



Clerk: Kay Heywood
Telephone: 01803 207026
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Date: Wednesday, 30 May 2012

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

LICENSING SUB-COMMITTEE - THURSDAY, 31 MAY 2012

The item below was not included on the agenda, the Chairman has agreed for the item to be considered as he was of the opinion that the item was urgent by reason of special circumstances i.e. the matter having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

Please put the attached report with the agenda previously circulated and bring to the above meeting.

Agenda No	Item	Page
5.	Application for Review of a Premise Licence under Section 53A of the Licensing Act 2003 (premises associated with serious crime and disorder).	(Pages 22 - 55)

Yours sincerely

Kay Heywood
Clerk

Agenda Item 5

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. **Use additional sheets if necessary.**

I, Superintendent James NYE **the chief officer of police for the** Torbay area of the Devon and Cornwall Constabulary **apply for the review of a premises licence under section 53A of the Licensing Act 2003.**

1. Premises details:

Postal address of premises, or if none or not known, ordnance survey map reference or description:
Mambo/The Beach Hut
7 The Strand
Post town: TORQUAY

Post code (if known): TQ1 2AA

2. Premises licence details:

Name of premises licence holder (if known): Lifestyle Enterprises (UK) Ltd

Number of premises licence (if known): PL0652

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.
(Please tick the box to confirm)



4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

The premises known as Mambo/The Beach Hut, 7 The Strand, Plymouth has come to police attention twice in an 8 day period during May 2012 for serious violence:

At approximately 0207 hours on Thursday 3 May 2012 a male person was glassed to the face and neck causing cuts above the eyebrow and cheek bone and a large wound to the neck. At the time of his treatment at the scene by the ambulance crew, a Paramedic stated that glass has fallen out of his neck wound, that he had a bulge on his neck, and possibly glass under the skin and that they did not want him talking in case glass rubbed against an artery.

During the course of the police investigation, CCTV was seized from the premises which does not cover the offence, but does provide footage of the suspect entering and leaving the premises.

A male has been arrested and interviewed for the offence, and is currently on police bail until 26 June 2012 (Crime Ref No FT/12/3227 refers).

At approximately 0200 hours on Thursday 10 May 2012 a further glassing incident occurred on the premises, whereby a male was struck over the head with a glass in an unprovoked attack. On this occasion the victim received cuts to the forehead, which required 8 external stitches plus additional internal stitches.

During the course of police investigations, it was established that on this occasion staff at the premises cleaned the victim's wounds, gave him a clean T shirt to change into and let him leave the premises, despite being aware that the male had been glassed and was noted on their incident reports to be feeling dizzy. The premises also initially detained a suspect but later released him without recording this persons details and without notifying the police of this serious incident. On initial questioning by the police, the premises could not provide details of the male they detained, however a door steward was later able to provide a full name, address and details of his employment.

Furthermore, it was later established that the CCTV was not working at the time of the incident.

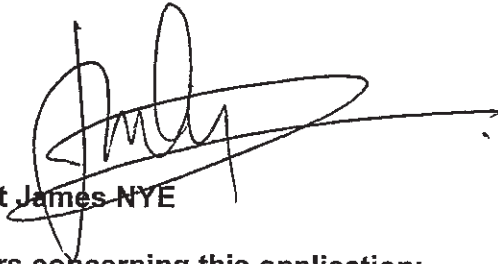
With regard to Mambo/The Beach Hut, the police are also in possession of other evidence in relation to CCTV at the premises which indicates that some areas of the premises are not covered by cameras, and that when footage is recorded, it is of such a poor standard that it cannot assist in the prevention/detection of crime.

Further to the above, the police have recently been carrying out a licensing operation within Torbay known as Operation Ambassador, and during this time a significant number of visits to Mambo/The Beach Hut have been carried out by plain clothes officers, which have raised serious concerns re overcrowding of the premises and drunkenness. Additionally, the DPS and Premises Licence Holders were sent a written warning letter re the sale of alcohol to persons who are drunk and to underage persons (dated 4 April 2012).

Alternative remedies under the Licensing Act including Section 51 Review, have been considered but due to the seriousness of the above glassing incidents the police have determined that this is the only course of action open to us at the present time.

The police seek the suspension of the Premises Licence until all matters are rectified to the satisfaction of both the police and the licensing committee.

Signature of applicant:
Date: 29 May 2012
Capacity: Superintendent James NYE



Contact details for matters concerning this application:

Address: Julie Smart, Police Licensing Officer, 1st Floor, Roebuck House,
Abbey Road, Torquay
Telephone number(s): 01803 208111
email: Julie.smart@devonandcornwall.pnn.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Superintendent J NYE
Devon and Cornwall Constabulary
Police Station
TORQUAY
Devon

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

Mambo/The Beach Hut, 7 The Strand, Torquay, Devon, TQ1 2AA

Premises licence number (if known): PL0652

Name of premises supervisor (if known): Nathaniel TOWERSEY

I am a Superintendent³ in the Devon and Cornwall police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

Mambo/The Beach Hut is associated with serious crime/disorder as the police have evidence that within a period 8 days two glassing incidents (Section 18 Woundings) have occurred at the premises, requiring the victims to receive stitches to their head and neck. The second incident was not reported to the police by the premises at the time of the incident, and items of evidential value have been lost.

CCTV at the premises is unsatisfactory, there are areas within the premises which are not covered by cameras and the quality of images is extremely poor, resulting in insufficient evidence to positively identify suspects. On the occasion of the second glassing incident, CCTV was not operating within the premises.

¹ Delete as applicable.

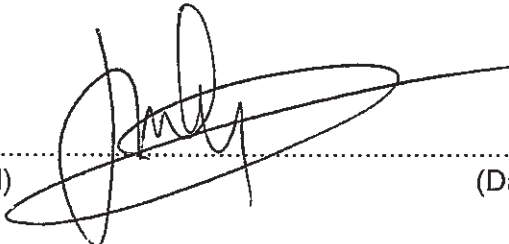
² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

The premises are also regularly overcrowded, increasing the likelihood of crime and disorder. The potential for another such incident of this nature occurring is high, as is the risk of serious injury/death to individuals.

I believe that in the circumstances a Section 53A Expedited/Summary Review is necessary to ensure the immediate safety of individuals within the premises and provision of vital evidence of offences committed therein. A Section 51 Review of the Premises Licence will deal with the concerns of the police but this would take a longer time frame, and not address immediate concerns. I do not believe that this matter can be adequately dealt with by use of alternative powers.

(Signed)  (Date) 29 May 2012

WITNESS STATEMENT

Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of **Christopher Yarwood** URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Staff**

This statement (consisting of: **7**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: **C Yarwood**..... Date: **28/05/12**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Acting Detective Inspector Chris Yarwood of the Criminal Investigation Department at Torquay Police Station. On the 30th of March 2012 as a result of meetings with colleagues on Local Policing Partnership bearing in mind the busy forthcoming summer in which there would be celebrations for HM The Queen's Diamond Jubilee, the Olympic Torch relay and the Olympic Games, it was decided that C.I.D would run Operation Ambassador. Operation Ambassador aimed to support the Local Crime Strategy, the limited police resources and help maintain The Purple Flag status by reducing crime and disorder, anti-social behaviour, and serious violent crime on the Harbourside of Torquay so that the law abiding public are able to enjoy the facilities which Torquay offers and feel protected.

During Operation Abassador officers were deployed in plain clothes to visit a number of similar Harbourside clubs on a Friday and Saturday night and to observe the way the premises were managed. An Operational Order was constructed on each occasion with objectives set an example of which is:

Operation Ambassador: 5th May 2012

Information

Licensing offences are suspected on licenced premises on the Harbour side area of Torquay, specifically:

1. The serving and sale of intoxicating Liquor to persons under the age of 18 years.
2. The serving and sale of intoxicating liquor to persons who are drunk.
3. Breaches of Fire Regulations in respect of how many persons are safely allowed on premises.
4. Enforcement of an age verification policy in respect of persons believed to be under the age of 18 years by the responsible person i.e. door staff and bar staff.

Also

Signature: Signature witnessed by:

Continuation of Statement of Christopher yarwood

The Prevention of Crime and Disorder

- 5. Permitting entry or re entry to premises after 0200 hours where the premises are open until 0300hrs.
- 6. The responsible management of drinks promotions.

The Protection of Children from Harm

- 7. The identification of young persons who appear to be under the age of 21.

The Prevention of Public Nuisance

- 8 Door staff shall monitor the immediate vicinity of the premises and take steps to ensure people leave quietly and don't disturb residents.

Intention

To deploy officers from CID in plain clothes to gather intelligence and detect offences on Torbay Harbour side in relation to Licensed Premises The premises in question are:

- JD's,
- Cafe Mambo,
- Bohemia
- The Venue
- Park Lane

For the intelligence gathered to be submitted via L10, Intel Submission and/or MG11 witness statement.

Method.

Two officers from CID are to carry out general observations in public places to establish whether licensing offences are taking place. Officers are to remain in public place both on and off licensed premises. On Saturday officers will deploy in Venue and Bohemia They will communicate (sensitive information) supported by LPST Officers. Normal licensing visits will then resume.

Administration

ADI YARWOOD (SIO) A/DS TAPLEY (OIC), policy book entry, incidental expenses, verbal briefing and debrief after deployment by ADI Chris Yarwood. These are none intrusive observations which do not invade the privacy of any individual or individuals, not covertly watching or listening as a result of information on any section of the community, and are not directed against any known group or known target.

Communication

Signature: Signature witnessed by:

Continuation of Statement of Christopher yarwood

Mobile Phone, airwave radio. PS Kevin Roberts LPST Ground Commander.

Risk Assessment.

Officers will carry identification and will disclose that they are police officers if challenged or in the interest of safety. They will be in contact with LPST officers on the harbour side, and are able to secure assistance from those officers, or offer assistance if circumstances dictate it is safe to do so.

Human Rights.

The rights of the public particular to a private life and to a fair trial have been considered and are covered in this briefing document. Collateral Intrusion is minimised as officers are restricted to movements which are available to all members of the public.

The above is an example and there have been additional deployments, for example during the Young Farmers' weekend a Passive Drugs Dog was used on the Harbourside to check those queuing to enter premises in order to gather intelligence on whether "Class A" drugs may be being trafficked. Where appropriate, the intelligence found on these occasions was submitted via the form L10 which were then passed to the Licensing Officer, Julie Smart, for action.

There have been sixteen officer deployments since the 30th of March 2012. The deployments have been at the following premises: Green Ginger, JD's, Cafe Mambo, Bohemia, The Venue, Park Lane, The Yacht, and the Apple and Parrot. Two written warning have been issued by Julie Smart as a result of the observations of officers: one to the Yacht on the 28th of April 2012, and one to Cafe Mambo earlier in the year on the 4th of April 2012. The work is ongoing and an intelligence picture continues to be built on crime and disorder.

At the end of April 2012 I met with intelligence officers and officers from the Covert Authorities Unit to ensure that the tactics used in Operation Ambassador were lawful, proportionate, necessary, and complied with precedents set on previous similar police operations into the night time economy in the City of Plymouth and town of Newquay. A review was also carried out into reported crime inside the clubs being visited and work was carried out by Force Analyst Mrs Hilton.

Throughout the period of deployments to licensed premises Cafe Mambo stood out from all the others for their record on Violent Crime, and Theft. On violent crime Cafe Mambo has been the location of seven offences of Assault occasioning Actual Bodily Harm, five offences of Causing Grievous Bodily Harm (s.20 Offences Against the Persons Act (Wounding)), and three offences of causing Grievous Bodily Harm With Intent (s.18 Offences Against the Persons Act). These are offences which cause serious harm and can result in permanent scarring. They are potentially life threatening and are in the main the result of glassings. The number of offences which have been recorded this year (since January 2012) already exceeds the reported incidents for the same period in 2011. In addition, there have been twenty eight thefts reported on the premises in 2012.

Signature: Signature witnessed by:

Continuation of Statement of Christopher yarwood

Cafe Mambo has a poor track record in comparison with other licensed premises, for example Green Ginger has had one minor assault this year and no reported thefts. There have been no reported thefts from Bohemia, or Venue. Yacht has had a single incident of indecent assault on the premises. In my opinion all of these establishments are comparable with Cafe Mambo.

It may be significant that Cafe Mambo has no cloakroom facilities. The thefts may, therefore, be due to the restricted vision of staff on the three floors, and the fact that people leave their valuables on tables, and chairs whilst dancing. The number of people on the premises is in my view significant. A number of officers have reported that the premises are often crowded –in particular the area of the the first floor bar. The crowding of this and other areas results in people banging in to each other which in turn leads to assaults taking place. Allowing drunks to enter (as evidenced below) as well as persons under the age of 18 (again evidenced below) is also in my opinion a cause in Cafe Mambo’s statistics for violence and theft being higher than elsewhere.

I am in possession of a number of statements from officers deployed into Cafe Mambo during Operation Ambassador and the observations of the officers support my comments above. For example, on 13th April 2012 DC SHARDLOW was deployed and at 0040hrs entered cafe mambo. He noted that there was one doorman and lots of people were entering unchecked -i.e. there were no identification checks. The door staff did not count how many people were entering or leaving. The bar was busy and it was difficult to understand how the security could watch what was going on due to the number of people. As he left the bar a drunk, argumentative male tried to gain entry and was told to go and get some food and sober up. This male was seen to leave (somewhat reluctantly) and come back three minutes later with some Pizza which he ate it in front of the door staff who then allowed him entry. The male was still in an intoxicated state. This was corroborated by DC Vallins.

On the same night observations were again carried out outside the premises at 0220hrs. Officers noted heavily intoxicated persons leaving the club with one male swearing loudly that he was going to “fucking kill” the door staff. This male removed his shirt and kicked the bin outside the club before being removed by a group of others.

On the 20th of April 2012, DC Stabb records at 2345hrs when he entered Cafe Mambo no counter was used by the door staff except on the top floor where a female was counting people in and out. This was corroborated by PC Brett who states that the first floor bar was very busy and difficult to pass. He observed that as they went to leave he could see a male in front of him swigging from a bottle of red wine but this was taken from him before he left the premises.

On the fifth of May 2012 PC Freeborn observed two females staggering along the pavement. He noted they were extremely drunk. As they walked past Cafe Mambo they were handed a flyer leaflet advertising Mambos. They took the leaflet and walked straight past the two male members of door staff who were stood on the front door. They were not stopped or asked for any form of I.D. PC Freeborn spoke to the door staff and told them the females were too drunk to be allowed into the premises. The doorman stated that he was unaware they had walked past and had not seen them enter the premises. The doorman then located the females and asked them to leave.

In relation to allowing persons under the age of 18 years on the premises (thus breaching the license conditions) this is historically a difficult area to evidence. There have been two recent events, however,

Signature: Signature witnessed by:

Continuation of Statement of Christopher yarwood

which prove beyond doubt that Cafe Mambo are allowing underage persons onto their premises, meaning that they have failed to check identification. It is also clear that those persons are either drunk, when they enter, or drinking on the premises.

The first of the two incidents occurred on the 28th of March 2012 between 23.15hrs and 23.45hrs on the dance floor. A 17yr old reported that he had been drinking (confirmed by the investigating officer) and that when on the dance floor an unknown male had assaulted him by coming up and head butting him in an unprovoked assault. He reported that he had examined his nose which was bleeding and had complained to door staff who detained his assailant. The suspect, also 17 years old, was arrested in the club by PC Newton at 0200hrs. PC Newton's statement records "I formed the opinion that he was drunk. His eyes were glazed, he was unsteady on his feet, and his breath smelt of intoxicating liquor." He stated that the suspect had a driving licence in his possession belonging to his older brother who looked nothing like him. When interviewed in connection with a Fraud Act Offence (fake ID), and ABH the suspect stated he had not used the ID to enter the club. The CCTV did not assist and so in the absence of independent witnesses the case was finalised.

These individuals were unknown to each other so on this night at least two people under the age of 18 were in Cafe Mambo. Both had been drinking, one was drunk, and as a result there was a fight resulting in injury.

On the 3rd of May 2012 a GBH glassing occurred in the premises on the dance floor. Both parties were known to each other, both were adults, and as a result a suspect was arrested and is currently on bail pending completion of enquiries and a charging decision. In this incident police were called by Ambulance staff with the log reading "male has been glassed aged 22yrs offender has run off." The investigation has, however, been hampered by poor CCTV necessitating the seizure of the hard drive on that occasion. It should be noted that the investigation of another allegation of assault (crime reference FT/12/2628 (GBH) dated 9th of April 2012) has been hampered by the inadequacies of the coverage of the CCTV system.

I now turn to crime FT/12/3227, a serious incident of violence which has resulted in this application for summary review of the premises license and the certificate from Superintendent Nye that in his opinion the premises are associated with serious crime and serious disorder.

On Thursday the 10th May 2012 an incident occurred where a 19 year old male was the subject of an offence of s.18 wounding (causing Grievous Bodily Harm With Intent). At about 0140 hrs, the victim, [redacted] was with friends in the 2nd floor dance area, dancing with a girl. Mr [redacted] observed an argument between a group of females who were close by and shortly afterwards an unknown male smashed a glass over Mr [redacted] head. Mr [redacted] was dazed and walked over to his friends who told him his head was bleeding. He noticed a large amount of blood on his orange polo shirt and he approached door staff. The "bouncer" called Chris (later named as Chris Phillips door staff) took him to a staff area and the "manager" (later named as Nathan Towersey) cleaned his wounds with antiseptic wipes. After cleaning the cuts Towersey told [redacted] that they were "not too bad". They took Mr [redacted]s t- shirt off and gave him a clean top to wear. The manager asked whether Mr [redacted] wanted the male arrested and Mr [redacted] said no because he had been told that the wounds were not too bad. The "manager" said this made it easier for them because they have less paperwork.

Signature: Signature witnessed by:

Continuation of Statement of Christopher yarwood

Chris, at some point said "its fair enough people hitting each other but no one should be glassed". Mr [REDACTED] left the club and then called his mum who, seeing the wounds, took him to hospital at around 0230hrs. His head was X rayed, two dissolvable stitches, and a further 11 stitches, were inserted into his head, bruising was noted on his left shoulder along with a small cut. On Tuesday the 14th of May 2012 Mr [REDACTED] reported the matter to police some four days after the original incident. There had been no report of disorder from Cafe mambo and thus was no police log created relating to 0140hrs 10/5/12.

The investigating officers requested CCTV but were told that the Club had discovered that the facility had been switched off at 10.33pm on the 9th of May 2012, thus the majority of cameras were switched off. What remains is still being extracted to assist the investigation but as a result the Police have to invest unnecessary time and resources in an attempt to recover evidence from Mambo's CCTV which should be easily available and accessible. The switching off was explained by a technician who stated via e-mail that he could not train all staff in its use quickly enough and as a result staff had inadvertently disabled the machine a fact to which they were still oblivious over 12 hours later. It was also discovered that the staff had thrown away the T shirt they seized from Mr [REDACTED]. The throwing away of the t-shirt and broken glass means that any forensic evidence is lost.

Two entries appear in the club accident report book

1. Nathan Towersley Area Manager, states he was made aware of a man '[REDACTED]' who had been hit. I administered First Aid with sanitised wipes then plasters. Advised [REDACTED] he may need further attention. Found the male who assaulted him and asked if he wanted to call the police. States that he told [REDACTED] friend he may need medical attention. [REDACTED] then left.
2. Chris Phillips states that he found [REDACTED] who stated a man had glassed him, first aid as above, and finishes male left "no further action required by door staff.

Cafe Mambo is required to assist police to reduce crime and disorder at every opportunity. It appears to me that they have failed to do so at best and at worst have deliberately concealed a GBH/Glassing from the authorities. The log entries set out above minimise the serious nature of this assault since Mr Towersley does not even mention a glass even though he administered first aid, and there was glass, (later removed by the hospital staff) sticking out of the large cuts to Mr [REDACTED]. Whilst he advised [REDACTED] that he may need further treatment, Mr Towersley failed to call an Ambulance or have one called. Whether through ignorance or design Mr Towersley and Mr Phillips then destroyed forensic evidence by clearing up the glass and disposing of the T shirt worn by Mr [REDACTED]

It simply beggars belief that they placed the suspect in front of the dazed and intimidated victim who had sustained a head injury and asked that victim if he wanted the police. To have then released the suspect without recording his name in the Club's accident report book (even though he was known to them) and thus destroying any chance of police recovering forensic material from him, is of grave concern. This concern is compounded by the Club not then reporting the incident. The police only became aware of the assault when, five days later, the victim attended the police station and made a complaint. Only then were the police able to investigate the crime and as described below the police have had to make repeated calls to the managers and waste further time to obtain the suspect's name.

Signature: Signature witnessed by:

2004/5

Continuation of Statement of Christopher yarwood

Initially police spoke to Sharon Rogers a company manager, and asked for co operation in supplying the name of the offender. Police then spoke to Nathan Towersley, the Designated Premises Supervisor who stated he would make enquiries of his staff. A few days later he informed police that Mr Phillips had recorded the name and supplied the name of a suspect who was not known on police indices. Enquires continued to locate the male and during the evening of the 19th of May police attended Mambo's intending to speak to Mr Phillips. They spoke to a Mr Spence (door staff) who stated that he was present when the incident took place, and had recorded the details of the suspect who had been on a works night out with friends when the glassing took place. Details of the suspect were then supplied including a place of work where the suspect could be located -another licensed premises.

On finally being able to make checks on the Suspect, it was revealed that his date of birth is 20th August 1994 making him 17 years old. Officers have made efforts to arrest him and enquiries continue. The fact that the suspect is under age and in the club, in breach of Mambo's licence conditions has, I believe, clouded the judgement of their staff. In my opinion it is because the Suspect was 17 that no ambulance was called, no report filed with the police, that the suspect was not detained and no forensic evidence preserved. This behaviour borders on Perverting the Course of Justice and I have asked my staff to investigate this, such has been the damage caused to enquiries into a serious assault. Whether gross incompetence, or a deliberate cover up, the actions of the the staff at Cafe Mambo when dealing with [REDACTED] was, in my view, disgraceful.

It is this particular incident, taken with the other matters outlined above which has informed the decision to seek summary review of the premises license. This is the second incident of glassing at the same premises within a week and it follows other similar incidents of violence which are compounded by the concerns outlined above. The case of [REDACTED] is, however, of particular concern. If staff at Cafe Mambo were prepared to act as they did with a vulnerable 19 year old who was the victim of a glassing, there is very real concern as to whether other incidents have gone unreported and whether future incidents will be brought to the attention of the Police.

The coming weeks and months are likely to be very busy with celebrations to mark HM The Queen's Diamond Jubilee, as well as the Olympics. Torquay and the Harbourside is a popular tourist and 'clubbing' destination and achieving The Purple Flag and maintaining that status in my opinion means that action needs to be taken to prevent further serious crime and serious disorder which, sadly, is associated with Cafe Mambo. In my opinion the licence should be suspended until such time that the threat of serious crime and serious disorder is sufficiently reduced. I appreciate that this will impact upon the club at a busy time but my responsibility is to protecting the public and that cannot be achieved without significant changes.

I believe that the minimum requirments to reduce the risk posed include installing a CCTV recording system which covers not only all of the club but which also provides good quality images and is easy to use. I also believe that there needs to be a requirement to use plastic or similar type of drinking vessel (i.e. non-glass), comprehensive training to staff on the law (i.e. not allowing under 18's into the premises and challenging them for ID) as well as crime recording and prevention (i.e. reporting matters to the police and how to preserve a crime scene). I also believe that cloak rooms need to be installed as this will reduce the high levels of theft. A fixed capacity limit set and effective management of the numbers of customers on each floor would also reduce the frequency with which patrons bump into each other and end up either as the victim or perpetrator of an assault.

Signature: Signature witnessed by:

File No.:		Computer URN:		Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Name of premises: MAMBO'S
Address: THE STRAND TORQUAY

Report type: Visit Incident Other Date: 03/05/2012 Time: 0158
 OIS Ref.: 48 03/05/2012 Crime No.: FT/12/3227

Brief summary / action taken (if not recorded elsewhere):

MALE OFFENDER OFFENDER PUSHED PASSED THE AGGRIEVED ON DANCE FLOOR NUDGING HIM AGGRIEVED CONFRONTED OFFENDER WHO THEN SHOVED A GLASS INTO AGGRIEVEDS FACE CAUSING GLASS TO SMASH AND EMBED IN HIS NECK CAUSING INJURY. AFTER THE OFFENCE HAD BEEN COMMITTED MALE RAN FROM THE SCENE AND GOT INTO A TAXI. TAXI COMPANY WAS IDENTIFIED AS WELL AS THE DROP OFF LOCATION. THE OFFENDER WAS LATER ARRESTED.

Submitted by: Name: LAING Force No.: 16955
 Signed: Date: 04/05/2012 Time: 0400

Action taken by Licensing Unit:

Licensing officer:
 Forwarded to Daily Tasking:



Alcohol / Licensing Information Form

File No.:	ft/12/3527	Computer URN:		Minute No.:	
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To be completed for any alcohol related incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 10/5/2012 Time: 0135hrs
OIS Ref.: not reported	Crime No.: ft/12/3527
Name of premises (where applicable): Cafe Mambo	
Address: The Strand Torquay	

Brief summary / action taken (if not recorded elsewhere):

On Thursday the 10th May 2012 an incident occurred where a 19 year old male was the subject of a S18 Grievous Bodily Harm With Intent. The victim was [REDACTED]. At approximately 0140 hrs [REDACTED] was with friends in the 2nd floor dance area, dancing with a girl. Mr [REDACTED] observed an argument between a group of females and close by and as a result an unknown male smashed a glass over Mr [REDACTED] head. He was dazed and walked over to his friends who told him his head was bleeding. He noticed a large amount of blood on his orange polo shirt. The "bouncer" called Chris took him to a staff area and the "manager" cleaned his wounds with antiseptic wipes. He said after cleaning the cuts that they were "not too bad". They took Mr [REDACTED] T shirt off and gave him a clean top to wear. The manager asked whether Mr [REDACTED] wanted the male arrested which he declined to do as he had been told the wounds were not too bad. the "manager" said " this made it easier for them because they have less paperwork". Chris, at some point said "its fair enough people hitting each other but no one should be glassed" Mr [REDACTED] then called his mum who, seeing the wounds, took him to hospital at around 0230hrs. His head was X rayed, three internal dissolvable stitches and 1eight external stitches, were inserted into his head, bruising was noted on his left shoulder, and a small cut. On Tuesday the 14th of May 2012 Mr [REDACTED] reported the matter to police. There had been no report of disorder from Cafe mambo and

Submitted by: Name: C G Yarwood Force No.: 6100
Signed: Date: 22/5/12 Time: 1400

Action taken by Licensing Unit:

Licensing officer:
Forwarded to Daily Tasking:

Continued) created. Police visited the club and found entries in the incident book relating to 0140hrs 10/5/12. They requested CCTV but discovered that the facility had been switched off at 10.33pm on the 9th of May 2012, thus the majority of cameras were switched off. What remains is still being extracted to assist the investigation. The switching off was covered by a technician who stated he could not train all staff in its use quickly enough and as a result staff had inadvertently disabled the machine. A fact to which they were still oblivious over 24 hours later.

It was also discovered that the staff had thrown away the T shirt they seized from Mr [REDACTED] and this cannot be recovered so any forensic evidence is lost.

Two entries appear in the club accident report book

1. Nathan Towsey Area Manager, states he was made aware of a man "[REDACTED]" who had been hit. I administered First Aid with sanitised wipes then plasters. Advised [REDACTED] he may need further attention. Found the male who assaulted him and asked if he wanted to call the police. States that he told [REDACTED] friend he may need medical attention. [REDACTED] then left.
2. Chris Phillips
Who stated that he found [REDACTED] who stated a man had Glassed Him, first aid as above, and finishes male left "no further action required by door staff.

The police were never informed despite crime number FT/12/3227 a GBH glassing in the club on the 3rd of May 2012 7 days prior to this glassing, and the 14th serious assault in mambos this year.

On this occasion the staff had called an ambulance and carried out essential first aid until the arrival of police and ambulance. Clearly the correct procedure was known to Mr Towsey and Mr Phillips but they chose not to inform either authority on this occasion and I speculate that this was a deliberate cover up in order to try to protect their licence.

a) The Reduction of Crime and Disorder.

The staff are required to assist police to reduce crime and disorder at every opportunity. I suggest they have at best failed to do so and at worst deliberately concealed a GBH/ Glassing from the authorities. The log entries above minimise the serious nature of this assault. Mr Towsey does not even mention a glass even though he administered first aid, and there was glass, (later removed by the hospital staff) sticking out of the large cuts to Mr [REDACTED]. He advised Mr [REDACTED] he MAY need further treatment but failed to call or cause to be called, an Ambulance. Mr Towsey and Mr Phillips destroyed forensic evidence either by design or through ignorance, by clearing up the glass and disposing of the T shirt worn by Mr [REDACTED]. They then placed the suspect in front of the witness, in a completely inappropriate fashion and asked the dazed and intimidated victim to make a charging decision. On Mr [REDACTED] declining, they then released the suspect, presumably so he could dispose of any other forensic material they had missed at the club. As a consequence of their bodging the CCTV, and failing to record the name of the suspect on either Incident form (even though the name was known to them),

police had to make repeated calls to the managers and waste even more time to obtain the name, and still have no image of the named suspect.

This is a disgrace, and exposes both serious shortfalls in training, of doorstaff and managers, and their management of serious crime, but demonstrates why exactly THIS club above all others has such a poor record in terms of disorder and theft on their premises.

B) Public Safety

Their behaviour in this area is a disgrace and should this become the focus of the local media I believe Police and Local Authority alike will be criticised for not bringing the premises swiftly to book and either closing them on public safety grounds, or achieving immediate swathing constraints on their business hours, and the policing of the premises. The staff have deliberately minimised the seriousness of this attack in the hope that the police would never find out that it had happened. Evidence of this is on their own incident reports, slapdash, inaccurate, missing information, misleading completely lacking in care. They have been incredibly lucky in terms of the injuries to this Lukemia sufferer. They have no hesitation in assuming the role of Law enforcement, Health service, Courts to protect their interests and this has demonstrably happened here. The police service cannot take the risk that in the coming weeks, with the Olympics, Purple Flag, Summer tourism, this will not happen again with serious consequences for Health and Safety. Based on our own statistics another serious assault WILL take place in this period, but whether we will be informed is another matter. Cafe Mambo are aware of the situation having been officially warned by Licencing officer Julie Smart, and yet I have seen no evidence either from crime statistics or from Intelligence submitted by Local Officers that there is any improvement in their behaviour in fact quite the contrary.

On these grounds an expedited review should be required to address the immediate risk to Public Safety and escalation of Crime and Disorder in these premises.

WITNESS STATEMENT

Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of [redacted] URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: SHOP WORKER.....

This statement (consisting of: 3..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 16/05/2012.....

Tick if witness evidence is visually recorded [] (supply witness details on rear) I am the above named person and I live at the address given to the Police with my mum.

This statement is made in relation to an incident whereby I was the victim of a glassing to my face, inside Mambo's club in Torquay.

The incident happened in the early hours of Thursday 10th May 2012. I had been out for the evening with friends from work, we visited Torquay and went to Mambo's Club on The Strand. Mambo's is a nightclub. It is arranged on three floors. There is a downstairs bar and staff area, a middle floor and a top floor with a bar, dance area and balcony.

I am a regular in Mambos probably on average once a week. I know some of the staff in there by name and they know me although I don't think by name.

I have suffered with leukaemia in the past and am now in remission and because of this and my bone marrow transplant in 2007 my memory can sometimes be a bit vague. I am recalling this incident the best I can. This is what I remember only and not what I have been told by others.

In this statement I will refer to the following people, [redacted], [redacted], [redacted] and [redacted]. All of us work together in Sainsburys at Paignton and have known each other for about a year now.

We all decided that we would go out to celebrate [redacted] 18th birthday on the evening of Wednesday 9th May 2012. Myself and [redacted] met at [redacted]s house where we had a couple of drinks. I had three shots of vodka with summerfruit juice.

We left to go to Mambo's and arrived there at about 10pm in the evening although I am not really sure about the time. At Mambo's we met with [redacted] and [redacted]. As the night progressed I can remember buying myself a vodka and coke which was on a buy one get one free offer. I can remember that I had

Signature: Signature witnessed by:

about £20 on me that night and some loose change and I only spent the loose change during that evening.

At the time, I was wearing a bright orange Ralph Lauren polo shirt, jeans and footwear which I can't remember. I am 5"6 tall, stocky build with short brown hair. I am cleanshaven and have no piercings or tattoos.

During the evening we were all on the dancefloor and at one point I can remember that I was dancing with a girl that I do know, but dont know her name. I have met her before at Mambo's. She is taller than me and has black hair which she wore in a pony tail. She is of chubby build.

I decided at some point that I would dance on the pole that is situated on the dancefloor on the top floor and is often used by people whilst dancing.

I became aware of suddenly being hit by liquid as if someone had thrown a drink over me. I then heard the girl I had been dancing with arguing with another female who I would describe as smaller than me, skinny build with longish hair down to her neck. I can't remember what they were arguing about or what was being said. A guy then became involved in this argument, again I don't recall what was being said. I remember him coming towards me. I pushed him lightly back then the next thing I remember is another male, who was stood behind the male that was arguing, swing his fist at me whilst holding a glass beaker. This smashed into my forehead causing the glass to smash between his hand and my head. This male I am positive was wearing a white T shirt with black writing on.

I was totally dazed, I can remember walking to [REDACTED] and [REDACTED] and [REDACTED] looking at me in a funny way and saying "Your heads bleeding".

At this point I could see my t shirt was ripped and I had blood all over it.

The next thing I remember is a bouncer called Chris coming over to me and took me down stairs to the staff area with the girl I had previously been dancing with. In the staff area, the manager was also there.

This manager began to clean me up using antiseptic wipes. He took my T shirt off and gave me a clean top to wear. I can remember that the male who assaulted me was at some point brought into the room where I was, along with the girl that had been arguing. The manager said to me "I can get him arrested, do you want him arrested?" He also said after cleaning my cuts that they werent to bad and he thought they were ok. I said I did not want him arrested because of what the manager had said about my cuts.

At some point whilst my cuts were being cleaned, the head doorman called Spence came in.

When I said that I didnt want the male arrested, the manager said that this makes it easier for them because they have less paperwork.

Signature: Signature witnessed by:

I can remember Chris at one point saying "Its fair enough people hitting each other, but noone should be glassed".

At this point the male who had hit me and the female were taken from the room. I then went outside to find my friends. The only person I know to have witnessed the incident is [REDACTED] and the female I was with who's name I don't know.

I telephoned my mum and she came to Torquay and picked me up. She took me to the hospital, arriving at about 0230hrs and I had my head X rayed and had to have glass removed from my wounds. I ended up with two inner dissolvable stitches and eleven surface stitches to the wound situated on the left front of my head. I left the hospital after my treatment at about 7.40am.

I also have two bruises to my left shoulder and a small cut.

I would like to say I have never been in trouble before, I am still shocked over what has happened. I can't believe I went out to celebrate my friends 18th birthday and someone assaulted me for no reason at all.

The incident itself happened very quickly. I am unsure of times as I was having a good night out with friends and was not paying attention to what time it was.

Signature: Signature witnessed by:

INCIDENT/ACCIDENT REPORT FORM

DAY AND DATE	10.5.12
TIME OF INCIDENT	01.40
FULL NAME OF PERSON FILLING OUT THIS FORM	Nathaniel Towse
STAFF POSITION	Area Manager
IS PERSON MALE OR FEMALE?	M
DETAILED DESCRIPTION OF PERSON - CLOTHING, SHOES, HAIR, AGE, ETC.	dark short hair, 5'6 large build, orange T-shirt, Ryan.
DETAILS OF OTHER PERSONS IN GROUP OR WITNESSES	Chris Phillips
TIME OF ENTRY TO MAMBO	?
OTHER VENUES VISITED BEFORE MAMBO	?
WHERE EXACTLY DID THE INCIDENT TAKE PLACE? MARK ON FLOOR PLAN	Club dancefloor / kitchen fire exit.
A DETAILED DESCRIPTION OF INCIDENT (CONTINUE ON ADDITIONAL SHEET IF NECESSARY)	I was made aware of a man 'A' who had cuts to his head. He said he had been hit. I administered first aid with sanitizer-wipes, then plasters. I advised him he may
WAS ANYBODY HURT? IF YES, WHO?	Yes, A
IF YES, WHAT SPECIFIC PART OF THE BODY WAS INJURED? (LEFT/RIGHT, ETC)	Forehead, cuts.
HAS A PHOTO BEEN TAKEN OF INJURY & ASSOCIATED FACTORS (EG, SHOES) ALSO LOCATION IF APPLICABLE	Yes. on my iPhone.
WHO PROVIDED FIRST AID?	Me.
ACCIDENT REPORT BOOK REF. NO.	/
HAS THE INJURED SIGNED AND DATED THE ACCIDENT REPORT AT PARTS 3.2 & 4? IF NOT WRITE WHY OR DECLINED TO SIGN	/
DOES PERSON APPEAR INTOXICATED? IF YES, TO WHAT LEVEL?	no, but dizzy due to head injury



IS THE PERSON DANCING?	/
IS AN AMBULANCE CALLED?	/
WHAT TIME WAS IT CALLED?	/
WHAT TIME DID IT ARRIVE?	/
IS THE ACCIDENT RIDDOR REPORTABLE?	<u>JULIE/CLARE</u>
WERE POLICE CALLED?	/
WHO CALLED THEM & AT WHAT TIME?	/
WHAT TIME DID THE POLICE ARRIVE?	/
IS CCTV SEIZED BY THE POLICE? (PLEASE ENSURE THAT OFFICIAL POLICE RECEIPT IS ATTACHED TO THIS REPORT)	/
WERE ANY ARRESTS MADE?	/
IF ANY WITNESSES PLEASE PROVIDE FULL NAMES, ADDRESSES AND TELEPHONE NUMBERS IN THE SPACE PROVIDED, WITH SIGNATURE AND DATE.	/
OTHER STAFF WITNESSES COMPLETE SUPPORTING REPORTS MUST BE COMPLETED BY ALL STAFF INVOLVED	Chris Phillips
SIGNATURE OF WHO FILLED OUT REPORT	N. Towersey
PRINT NAME.	N. Towersey
MANAGER'S SIGNATURE	N. Towersey
PRINT NAME	N. Towersey
IF FIRM INCIDENT REPORTED TO JULIE &	

need further attention at A+E but the bleeding had stopped. We found a male with the description [redacted] gave us of who assaulted him. He seemed reasonably sure it was the person who assaulted him. I asked him if he wanted us to call the police, [redacted] said no, 'he was not a grass'. I said we would get him arrested if he knew it was the male and he wanted to press charges. [redacted] refused any police action and wanted to find his friend. We [redacted] escorted the possible assaultant off the premises and I found [redacted] friends who said they would take him home. I told them he had sustained head injuries and may need further medical attention.

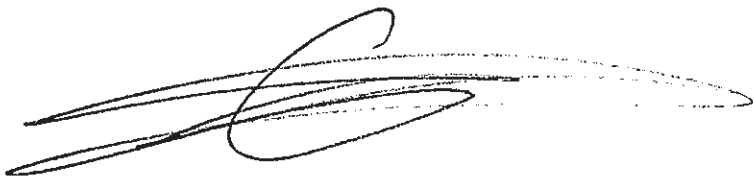
N. 3

INCIDENT/ACCIDENT REPORT FORM

DAY AND DATE	Thursday 10/May/12.
TIME OF INCIDENT	01-40
FULL NAME OF PERSON FILLING OUT THIS FORM	LUKE PHILLIPS
STAFF POSITION	DOOR STAFF
IS PERSON MALE OR FEMALE?	MALE
DETAILED DESCRIPTION OF PERSON - CLOTHING, SHOES, HAIR, AGE, ETC.	ORANGE T-SHIRT, 5'11" Jeans dark hair
DETAILS OF OTHER PERSONS IN GROUP OR WITNESSES	
TIME OF ENTRY TO MAMBO	✓
OTHER VENUES VISITED BEFORE MAMBO	✓
WHERE EXACTLY DID THE INCIDENT TAKE PLACE? MARK ON FLOOR PLAN	CLUBS
A DETAILED DESCRIPTION OF INCIDENT (CONTINUE ON ADDITIONAL SHEET IF NECESSARY)	RETRY PAGE
WAS ANYBODY HURT? IF YES, WHO?	YES
IF YES, WHAT SPECIFIC PART OF THE BODY WAS INJURED? (LEFT/RIGHT, ETC)	FORHEAD
HAS A PHOTO BEEN TAKEN OF INJURY & ASSOCIATED FACTORS (EG, SHOES) ALSO LOCATION IF APPLICABLE	NO
WHO PROVIDED FIRST AID?	NATHAN
ACCIDENT REPORT BOOK REF. NO.	
HAS THE INJURED SIGNED AND DATED THE ACCIDENT REPORT AT PARTS 3.2 & 4? IF NOT WRITE WHY OR DECLINED TO SIGN	
DOES PERSON APPEAR INTOXICATED?	NO
IF YES, TO WHAT LEVEL?	NO ✓

WAS THE PERSON DANCING?	NO
WAS AN AMBULANCE CALLED?	NO
WHAT TIME WAS IT CALLED?	—
WHAT TIME DID IT ARRIVE?	—
IS THE ACCIDENT RIDDOR REPORTABLE?	<u>JULIE/CLARE</u>
WERE POLICE CALLED?	NO
WHO CALLED THEM & AT WHAT TIME?	—
WHAT TIME DID THE POLICE ARRIVE?	—
WAS CCTV SEIZED BY THE POLICE? (PLEASE ENSURE THAT OFFICIAL POLICE RECEIPT IS ATTACHED TO THIS REPORT)	—
WERE ANY ARRESTS MADE?	NO
FOR ANY WITNESSES PLEASE PROVIDE FULL NAMES, ADRESSES AND TELEPHONE NUMBERS IN THE SPACE PROVIDED, WITH SIGNATURE AND DATE.	—
OTHER STAFF WITNESSES SEPARATE SUPPORTING REPORTS MUST BE COMPLETED BY ALL STAFF INVOLVED	NATHAN
SIGNATURE OF WHO FILLED OUT REPORT	
PRINT NAME.	C. Phillips
DUTY MANAGER'S SIGNATURE	P. LANGLEY
PRINT NAME	
CONFIRM INCIDENT REPORTED TO JULIE &	

Approx 01.40 I was alerted to male described who was injured on the dance floor, I went over and asked the male to follow me downstairs, I alerted Nathan to the Staff Corridor who gave male described first aid. I found out that male in a white t-shirt had Glasped him. We asked injured male if he would like to Press charges, he declined and wanted to leave, male in white left premises and injured male left. No further action required by door staff.



Premises: MAMBO**01/01/12**

Date & Time	Log No.	Crime No.	Details	Inside / Outside	Linked	Outcome/Breach of Licence
10/12/11 0030 HRS		FT/11/8581	Theft of handbag from under table	Yes	Yes	Mambo contact. Antony, Deputy Manager, checked CCTV but nothing of evidential value found. No active lines of enquiry.
16/12/11 0015 hrs		FT/11/8782	S20 Wounding without intent. Aggrieved struck to the face and knocked to the floor. Whilst on the floor he was kicked by 3 to 4 males. Aggrieved received cut to bridge of nose requiring butterfly stitches and small splinters of glass were removed from his hands at hospital.	Yes	Yes	Incident occurred on first floor next to main bar by steps. CCTV viewed and is not able to ID the suspect or show how the injuries were sustained. No further lines of enquiry.
18/12/11 0001 hrs		FT/11/8767	Assault ABH. Two female offenders passed aggrieved on stairs. One offender kicked her in the lower stomach and the other grabbed her by the hair and pulled her earring out.	Yes	Yes	No CCTV covering incident. Independent witness provided details, however no realistic possibility of conviction. Filed no further action.
19/12/11 0025 hrs	15		Male detained by doorstaff for assault on door staff.	Not known	Not known	Police attended and log indicates no assault had occurred. Male sent away.
29/12/11 0106 hrs	45	FT/11/9034	Staff have detained a male for assault. Victim has been taken to hospital. Victim was walking from toilets when he bumped into offender who then headbutted him twice to nose causing broken nose.	Yes	Yes	CCTV requested. Comment on crime "I will complete CCTV enquiries with Mambo, however having seen the footage for this on another enquiry, I would guess it will show heaving hordes and flashing lights/smoke machine, rendering things hard to see". CCTV viewed. Shows top of the staircase but not foot of staircase where this incident occurred. During interview offender admitted assault and was subsequently cautioned.
30/12/11 0100 hrs		FT/11/9071	Theft of property left unattended close to DJ Booth and Christmas Tree on first floor	Yes	Yes	Premises contacted by CCTV and stated area near the Christmas tree is not covered by CCTV. No active lines of enquiry.
01/01/12 0001 hrs		FT/12/33	Theft of mobile phone from handbag.	Inside	Yes	No active lines of enquiry.
01/01/12 0130 hrs	420	FT/12/52	Caller assaulted by male in unprovoked attack. Female aggrieved has received split lip.	Inside	Yes	CCTV viewed. Footage is of such poor quality that officer unable to identify

14/01/12 2245 hrs							took the bag has returned it and she has left Mambo". No crime complaint completed as no evidence that a crime had been committed.
28/01/12 0322 hrs	124	FT/12/373	Black leather jacket left unattended on chair stolen	Inside	Yes	No active lines of enquiry.	No complaint forthcoming.
30/01/12 0138 hrs	31		Male alleges he was headbutted within Mambo. Initial enquiries made to locate offender. However, aggrieved then stated he did not wish to pursue matter. Aggressive male trying to assault door staff. Officers attended and gave male Section 27 Notice for Public Order offence.	Outside	No	No evidence that male had been in premises.	No evidence that male had been in premises.
30/01/12 0130 hrs		FT/12/775	Male offender, perceived in drink, had been in premises and left for a short while. He tried to gain entry but was refused, and became aggressive.	Outside	No	Male dealt with by restorative justice in form of apology to door steward and given Section 27 to leave area.	Male dealt with by restorative justice in form of apology to door steward and given Section 27 to leave area.
31/01/12 0126 hrs	36		Asian male requesting police assistance. Stated he was in Mambo and people were making racist comments. "Mambo's are stating that the male was alleging to having been kicked".	Inside	Yes	No witnesses/CCTV evidence. Male very drunk and unhelpful. Was subsequently thrown out of premises for being drunk. Despite numerous attempts to contact male by police, he did not respond to telephone messages/letters. No complaints forthcoming.	No witnesses/CCTV evidence. Male very drunk and unhelpful. Was subsequently thrown out of premises for being drunk. Despite numerous attempts to contact male by police, he did not respond to telephone messages/letters. No complaints forthcoming.
09/02/12 0130 hrs		FT/12/1000	Male offender known to aggrieved. Both in drink. Aggrieved was dancing on first floor dance floor. Offender started following aggrieved and being flirtatious. Offender then punched aggrieved to face with clenched first. Door stewards ejected male.	Inside	Yes	Aggrieved states male offender "was very drunk and kept pestering her". Male offender is also suspect for FT/12/783, an assault with exactly the same MO also at Mambo. (On reading through this crime report it indicates the offence occurred outside the premises at a taxi rank and does not). CCTV from premises reviewed with negative result for incident, however footage available which clearly shows offender being removed from Mambo. Male charged.	Aggrieved states male offender "was very drunk and kept pestering her". Male offender is also suspect for FT/12/783, an assault with exactly the same MO also at Mambo. (On reading through this crime report it indicates the offence occurred outside the premises at a taxi rank and does not). CCTV from premises reviewed with negative result for incident, however footage available which clearly shows offender being removed from Mambo. Male charged.
10/02/12 0110 hrs	28		Male assaulted doorstaff, being very abusive and aggressive.	Outside	Yes	Police attended. Male given Section 27 Notice.	Police attended. Male given Section 27 Notice.
13/02/12	14	FT/12/1085	Attempt theft of phone. Female offender in drink	Inside	Yes	Offender dealt with by way of restorative	Offender dealt with by way of restorative

0015 hrs			victims shoulder						contact police with IMEI number, she failed to do so. Crime file – no further action.
22/02/12 0200 hrs	48	FT/12/1313	2 ejected male cause criminal damage to a window		Outside	Yes			Offenders not located/identified.
23/02/12 0059 hrs	25		Caller stating he has been assaulted by door staff – has injuries and ripped clothing.						Male very drunk. Advised to attend hospital and contact police when sober. Officers viewed CCTV. "Male was clearly asked to leave and was guided towards the exit where a scuffle took place. He seemed to take exception to this. Appears to be lawful ejection but CCTV is not very fluid". Male did not call back to make formal complaint.
23/02/12 0025 hrs		FT/12/1382	Theft of mobile phone		Inside	Yes			Male offender dealt with by way of restorative justice.
23/02/12 0147 hrs	51	FT/12/1334	Caller alleges racial abuse by door staff		Outside	No			Doorman states male was refused entry due to being drunk and after no-entry time. No evidence.
01/03/12 0232 hrs	46		Male kicking off.		Not known	No			Quote from log "male was originally causing problems o/s then Mambo's reported male kicking stuff around inside. Lawful ejection. Male has been Section 27'd. No offences"
04/03/12 0100 hrs		FT/12/1627	Theft of mobile phone		Inside	Yes			No active lines of enquiry
09/03/12 0130 hrs		FT/12/1768	Theft of mobile phone from rear left hand side trouser pocket		Inside	Yes			Victim could not be specific about exact time and location in premises where theft occurred. No active lines of enquiry.
10/03/12 0030 hrs		FT/12/1837	Handbag stolen		Inside	Yes			No further action.
11/03/12 0100 hrs		FT/12/1869	Male aggrieved dancing on dancefloor when he left club to phone a taxi, he noticed mobile phone and wallet taken from rear pocket of jeans by unknown means		Inside	Yes			No viable lines of enquiry.
14/03/12 2300 hrs		FT/12/1961	Mobile phone stolen from trouser pocket		Inside	Yes			No viable lines of enquiry.
26/03/12	58	FT/12/2235	Wallet and purse stolen. They were in a handbag		Inside	Yes			Two items of property located within

03/04/12 0001 hrs	FT/12/2470	Assault ABH. 6 female offenders, stranger to female aggrieved, assault aggrieved by pulling hair, punching to head and kicking.	Inside	Yes	CCTV not installed in toilets. Aggrieved does not wish to pursue matter. Filed – no further action.
04/04/12 2300 hrs	FT/12/2650	Passport stolen from pocket of aggrieveds trousers	Inside	Yes	No active lines of enquiry
09/04/12 0001 hrs	FT/12/2628	Inflicting GBH without intent S20. Male offender doorstaff. Following verbal argument with son of aggrieved, offender came from behind, grabbed aggrieved arms bending them up behind his back and had his legs kicked from under him. He was then carried head first down both flights of stairs. Male sustained fractured ulna in left arm.	Inside	Yes	09/04/12 CCTV requested. 17/04/12 officer phoned Mambo who confirmed CCTV had been downloaded. 28/04/12 CCTV viewed, however does not contain cameras and angles. Full hours coverage of CCTV from all cameras requested. 03/05/12 officer contacted Mambo re CCTV. Emily said she thought it had been done. However she then stated that the CCTV system had crashed and she was waiting for technical support. Enquiries/CCTV matter on-going.
09/04/12 0001 hrs	FT/12/2642	Malicious Wounding without intent S20. Male assaulted by 2 door stewards. Male received cuts and bruises to body.	Inside	Yes	This crime is linked to above crime. Father and son both assaulted. Investigation details as above.
14/04/12 2230 hrs	FT/12/2829	Passport stolen from handbag	Inside	Yes	No active lines of enquiry
20/04/12 2300 hrs	FT/12/2902	Male searched whilst in premises and found in possession of controlled drugs	Inside	Yes	Male received fixed penalty notice
20/04/12 0001 hrs	5	Female alleges she has been assaulted by three door stewards who have thrown her out.	Inside		Officers spoke to door staff. Female ejected for fighting inside premises. Female also spat at door stewards.
22/04/12 0000 hrs	FT/12/2931	Male aggrieved used his mobile phone whilst in nightclub and placed phone in rear jean pocket. When he went to use phone again about 5 minutes later the phone had been stolen	Inside	Yes	No active lines of enquiry
28/04/12 1130 hrs	FT/12/3170	Whilst sat in the bar female aggrieved left her bag on the table when offender removed her mobile phone	Inside	Yes	No active lines of enquiry
28/04/12 0230 hrs	FT/12/3142	Aggrieved placed handbag on sofa on second floor. Aggrieved was dancing a metre away from handbag. Items have been stolen.	Inside	Yes	Manager Chris contacted. Stated he would look at CCTV. No contact received by Mambo. No active lines of enquiry.
29/04/12	FT/12/3143	Handbag left insecure and unattended on sofa on	Inside	Yes	Linked to above crime. Different

14/05/12 2330 hrs	FT/12/3539	Wallet removed by unknown means	Inside	Yes	Enquiries on-going	unsure if any of his doorstaff had taken details of this group. Report from CCTV technician requested. Enquiries on-going.
15/05/12 0001 hrs	FT/12/3537	Wallet left unattended in upstairs bar taken by unknown means	Inside	Yes	No active lines of enquiry	
19/05/12 1700 hrs	FT/12/3656	Mobile phone stolen from pocket of unattended jacket	Inside	Yes	No active lines of enquiry	



**DEVON & CORNWALL
CONSTABULARY**

Our ref:

Your ref:

Lifestyle Enterprises (UK) Ltd
2nd Floor Offices
Harbour Point
Victoria Parade
TORQUAY
TQ1 2BD

Licensing Department East
Devon and Cornwall Constabulary
Force Headquarters
EXETER
EX2 7HQ

4 April 2012

Telephone: 01392 452225

Dear Sir/Madam

Re: Mambo/The Beach Hut, 7 The Strand, Torquay

I write to you in your capacity as Premises Licence Holders of the above named premises, as a result of numerous incidents at the premises between 28 March 2012 and 1 April 2012.

My Licensing Officer, Julie Smart, has visited the premises and discussed the concerns of the police with Mr Nathan Towersey, your Designated Premises Supervisor, and I now enclose a copy of a warning letter that I have today forwarded to Mr Towersey, which I hope will be self-explanatory.

A copy of this letter has been forwarded to Torbay Council Licensing Department for their information.

Yours faithfully

Superintendent J Nye
Geographic Superintendent - Torbay





**DEVON & CORNWALL
CONSTABULARY**

Our ref: Lic/Tor/jks

Your ref:

Mr N Towersey
Designated Premises Supervisor
Mambo/The Beach Hut
7 The Strand
TORQUAY
TQ1 2AA

Licensing Department (East)
Devon and Cornwall Police HQ
Middlemoor
Exeter, Devon EX2 7HQ

4 April 2012

Telephone: 01392 452225

Dear Sir

Mambo/The Beach Hut, 7 The Strand, Torquay

I write to you in your capacity as Designated Premises Supervisor, of the above named premises, following incidents at your premises between 28th March 2012 and 1st April 2012, as outlined below.

At approximately 2315 hours on Wednesday 28 March 2012 an assault occurred within Mambo's. The suspect was arrested and identified as a 17 year old male. This male has indicated to the police that he was not asked for ID when entering or purchasing alcohol within your premises.

On Saturday 31 March 2012 a plain clothed police officer witnessed a 22 year old male climb over the railing from the first floor terrace area of Mambo, onto the roof of Hoopers, and then drop/fall to the pavement below. The male was spoken to and stated he had done it for a 'laugh'. The male was limping as a result of his drop/fall, but refused medical assistance.

Again on Saturday 31 March 2012, a female complained to the police of being assaulted in your premises, however she could not recount the full details of the assault due to her level of intoxication. At this time a witness came forward to assist with enquiries, but he was too intoxicated to provide a statement.

On Sunday 1 April 2012, a group of males were ejected from your premises due to their behaviour inside. One of these males was verbally aggressive, swearing in the street and inciting violence towards the police officers and was subsequently arrested for being drunk and disorderly. A second male threatened and was aggressive to door staff, and he too was arrested for being drunk and disorderly. Although these males were arrested in the street immediately outside of Mambo, licensed premises are responsible for the immediate vicinity of the premises and have a duty to ensure that their patrons leave in a quiet and orderly manner.

At 1400 hours on Tuesday 3 April 2012 my Licensing Officer, Mrs Julie Smart, attended your premises and discussed these matters with you. At this time you accepted that the female customer who alleged she had been assaulted was drunk and had been served alcohol within



your premises. You also indicated that the member of staff who had served her, has been disciplined/dismissed due to this incident.

I would remind you of certain conditions contained in your Premises Licence (No PL0652), issued by Torbay Council, as follows:

1. When standing is permitted on the First Floor Balcony, an SIA steward must be in attendance on the balcony for the purpose of supervising public safety and preventing crime and disorder.
2. No under 18's shall be permitted after 2100 hrs.

I must warn you that failure to comply with the conditions of the Premises Licence constitutes an offence under Section 136(1) of the Licensing Act 2003 as follows:

- 1) *A person commits an offence if –*
 - a. *He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*
 - b. *He knowingly allows a licensable activity to be so carried on.*

Subsection 4 of Section 136 of the Licensing Act 2003, also states:

“A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.”

I would further point out to you that the sale of alcohol to a person who is drunk, or allowing alcohol to be sold to such a person, is an offence under Section 141 of the Licensing Act 2003, and a person guilty of such an offence is liable to a fine not exceeding level 3 on the standard scale, ie £1000.

The incident involving the 17 year old is still being investigated by my officers, but I would take this opportunity to remind you that the sale of alcohol to children and allowing the sale of alcohol to children are offences under Sections 146 and 147 of the Licensing Act 2003, punishable by way of a fine not exceeding level 5 on the standard scale, ie £5000.

With regards to the male climbing over the railing on the 1st floor, I would ask that you immediately investigate this incident and, if necessary, put satisfactory measures into place to ensure this does not occur again. It is imperative that a door steward is in attendance on the balcony as stipulated in the relevant condition, and that he/she fully understands his/her responsibilities in regard to ensuring the personal safety of your patrons and persons using the public highway.

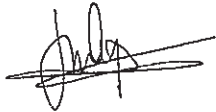
As Designated Premises Supervisor I would remind you that it is your responsibility to ensure that your premises are run in accordance with the conditions of your Premises Licence, in a manner that promotes the Licensing Objectives and within the confines of the law at all times.

I must advise you that my officers will continue to monitor your premises and if the circumstances warrant it, I will not hesitate in applying for a Review of your Premises Licence

and/or seeking a prosecution for any offences committed. I do hope that you will address the concerns raised and that this course of action will not be necessary. However, should it be necessary to apply for a Review, this letter will be used as part of our evidence.

A copy of this letter has been sent the Premises Licence Holders, Lifestyle Enterprises (UK) Ltd, and to the Torbay Council Licensing Department for their information.

Yours faithfully

A handwritten signature in black ink, appearing to be 'J Nye', with a long horizontal stroke extending to the right.

Superintendent J Nye
Geographic Superintendent - Torbay