was extremely aggressive which is why our doorman needed to intervene. He held him in a safe position to allow him to calm down, but [REDACTED] reacted and lashed out. The staff and their partners all tried to intervene, and eventually [REDACTED] calmed down. You can see from the footage that he calls the police whilst on the premises and none of us intervene as it is his right to do so.

[REDACTED] he had heard of our licensing issues at Hennessey Cocktail Lounge, and directly told me 'I will get your licence taken from you for this!' Which is why he told the operator he was a 16 year old child and that he had been viciously attacked, I am hoping the footage will disprove his accusations.

[REDACTED]

I will send full and proper incident and witness reports on all of the above events in due course.



Ross Hennessey

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### JACKZ BAR SUGGESTED CONDITIONS

#### 1. CCTV

The premises shall install, operate and maintain comprehensive digital colour CCTV.

All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 28 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

The CCTV system will be capable of downloading images to a recognisable viewable format.

There will be security measures in place to ensure the integrity of the system to prevent the tampering with or deletion of images.

Any identified defect in the CCTV system shall be logged at the premises and remedied as soon as reasonably practical. The Police Licensing Officer or Police Licensing Team shall be notified by email of all defects, the action required to rectify the situation and the time frame for such action within 24 hours of the defect being identified.

2. On every occasion that the premises sells alcohol after midnight, SIA door supervisors shall be employed on the premises from 2200 hrs until all customers have left the vicinity of the premises, at a ratio of 2 stewards for the first 100 customers and one additional steward for each 100 persons thereafter. The Premises Licence Holder shall also carry out a risk assessment taking the layout of the premises and the proposed activity to be carried out into consideration to determine whether any additional stewards are required.
3. On all other occasions when door stewards are not required in accordance with the above condition, the Premises Licence Holder shall assess the requirement for door supervisors and employ such door supervisors, if at all, in such numbers and at such times determined by that risk assessment.

4. After the premises close, staff and door stewards shall ensure that customers leave the area in a quiet and orderly manner.
5. When door supervisors are on duty they shall carry out random searches of individuals to promote the premises drugs policy and identify individuals in possession of items that could be used as a weapon, ie knives. The Premises Licence Holder shall provide a metal detector wand for this purpose.
6. The Premises Licence Holder/DPS shall ensure that an Incident Book is kept on the premises and that all incidents are recorded therein on a daily basis and as soon as practicable after the incident has occurred. This record shall include the full names of all person(s) involved, if possible or practical to do so. If the person(s) details are not available or known, then the time, date and CCTV camera number which captures the person(s) images are to be recorded in the incident book instead. The incident Book shall be made available for inspection by a police officer, a police licensing officer or Officers of the local authority on demand, and such records shall be kept at the premises for a minimum of 12 months.
7. The premises shall have a zero tolerance to controlled drugs and have a written drugs policy outlining what action will be taken in respect of individuals found in possession of drugs. A copy of this policy shall be retained on the premises and shall be made available for inspection by a police officer, a police licensing officer or officers of the local authority on demand.
8. All persons employed at the premises in the sale and supply of alcohol, shall attend and successfully complete the BIIAB Level 1 Award in Responsible Alcohol Retailing within 2 months of commencing employment.
9. All staff shall receive training regarding their responsibilities under the Licensing Act at the commencement of employment, with refresher training being provided at least once a year. Records of all training, including BIIA Certificates, shall be maintained and kept at the premises for a minimum period of 12 months. These records shall be made available to the police or Local Authority Licensing Officers for inspection on demand.
10. A Personal Licence holder shall be on duty at all times the premises sell or supply alcohol after midnight.
11. The premises shall sign up to a licensing support scheme such as Best Bar None and ensure that they meet the standards required by that scheme at all times.
12. The Premises Licence Holder shall ensure that the Regulatory Reform (Fire Safety) Order 2005 is complied with and an up to date fire risk assessment shall be kept on the premises for viewing by responsible authorities at all times. This fire risk assessment shall be amended whenever any changes are made to the premises which may affect emergency evacuation.
13. The Premises Licence Holder shall ensure that at all times there are adequate First Aid arrangements. The arrangements for First Aid provision include a First Aid Box, an adequate and appropriate supply of First Aid equipment and materials to be used by customers.

Suitable protective equipment shall be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures shall be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable diseases.

14. Staff will ensure that regular glass collection takes place within the premises.
15. Alcohol
16. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification.
17. No persons under the age of 18 years shall be permitted in the premises after 2200 hrs. Any under 18's allowed entry to the premises before this time must be accompanied by a responsible adult and shall be required to leave the premises at 2200 hrs.
18. Challenge 25 posters shall be prominently displayed within the premises.