

Surrey Police Representation in support of review

**Spelthorne Borough Council Licensing Authority
Licensing Act 2003
REPRESENTATION FORM FROM INTERESTED PARTIES**

Your name/organisation name/name of body you represent	Maxine Cilia 2099 Spelthorne Borough Commander
Organisation name/name of body you represent (if appropriate)	Surrey Police
Postal and email address	
Contact telephone number	
Name of the premises you are making a representation about	Vegan Plnd
Address of the premises you are making a representation about	21b Clarence Street, Staines upon Thames, TW18 4SU.

Your representation must relate to one of the four Licensing Objectives (see note 4)

<i>Licensing Objective</i>	<i>Yes Or No</i>	<i>Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	Yes	Attached.
Public safety	Yes	Attached.
To prevent public nuisance	Yes	Attached.
To protect children from harm	No	

<p>Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.</p>	
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Signed

Date:9/11/2022

Please see notes belowVegan Pind

Surrey Police support the review application submitted by Environmental Health at Spelthorne Borough Council.

The application was received by Surrey Police on the 7th October 2022 and on the 16th October at approx. 10:10 hours Ms Jacquie Clark 9143 checked the premises to see whether the notice re the review application was displayed because there had been problems with the displaying of notices when the Premises Licence application was submitted. The premises was closed and the shutters were down and there was no notice visible. I informed the licensing department at Spelthorne Borough Council on the same day. They subsequently conducted a check and confirmed that no notice was displayed.

Spelthorne Borough carried out a licensing check on the 4th February 2022, they identified numerous points that were not being adhered to regarding legislation under the Licensing Act 2005 and breaches of their Premises Licence.

One of these being that the CCTV camera covering the door was missing and that staff were unable to provide historic CCTV recordings or demonstrate that the CCTV is being retained for 31 days when requested by Spelthorne Borough Council licensing department.

CCTV is a vital tool in the prevention of crime and disorder, which is one of the four licensing objectives. CCTV is a deterrent and evidence produced by CCTV is pivotal in prosecutions.

On the 7th November we searched the Information Commissioner's Office website and we could find no record that they have registered their CCTV system with them. On the 7th August 2022 at 20:06 Surrey Police received a call from Raj Heir, staff at the premises calling from the landline at Vegan Pind, stating "customer at the location who is a bit drunk and is not leaving. There is security at the location but is not a door supervisor and as such is not allowed to touch the persons" Whilst Raj was still on the phone to Surrey Police he stated that the male had left and police were no longer required.

According to their Premises Licence "from 8pm daily until all patrons have left the premises there will be one SIA door supervisor at the door and one inside managing the internal areas of the premises and balcony."

From what Raj stated on the phone this Premises Licence condition was not being adhered to at this time.

There have been two incidents that required several units from Surrey Police to attend to deal with the large crowds on each occasion.

On the 24th February 2022 at 2:30 hours Surrey Police were called to a disturbance in Clarence Street, Staines, this occurrence was a violent robbery. Statements attached by officers that attended and investigated the occurrence to detail the incident. (Statements 2, 3 and 4).

This incident required attendance from several units and officers noted that there was a lack of staff to deal with the crowds and the dispersal appropriately.

On the 27th February 2022 at 3:20 hours officers attended the premises as they noted when passing that there were a lot of persons still inside the premises when they should have closed at 1:30am. Officer that attended stated that they “found in excess of 50 persons inside the premises with the owner Bobby being evasive initially and not wanting to allow officers inside. Bobby informed officers that all the persons inside were not customers but friends and family who had gathered for a small party. Officer has also stated that he was informed at 6:30am there was still people leaving through half shutters.”

This information was shared with the licensing department at Spelthorne Borough Council on the 28th February 2022, who undertook investigating the incident.

On routine visits made by officers they have noted that the staff have not always been receptive to these visits, attached is a statement provided by an officer re visits he has conducted to the premises. (Statement 1).

Surrey Police were concerned that they were accepting photo id via a phone rather than insisting on the actual id as they are then unable to check whether the id is fake or not and the person could be underage.

A visit was carried out by PC Redwood 40950 and PC Carr 41315 on the 25th February 2022 at 20:50, PC Carr noted that the “owner gave his details as Bobby Dhunay. His father was also present (details not taken) who was quite rude and not particularly welcoming of police being in the premises. Repeatedly asking why police are in the premises, saying he had never seen police in a bar or restaurant before. He described police presence as hostile despite all interactions with other staff members being positive.”

Surrey Police explained to Bobby Dhunay that Surrey Police officers pay periodic visits to licensed premises to show a visible presence and support licensed premises and that they are authorised to do so.

Jacque Clark 9143 suggested to Bobby that he attend a Staines pubwatch meeting so that he could liaise with other premises and increase his knowledge regarding managing a licensed premises as he stated that this is his first licensed premises and he only obtained his Personal Licence on the 3rd May 2022, which was after the premises had opened. Pubwatch is not a condition of their Premises Licence but is a valuable tool in promoting the licensable objective of the Prevention of Crime and Disorder. To date nobody from Vegan Pind has attended any Staines Pubwatch meeting.

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WITNESS STATEMENT	
Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9	
URN	
Occurrence Number: 45220020433	
Statement of: SAMUEL LILLYWHITE	
Age if under 18: Over 18 <small>(if over 18 insert 'over 18')</small>	Occupation: Police Constable
This statement (consisting of 2 page(s) 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 in it anything which I know to be false, or do not believe to be true.	
Signature:	Date: 11/03/2022 10:21
Tick if witness evidence is visually recorded <input type="checkbox"/>	

This statement is in relation to an incident of robbery and GBH I attended on Thursday 24th February 2022 at the VEGAN PIND on CLARENCE STREET in STAINES UPON THAMES.

I am PC 41241 Lillywhite from Staines police station for Spelthorne D rota response team. On the above date I was in uniform, double crewed with PC 41701 KIRBY and under call sign SL 71.

We had been tasked by the FCR (FORCE CONTROL ROOM) to attend 17a CLARENCE STREET in STAINES in relation to a possible disturbance or fight in progress. The information received was that the informant could hear what they thought to be a person being beaten up. They could hear this but had not seen anything. They have then further said that they believed to have heard someone say "KILL THEM". Due to this information I have attended on emergency response

PC KIRBY and I arrived at approximately 0221 hours where I have activated my body worn video and seen that there was a large gathering of vehicles and people outside of a restaurant and bar called the VEGAN PIND.

As I have approached the venue I have seen a male who had significant facial injuries. He was stood outside and appeared to be very disorientated and lost. After dealing with this male and assisting in calling an ambulance for him. I have walked inside the VEGAN PIND to complete some enquiries. Whilst walking to the venue I would estimate there to be at least 30 + people outside. Various people were holding drinks vessels/containers which looked as if they had come from the VEGAN PIND as this was the only bar open at the time of police arrival. As I have walked up to the front door of the venue, I have then seen further people leaving with drinks in hand which I believe to be purchased from within the venue. These glasses had straws in them and would not be practical outside drink vessels, further leading me to believe that these

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drinks had been purchased from within inside the premises. The shutter to the premises was also raised which would indicate that the business was open.

When I have entered the premises I have seen what I believe to be 10 – 12 people inside (members of the public) excluding the four that had left prior to me entering. I can not recall any music being played at the time but the large groups of people were making a lot of noise for the time of the morning, and considering the business closing time was 0130 hours. Which was now over 1 hour ago. I have then spoken to a IC4 male who was close to the door, and was locking and opening it since police arrival. He identified himself as someone who worked at the VEGAN PIND but did not disclose his role. He was not wearing any high visibility jacket, and there was no sign of a SIA badge on either arm. There was also no identifiable logo or anything which would identify himself as an employee there. If I hadn't asked, he would simply look like a member of the public. I asked what was going on and he said that they had been closed for some time and had been trying to get people to leave, indicating that this was not a private party/function. I have then instructed this male to get everyone out and close the premises. Shortly after this the shutter was shut/pulled down, which has stopped people from entering, however there was some people still inside (unknown amount)

A short time later an intoxicated female has approached me and was hysterical and crying. She has informed me that she had been at the party inside the VEGAN PIND and that someone was trying to take her bag/handbag. She stated that she had left her bag in the venue kitchen, after a member of staff offered to store it for £10. She has then since tried to get this back but they wouldn't let her have it. After requesting further units, who arrived a short time later. PC 41106 DAVIES and myself have entered into the premises again when the shutters have been lifted. A staff member stated several times that they had searched for her bag and were certain that it was not in there. Despite what the staff member had said, PC 41106 DAVIES had later found her bag in the exact place the female had said it was. This was returned to the female who has then compliantly left the area. When engaging with this female she presented as extremely intoxicated and possibly intoxicated from another substance. At points it was difficult to speak with her and explain what was happening. Her mood would change from hysterical crying, to extreme anger directed at staff members due to them stating that they didn't have her bag.

The shutters were then closed again with some people still inside. I would estimate at least 3 persons. I do not know who these people were (staff or members of the public) however they appeared to be drinking inside. Whilst dealing with this incident I did not enter the entirety of the premises and therefore did not see any clear fire exit.

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POLICE STATEMENT	
Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9	
NICHE Ref No: 45220020433	
Statement of: 41577, Con Hagan ADAMSON-WOODS	
Age (if under 18): N/A	
This statement 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 in it anything which I know to be false, or do not believe to be true.	
Signature of Witness:	Date:24/02/2022
<p>This statement is in relation to an incident I witnessed at the "VEGAN PIND" on CLARENCE STREET in STAINES SURREY on the 24th FEBRUARY 2022.</p> <p>The incident took place at VEGAN PIND, CLARENCE STREET, STAINES, SURREY. This is a new bar/restaurant which does vegan food and is directly opposite 7BONE on CLARENCE STREET in STAINES.</p> <p>Whilst reviewing CCTV footage for an unrelated incident, I have seen on the stores CCTV that they appear to be doing what I have been made aware is called "LOCK IN's", I believe this because during the footage I could see that the staff within the store/restaurant put the shutter gate at the front halfway down and then eventually down with people still inside drinking and smoking. On the stores own CCTV you can see males and females sitting on the chairs closest to the front door and can see them smoking and drinking.</p> <p>At one point in the footage I saw a group of males standing between the stores front door and the closed shutter chatting, drinking and smoking cigarettes. This is around 1am on the stores CCTV however I am told this is 1 hour out of sync.</p> <p>A male who I know to be the owner of the store was behind the bar and on the phone to me stated that the persons on the footage were his mates.</p> <p>Upon entering VEGAN PIND I have seen evidence shisha use, which I am aware does need a license to operate in a business, Nitros Oxide balloons and canisters but only from customer use not staff use or sale, and a big hole in the rear of the lobby to VEGAN PIND which was heavily leaking water and staff told me it had been like this for a while.</p> <p>I have later reviewed CCTV from SPELTHORNE BOROUGH COUNCIL and can see on their CCTV that the front shutters to the store are closed upon Police arrival around 2:15am on the 24th FEBRUARY 2022 but then are opened to halfway and people do sporadically leave from the front.</p>	
Signature of Witness:	Date:24/02/2022

Witness name: 41577, Con Hagan ADAMSON-WOODS
Statement started: 21-11-2021 06:01:03 Statement completed: 21-11-2021 06:21:39
Form ID: Doc1637474463734-2121-BJNQLDQAAAAXHI7JVNMDFAQAW

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WITNESS STATEMENT	
Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9	
URN	
Statement of: PC Inderpreet SINGH	
Age if under 18: Over 18	(if over 18 insert 'over 18') Occupation: Police Constable 41809
This statement (consisting of 2 page(s) 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 in it anything which I know to be false, or do not believe to be true.	
Signature: Inder SINGH PC 41809	Date: 06/11/2022 18:04 hrs
Tick if witness evidence is visually recorded <input type="checkbox"/>	

I am PC 41809 SINGH and I am based at Staines Police Station where I work within the Safer Neighbourhood Team. My role covers the borough of Spelthorne and as part of that role I conduct high visibility patrols, monitor on-going local neighbourhood issues, tackling chronic and persistent problems and carry out licensing checks.

This statement is in relation to licensing checks I have carried out at VEGAN PIND, 21B CLARENCE STREET, STAINES-UPON-THAMES, TW18 4SU between 28/05/2022 and 15/10/2022. The location has one public entrance which can be accessed off CLARENCE STREET. There is normally door staff at the entrance who carry out id checks and there is no id scanner being used at the premises. As you enter the premises, there are several tables and, in the middle, there is a bar where people can order drinks. Behind the bar, there is more seating area.

On SATURDAY, 28/05/2022 I was on duty in uniform when I carried out a licensing check at VEGAN PIND at 20:10 hrs with PC 41552 SIMPSON. The DPS – Designated Premises Supervisor was not present at the premises when the check was carried out. The person in charge at the time was Raj HEIR. I asked HEIR to produce the premises refusal or incident book which he could not. I questioned HEIR about risk assessment or fire safety plan as part of my licensing checks, but he had no knowledge of these. HEIR stated that he had recently become a supervisor and had no knowledge of the paperwork side of things. I spoke with Bobby DHUNAY on the phone, and he was not happy with officers carrying out licensing checks at 20:00 hours. Mr DHUNAY seemed angry on phone with police officers being at the premises and stated that officers should come back in the morning when there are no customers there. He stated he had the relevant paperwork which he could produce if officer attended at a different time. After this, I left the premises with PC SIMPSON.

On FRIDAY, 03/06/2022 I was on duty in uniform with PC 41315 CARR when I carried out a licensing check at VEGAN PIND at 23:10 hrs. The DPS was not present during this check, but Bobby DHUNAY was present and in charge of premises. I carried out a random ID check on a male who showed me a photo of his driving licence on his phone. The male was aged 18 years old and had no physical proof of age in his possession. I raised this issue with Bobby DHUNAY who stated they allow people in who have photos of ID on their phone. DHUNAY seemed unhappy with the officers attending to carry out a check and he informed me that the presence of police officers might scare customers. DHUNAY stated there is no need for officers to come inside the premises to carry out checks. I explained to DHUNAY that Surrey Police carry out comprehensive checks which include coming inside the premises. After completing the check, PC CARR and I left the premises.

On SATURDAY, 15/10/2022 I was on duty in uniform with PC 41808 SANGWAN when I carried out a licensing check at VEGAN PIND at 19:50 hrs. Upon my arrival, Raj HEIR was in charged but Bobby DHUNAY arrived shortly afterwards. I checked the incident book which started from the 26th of September 2022 and no incidents or refusals were recorded on the book. I asked Bobby DHUNAY about their last incident which he stated was

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about a month ago when someone fell off a chair and they called an ambulance. But according to DHUNAY, there has been no incidents between 26/09/2022 and 15/10/2022. On this occasion, there were only four customers inside the premises. After this, PC SANGWAN and I left the premises.

During my first two licensing checks, DHUNAY did not appear supportive of police presence or did not want police officers to enter the premises. However, during my last visit on 15/10/2022, DHUNAY attitude was different, and he appeared supportive. This could be because of very few customers being present inside the premises on my visit on 15/10/2022 whereas during my first two visits, the premises was busy and there were several people inside.

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WITNESS STATEMENT	
(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)	
URN	45 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Statement of:	Simon Egan
Age if under 18:	Over 18 (if over 18 insert 'over 18') Occupation: Police Officer
This statement (consisting of 1 page(s) 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:	<input type="checkbox"/> Date 08/11/22
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)	
<p>I am a Detective Sergeant and work within the Criminal Investigation Department at Staines Police Station. On the 24/02/2022, I was made aware of a violent robbery that occurred outside Vegan Pind in Staines Town – Surrey Police crime reference 45220020433 relates. The incident itself took place at approximately 0215 hours on the same day. I gathered the following information from my review of the crime report –</p> <p>1/ The victim had travelled to Vegan Pind with others he met in London. The victim told police that when he arrived at the venue, the owners didn't like that he was American and asked him to leave. As a result, he left and was then subjected to a violent robbery outside.</p> <p>2/ On the 24/02/22, PC Adamson-Woods attended Vegan Pind to obtain CCTV from the owner (pre-arranged). The owner was not present at the time of her attendance even though he stated he would be. With the assistance of a staff member present she was able to view the CCTV.</p> <p>I viewed the Body Worn Video of PC Lillywhite who arrived at the venue at 02:22 hours, soon after the incident. I have the following observations –</p> <ul style="list-style-type: none"> • A significant number of individuals were outside Vegan Pind. It is my view that these persons had come from the venue which was in the process of closing. • Given the number of patrons, I was surprised to see no security. • There was one individual who appeared to be the owner that spoke to police briefly. • Patrons were permitted to re-enter the venue to gather belongings and use the toilet. • There seemed to be a lack of staff at the venue to deal with the crowd and dispersal appropriately. • The main suspect (based on description) and remained inside the venue and there was no effort by staff to remove him or his associates. This avoided the opportunity of the victim pointing him out to police who was outside the venue. • There was a distressed female who said her bag was inside the kitchen of the venue and it was stolen. This was subsequently retrieved by police who said there was cannabis inside the bag. 	
Signature:	Signature Witnessed by: