

M Squared Services Ltd.

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29 November 2022

Explanatory Note of Additional Evidence

Dear Members

The hearing was deferred on the 3rd of November 2022 to allow the Respondent further time to examine the police logs that were not served with the Review.

The information was received from the Police on the 8th of November 2022. The logs were scrutinised by Caroline Hannon who served as a Police Officer with Lancashire Constabulary for over 16 years and occupied the post of Licensing Sergeant in Blackpool between 2012 and 2016. Her task was to bring expertise, independence, and objectivity to the analysis.

She produced tables for each month (August 2021-August 2022) and listed the logs in chronological order applying a RAG rating (Red, Amber Green) to each log along with extracts from the logs to provide the reader with some detail of the incident.

Green logs were matters she felt were not connected to the premises.
Amber were logs that may possibly be connected but had insufficient detail to make a clear determination.
Red were logs that were clearly connected.

The tables were shared with the Police prior to a meeting which took place on the 17th of November 2022 at Bispham Police Station.

Persons present at the meeting were Mark Marshall, Caroline Hannon, Sgt Nat Cox and PC Emma Pritchard. We were also asked to bring as many of the incident books to the meeting as we had in our possession, which at that time were 3.

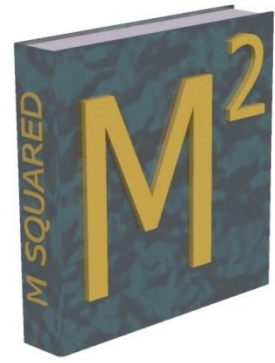
During the meeting, an agreement was made that the Police would provide their comments on the analysis by adding a column to the tables and would seek to meet the deadline of the 24th of November 2022 which was initially given at the point of deferment. PC Pritchard also raised a point that the table initially produced in the Respondent's first written submission (Appendix 6) was missing some supporting information, especially where there was comprehensive detail provided.

We were asked by the Police to produce what supporting information we could about the Appendix 6 table and also to clarify the position with regards to the security reports, in essence, the question was, what triggers the Security Company to provide more detailed reports?

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In answer to this question, the answer provided was that the Security Company determine incidents of interest from the tour of duty and produces a more detailed report, the Licence Holder has no role in this.

The Police returned the tables as they were completed, the last of which was received on the 24th of November 2022, we were able to get the first batch of additional information across to Democratic Services at approximately 7 pm on the 24th of November 2022.

The batch of information served on the 24th of November 2022 included the monthly tables with police comments and some supporting records to support some of the entries on Appendix 6, the records relate to incidents on the 15th of January 2022, 2x incidents on the 14th of May 2022 and one on the 6th of June 2022.

The second date for additional submission has been set as the 30th of November 2022.

We have studied the police comments and there are 13 requisitions for information, (copies of records/ incident book entries), these are included in table format and copies of the records are provided. In addition, as the information recorded at the premises is duplicated in various duty diaries all records will be brought on the day of the hearing should any confusion arise.

The tables amended by the Police do not alter the RAG rating so it would seem there is a certain amount of agreement in the logs highlighted in green which run to 105. Taking the initial number of 281 down to 176.

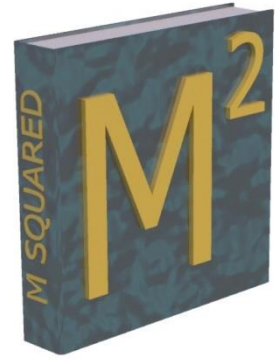
The amber ones include more detail from the log and some subjective assertions that certain incidents paint a picture of the type of activity or the type of customers who frequent Kaos. Reading the Police comments indicates different authors for different tables as the style and approach are very different, the later logs in 2022 seemed to have been approached with more objectivity and pragmatism whereas the earlier ones in 2021 are less so. As such, we feel that the entire logs for Aug, Sep, October, and November 2021 should be studied by members in order to give them a flavour of the incidents. We say that even though there may be incidents, the premises are largely doing their best, they are cooperative and proactive in reporting and recording incidents including spending many hours collating and producing CCTV to assist the Police.

The Licence holder has received positive remarks in the last couple of months from attending Police Officers that they have noticed a marked difference in the number of calls. We have not been provided with an up-to-date picture of incidents. Sgt Cox

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pointed out at the meeting that there would be insufficient time to go through the logs.

It is clear that this filtering exercise has begun to paint a very different picture from the one framed in the initial Review documentation in September 2022. We say that this important groundwork should have been conducted in advance of serving the Review.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Marshall', is written over a light blue horizontal line.

Mark Marshall FCILEX
Director

Emailed: 29th November 2022