

THAMES VALLEY POLICE

Division/Station : East Berkshire Police Area

From : Debie Pearmain
Police Licensing Officer

To : Licensing Manager
Slough Borough Council

Ref :

Date : 10th November 2023

Tel.No.

Subject :

Police Objection – Variation Application for Deco Bar, High Street, Slough

Thames Valley Police **object** to the above application to remove the condition namely:

Mr XX shall not be permitted to enter or work at the premises due to the Crime and Disorder and Public Safety Licensing objectives being undermined.

Mr XX was arrested for Assault by beating. Mr XX assaulted a male by beating him, contrary to Section 39 of the Criminal Justice Act 1988. The incident occurred on the 30/01/2022 outside Deco Bar whilst Mr XX was working.

Mr XX was found guilty and convicted at Slough Magistrates Court on the 16/08/2022. He was given a 12 month Community Order with 150 hours unpaid work and costs.

The circumstance of the incident is as follows as detailed by PC 7349 Marriott:

At approximately 0148 hours on the 30th January 2022

A male has attended DECO. when the male has been refused entry he has reattended with a baseball bat, 2 XCS spray, knuckle duster, nunchucks. The male has hit the door with the baseball bat and sprayed CS Spray. The remainder of the items were located in his pockets and back pack after arrest. The male has been detained by doorstaff until police arrival.

Since the incident a Member of public has sent in mobile phone footage of this, it shows the male after being detained by doorstaff being kicked in the head twice by who I have been told by Debbie Pearman is the Manager of DECO. I can not ID the manager myself as I do not know him.

I have spoken with Mr XX the Manager on the phone requesting CCTV footage of the incident. CCTV has been provided, however I have explained to Mr XX that this needs to cover the whole incident up to the point police arrive on scene. Even after repeated requests this has not been provided. I have explained to Mr XX that a Member of Public has come forward and stated the suspect was kicked in the head, I asked Mr XX if at any point did he kick the male detained and he said he did not, I explained that this would impact the case at court and if it did happen he needs to be honest about it, he denied it happening.

I can confirm that video evidence of this incident was provided to the Police by a member of the public who had witnessed the event.

A Licensing meeting was held on 24th February 2022 at Slough Police Station whereby Mr Gurdeep Chandhok, the Director and DPS of the Premises at that time was informed of our concerns. The concerns were over incidents escalating since April 2021 onwards. There had also been a report of an incident involving the Manager on the 30/08/2021. It was alleged that the victim's friend was man -handled

by the Manager. PC Whitlock had spoken to the female who was at the incident and she had confirmed and positively identified that Mr XX was the person who had man-handled her friend, after ordering them to leave. There had been some concern that Mr XX had been under the influence of alcohol and or drugs.

The Director and DPS was informed that Thames Valley Police were requesting extra conditions should be added to the Premises Licence by way of minor variation. These conditions were to ensure that the Licensing Objectives were not undermined.

Mr Chandhok was informed that failure to submit the Minor Variation would result in the Police applying to review the Premises licence. Mr Chandhok was also informed that we did not feel Mr XX should be permitted to work at the venue.

The Minor Variation was submitted on the 21st April 2022. The application included adding extra conditions to the Premises Licence which included the condition relating to Mr XX.

I was not aware that Mr XX was a Personal Licence Holder until January 2023. I then informed the Licensing Department at Slough Borough Council of this fact as I believed that if Mr XX had informed the Court during his Court case for the assault, the Court would have revoked his Personal Licence at that time.

Mr XX Personal Licence was suspended for a period of 3 months by Slough Borough Council's Sub-Committee at a Personal Licence Hearing on the 26th April 2023. The suspension took effect from 7th June 2023 to 7th September 2023.

In reaching this decision the Sub-Committee noted the seriousness of the offence, which would have allowed it to revoke his Personal licence. However, the Sub-Committee noted the conditions added to the premises licence for Deco Bar and Lounge, 277 High Street, Slough included the condition that Mr XX was no longer permitted to enter or work at the Premises so he will no longer be able to be at the Premises for any reason.

I believe that due to the condition being on the Premises Licence permitting Mr XX to be on site during Licensable activities, this was the reason why the Sub Committee suspended the Licence and not revoked it.

This offence is a relevant offence under Schedule 4 of the Licensing Act 2003 and is not a spent conviction under the Rehabilitation Act until 16/08/2024.

Thames Valley Police have concerns that if Mr XX is permitted to work at this venue, this would potentially undermine the Crime and Disorder and Public Safety Licensing Objectives. Mr XX has shown how he can easily lose control and assault a member of the public, who was being restrained.

Mr XX is a potential threat to the public and in our view if Mr XX is permitted back into the venue he will be a risk to the public. We must safeguard and protect the public.

Thames Valley Police strongly oppose to the condition relating to Mr XX being removed from the Premises Licence. Mr XX's behaviour during the incident was unacceptable and we feel that Mr XX is a liability to the public.

Video evidence will be played at the hearing of the incident.

Sergeant 6083 Ryan has stated the following:

Mr XX has been convicted of assault (30/01/22) outside the Deco Bar at Slough Magistrates Court on the 16/08/22. Mr XX could pose a danger to the public due to his previous use of violence whilst working at the premise and for this reason I would not support the variation allowing him back at the Deco Bar premise during licensable activities.

Inspector Misselbrook has stated the following:

Mr XX has previously been in a position of responsibility as the manager and personal licence holder at Deco bar. Whilst in this capacity he has assaulted a male when they are in a position of vulnerability, restrained on the floor, and struck him more than once with a kick to the head. The seriousness of this offence would have been such to see the revocation of his licence. But instead it appears leniency was shown due to conditions added to the premises licence. In my view these conditions should continue to prevent a violent individual being placed back into that position. I do believe the removal of such a condition would undermine the crime and disorder and public safety aspects of the licensing objectives and should therefore continue to safeguard the public.

I can confirm that a Senior Officer will be attending the Licensing Objection Hearing.

Submitted for your information and necessary action.

Regards

Debie Pearmain
Police Licensing Officer