



Premises Licence Review

Kassaba Turkish Grill and Meze
7-9 Marine Parade E, Clacton-on-Sea CO15 1PS

Premises Licence Holder:
Giesha Ltd
Company Number: 11691388

Supplementary documentary information in support of summary review.

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1.0 Background

1.1 The Kassaba Turkish Grill and Meze is a licensed premises located at 7-9 Marine Parade East in Clacton on Sea.

1.2 The premises is licensed to sell alcohol from 11:00 – 01:00 Sunday to Wednesday and 11:00 – 02:00 Thursday to Saturday.

2.0 Circumstances leading to review

2.1 Since the easing of lockdown on the 4th of July, the Kassaba Restaurant has become an epicentre for violence and nuisance in the night-time economy in Clacton. At time of writing, the police have been called 9 times mainly due to fighting that has been spilling on to the street from inside the premises. An overview of every call to police since this time can be seen below:

- 15th September – 20:12 – Caller reports an underage male drunk at the premises and threatening the informant. In a visit to the complainant, Licensing Officer William Moody is shown CCTV of this incident showing [REDACTED] who is underage and is shown in Exhibit 5 from a different incident.
- 6th September – 01:41 – Caller reports a fight between 7 males in the street. Group disperse before police arrival. In a follow up meeting, officers are unable to view the premises CCTV.
- 30th August - 01 :51 - Police respond to reports of a fight between females that has spilled on to the street. Police arrive and find many people in the street, some of whom are extremely intoxicated. One female alleges she has been assaulted by a member of staff Appendix a post from Facebook is shown which also alleges an assault by staff. This is shown in Exhibit 1 and 3 In a follow up meeting, officers are unable to view the premises CCTV
- 22nd August - 01: 10 - Police respond to reports of 7-8 males fighting. Police attend and are told that an altercation occurred after refusing to pay an entry fee to the premises. Shown in Exhibit 1.
- 2nd August 01 :05AM - Police respond to concerns that a male is armed after being ejected from the premises and gesturing to his waistband while arguing with staff.
- 1st August 23:45PM - Police respond to reports of a fight spilling out of the premises on to the street. Multiple victims are taken home for their safety. Shown in Exhibit 2.
- 25th July 00:37 AM - Police respond to reports of a fight in the outside area of the premises. Before police arrive some of those involved flee into the crazy golf course opposite.
- 22nd July 00:04 - Police respond to reports of multiple people fighting in a large group. Caller reports bottles being used as weapons and furniture being thrown. On police arrival staff inform officers that those involved in the fight have left and police remain until the area was clear of people. Shown in Exhibit 4

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- 19th July - 00:50 - Police respond to reports of a group of people fighting in front of the premises. Caller reports those involved flee when they are told that police have been called.

2.2 Regular engagement was made with the management of the Kassaba and at time of writing, there have been 9 meetings, including evening visits. The meetings attended by TDC Licensing are detailed in Appendix . These meetings were to discuss incidents and complaints, as well as to offer advice as on how to operate in a safer manner moving forward.

2.3 In addition to these incidents there have been numerous complaints to police and Tendring District Council around nuisance from the premises. The statutory guidance states:

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.4 Tendring District Councils Licensing Team have supported this application by way of a supporting letter shown in Appendix B. This letter also references the complaints received by them in respect of the Kassaba.

2.5 The complaints received relate from business and residents in the proximity of the Kassaba, including a residential block of flats located two buildings away from the restaurant.

- Appendix C shows complaints from this residential building and the adverse effect the premises' poor operation is having on the quality of life for those that live there.
- Appendix D shows complaints from a neighbouring hotel, which is suffering from the loss of business due to repeated nuisance issues.
- Appendix shows a statement from the proprietor of another hotel detailing the loss of business from the nuisance caused by Kassaba.

2.6 As shown by these documents, the issues caused as a direct result of poor management of the Kassaba are having a deep and wide-reaching impact on the local community. Such instances have direct effects on the local economy and the reputation of Clacton as a destination, as well as a direct, personal effect on those living and working nearby.

2.7 Since the application was made for review, Essex Police have received concerns around underage drinking at the premises. This is particularly serious given the amount of fighting that has been taking place as a result of mismanagement at the premises.

2.8 On one incident on the 30th of August, a young male had been drinking in the Kassaba and went to a neighbouring business as part of an ongoing dispute. Exhibit 5 shows this male clearly drunk and struggling to walk upright. The police were called, and the male was taken home.

2.9 APPENDIX is a witness statement from PC Laurie who attended the Kassaba on the 30th of August and took the young male home due to concern around his level of intoxication.

2.10 PC Laurie confirms the identity of the male in Exhibit 5 and confirms that he was underage at the time of the video. (note: at the time the video was sent to PC Laurie, the file name was [REDACTED] and was later changed to Exhibit 5 for the purposes of this hearing). PC Laurie also states that the

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young man was part of a larger group who all looked of a similar age and were all drinking in the Kassaba.

2.11 This young male was also reported to police for causing similar issues on the 15th of September, would indicate this male is a regular drinker at the premises.

2.12 This evidence should be particularly troubling for the sub-committee. Not only has the management team allowed the venue to spiral into a state of anti-social behaviour, but they have also allowed underage persons to drink to the point of drunkenness and aggression.

2.13 As part of the meetings and engagement between Essex Police, TDC and Kassaba, a number of voluntary measures were advised in repeated attempts to support the venue to improve. Some of these measures were taken on, such as the introduction of SIA registered security guards.

2.14 While initially encouraging, two former security guards have come forward to Essex Police to give a statement about misconduct in the premises, with issues raised around drug use, violence and management undermining security guards' decisions around refusal of entry. These statements are shown in Appendix and Appendix and show the difficulties guards faced when attempting to keep the premises safe and secure.

2.15 For fear of repercussions against them personally and professionally, these two security officers have both requested that any identifying feature on their statements be redacted to protect their identities. They are identified in this submission as 'former security officer (FSO) 1' and 'former security officer 2'.

2.16 In giving these statements, the security officers allege that there is a serious problem with both the use, and supply, of drugs at the venue. FSO1 states that the management refused to purchase a drugs disposal cabinet for the premises, despite being advised that this was the most appropriate way to deal with seized drugs.

2.17 One of the managers asked that all seized drugs be passed to him for disposal, however the suspicion of sanctioned drug dealing was so high, that the security officers decided to dispose of the drugs directly into the toilet.

2.18 FSO2 states that another of the managers deals drugs from a room above the restaurant and would occasionally bring the drugs downstairs into the bar area.

2.19 Both of these security officers state as a matter of fact that there is a serious drug problem at the venue, and the serious allegations of sanctioned supply by the venue's management team should be taken especially seriously due to the fact those reporting are licensed security professionals with a history of working at the venue.

2.20 In addition to these statements, Appendix L shows a complaint received by TDC on the 21st of September which further alleges widespread drug use and underage drinking on the premises, inferring that these issues have been going on for some time.

We would ask the sub-committee review Paragraph 11.27 of the guidance with regards to the issues outlined in this submission, viz:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- *For the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;*
- *(...)for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.*

3.0 Reasons for review

3.1 This premises has seen a very high number of incidents, concentrated into a short space of time. It is Essex Police's view that these are the direct consequence of poor management and an unwillingness to enact genuine change in order to improve the situation. This submission references guidance and case law which support and embolden licensing authorities to offer a strong response to this.

3.2 Appendix A is a statement from Acting Chief Inspector Martin Richards, who is the District Commander for Tendring. This document sets out the financial toll these incidents take on local policing resources and illustrates to the sub-committee the seriousness of the situation.

3.3 The impact on the quality of life for residents and business owners cannot be ignored. The review process exists to ensure accountability for operators who fail to uphold the licensing objectives and this submission has shown the wide range of shortcomings by the venue in this regard.

3.4 Deterrence is an established part of the review process and case law supports strong action from the sub-committee to deter both the Kassaba and other venues from undermining the licensing objectives. The case of *R (Bassetlaw District Council) v Worksop Magistrates' Court; [2008] WLR (D)350* confirms this and states that the sub-committee must consider what action is necessary to promote the licensing objectives and the needs of the wider community and that deterrence is an appropriate objective to consider.

3.5 It is for these reasons Essex Police have applied for a review.

4.0 Outcome sought

4.1 Essex Police asks that the premises licence is revoked. Merely remedying the existing situation (for instance by the imposition of additional conditions or a suspension) is insufficient to act as a deterrent to the licence holder and other premises' licence holders from engaging in crime and disorder and blatantly ignoring current regulations.

4.2 If the premises is allowed to continue to operate with a licence it is Essex police's belief that further incidents will occur. To prevent further public nuisance and crime and disorder Essex police are requesting revocation of the licence.

4.3 This submission and appended documents provide the licensing sub-committee with background arguments and information pertinent to that contention. These provide the subcommittee with a sound and defensible rationale as to why it should revoke the licence.

4.4 The argument may also be made that the operators took the advice given at these meetings, for example, by employing security and as such there is nothing more they could do to improve the situation, however, although the premises took some of Essex Polices advice onboard, in the form of SIA door staff, the issues documented clearly go deeper than the deployment of door staff. A complete ethos change is required in the management of this premises.

4.6 The Guidance issued under section 182 of the Act provides useful guidance in this respect, viz:

a) Paragraph 11.26

It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any

appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

b) Paragraph 11.23

(...) However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

4.7 Should the sub-committee be unconvinced that the premises licence should be revoked, Essex Police have supplied a new set of conditions and hours of operation that may go some way to ensuring the premises upholds the licensing objectives. These new conditions can be found in Appendix I.

4.8 It should be noted that Essex Police's position is that it is appropriate to revoke the premises licence, and Appendix I is submitted merely to assist the sub-committee should it decide not to revoke the premises licence.

5.0 Case Law

5.1 Regarding revocation, case law provides additional guidance on balancing financial considerations and the need to promote the licensing objectives, viz:

a) In the case of R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312, Lord Justice Toulson said:

"Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact."

5.2 The decision is important because it illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation. The effect on a range of factors such as crime and the quality of life for residents and visitors must be considered and not just the narrow consideration of the premises itself.

b) In the case of East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) (2016) Mr Justice Jay said:

The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

(c) In the case of *R (Bassetlaw District Council) v Worksop Magistrates' Court*; [2008] WLR (D)350, Mr Justice Slade said:

"On the determination under s 52 Licensing Act 2003 of an application for review of a premises licence in circumstances involving criminal conduct connected with the licensed premises, consideration must be given to what was necessary to promote the objective of crime prevention, and to the needs of the wider community, and not be limited to guidance and remedial action and to the needs of the licence-holders" (para 32.1).

"(...) wider considerations come into play and the furtherance of the licensing objective engaged includes the prevention of crime. In those circumstances, deterrence, in my judgment, is an appropriate objective and one contemplated by the guidance issued by the Secretary of State" (para 32.1)

"However, in my judgment deterrence is an appropriate consideration when the paragraphs specifically directed to dealing with reviews where there has been activity in connection with crime are applicable" (para 33.1).

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Acting Chief Inspector [REDACTED] Richards 70750

Age if under 18: (if over 18 insert 'over 18') Occupation: Police Officer

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: [REDACTED] (witness) Date: 18/09/2020

I am the above named person and acting District Commander for the Tendring local policing area.

My role is to provide command of the policing for the area and effectively manage the resources available to me. I work in partnership with key groups including Tendring District Council, Community groups and the general public to keep Tendring a safe place to live, work and socialise.

I am aware of persistent issues at the Kassaba Turkish Grill and Meze, located on Marine Parade East in Clacton. I understand this to be a restaurant by day which also doubles up as a drinking establishment during the evening. At time of writing this statement I am aware of no less than nine incidents attributed to the Kassaba since the 4th of July 2020, most of these requiring an emergency police response.

My team have received a multitude of complaints relating to the premises which allege violence, underage drinking, anti-social behaviour, excessive drunkenness, nuisance and concerns around the lack of social distancing. I understand my colleagues in Tendring District Council have also received similar complaints.

The issues caused by this premises, and the resulting police attendance has significant financial and resourcing implications, taking officers away from other deployments and potentially restricting the amount of officers available to respond quickly to other emergencies in the area.

I understand these issues have been amplified since the easing of lockdown, and have persisted despite regular engagement from my team and Essex Police's Licensing team.

Clacton is a safe town to live and work in and this type of behaviour in the city centre causes an immediate and impactful effect on the public perception of their safety and wellbeing. The large number of drinkers being intoxicated, causing anti-social behaviour and breaching Covid-19 rules are causing the community huge concern and affecting their lives detrimentally.

Signature: [REDACTED] Signature witnessed by: [Signature]

In my opinion this establishment and its management cause this detrimental effect on the community and are responsible for the redirection of significant police resources and time to deal with the aftermath.



Signature: Signature witnessed by:



William Moody, Essex Police
Licensing Department
Braintree Police Station
Blyths Meadow, Braintree
Essex CM7 3DJ

Licensing Section
Council Offices
88-90 Pier Avenue
Clacton on Sea
Essex CO15 1TN

Tel: (01255) 686565
e-mail: licensingsection@tendringdc.gov.uk
ktownshend@tendringdc.gov.uk
Our Ref: 20/00471/PREREV

17 September 2020

Dear William,

THE LICENSING ACT 2003 - APPLICATION FOR THE REVIEW OF A PREMISES LICENCE
PREMISES: KASSABA RESTAURANT, 7-9 MARINE PARADE EAST, CLACTON ON SEA
APPLICATION No: 20/00471/PREREV

I am writing in support of the request submitted by Essex Police to this Authority for a Review of the above mentioned Premises Licence on the grounds that a breach of the Licensing Objectives in respect of

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance

has occurred.

Since 19 Jul 2020, after licensed premises had been allowed by Government to once again operate having been subject to non-trading restrictions due to the Covid 19 pandemic; a number of incidences have occurred at and in the immediate vicinity of the above mentioned premises which have resulted in anti-social behaviour, public nuisance and the breach of prevention of crime and disorder. A number of complaints have been received by this Authority along with police presence required at the premises on a number of occasions, causing a clear breach of the above Licensing Objectives.

Multiple visits to the premises have also been conducted by the Essex Police Licensing Officer and Tendring District Council Licensing Enforcement Officer, with an aim of engaging with the premises to reach a resolution to issues raised. However, the premises has not responded nor acted in a way to rectify these incidences and concerns, instead continuing to operate in a manner which undermines the aforementioned Licensing Objectives.

I enclose the complaints received by this Authority to further support this request.

Yours faithfully

K N TOWNSHEND

KAREN TOWNSHEND

Tendring
District Council



LICENSING MANAGER

These comments were received by TDC Licensing Via Email on 17/09/2020

Gentlemen, I fear that I have not got any good news regarding the debacle that is Kassaba Restaurant/Clacton Hotel.

Here is a rough synopsis of this last weekends' happenings. It was noisy all week but obviously worse at the weekend.

Friday 28th August, it was very busy with a lot of people drinking outside with no social distancing. At approximately 02.15am a fight occurred outside the Kassaba which then led into the road, then moved to outside Truth, this carried on until 02.45am when an ambulance arrived, I cannot believe there was no police in attendance. People were still lingering around until gone 03.00am who were previously drinking in the Kassaba premises.

Saturday 29th August there was a lot of noise, with people dancing both outside the premises and inside, which I thought was one of the Covid-19 rules "no dancing". There was an altercation outside my apartment at 01.06am where a very drunk young lad was being very abusive to a member of the public, the young lad went and got a group of his friends from the Kassaba so there was then 8 of them involved against the one member of the public. The police turned up at 01.16am but did not end up taking the lad away until 01.30am. Then when you think it is going to be nice and peaceful there was a lot of girls screaming on the corner of Orwell Road, this was at 02.00am where two police cars did attend and did not leave the scene until 02.30am. (I'm assuming there was another fight) but I believe the police should have a record of this.

Sunday 30th August there was a fair bit of noise from 00.30am which sounded like an argument from outside the premises but I cannot be 100% sure. Just before 01.00am somebody who appeared to be very drunk got into a car and drove out of Orwell Road straight across the main road Marine Parade East onto the pathway in between the crazy golf course to the seafront promenade, which caused a big bang then the car reversed out and drove off at high speed.

I am of the opinion that the various departments of Tendring Council and the Police seem to be out of their depth in controlling this renegade establishment. I am astonished how other ventures many of them rather large businesses in Clacton are allowing this establishment to capitalise and allow unruly behaviour, to carry on whilst they are adhering to the rules and suffering a financial burden, perhaps they are also protesting and like me their pleas are falling on "stoney ground".

I have been conferring with other people who are also suffering because of the actions of this establishment. I am at the desperate stage now that I feel that you gentlemen as my local Councillor, my local Member of Parliament and Chief Executive of my local Council, are my only option of help in this matter.

May I suggest that you view the email chain that I started on the 27th July 2020 and copied you into. To be honest I am getting tired of repeating myself about the same disturbances, actions, blatant uncaring and unlawful attitude of this hotel.

I would be obliged if you gentlemen could confer with one another and by using the power of your respective offices, find a way forward to solve this serious matter once and for all.

I am on business in London from Tuesday to Friday but obviously obtainable by email.

I await your comments.

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These comments were received by TDC Licensing Via Email on 17/09/2020

May I thank you for your reply of 31st of July.

I note your comments, unfortunately despite your efforts there is no change in the attitude of this establishment.

In fact over the course of the last week, fights have been occurring on a regular basis, Police have been called on numerous occasions to these disturbances and anti social behavior on the premises.

Can I assume these occurrences are being logged by your department.

If you are compiling a "file" on the happenings at these premises, I would be obliged if you brought the fellow recipients of these e-mails into your confidence regarding the progress of your actions.

Maybe you are unable or do not wish to divulge any details to me.

I am sure the other recipients as public figures are as anxious as I am to resolve this matter and would be willing to discuss things discreetly with me if necessary.

I feel that you speaking in great detail to the owners of this property has fell on "DEAF EARS" and "STONY GROUND" !!

Now that other departments are involved, surely we are approaching a "Major Incident" in this matter.

How much longer is this establishment to be allowed to carry on as it likes.



(no subject)

1 message

10 September 2020 at 17:34

To: 

Dear  hotel

I'm writing this email regarding my stay at your hotel, your hotel was lovely to stay in friendly staff and clean and tidy the only down fall was the club next door Kassaba bar & grill from the 18th july until 7th September the was music every night weekends was alot worse and everytime the club come to closing time there where fights and police arriving, the noise would wake my 3children up and it got to the stage I had my baby screaming on many nights because it was so loud you'd have people screaming and shouting people attacking each over.

Your sincerely





Complaint/refund request

20 July 2020 at 19:45

To: [REDACTED]

Attn: Management of the [REDACTED]

My family and I chose to stay the night at your establishment on Saturday 18th of July after a lovely day at Clacton-on-Sea.

The overall service we was given was really good from staff and we can't fault the accommodation.

Unfortunately we left exhausted from lack of sleep due to the level of noise and disturbances that occurred, we had planned to stay again but chose against this.

We did not realise we was staying next to such a loud and inconsiderate place as the kassaba 'hotel' next door.

We had a great evening in the bar ...

Then once started the disturbance was into the early hours! Clearly under age drinkers were Present, aggressive and paying not one bit of notice to social distancing which was very disturbing.

Sadly my children heard lots of what was going on as there was also a heavy police presence inside and outside the hotel.

We have visited before some time back and had a brilliant experience, unfortunately this time we left feeling like standards had dropped through no fault to yourselves but your neighbours.

I would appreciate some feedback to our experience, I feel we are owed some sort of explanation and reassurance that if we was in fact to visit again the level of disturbance would not effect our stay.

Unfortunately we would refrain from booking again in the near future for risk of having to suffer the same or similar ordeal, it was frightening for our 2 year old and 7 year old who were kept awake by the noise, this is something you need to resolve with next door for the sake of your reputation as a family hotel!!

As compensation for all of the above problems encountered I do feel like we should be refunded for our visit, and re assured when it is safe to visit again.

We do genuinely wish you well but you need to address these problems, we came home in disbelief and disappointed. I look forward to your reply in the shortest time,

Regards

Mr. [REDACTED]



NOISE LEVELS

1 message

[Redacted]otmail.com>

5 September 2020 at 17:53

To: '[Redacted]'

To Whom it may concern,

I would like go let you know, that we loved staying at your hotel, we started off having a lovely evening, we were made to feel super welcome. It really is a very friendly and clean environment. However, it saddens me to have to complain of the noise levels just outside your lovely hotel. Revellers from next door were unruly, loud, crass, swearing and brawling in the street. Glasses being smashed and screeching from the female parties in the crowd.... this caused us no end of unrest, my toddler was woken and distraught, quickly followed by my other two children. It went on for a good couple of hours if not more, and needless to say, we were extremely exhausted the following day, putting a real dampener on our holiday experience, which, after 6 months of staying in, was a huge disappointment. Worsened by the fact that we were tight on money as my husband has been the only income due to restrictions, meaning we saved up hard for our time away. We were so looking forward to our break, but feel we won't be returning because of the noise.

Kindest regards,

Mrs C [Redacted]

[Redacted]

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[REDACTED]

(no subject)

[REDACTED]hotmail.com>

20 July 2020 at 20:04

To: [REDACTED]

To the manager of [REDACTED]

Thank you for your email and again for your hospitality we received on our recent stay at your hotel on 15th to 19th July. We loved the newly refurbished ground floor room and the service your offered especially in light of COVID 19, it is a shame that the Noise & Disruptive behaviour from the establishment next door completely ruined our time there.

I have listed below the issue that we had regarding this:

1. Wednesday 15th, there was three very young men who didn't look old enough to be drinking, Screaming & Fighting outside our room window.
2. On Saturday night, again there where people fighting & screaming into the early hours of the morning.
3. Every night there was far to many people for the size of the place playing loud music making loads of noise keeping us awake and unable to relax.

I appreciate we did stressed this to you at the time of our stay, and that you was unfortunately unable to enforce any changes to the above issues due to their aggressive behaviour.

Although we would love to stay again & recommend your hotel to our family and friends unfortunately we would not be confident in doing so.

Please keep in touch and let us know if there are any changes.

Kind Regards

[REDACTED]

Sent from my iPad



Complaint

[REDACTED]@icloud.com>
To: [REDACTED] >

21 July 2020 at 10:22

Dear [REDACTED]

First I would like to thank you for the wonderful service you always bring to our stay at [REDACTED], but unfortunately our recent stay was interrupted by several disturbances of noise and upset.

There was loud music playing and fights/arguments from outside along with broken glass. I was really disappointed as it also woke up my children up and they were so scared they didn't want to go back to sleep.

I hope you will be investigating this as it's happened on more than one occasion. I would hate to have to find another hotel for our next stay.

Regards
[REDACTED]

FROM - MR & Mrs [REDACTED]
[REDACTED]
[REDACTED]

WEST YORKSHIRE

TEL [REDACTED]

RE - [REDACTED] HOTEL - CLACTON

HAVING STAYED AT THIS LOVELY
FRIENDLY HOTEL FROM THE 20-8-20
TO 24-8-20 WE WERE QUITE SHOCKED
BY THE NOISE & DISTURBANCE FROM
THE NEXT DOOR "CLUB-RESTAURANT"
FROM LATE AT NIGHT TO THE EARLY
HOURS WITH CROWDS OF DRUNKEN
PEOPLE SINGING AND SHOUTING!
ON OUR FIRST NIGHT AS I SAT ON
THE OUTSIDE BALCONY JUST BEFORE
10pm A LARGE BLACK CAR PULLED UP
ACROSS FROM THE CLUB WITH ASIAN
MEN, A YOUNG BLONDE GIRL WENT
OVER TO THERE CAR AND QUITE

PTO →

OPENLY HANDED OVER MONEY AND
RECEIVED SOMETHING IN HER OTHER
HAND, THEY THEN SPOKE FOR A
FEW MORE SECONDS "COULDN'T HEAR"
BUT AS SHE CAME BACK OVER THE MAN
IN PASSENGER SEAT SHOUTED TO
BRING HER FRIEND, A FEW MINUTES
LATER ANOTHER YOUNG GIRL BUT
WITH BLACK HAIR RECEIVED SOME-
THING FROM THE PASSENGER SEAT
MAN THEN WENT ROUND TO TALK
TO THE DRIVER WITH THE BLONDE
GIRL HAVING JOINED HER, THEY
THEN RAN UP TO ANOTHER CAR
HIGHER UP.

THIS WAS ALL DONE QUITE
OPENLY ON THE MAIN ROAD
OUTSIDE THE CLUB IN VIEW
OF THE [REDACTED] HOTEL.

Mrs M. [REDACTED]
ROOM 8A

MR. MRS. [REDACTED]

[REDACTED]
NEWPORT PAGNELL

[REDACTED]
TEL. [REDACTED]

Following our stay at the [REDACTED]
on 26th .27th July we experienced until 2AM
noise of merry making from the Turkish
premasis next door no consideration of
residence or holiday makers, We don't wish
to spoil peoples pleasure, they only go there as
other pubs are closed at a reasonable time,
it will put people of coming and staying
at the hotel and dachon.

OFFICIAL

MG11 (Interactive)

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: [REDACTED]

Age if under 18: (if over 18 insert 'over 18') Occupation: Hotel Owner

This statement (consisting of [] 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: [REDACTED] (witness) Date: 18/09/2020

My name is [REDACTED] and I am the owner of the [REDACTED] Hotel. I am writing this statement to outline the effect that the fighting and nuisance coming from the Kassaba has had on me, my family and the business.

The effect on my health has been severe. Since the lockdown relaxed I have had constant sleeping issues due to the activity at the Kassaba. This has become so serious that I have been forced to seek medical help and I have been prescribed anti-depressants.

My family life has also been seriously affected as my daughter and 6 year old grandson have been forced to leave the property and stay elsewhere. This is because it was becoming too distressing for them to stay at the hotel. This means I now have limited contact with my grandson which causes me a lot of upset and anxiety.

The effect on my business has put significant financial pressure on me. I am forced to regularly refund customers who complain about the fighting and noise outside on the street. Recently I had a woman book for a two week stay, and leave after two nights and demand a refund for the rest of the stay after she arrived on Friday because she was so shocked by the fighting and noise. I recently had to refund a gentleman for two nights of his stay as he was disturbed by the fighting and noise.

I do not rent out the rooms at the front of the property now due to this and this has put even more pressure on my business. I have customers regularly tell me that they will not return to Clacton as they feel unsafe. I regularly witness crowds of young people leaving the Kassaba and damaging cars and this upsets customers and makes it unlikely that they will come back. I have also been told by customers that there is an underage drinking problem. On one occasion a customer told me that his underage daughter had come home very drunk after spending a night at the Kassaba.

I am writing this statement at the [REDACTED] Hotel and I confirm that these are my own words.

[Handwritten signature]

Signature: [REDACTED] Signature witnessed by: [REDACTED]

16/08/17

OFFICIAL

OFFICIAL

MG11 (Interactive)

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: [REDACTED] LAURIE

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 78141

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: [REDACTED] 78141 (witness) Date: 16th SEPTEMBER 2020

On SUNDAY 30TH AUGUST 2020 I was on duty at HARWICH POLICE STATION in company with PC 76204 DRIVER in full uniform.

At the approximate time of 01:10 hours in the morning we were tasked by the FORCE CONTROL ROOM to attend the area of MARINE PARADE EAST specifically close to the PINK PALACE HOTEL following reports of a disturbance. It had effectively been reported that a number of males were fighting at the location.

We arrived at the approximate time of 01:17 hours and I specifically went to the area of the PINK PALACE HOTEL. I spoke to a male who I do not know but he was involved in the altercation, it was unclear what had happened. However, he did specifically point out a male I now know to be [REDACTED] as one of the males responsible. He also further stated to me that this young male being [REDACTED] had been drinking in the KASSABA. After this the male quickly became uncooperative and wouldn't engage with me.

My colleague PC DRIVER had been speaking with [REDACTED] about what had happened. When I went over, I made a very quick and strong assessment that [REDACTED] was heavily intoxicated because his speech was slurred, he appeared unsteady on his feet and show an apparent lack of general understanding.

Due to what had happened [REDACTED] was taken away from the area by POLICE to prevent a breach of the peace. When [REDACTED] was informed of this, he made a few references to his friends who were in the KASSABA bar. This further suggested to me that he had been drinking with them inside KASSABA. Further to this he was loitering outside the front of KASSABA and

Signature: [REDACTED] 78141 Signature witnessed by:

16/08/17

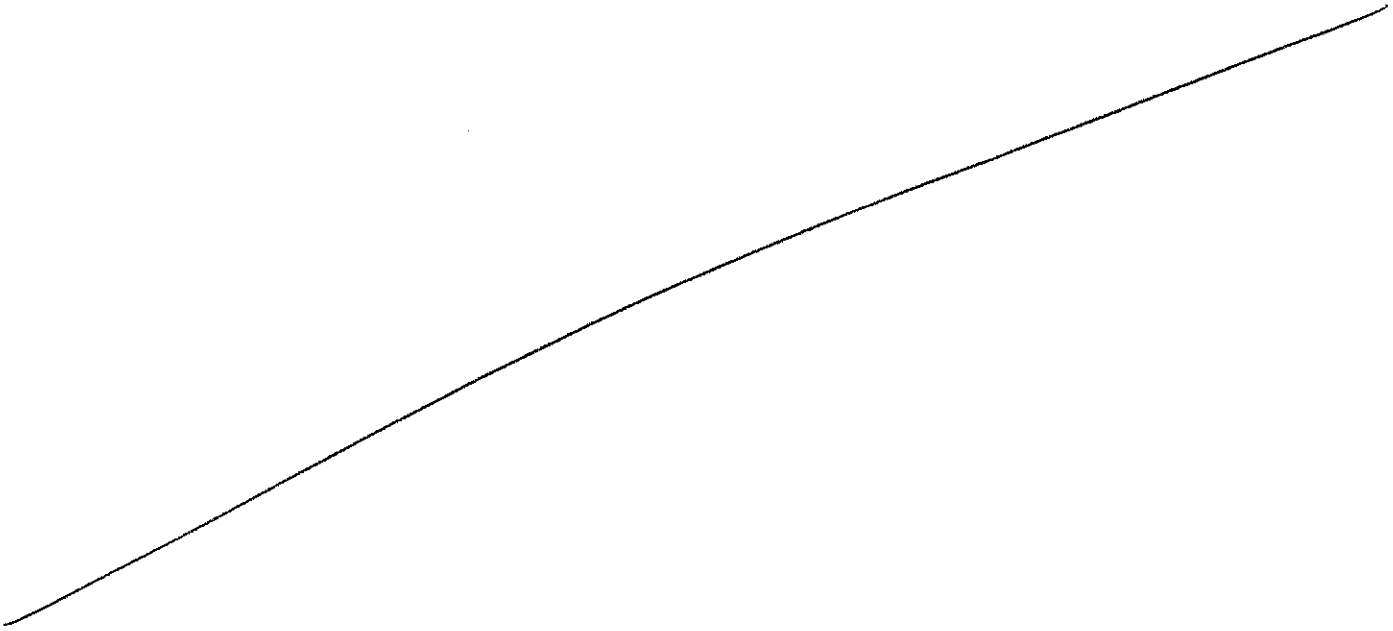
OFFICIAL

was refusing to move on. When [REDACTED] got into the POLICE VEHICLE, he strongly smelt of INTOXICATING LIQUOR.

I have reviewed a CCTV clip named "[REDACTED] MOV" at the request of Licensing officer WILLIAM MOODY. from viewing this I can confirm that I am extremely confident that the white male with grey joggers and white trainers in the clip who has short dark hair and is approximately 6 feet in height, is [REDACTED] who I know to be 17 years of age. I have viewed this CCTV clip on my own and I have had no indications from anyone else about [REDACTED]'s identity.

My personally opinion is that [REDACTED] had been drinking in the KASSABA because upon our attendance on the early hours of 30th AUGUST 2020 he was outside the KASSABA itself. He was heavily intoxicated and was also with a few other friends when we first arrived. He specifically stated that he had friends inside the KASSABA which I find it incredibly difficult to believe he had been out drinking elsewhere and was then waiting outside for his friends. Further to this, as already mentioned the unknown male for a separate incident specifically informed me that [REDACTED] had been drinking in the KASSABA. I know [REDACTED] to be 17 years of age as his date of birth is in [REDACTED] in the year of 2003 and I suspect he has been drinking alcohol whilst under the age of 18 in KASSABA.

These are my first and original notes made at HARWICH POLICE STATION at 23:16 hours [REDACTED] 78141



Signature: [REDACTED] 78141

Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: [REDACTED]

Age if under 18: (if over 18 insert 'over 18') Occupation: Security Officer

This statement (consisting of 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: [REDACTED] (witness) Date: 18/09/2020

My name is [REDACTED] and I am a security officer previously employed at the Kassaba. I am writing this statement to give my concerns around the management of the venue and the reasons why I stopped working there.

Drugs

There was no drugs disposal box at the venue and the management would not purchase one despite our advice and despite there being a major drug problem at the venue. I have a strong belief that drugs are being sold from the attached hotel, managed by the same people that manage the restaurant and bar. I believe the managers are aware of this but do not care. I also suspect that the management are involved in the supply of drugs, as well as its use.

[REDACTED] asked security to pass all drugs seized from entry searches to him for disposal, despite the fact there was no drug disposal box. Due to our suspicions, myself and the other security guards decided to dispose of the drugs ourselves by flushing them down the toilet.

Capacity

Capacity was managed by a clicker. Once the venue was at max capacity, customers would be refused entry until customers inside the bar left, however, the managers would attempt to undermine security and let them in because they "owned the venue". When security would not allow this, the customers would be taken in behind our backs through the side entrance. This was done by [REDACTED], [REDACTED] and [REDACTED], who are all managers at the venue. I was also told that if customers sat on the steps leading up to the hotel and drank alcohol there, that this would not count the to venues capacity. Myself and the other security guards did not accept this as legitimate.

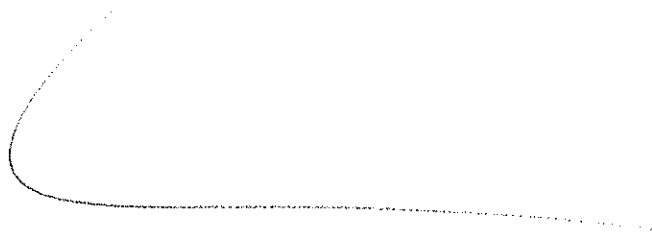
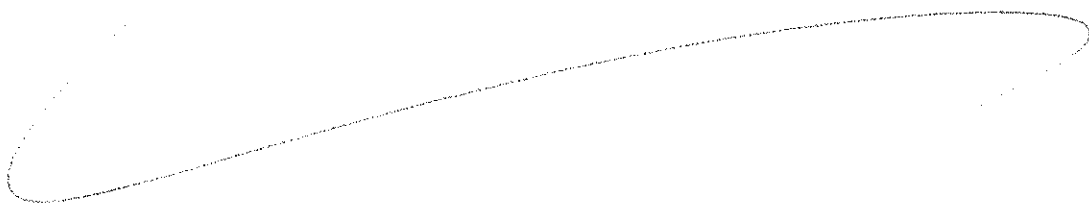
Signature: [REDACTED] Signature witnessed by:

Social Distancing

Social distancing was badly managed by the owners and they seemed only to be worried about how much money they could make. No one made sure track and trace was being adhered to and poor management meant that customers had to squeeze through large crowds to enter the venue. The toilets were also very small, however no attempt was made to stop up to 4 people crowding in to the small space.

I left this venue due to the poor management by the owners and their lack of understanding. They seemed to be more interested in getting drunk than running the venue.

I write this statement at [REDACTED] and confirm that these words are my own. [REDACTED]



Signature: [REDACTED] Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

[Redacted URN boxes]

Statement of:

[Redacted Name]

Age if under 18:

(if over 18 insert 'over 18')

Occupation: Security Officer

This statement (consisting of _____ 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: [Redacted] (witness) Date: 19/09/2020

My name is [Redacted] and I am a former security officer at the Kassaba. I am writing this statement to outline issues as to why I encountered at the venue.

One issue was that the managers would sneak in people once we were at capacity, despite the fact I was very strict with capacity and would make sure the venue had a safe amount of people.

I believe the venue has a big issues with drugs, a lot of the customers use drugs and I believe that one of the managers, [Redacted] who is also the head chef, uses drugs at the venue and deals drugs from his room above the restaurant and brings it downstairs occasionally.

The management at the Kassaba would constantly undercut us as security guards. Myself and other security guards are strict with entry policy and ID was always checked at the door, however, [Redacted] and [Redacted] were allowing in underage customers. I know this as some of [Redacted] girlfriend's friends are under 18 but would be brought into the venue.

There were regular fights at the venue which I believe were linked to drugs. This made my job as a security guard very difficult and this impacted my work. [Redacted]

[Handwritten signature]

Signature: [Redacted]

Signature witnessed by:

POLICE SUGGESTED REVISED OPENING HOURS AND CONDITIONS

The police position is that it is appropriate to revoke the premises licence; the below is submitted merely to assist the sub-committee should it decide not to revoke the premises licence.

In such circumstances Essex Police would ask the sub-committee to suspend the licence **for no less than three months** and impose the below modifications to opening hours, licensable activity times and license conditions.

Revised opening and licensing hours

The premises opening hours are currently set out on the existing licence as 0001 - 0000 daily.

The licence permits the sale of alcohol, the provision of live and recorded music and dance between 1100 – 0100 Monday to Wednesday (and Sunday), and 1100 – 0200 Thursday to Saturday.

Proposed Revised Hours

If the licence is not revoked, then the police would ask the sub-committee to revise the licensing and opening hours to the following.

Sunday – Thursday

Opening hours 11:00 a.m. to 11.30 p.m.

Licensable activities (all existing) 11.00 a.m. to 11.00 p.m.

Friday – Saturday &.

Opening Hours 11:00 a.m. to 00.00 a.m.

Alcohol sales and late-night refreshment – 11.00 a.m. to 11:30 p.m.;

Recorded music, live music, dancing and of a similar nature – 11.00 a.m. to 11.00 p.m.

New Year's Eve & Christmas Eve

Opening Hours 11:00 a.m. to 01.00 a.m.

Alcohol sales and late-night refreshment – 11.00 a.m. to 00:30 a.m.

Recorded music, live music, dancing and of a similar nature – 11.00 a.m. to 00:30 a.m.

Revised Licence Conditions

If the licence is not revoked, a strong suite of conditions is required to support the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

Essex Police proposes the following as essential conditions which are appropriate to support the licensing objectives.

Proposed Conditions (if licence not revoked as requested)

1	After 20:00 hours on Fridays, Saturdays or any other day when the premises is licensed to sell alcohol after 23:00 hours, there shall be a personal licence holder on duty on the premises when alcohol is offered for sale.	
2	A Clubscan/IDSCAN or similar system shall be operated at the premises. At the time SIA licensed door supervisors are required to be on duty as a condition of the licence, all persons entering the premises must provide verifiable ID and have their details recorded on the system.	
3	<p>An individual may not supply alcohol unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.</p> <p>A written record of this consent will be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.</p>	
4	<p>The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:</p> <ul style="list-style-type: none">i. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;	

PUBLIC REDACTED COPY

	<ul style="list-style-type: none">ii. CCTV cameras shall cover {all public areas including} all entrances and exits and all areas where the sale of alcohol takes place;iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days;iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure, this will be recorded immediately.	
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5	Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.	
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6	<p>An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.</p> <p>The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:</p> <ul style="list-style-type: none">(a) all crimes reported to the venue(b) all ejections of patrons(c) any complaints received concerning crime and disorder(d) any incidents of disorder(e) all seizures of drugs or offensive weapons(f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence <p>The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least 12 months from the date of the last entry.</p>	
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PUBLIC REDACTED COPY

7	<p>Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:</p> <ul style="list-style-type: none">i. The day and date when door supervisors were deployed;ii. The name and SIA registration number of each door supervisor on duty at the premises; andiii. The start and finish time of each door supervisor's worked duty period. <p>This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.</p>	
8	<p>Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log.</p> <p>This log shall be retained for at least 3 months after the last recorded check and be immediately provided to police or licensing authority staff upon reasonable request.</p>	
9	<p>On any occasion where the premises conducts licensable activities past 23:00 hours, at least 3 SIA licensed door supervisors must be on duty from 21:00 hours until at least 30 minutes after the premises closes.</p>	
10	<p>On those days and times where the use of SIA licensed door supervisors are a condition of the licence; all persons entering or re-entering the premises after 23:00 hours shall be searched by a SIA licensed door supervisor for drugs and concealed weapons.</p> <p>Prominent signs (minimum size 200 x 148 mm) to this effect shall be displayed at all entrances and be legible to prospective patrons whilst the premises is open for licensable activities.</p>	

PUBLIC REDACTED COPY

11	All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility jackets, vests or armbands	
12	<p>The premises shall have in place and operate a zero-tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means.</p> <p>This policy shall specifically include but not be limited to:</p> <ul style="list-style-type: none">i. Searching practices upon entry;ii. Dealing with patrons suspected of using drugs on the premises;iii. Scrutiny of spaces including toilets or outside areas;iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);v. Staff training regarding identification of suspicious activity and what action to take;vi. The handling of items suspected to be illegal drugs or psychoactive substancesvii. Steps taken to discourage and disrupt drug use on the premisesviii. Steps to be taken to inform patrons of the premises drug policy/practices <p>A copy of this policy document shall be lodged with the police and licensing authority.</p>	
13	A suitable drugs safe/cabinet shall be fitted and any seized items shall be deposited in it. The safe shall be installed at a location agreed upon with the police and only the police shall have the access keys. Any seized items shall be placed in a clear bag with a label stating the circumstances of why it is in the safe.	
14	After 22:00 hours on all days where licensable activity is allowed after 23:00 hours drinks must only be served in polycarbonate/plastic and/or toughened glass containers, unless served with a table meal.	

PUBLIC REDACTED COPY

15	<p>Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect local residents and use the area quietly.</p> <p>These signs shall be a minimum size of 200mm x 148 mm.</p>	
16	<p>On those days and times where SIA licensed door supervisors are required to be on duty as a condition of the licence, after 23:00 hours no persons shall be admitted or re-admitted to the premises {except for persons who have temporarily left the premises to smoke}.</p> <p>Notices to that effect (of a minimum size of 200mm x 148mm) will be displayed at the premises' exits.</p>	
17	<p>The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that it is an offence:</p> <p>for a person under the age of 18 to buy or attempt to buy alcohol}; or buy, or attempt to buy, alcohol for a person under the age of 18.</p>	
18	<p>A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:</p> <ul style="list-style-type: none">• Proof of age card bearing the PASS Hologram;• Photocard driving licence;• Passport; or• Ministry of Defence Identity Card.	
19	<p>The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.</p> <p>At the point of sale, such signs shall be a minimum size of 200mm x 148mm.</p>	
20	<p>A refusals record shall be maintained at the premises that details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale.</p> <p>All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be</p>	

PUBLIC REDACTED COPY

	<p>made immediately available to police, trading standards or licensing authority staff upon reasonable request.</p> <p>The refusals record shall be either electronic or maintained in a bound document and retained in a GDPR compliant manner for at least 12 months from the date of the last entry.</p>	
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21	<p>All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.</p> <p>Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.</p>	
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23	<p>At all times when entertainment, activity or services of an adult nature takes place (which is not subject to a sexual entertainment licence) no persons under the age of 18 shall be permitted to be present.</p>	
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23	<p>The premises shall not directly employ door supervisors, rather any door supervisors deployed at the premises must be employed via a third party contractor who is a member of the SIA Approved Contractor Scheme (and approved for door supervision) and where the door supervisors are not self-employed operatives.</p>	
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24	<p>The playing (at any time) of amplified music in external (i.e. outdoor) areas of the licensed premises is prohibited.</p>	
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08:23



  ▶ Spotted in Clacton 

Official (new)

1 h · 

Kassaba I want the name of your chef. CIA licence my ass. You physically attacked my sister after she was defending herself it's on camera you throw them out for her to be attacked. You absolute scum come forward with your name and badge number ?? Your a chef you can not lay your hands on someone like that.



 6

23 comments



Case Notes – Tendring District Council Licensing Authority

<p>28 July 2020</p>	<p>Following complaint received for this weekend activities, Michael Cook (Licensing Enforcement Officer) visited the premises with William Moody (Essex Police Licensing) and met with [REDACTED] - licence holder of Giesha Ltd.</p> <p>The premises are currently operating more as a late night pub / bar with a handful of tables indoors and using the outside decking area. [REDACTED] says that he closed the bar at 2330hrs Friday but upon inspection of CCTV we could see that customers were still sitting on the decking area 0020hrs Saturday morning. He said that he found customers just sitting outside the premises drinking still although they were closed. However, It appeared on CCTV that customers were still using the door to the left of the premises when he said they were closed but he said they were going to the toilet. It would appear that no control for closing and dispersing of customers were in place. This was spoken about in great detail.</p> <p>During conversation, William Moody as asked for the following conditions to be added to the licence and [REDACTED] has verbally agreed and said that he would have SIA doorstaff with effect from tomorrow, Wednesday 29 July 2020.</p> <ol style="list-style-type: none"> 1) A minimum of two SIA registered Doorstaff to be employed at the premises from 22:30 until close each night that the premises is open for licensable activity. 2) Doorstaff are to be supplied by a registered company previously agreed with Essex Police and Tendring District Council. 3) Doorstaff and all other staff are to be actively involved in the dispersal of patrons and the management of queues from the premises. 4) A dispersal policy, agreed and co-signed by Tendring District Council and Essex Police, is to be in use at all times and available to view on request by any authorised person. <p>I asked to see CCTV of inside the premises but it would appear that only two camera were working. One showing the kitchen area and one showing the corner of bar area. When asked about other cameras, [REDACTED] said that the cables had been cut by the people that were taking over the rear of the premises. During lockdown, the rear of Kassaba ground floor got de-licensed as this was going to be taken on as a Caribbean restaurant.</p>
<p>5 August 2020</p>	<p>Joint visit with William Moody (Essex Police) following more incidents at the weekend. At the time of visit, the managers of the door team were at the premises and were spoken to in detail about the incidents which William has taken on board from a police point of view. [REDACTED] (owner) was at the premises and said that he does not intend to re-licence the back entrance of the premises just yet as it has been made into more a building site. He showed me the room which has been gutted. [REDACTED] was not happy with the proposed conditions that Essex Police have asked him for and said he would not be agreeing. It was discussed between [REDACTED], Essex Police and TDC Licensing Authority that the premises needs to improve immediately and the police incidents need to be reduced massively. [REDACTED] has asked that we give him time to improve and asked that we do nothing for at least six months. This was declined by both authorities and it was agreed that we would review this in two weeks time. Conditions about SIA doorstaff being on every evening was not accepted but with some discussion, he said that he would have them on Fridays and Saturdays from 2230hrs summer periods. William will review this within the next couple of weeks. [REDACTED] was made aware, should the premises not improve then a Review application would be made where conditions could be made by the Committee, the licence could be suspended or revoked. At the time of visit the front decking area was being pulled up so this area was out of use.</p>



Case Notes – Tendring District Council Licensing Authority

<p>07 August 2020</p>	<p>Following visit on 5 Aug 2020, Essex Police Licensing issue a warning letter. This has been recorded on uniform for further info.</p>
<p>27 August 2020</p>	<p>Joint visit with Essex Police William Moody. Essex Police wanted to view CCTV of an incident outside to the left of the building over the weekend. William asked to view this and when went to view the CCTV the recordings were not available. The CCTV system was dated 2004 and everything had been wiped from the system. They have said that they would look into this immediately and find out why this was not working.</p> <p>Spoke about CCTV for the premises ground floor and basement area which [REDACTED] says that they have all new cameras and just waiting for them to be installed. [REDACTED] said that he believes that CCTV in basement is working but he does not know how to use this. It would appear that basement CCTV would be on a different system to the ground floor.</p>
<p>02 September 2020</p>	<p>Joint visit with Essex Police William Moody. Essex Police wanted to view CCTV of an incident that occurred over the Bank Holiday weekend. William asked to view this and when went to view the CCTV the recordings were only available on one camera. This camera was inside the premises pointing towards the bar area. No other CCTV was available to view. The CCTV cameras outside the front of the premises that were working on previous meetings no longer work.</p> <p>[REDACTED] said that the fight happened outside the premises when closed. Timings on CCTV showed that they were still open according to the incident time that Essex Police were looking at. He said that they had four door staff guys on a regular basis and that senior members of staff do not get involved in any incidences.</p> <p>[REDACTED] has said that they have all new CCTV cameras ready to install, however, this was said approx. four weeks ago.</p> <p>COVID restrictions - CCTV shows the premises quite busy but [REDACTED] said that they only allow people in for the amount of chairs they have however, this did not look like it at the time.</p> <p>[REDACTED] was asked if he had anyone permanently living at the premises to which he replied that they have a couple of members of staff staying permanent while working but other than that, only those who staying over the COVID period.</p> <p>CCTV for 29 August 2020 at approx. 0125hrs shows members of public walking backwards and forwards into the kitchen area.</p> <p>Saturday evening / morning of Sunday 30 August 2020 at approx. 0220hrs two females were seen on CCTV at the jukebox although [REDACTED] said that the premises was closed.</p> <p>CCTV times checked and appear to be showing plus 25 minutes out.</p>

APPENDIX L

From: [REDACTED]
Sent: 21 September 2020 11:05
To: OS Customer Support <OSCustomerSupport@tendingdc.gov.uk>
Subject: Clacton Hotel 7-9 Marine Parade

Hi I would like to bring some things to your attention about the above named establishment. My partner booked us a night in the Clacton Hotel for 19th September so we could have a short break because I have been working the whole of the lockdown period and we wanted a relaxing short break.

When we arrived it looked a bit run down but we thought 'its only one night what can happen!'. Owner and staff were friendly on checkin but boy did that not last. When we went to the room to sleep that night the noise was loud but with Kassaba restaurant underneath it was expected. What was not expected was the blind eye turned to serving alcohol to underage kids, the blind eye turned to the open and blatant drug taking (the morning revealed numerous Co2 canisters and balloons littering the forecourt. Add to seemingly random people roaming the hotel disturbing residents, a woman being kicked out for smoking in her room as well as having her dog in there, what seemed to be certain females using rooms on an hourly basis, staff seemingly letting drunk/drugged friends in for free and seemingly the restaurant stays open till 3 normally because people kept turning up and shouting abuse that it was shut it was a wrecked nights sleep.

In the morning we wanted to get away quickly but remembered our security deposit. No staff could be found so we called the number provided which the owner answered and suggested we wait till 10am to get our money back. When I adamantly asked for the money he reluctantly appeared from inside the hotel to return. He asked if we'd had a good stay and my partner replied 'Clacton is nice but wouldn't stay at that place again' he turned extremely nasty saying 'what did we expect when ALL RESIDENTS of Clacton are taking drugs' but not on his property (wrong - evidence scattered all around our feet) and ended the conversation with the statement 'go and don't F***ING come back!'. I ask you to please look into this because he is letting your area down badly and denigrating all residents.

Thankyou

Timeline for video exhibits

Exhibit 1

00:00 – video starts and shows an argument between a crowd of people in the beer garden.

00:17 – a fight breaks out and customers move away for safety

00:26 – a male is seen to throw a glass from inside the beer garden

00:40 – fight continues in the street with multiple people throwing punches

00:58 – a doorman can be seen attempting to intervene

01:15 – Video ends

Exhibit 2

00:00 - Videos starts and shows the end of exhibit 1

00:14 - an argument can be seen between customers on the street

00:30 - another fight breaks out with multiple males throwing punches

00:48 - another fight breaks out towards the left of the scene

01:07 – a male can be seen running in and punching someone standing in the group

01:29 – group start to disperse

01:33 – video ends

Exhibit 3

00:00 – video starts and shows a large fight spilling into the street from the Kassaba

00:12 – fight continues, and a male can be seen leaning over the beer garden fence to punch a male

00:20 – Video ends

Exhibit 4

00:00 - video starts and shows groups of people in and outside of the beer garden

00:39 - 3 males can be seen leaving the beer garden

00:46 - 1 of the males takes off his T-shirt on the opposite side of the road

01:27 - someone is seen to throw furniture out of the beer garden and glasses can be seen being thrown between the groups

01:38 - police arrive and speak to [REDACTED], head chef at the Kassaba

02:00 - Police leave the scene

02:06 - video ends

Exhibit 5

00:00 video begins and shows the underage male leaving the Kassaba

00:05 the male can be seen struggling to walk straight

00:30 Male approaches a neighbouring business

00:51 video ends