

Leicester
City Council

PLEASE NOTE: This will be a 'virtual meeting', a link to which will be available on the Council's website at least 24hrs before the meeting.

LICENSING (HEARINGS) SUB-COMMITTEE

DATE: TUESDAY, 19 MAY 2020
TIME: 10:00 am
PLACE: Teams Virtual Meeting

Members of the Sub-Committee

Councillors Cank, Fonseca and Hunter

Members of the Sub-Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for Monitoring Officer

Officer contact: Angie Smith
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
Tel: 0116 454 6354
email: angie.smith@leicester.gov.uk

Information for members of the public

PLEASE NOTE that any member of the press and public may listen in to proceedings at this 'virtual' meeting via a weblink which will be publicised on the Council website at least 24hrs before the meeting. Members of the press and public may tweet, blog etc. during the live broadcast as they would be able to during a regular Committee meeting at City Hall / Town Hall. It is important, however, that Councillors can discuss and take decisions without disruption, so the only participants in this virtual meeting will be the Councillors concerned, the officers advising the Committee and any objectors and applicants relevant to the applications to be considered.

Attending meetings and access to information

You have the right to attend/observe formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk or by contacting us using the details below.

Making meetings accessible to all

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Further information

If you have any queries about any of the above or the business to be discussed, please contact Angie Smith, Democratic Support on **(0116) 454 6354** or email angie.smith@leicester.gov.uk

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**

PUBLIC SESSION

AGENDA

- 1. APPOINTMENT OF CHAIR**
- 2. APOLOGIES FOR ABSENCE**
- 3. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business to be discussed.

- 4. MINUTES OF PREVIOUS MEETING** **Appendix A**

The minutes of the meetings held on 1st May 2020 are attached and Members will be asked to confirm them as a correct record.

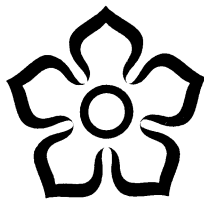
- 5. APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE: THE PYRAMID LOUNGE (ANONYMOUS), 8-10 MILLSTONE LANE, LEICESTER LE1 5JN** **Appendix B**

The Director of Neighbourhood and Environmental Services submits a report on an application for the review of an existing premises licence for The Pyramid Lounge (Anonymous), 8-10 Millstone Lane, Leicester, LE1 5JN.

Report attached. A copy of the associated documentation is attached for Members only. Further copies are available on the Council's website at www.cabinet.leicester.gov.uk.

(Wards Affected: Castle)

- 6. ANY OTHER URGENT BUSINESS**



Leicester
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Appendix A

Minutes of the Meeting of the LICENSING (HEARINGS) SUB-COMMITTEE

Held: FRIDAY, 1 MAY 2020 at 10:00 am

P R E S E N T:

Councillor Hunter (Chair)
Councillor Pickering (Vice-Chair)

Councillor Gee

* * * * *

64. APPOINTMENT OF CHAIR

Councillor Hunter was appointed as Chair for the meeting.

The Chair outlined the procedure for the meeting to be followed and led on introductions.

65. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Singh Johal. Councillor Pickering was present in place of Councillor Singh Johal.

66. DECLARATIONS OF INTEREST

There were no declarations of interest made.

67. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE, THE YELLOW DOOR, 34 BELVOIR STREET, LEICESTER, LE1 6QH

The Chair confirmed with the Sub-Committee Members that the reports for the meeting had been read.

The Director of Neighbourhood and Environmental Services submitted a report requiring the Sub-Committee to determine an application for a new premises licence within a Cumulative Impact Zone for The Yellow Door, 34 Belvoir

Street, Leicester, LE1 6QH.

The Sub-Committee noted that representations had been received which necessitated that the application for a new premises licence had to be considered by the Sub-Committee.

The applicant Mr Amritpal Singh Gill was present as was his Solicitor Mr Kulwant Manak. Mr Nigel Rixon (Licensing Manager, Leicestershire Police), PC Jeff Pritchard (Leicestershire Police), Neil Cooper (Environmental Health Officer, Noise Team), Licensing Team Manager (Policy and Applications) and Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager (Policy and Applications) presented the report and outlined details of the application. It was noted that a representation was received on 18 March 2020 from the Noise Team which related to the licensing objective of the Prevention of Public Nuisance. The Noise Team were concerned that there were previous issues at the premises with noise break out which were resolved through the use of a noise limiter set by the Noise Team.

It was further noted that a representation was received on 1 April 2020 from Leicestershire Police which related to the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety. The Police were concerned that there were numerous issues at the premises under the previous premises licence resulting in the licence being revoked.

Mr Rixon and PC Pritchard from Leicestershire Police were given the opportunity to outline the reasons for the representation and responded to questions from the Sub-Committee. The Police were concerned that the premises would operate in a similar way to the previous premises including opening until 4am, an hour later than the surrounding premises.

Mr Cooper from the Noise Team was given the opportunity to outline the reasons for the representation and responded to questions from the Sub-Committee. Mr Cooper asked that a condition be added to the licence, if granted, in relation to a noise limiter.

Mr Singh Gill and Mr Manak outlined the reasons for the application and answered questions from Members of the Sub-Committee, Mr Cooper of the Noise Team and the Police.

All parties were then given the opportunity to sum up their positions and make any final comments.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making a decision. The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision.

In reaching their decision, the Sub-Committee felt they should deliberate in

private on the basis that this was in the public interest and as such outweighed the public interest of their deliberation taking place the parties represented present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that the decision and reasons would be publicly announced and confirmed in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called to give advice on the wording of the decision.

The Chair then asked all but the Members of the Sub-Committee and Democratic Support Officers to disconnect from the meeting. The Sub-Committee then deliberated in private to consider their decision.

RESOLVED:

That the application for a new premises licence within a Cumulative Impact Zone for The Yellow Door, 34 Belvoir Street, Leicester, LE1 6QH be REFUSED.

In reaching their decision, members of the Sub-Committee had carefully considered the committee report presented by the Licensing Officer, all representations submitted on behalf of the applicant, the representations from Leicestershire Police and the Council's Noise and Pollution Team and the legal advice given during the hearing.

The Sub-Committee were asked to determine an application for a new premises licence at 34 Belvoir Street Leicester in the Belvoir Street Cumulative Impact Zone. When considering the application, the licensing objectives were of paramount concern. The Sub-Committee considered the application on its own merits and in accordance with the licensing authority's Statement of Licensing Policy and guidance issued under S.182 of the Licensing Act 2003.

The application had been made by Mr Amritpal Singh Gill in accordance with Section 17 of the Licensing Act 2003.

The licensable activities which were the subject of the application were set out in paragraph 5.2 of the Licensing Officer's report to committee.

Representations had been received from the Council's Noise and Pollution Team and Leicestershire Police. The representations engaged 3 of the 4 licensing objectives, namely the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

The Noise and Pollution Team said that the noise nuisance from the premises could only be addressed by using a noise limiting device set at agreed sound levels.

The objection from Leicestershire Police related to the prevention of crime and

disorder and the fact that the premises was situated within a Cumulative Impact Zone and the application did not address these issues. Leicestershire Police had particular concerns about alcohol related violence which they said increased between 3am and 4am and the applicant's ability to manage a surge of customers if premises nearby closed at an earlier time.

The Police said that the licensing objectives would not be met if the premises opened until 4am.

The Police confirmed that engagement by the applicant with them had been good and that the applicant had the best of intentions.

The applicant had in reply asked the Sub-Committee to consider the application on its own merits. The applicant and his representative had offered to alter their operating schedule to meet some of the concerns expressed by the police including offering not to allow admissions to the premises after 3am. The applicant was willing to accept most of the conditions put forward by the Police were the Sub-Committee minded to grant the application.

The Sub-Committee confirmed that they had considered the application on its own merits and subjected the representations made to them by the police to scrutiny and not accepted them at face value.

The Sub-Committee fully considered the issues raised by all parties.

The decision of the Sub-Committee was that it was appropriate for the promotion of the licensing objectives of the prevention of crime and disorder, public safety and prevention of public nuisance to REFUSE the application.

REASONS FOR THE DECISION

It was the view of the Sub-Committee that the applicant had failed to demonstrate that the grant of the licence (even with conditions) would be unlikely to add to the existing problems of cumulative impact in the area. When questioned by the Sub-Committee neither the applicant nor his representative was able to demonstrate an appreciation or understanding that the premises for which a licence was applied for was within the Belvoir Street Cumulative Impact Zone and accordingly failed to put forward in the operating schedule, or indeed before the Sub-Committee any material which would demonstrate that the grant of a licence would be unlikely to add to the problems of cumulative impact on Belvoir Street.

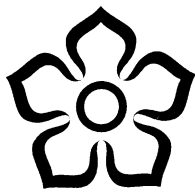
The applicant had failed to satisfy the Sub-Committee in his representations before them or in the Operating Schedule that he would promote the licensing objectives particularly the licensing objective of prevention of crime and disorder. The Sub-Committee accepted the representations made to them by the Police regarding the increase in alcohol related violence between the hours of 3am and 4am and they were not satisfied by the responses given to them by the applicant regarding the management of customers who in all likelihood would surge to the premises following closure of licensed premises nearby.

The Sub-Committee were also not satisfied by the arrangements for door security proposed by the applicant. In their opinion, the applicant had not fully grasped what was required to promote the licensing objectives in the location within the Belvoir Street Cumulative Impact Zone which had a long history, not confined to the previous owners, of alcohol related violence and anti-social behaviour.

The applicant would be advised of their right to appeal to the Magistrates Court within 21 days of the decision.

68. ANY OTHER URGENT BUSINESS

There being no other urgent business the meeting closed at 11.55am.



Leicester
City Council

WARDS AFFECTED
Castle

Appendix B

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Hearing under the Licensing Act 2003

19 May 2020

Application for a Review of an Existing Premises Licence
The Pyramid Lounge (Anonymous), 8-10 Millstone Lane, Leicester LE1 5JN

Report of the Director of Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an application made under the Licensing Act 2003, to assist them in determining the outcome of that application.

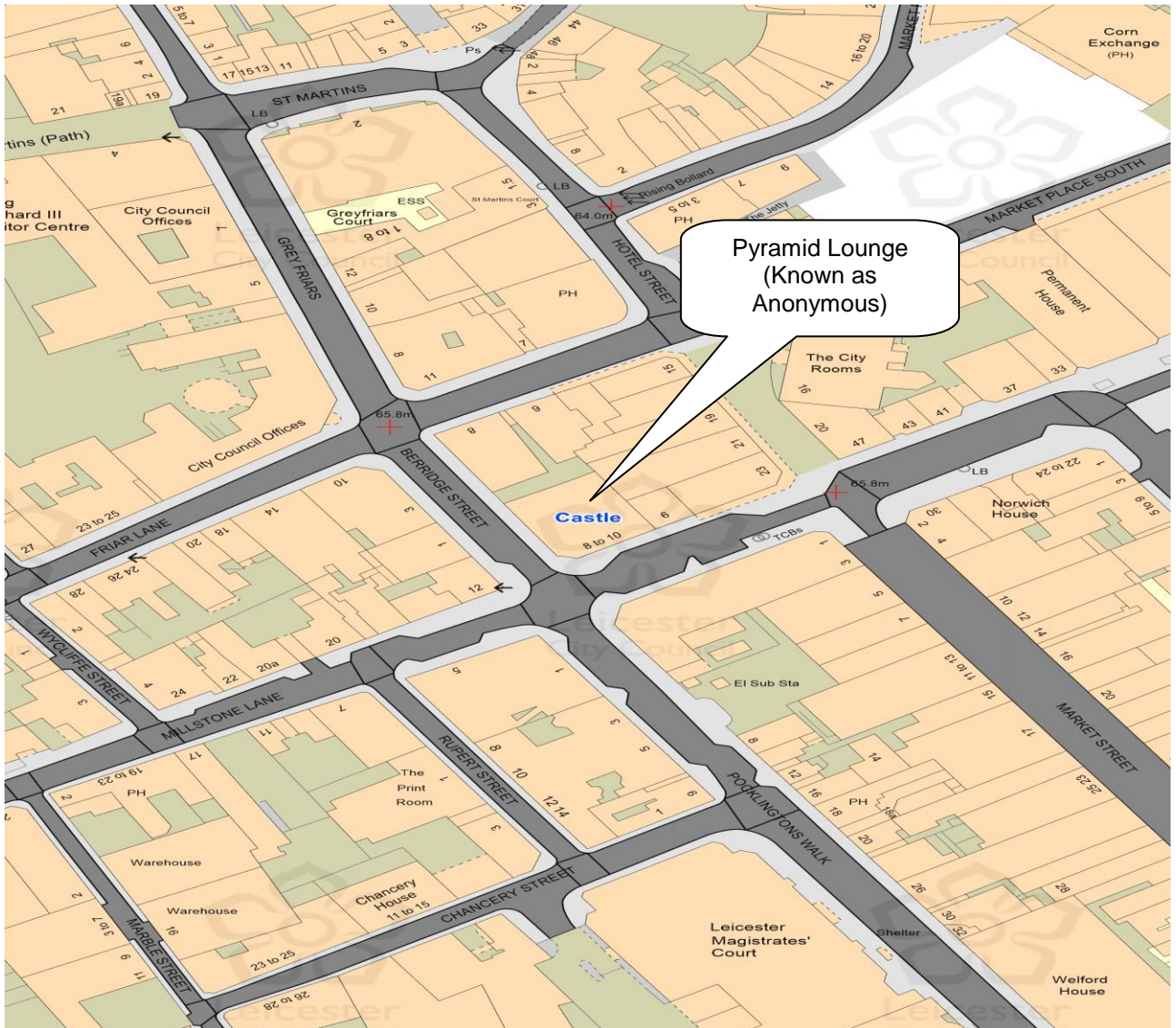
2. Determination to be made

- 2.1. Having considered the application and representation(s), Members must consider whether to
- Reject the review application
 - Modify the conditions of the licence
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence
- 2.2 Where Members take the decision to reject the review application, they are permitted to issue an informal warning to the licence holder and / or recommend improvement within a particular period of time.

3. Summary

- 3.1 This report outlines an application for a review of an existing premises licence for The Pyramid Lounge also known as Anonymous and summarises the representation(s) received. It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. Location Plan



5. Existing Licence

- 5.1. The existing licence is attached at Appendix A.
- 5.2. The activities and hours permitted by the existing licence are as follows:
- 5.3.

Licensable activity	Current Hours
Films	24 Hours
Live Music	24 Hours
Recorded Music	24 Hours
Performances of Dance	24 Hours
Anything similar to live/recorded music or dance	24 Hours
Dancing	24 Hours 8

Late night refreshment	Monday to Sunday 23:00 to 05:00 the following morning
Supply of Alcohol	24 Hours
Opening hours	24 Hours

6. Review application

- 6.1 An application was received on 24 March 2020 from Nigel Rixon – Licensing Manager Leicestershire Police for a review of the existing premises licence for The Pyramid Lounge also known as Anonymous. The application was made on the grounds of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. A copy of the application is attached at Appendix B. Attached at B1 is further information in support of the application submitted by Leicestershire Police.
- 6.2 Leicestershire Police have recorded a number of incidents of crime and disorder linked to the premises, most of which are violent in nature. They have also identified examples of poor management and failure to report criminal activity – they have no confidence in the management’s ability to run a safe environment for its customers and are putting them at risk of harm. Leicestershire Police have attempted to work with the management of the premises in line with what the Licensing Act 2003 encourages but there has been a reluctance to adopt change, refusal to promote the licensing objectives and a continuation of criminality linked to the premise.
- 6.3 The Police have also submitted CCTV and Bodycam evidence to support the review . This has been circulated prior to the hearing taking place to those members who are determining the review application and to the licence holder and his representative.

7. Representations

- 7.1 A representation was received on 26 March 2020 from Councillor Lynn Moore. The representation relates to the prevention of crime and disorder, the prevention of public nuisance and public safety. Councillor Moore is concerned after reading the review application and feels that the licence should be revoked. A copy of the representation is attached at Appendix C.

8 Steps to Promote the Licensing Objectives

- 8.1 In arriving at its decision on the review application, the Licensing Authority’s primary consideration must be the promotion of the licensing objectives.

9. Statutory Guidance

- 9.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the Licensing Act 2003. The relevant parts of the guidance in this case are as follows:

Section	Heading
1.2 – 1.5	The licensing objectives
1.15	General principles
1.16	Each application on its own merits
2.1 – 2.6	Crime and disorder
2.7 – 2.14	Public safety

2.15 – 2.21	Public nuisance
2.22 – 2.31	Protection of children from harm
3.12 – 3.20	Late night refreshment
8.41 – 8.49	Steps to promote the licensing objectives
9.11 – 9.12	Role of responsible authorities
9.31 – 9.41	Hearings
9.42 – 9.44	Determining actions that are appropriate for the promotion of the licensing objectives
10.1 – 10.3	Conditions - general
10.8 – 10.9	Imposed conditions
10.10	Proportionality
10.25 – 10.66	Mandatory conditions in relation to the supply of alcohol
11.1 – 11.29	Reviews
14.51 – 14.52	Licensing hours

10. Statement of Licensing Policy

- 10.1 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

Section	Heading
2	Fundamental Principles
5	Licensing Hours
7	Prevention of Crime and Disorder
8	Public Safety
9	Prevention of Public Nuisance
10	Protection of Children from Harm
12	Duplication
13	Standardised conditions
17	Live Music, Dancing, Theatre, Circuses and Street Arts

11. Points for Clarification

- 11.1 The licence holder and the applicant for review have been asked to clarify certain points at the hearing, as follows:

By the premises licence holder

1. Whether the premises licence holder considers that the concerns outlined in the review application are valid, and if not why not?
2. In the light of the review application, does the applicant wish to propose any additional steps for the promotion of the licensing objectives?

By the applicant for review

1. Whether they have any additional information to support the review application they have made?
2. Whether there are any additional steps that could be taken which would be equally effective in the promotion of the licensing objectives?

12. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within Supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	Parag. 6 – the review application was made on the grounds of the prevention of crime and disorder
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

13. Background Papers – Local Government Act 1972

a. None

14. Consultations

14.1 The Licensing Authority has fulfilled its obligations under the Licensing Act 2003 by preparing a notice which has been:

- Displayed at the premises
- Published on our website, and
- Displayed in Customer Services (91 Granby Street)

for 28 days.

15. Report Author

Deborah Bragg
Licensing Manager (Policy and Applications)
0116 454 1924
Deborah.bragg@leicester.gov.uk

APPENDIX	CONTENT
A	Existing licence
B	Application for review
B1	Additional Information submitted by Leicestershire Police
B2	Statements submitted by Leicestershire Police
C	Representation(s)

Licensing Act 2003
Premises Licence

LEIPRM1306



Local Services & Enforcement
 Leicester City Council
 Phoenix House
 1 King Street
 Leicester
 LE1 6RN

(0116) 4543040
licensing@leicester.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Pyramid Lounge (The)

8 - 10 Millstone Lane, Leicester, LE1 5JN.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

Expires **no expiry**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Unrestricted	Midnight	Midnight
E. Performance of live music (Indoors)	Unrestricted	Midnight	Midnight
F. Playing of recorded music (Indoors)	Unrestricted	Midnight	Midnight
G. Performance of dance (Indoors)	Unrestricted	Midnight	Midnight
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Unrestricted	Midnight	Midnight
I. Late night refreshment (Indoors)	Unrestricted	11:00pm	5:00am
J. Supply of alcohol for consumption ON the premises only	Unrestricted	Midnight	Midnight



Licensing Act 2003
Premises Licence

LEIPRM1306



Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN
(0116) 4543040
licensing@leicester.gov.uk

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted	Midnight	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Dale Shane Murphy 26 Causeway Lane, Cropston, Leicester, LE7 7GD.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Hasnae MALKI

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. LEIPRS4431 Issued by Leicester





Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN

(0116) 4543040
licensing@leicester.gov.uk

ANNEXES

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supplied alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

- a) a holographic mark, or
- b) an ultraviolet feature.

The responsible person shall ensure that-

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - i) beer or cider: ½ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml;
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Annex 2 - Conditions consistent with the operating schedule

The licence holder will install, operate and maintain a CCTV system on the premises.

The licence holder will operate the Challenge 21 Scheme in relation to alcohol sales.

The licence holder will operate a zero tolerance police in respect of drugs and drunkenness.



Licensing Act 2003
Premises Licence

LEIPRM1306



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Local Services & Enforcement
Leicester City Council
Phoenix House
1 King Street
Leicester
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ANNEXES continued ...

No persons under the age of 18 will be admitted to the premises.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

None.





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Leicester City Council
Phoenix House
1 King Street
Leicester
LE1 6RN

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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted	Midnight	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Dale Shane Murphy

26 Causeway Lane, Cropston, Leicester, LE7 7GD.

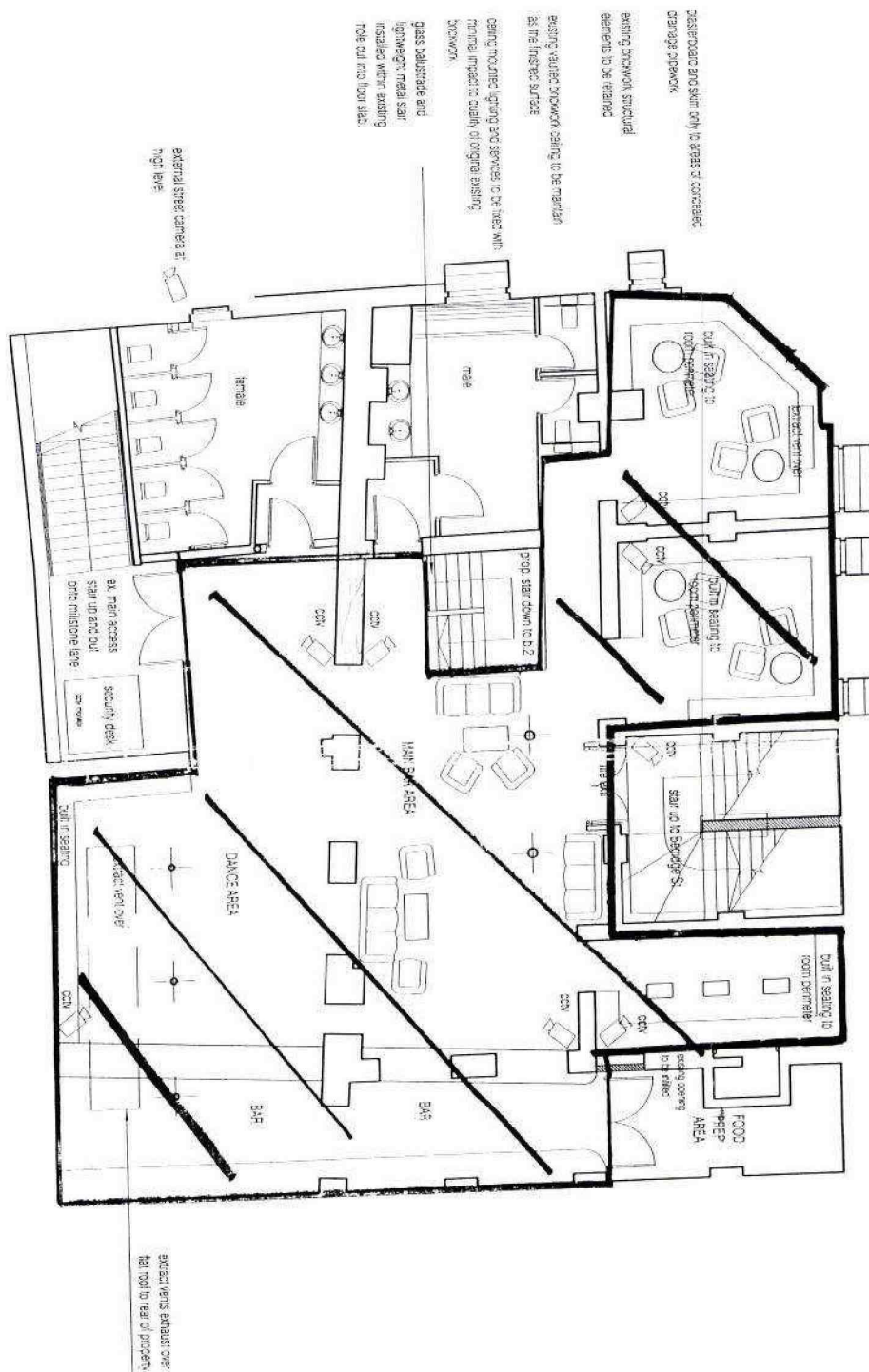
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Hasnae MALKI

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Restricted in accordance with the Licensing Act 2003.





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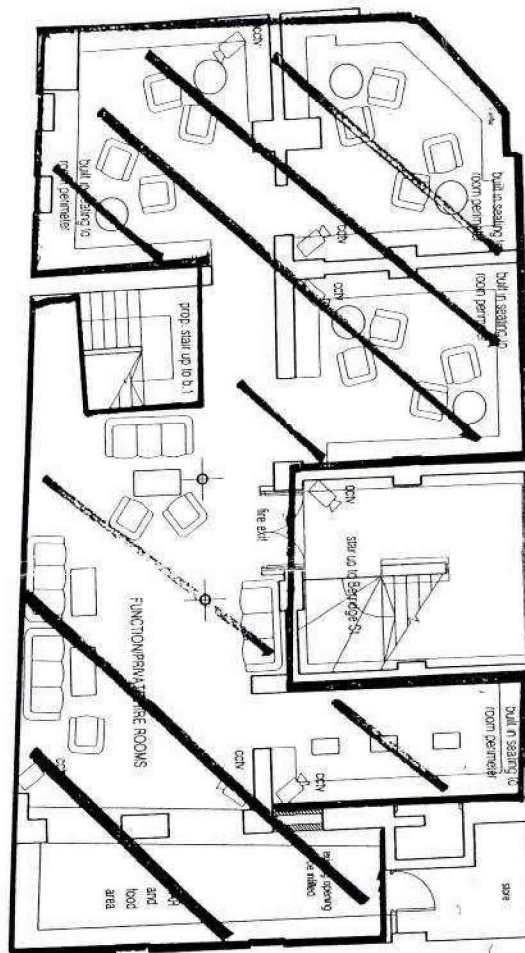
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BASEMENT LEVEL 1

NEW BAR
10-12 MILLSTONE LANE
LEICESTER
WEST LONDON PROPERTIES

SCALE	AL LENGTH	POSITION	DATE
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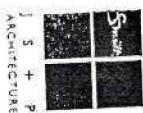




BASEMENT LEVEL 2

NEW BAR
10-12 MILSTONE LANE
LEICESTER
WEST LONDON PROPERTIES

Scale	Author	Date
1:100	AJD	09 SEPT 2003
Project No.	Sheet No.	Revision
0040	004	A



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NOTICE OF APPLICATION FOR A REVIEW OF AN EXISTING PREMISES LICENCE

Postal address of premises:
Anonymous 8-10 Millstone Lane Leicester LE1 5JN
Grounds of the application for review:
<p>Review requested on the basis of the Prevention of Crime & Disorder, Prevention of Public Safety, Prevention of Public Nuisance and the Protection of Children from harm. As detailed below:</p> <ul style="list-style-type: none"> • A number of incidents relating to crime & disorder linked to the premises. • Poor management and failure to report criminal activity. • Police concerned about certain events organised at the premises. • Failure by the licence holder to provide CCTV footage to the police despite numerous requests. • Breaching the conditions of their licence • Failure to promote the licensing objectives.
<ul style="list-style-type: none"> • The Licensing Register can be inspected at any time by visiting www.leicester.gov.uk/licensing. During office hours arrangements may be made for the register to be viewed at the Customer Services Department, Leicester City Council, New Walk Centre, Welford Place, Leicester, LE1 6ZG.
<ul style="list-style-type: none"> • Any representation relating to this application for a review must be made in writing to the Licensing Authority between 24 March 2020 and 22 April 2020.
<ul style="list-style-type: none"> • It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5,000

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I Nigel Rixon

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Anonymous 8-10 Millstone Lane	
Post town LEICESTER	Post code (if known) LE1 5JN

Name of premises licence holder or club holding club premises certificate (if known) Mr Dale Shane Murphy

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick yes

- | | |
|---|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |

- 3) a member of the club to which this application relates (please complete (A) ☐ below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Mr Nigel Rixon Leicestershire Police Mansfield House Police Station 74 Belgrave Gate Leicester LE1 3GG
Telephone number (if any) 101
E-mail address (optional) Nigel.rixon@leicestershire.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Anonymous is located at 8-10 Millstone Lane, Leicester. LE1 5JN.

The premises consists of two sub terrain basements, one occupied by the premises known as "Anonymous" and the other known as "Below". Anonymous is accessed via Millstone Lane, whilst Below is accessed via Berridge Street. Anonymous is the larger of the two spaces. Both spaces are internally linked and can therefore be accessed from both entrances.

The premises licence holder is Mr Dale Murphy.

The tenant and manager since at least July 2019 is Mr Jagdeep Narll.

However, Peter Finch is now the new manager for both premises and has been so, by his own account since approximately 21/01/2019 - 28/01/2019.

The former designated premises supervisor Mr Siamak Ghazvini was replaced by Ms Hasnae Malki on 05/12/2019.

The premises is licensed for the following activity:

- (1) The performance of live music.
- (2) Any playing of recorded music.
- (3) Provision of late night refreshment.
- (4) The supply of alcohol.

The hours that the premises is permitted to carry out licensable activities is midnight to midnight, seven days a week with the exception of late night refreshment which operates between 11pm and 5am.

Anonymous and Below operate as a late night drinking establishment whilst playing live and recorded music. The premises does not have a private smoking area and therefore permits customers to smoke on the pavement directly outside either entrance.

The premises opens predominately on Friday and Saturday night. However, it occasionally opens during the week for special events or at certain times of the year.

As the establishment regularly remains open till either 6am or 7am at the weekend, it means that the majority of its customers do not attend the venue until after midnight and use the premises as a "late night" drinking establishment.

There are other established licensed premises that are also located nearby. These are as follows

1. Le Bistrot Pierre is located directly above the premises but is not open at the same time as either of the stated clubs.
2. Firebug which is a late night bar is situated at 1 Millstone Lane, thus opposite the entrance of Anonymous. Firebug is permitted to remain open until 4:30am at the weekend.
3. Brewdog which is also a bar is located at 8 Friar Lane, thus next to the entrance of Below. Brewdog is permitted to remain open until 2:30am at the weekend

Due to the premises central location and its high night time economy footfall, the premises requires strong leadership to ensure the principles of the licensing objectives are upheld.

Leicestershire Police have recorded a number incidents of crime and disorder linked to the premises, most of which are of a violent nature. Leicestershire Police have also identified examples of poor management and failure to report criminal activity. Leicestershire Police have no confidence in the management's ability to run a safe environment for its customers and are putting them at risk of harm.

Leicestershire Police has attempted to work with and educate the management of the premises, in order to promote the licensing objectives. Partnership working is actively encouraged by the Licensing Act 2003. However, there has been a reluctance to adopt change, refusal to promote the licensing objectives and a continuation of criminality linked to the premise.

Leicestershire Police believe that the premises is failing to promote all four of the licensing objectives including:

- (1) The prevention of crime and disorder.
- (2) Public Safety
- (3) Public Nuisance.
- (4) The protection of children from harm.

The following list of incidents / events will support our (the police) opinion that the management team of the said establishment are very poor and the venue is not being run in an acceptable manner which in turn is causing issues within the local vicinity.

Therefore, Leicestershire Police have requested a review of the premises licence and

respectfully requests the licensing committee consider revoking the licence.

Please provide as much information as possible to support the application
(please read guidance note 2)

Saturday 27th July 2019 @ 03:30 hours.
Grievously Bodily Harm (GBH) Assault allegation.
Crime No - 19000395077.

Victim hit by a bottle whilst inside the premise causing swelling and laceration to her eye brow.
The investigating officer states that the manager hindered a criminal investigation by not producing the CCTV in time, which ultimately resulted in a criminal investigation being closed due to no further viable lines of enquiry.

Tuesday 6th August 2019.
Suspected breach of licence conditions.

Leicestershire Police's Leicester City centre licensing officer PC 2093 Pritchard received some information that an under 18's event had been held at the premise on Saturday 3rd August 2019, as it had been promoted on social media. There was also a suggestion that previous under 18's events had also been held at the premise earlier in the year. As the premise has a licence condition stipulating "No persons under the age of 18 will be admitted to the premises", this raised concerns.

PC 2093 Pritchard spoke to the premise licence holder on the telephone, however he was unable to speak in detail at the time due to personal reasons. The premise licence holder stated he was unsure who ran the business and would have to check his records, once back in the office. The premise licence holder was reminded of his responsibility as the premise licence holder for the premise.

Wednesday 14th August 2019.
Pre-arranged meeting with the premises manager/tenant and the designated premise supervisor.

PC 2093 Pritchard held a pre-arranged meeting at the premise with tenant/manager who had been in position since at least July 2019 and the then current designated premise supervisor.

The manager initially stated that they had held five or six under 18's events at the premise in the last year, however on informing him of his licence condition, the manager's account immediately changed. The manager's account changed to him saying that the events had either been cancelled or that no one had attended. The manager stated that it was a scam by a promotor and that he was considering legal action. The manager's account of events was far from convincing and raises serious doubts about his honesty and integrity.

However, as no physical evidence existed that the events had occurred other than what was advertised on social media, both the manager and designated premise supervisor were issued with a verbal warning about future under 18's events.

During the meeting PC 2093 Pritchard stressed the importance of providing CCTV evidence to the investigating officer in regards to the incident on Saturday 7th July 2019, in order to meet their licensing objectives obligation.

PC 2093 Pritchard was aware that the alleged suspect for the assault on Saturday 7th July 2019, was the partner of a member of staff employed at the premise.

PC 2093 Pritchard was also informed by the designated premise supervisor that he would be leaving the business in four weeks' time. The manager stated he would appoint a new designated premise supervisor and notify PC2093 Pritchard in due course, which he did not.

The manager expressed his concerns at the time of the meeting about appointing a new designated premise supervisor due to the additional salary associated with the role, however he was in discussion with an individual.

Saturday 26th October 2019

Suspected no Designated Premise Supervisor.

The designated premise supervisor responded to PC 2093 Pritchard's earlier voicemail and telephoned PC2093 Pritchard stating that he had left the business and had done so a few days after our previous meeting on Wednesday 14th August 2019. The exact dates were clarified and again confirmed that he had not returned to the premise since approximately Friday 16th August 2019. The designated premise supervisor stated he was no longer involved in the business in any capacity.

Therefore, the premise was operating without a designated premise supervisor for approximately nine weeks from Friday 16th August 2019 to Saturday 26th October 2019.

Saturday 2nd November 2019 @ 02:23 hours.

Licensing Check.

PC 2179 Body and PC 290 Cole attended the premise to complete a licence check and to ensure that the door staff were Security Industry Authority registered. The officers observed confusion between door staff and staff, as to whom was in charge and also that they had no knowledge of who the designated premise supervisor was. On checking the CCTV system, the officers observed that one of the systems was displaying a counter time which was one hour fast whilst the other system was displaying 03:34 hours on 03/12/2019.

Friday 8th November 2019.

Pre-arranged meeting.

The manager / tenant of the premise stated to PC 2093 Pritchard that "Quinton" was the new manager, who was himself a personal licence holder and would be appointed as the new designated premise supervisor of the premise. However, the manager did not know "Quinton's" surname.

The manager stated that he had submitted an "on line form" to Leicester City Council to change the designated premise supervisor and had done so on Wednesday 6th November 2019.

The manager stated that the current designated premise supervisor was last at the premise two weekends ago thus the weekend of Friday 25th October 2019.

There are obvious discrepancies between the managers and designated premise supervisors account of when he resigned and was last at the business.

No change of designated premise supervisor was received.

Again, the above raises concerns about the manager's honesty and integrity.

Wednesday 27th November 2019
Leicestershire Fire & Rescue Service Visit

Leicestershire Police requested Leicestershire Fire & Rescue Service conduct a visit at the premise after suspicions about an internal emergency exit door between the two floors of the premise was being locked during opening hours. As the door acted as an evacuation route the door must be unlocked whilst the premise is open to the public.

A Leicestershire Fire & Rescue Service Fire Protection inspecting officer completed a pre- arranged visit and meeting with the manager. The manager agreed that the internal door between the two floors would no longer be locked whilst open to the public.

Leicestershire Fire & Rescue advised that a Fire Risk Assessment be completed along with a list of other recommendations.

Thursday 5th December 2019
Meeting with premise licence holder and manager/tenant

PC 2093 Pritchard requested a meeting with the premise licence holder and manager/tenant to express his concerns about the previously suspected under 18's events held at the premise, no designated premise supervisor present at the premise for approximately two months, an inadequate CCTV system, criminal investigations being hindered due to either CCTV not being supplied, delays in providing CCTV and the general lack of management and leadership at the premise.

The premise licence holder and manager agreed to appoint a new designated premise supervisor as a matter of urgency and install a new fit for purpose CCTV system. However, it was acknowledged that the new CCTV system may take until after the New Year to install.

The new and current designated premise supervisor was appointed the same day.

Sunday 8th December 2019 @ 04:53 hours.
Actual Bodily Harm (ABH) Assault Allegation.
Crime No: 19000655929.
Criminal proceedings have not yet concluded.

A female customer was involved in a verbal dispute inside the premise and was punched in the face by another resulting in a fractured nose. The victim states that whilst on the floor, she was stamped on and that door staff did not intervene.

PC 1303 Moncur states that she repeatedly contacted the manager about obtaining CCTV from the premise without response. PC 1303 Moncur states she finally spoke with the manager who stated that the incident had not been captured, however the officer had her doubts about the manager's account.

The lack of CCTV hampered the investigation, however two persons have since been charged with assault whereby occasioning actual bodily harm but the matter has not yet been heard in a court of law.

Wednesday 18th December 2019
Meeting.

PC 2093 Pritchard held a meeting with the premise licence holder, the manager/tenant and the new designated premise supervisor at the premise to stress the importance of a CCTV upgrade in order to fulfil its licensing objectives responsibilities, to educate them on the role of a DPS and the importance of licensing objectives. PC2093 Pritchard stressed the importance of providing the required CCTV evidence in relation to the incident on Sunday 8th December 2019, in order to fulfil its licensing objective responsibilities. The manager agreed to provide the CCTV ASAP to PC1303 Moncur.

Sunday 22nd December 2019 @ 02:24 hours.
Licensing Visit.

PC451 Chabuz and PC1085 Standen attended the premise to complete a licensing visit. On speaking to door staff they were unaware who the designated premise supervisor was and obtained the person who they believed was to be in charge but later transpired was only the sound engineer and not in charge the premise.

Again, the incident identified a clear lack of understanding about the management structure at the premise.

Saturday 11th January 2020 @ 05:48 hours.
Fight. No victim or complaint.
Storm Incident 147.

Leicester City Council CCTV observed a fight on the junction of Berridge Street and Millstone Lane after some of the group had left the premise and argued outside.

PC2093 Pritchard has viewed the footage and observed that door staff from the premise did not report the incident, nor did they approach the police officers who attended post incident. This was despite some of the group returning and standing outside the premise when the police arrived.

Saturday 18th January into Sunday 19th January 2020. (Time unknown).
Sexual Assault allegation on a female under 18 years of age.
Crime No. 2000044235
The crime is still under investigation.

Leicestershire Police are investigating a sexual assault allegation where a victim who is under 18 years of age, along with several other friends some of whom are also under eighteen years of age, attended the premise.

Despite door staff being present, busy checking identification the underage individuals were able to walk into the licensed premise unchallenged thus in breach of the licence.

The witness who is also under the age of eighteen years, admits that she smuggled a medium sized bottle of vodka into the premise and consumed it with her friends.

The allegation is that a serious sexual assault occurred inside the premise.

The witness describes how she and the alleged victim loitered in the toilets for 3 to 4 hours until a doorman asked them to leave at 6am as the club was closing.

The officer in the case has again experienced significant difficulties in liaising with the manager and in attempting to obtain CCTV from the location in relation to the criminal investigating.

Saturday 25th January 2020 @ 06:36 hours.
Actual Bodily Harm (ABH) Assault and Anti-Social Behaviour.
Crime No: 2000047464.

A doorman at the premise reports to the police that he was bitten by a female customer before leaving the premise, however he did not wish to make a formal complaint and no further investigation proceeded.

In light of the incident and its location PC2093 Pritchard reviewed Leicester City Council's CCTV footage. The assault was not captured, however PC2093 Pritchard observed at least three customers exit the premise still drinking alcohol in what he suspects to be glass bottles and loiter in the street.

Monday 10th February 2020.

The premise licence holder left PC2093 Pritchard a voicemail message stating that the new CCTV system had been installed, with the exception of one camera that was being installed shortly. The premise licence holder stated that the new system would be available to inspect next week.

Friday 14th February 2020 @ 22:13 hours.
Suspected new manager sighted working at the premise.

PC2093 Pritchard observed a male known to him working at the premise, as the same male has previously come to the attention of Leicestershire Police and the Security Industry Authority (SIA).

Sunday 23rd February 2020 @ 06:18 hours.
Fight. No victim or complaint of assault.
Incident No. 151

Leicester City Council CCTV observed a fight in the street outside Anonymous, however police did not attend.

PC2093 Pritchard reviewed Leicester City Council's CCTV footage. The footage shows a male stood in the road, goading a group of people stood in the doorway of Anonymous, from a distance of at least fifteen metres. A second male is seen stood by the front door, wearing a gold coloured mask in the style of the premises logo but also represents V for Vendetta and that of Guy Fawkes. The mask has also become the symbol for the online hackiest group called Anonymous.

The male in the mask approaches the other male whilst taking off his metal chain and swinging it around in the air and aiming it at the other male. The male trips over and the male in the mask hits the male with the chain but also punches him before returning back towards the entrance of the premise and standing next to a male who appears to be controlling access and egress from the premise. The male in the mask is allowed to re-enter-enter the premise.

The premise did not report this incident to the police.

Saturday 29th February 2020 @ 04:08 hours.

Fight. No victim or compliant of assault.

Incident No 100

PC2093 Pritchard reviewed Leicester City Council's CCTV footage of a fight immediately outside the entrance of "Below". An unknown male exits the premise and stands with his arms out stretched to his. A second male exits the premise and a fight breaks out with a number of other males also joining in the fight in the middle of the street.

The fighting stops briefly but starts again a few metres from the entrance of "Below" as a doorman stands watching and does not intervene.

The premise did not report this incident to the police, despite it happening over several minutes.

Saturday 29th February 2020 @ 05:06 hours.

Fight. No victim or compliant of assault.

Incident No. 122

PC2093 Pritchard reviewed Leicester City Council's CCTV footage of a fight immediately outside the entrance of "Below" involving two males. A doorman initially intervened and the incident de-escalates. However, the two males return a short time later and start to fight again. During the incident, one of the males picks up the metal barrier directly outside the front of the premise and holds it as though he is going to hit someone with it, however another member of the public prevents injury by taking it from him.

Sunday 1st March 2020 @ 03:17 hours.

2 X Grievously / Actual Bodily Harm Serious Assaults / Public Order.

Crime No: 200002117150, 20000117184 & 20000117190.

Police officers responding to an unconnected incident on Market Street were alerted by a member of a public to two males stood outside the premise who were bleeding. Officers attended and located two males with head injuries consistent with being hit with a bottle or similar.

Both males initially refused police assistance but later stated that they had been attacked by a group of twenty males inside the premise.

The attending officers clearly felt that the injured males were loitering, awaiting other friends to attend the location in order to seek retribution for earlier events.

A member of door staff at the premise denied any knowledge of the incident and implied that the incident had happened outside the premise.

The suspected new manager later exited the premise along with another male who had a head injury and got into his car which was parked outside the premise before driving off. Despite officers approaching and speaking with the suspected new manager and injured male in the car as it was about to drive off, neither disclosed any information about what had happened to assist them with their investigation.

The attending officers clearly felt that the premise were obstructing a criminal investigation. One of the attending officers states "it appeared as if the door staff had kept the male concealed from us inside the club, then ushered him out discreetly to the left of the club while police officers were tied up to the right of the club". The officer continues to state "whilst door staff were not hostile towards us, they did not engage with us at all, not answering questions nor volunteering any information to us. They did nothing to diffuse the volatile situation and did not assist us in asking the males who were to leave the vicinity, despite it being obvious that they were epicentre of the tension".

Police officers later entered the club to view the CCTV and found staff tidying up. The officers were told that the CCTV was not available to view

Tuesday 3rd March 2020.

Abstracting Electricity / Fire, Health & Safety Concerns.

Crime No: 20000122016.

The offence of abstracting electricity is currently under investigation.

Western Power engineers executed a warrant at the premise to cut the power off due to a substantial electricity debt. The engineers discovered the electricity meter inside the premise had been bypassed and therefore electricity unlawfully abstracted.

Apart from the criminal offence, the matter possessed a fire risk and risk to public safety.

Tuesday 3rd March 2020.

Nitrous Oxide.

Leicestershire Police staff also attended the premise to investigate in light the above mentioned incident.

PCSO 6179 Williamson located approximately 100 used nitrous oxide gas canisters on the floor, along with a number of deflated balloons in clear view. Several empty boxes of nitrous oxide canisters were also found scattered across the floor in both parts of the premise. The officer describes how there was other signs of drug use throughout the premise.

Saturday 7th March 2020 @ 06:00 hours.

Actual Bodily Harm (ABH) assault allegation.

Crime No: 20000131370

The crime is currently under investigation.

The victim states she was assaulted inside the premise, resulting in a bruise. The victim states that she informed door staff of incident and was herself asked to leave.

The victim states she exited the premise and was again attacked by the same two suspects resulting in a nose bleed as result of being punched. The victim states she was also punched and knocked to the floor where she was kicked unconscious.

Friday 13th March 2020 @ 23:35 hours.

Licensing Visit / Fire, Health & Safety Hazard.

A police licensing visit was conducted at the premise whilst the premise was open to

the public. The internal fire door that both Leicestershire Police and Leicestershire Fire & Rescue Service had previously raised concerns about as an evacuation route was found locked, with only staff having access to the push button key code.

The new manager introduced himself and stated that he had been in the role for six to seven weeks. The new manager admitted that he was unsure who the designated premise supervisor was for the premise.

The new manager was not forthcoming with any information about events of Sunday 1st March 2020, despite him being present on events on Tuesday 3rd March 2020.

Saturday 14th March 2020 @ 05:58 hours.
Public Disorder

A member of the public calls the police reporting eight persons fighting in the street.

Leicester City Council CCTV shows customers exit the Anonymous entrance and loiter in the street outside before they start to fight in the street. The fight then spills towards the entrance of "Below" on Berridge Street, before the group disperse prior to police arrival.

Despite part of the fight happening in the doorway of "Below" whilst the premise was open to the public, the premise did not report the matter to the police.

Wednesday 18th March 2020

On Wednesday 11th March 2020, PC2093 Pritchard contacted the premise licence holder, the designated premise supervisor and the tenant/old manager and informed them that the police required CCTV footage in relation to several criminal matters on Sunday 1st March 2020 and Saturday 7th March 2020. The relevant times and cameras were specified. The importance of providing the CCTV in order to fulfil its licensing obligations was emphasised.

Both the designated premise supervisor and the old manager/tenant confirmed a meeting scheduled for Wednesday 18th March 2020 at 3pm and what was required of them.

On Wednesday 18th March 2020, the new manager called and re-arranged the meeting for later that day and stated that he had not heard from the old manager/tenant but that an engineer would also be attending this afternoon to assist with downloading the required CCTV footage.

However, the premise licence holder, the designated premise supervisor, the tenant/old manager and engineer were not present. At no point did they state they were not attending.

The current manager stated he did not know how to operate the CCTV system. The new manager telephoned the old manager/tenant and PC2093 Pritchard spoke with him and stressed the importance of providing the required CCTV and stressed his serious concerns about the delay in providing the CCTV in relation to both criminal and licensing matters as required in order to meet their licensing obligations. The old manager/tenant stated that the relevant CCTV footage would be supplied by 10am on Thursday 19th March 2020.

On the morning of Thursday 19th March 2020, the new manager telephoned and stated that due to technical issues the footage will not be available until at least Saturday 21st March 2020.

On speaking with the new manager in person on Wednesday 18th March 2020, he made no reference to the incident on Saturday 1st March 2020 for which the CCTV was being sought, despite him being present. The new manager was evasive when asked questions about the electricity incident.

PC 2093 Pritchard also inspected the alleged CCTV upgrade that was requested and agreed by the premise licence holder, designated premise supervisor and old manager/tenant in December 2019. It was clear that only a bare minimum upgrade had been completed. Only one new camera had been installed as far as could be established and even that camera was of little evidential value due to its positioning.

PC 2093 Pritchard also noted that a primary camera was not functioning which would capture a key high risk / flash point of any licensed premise. It is worth noting that this non-functioning camera would have been pivotal in the investigation into the incident on Sunday 1st March 2020 and Saturday 7th March 2020.

Given the multiple meetings with the premise licence holder, designated premise supervisor and old manager/tenant about CCTV, it is clear they have disregarded all the advice and are failing to support the licensing objectives.

Thursday 19th March 2020.

On speaking with the new manager on the telephone on Thursday 19th March 2020, to confirm the new target date for providing CCTV in relation to the incident on Sunday 1st March 2020 and Saturday 7th March 2020, he admitted that something had happened inside the premise and would be captured on CCTV, however he did not see anything.

Given the above, Leicestershire Police have no confidence in the premises existing owner and its management in promoting the licensing objectives and feel that revocation is the only option available.

Please tick yes

Have you made an application for review relating to this premises before ☐

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

23 March 2020

Capacity Licensing Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Licensing Department
Leicestershire Police
Mansfield House
74 Belgrave Gate
Leicester
LE1 3GG

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

LEICESTERSHIRE FIRE AND RESCUE SERVICE

NOTE FOR FILE

Officer: Vicky Finn	244105	Address: The Occupier Basement Club 8-10 Millstone Lane Leicester Leicestershire LE1 5JN
Date/Time: 27/11/19 12:04		
Reference No: FP034936		
Subject: Concern		

I attended the above premises on 21/11/19 at 10:30 hrs, I met with Mr Jagdeepp Narll.
He walked me around both anonymous and below. He confirmed he now keeps the double doors unlocked when on below is occupied to allow for evacuation via this route if required. These doors are required to be available and I advised that the entrance door to anonymous should not have use of key. A bolt was in place at the time of my visit.

I also gave advice to obtain a FRA if he hadn't got one, I advised to have CSS and IS strips fitted to the double doors due to the gap. I advised to look on the IFE website.

244105VF

I will email PC Pritchard to update him via email.

244105VF

LEICESTERSHIRE FIRE AND RESCUE SERVICE

NOTE FOR FILE

Officer: Vicky Finn	244105	Address: The Occupier Basement Club 8-10 Millstone Lane Leicester Leicestershire LE1 5JN
Date/Time: 27/11/19 12:37		
Reference No: FP034936		
Subject:		

From: Vicky Finn

Sent: 27 November 2019 12:37

To: [REDACTED]

Subject: Fire Safety at Anonymous and Below

Mr Narll

As discussed you should obtain a Fire Risk Assessment for both Anonymous and Below. Inhouse testing of the fire alarm (via the manual call points) should be carried out weekly, along with testing the emergency lighting monthly and fire fighting equipment monthly and fire doors. All these should be recorded and have attached a log book.

The double doors require cold smoke seals and intumescent strips, at present there is a gap with exceeds the 3-5mm gap allowed. I have attached a guide to assist with fire safety.

Fire Safety training for staff should be carried out annually and as I advised this should be recorded and signed for.

An emergency action plan is required detailing roles and responsibilities in the event of the fire alarm sounding and upon discovering a fire.

Staff should receive fire fighting equipment training/familiarisation.

The door to Anonymous at street level should not be key operated this should be changed so internally there is no use of a key required.

All this information is logged on our file against the premises, so should we have reason to attend in the future we would expect the actions to have been carried out and evidence available .

Regards

Vicky Finn

Fire Protection Inspecting Officer

Leicestershire Fire and Rescue Service

12 Geoff Monk Way
Birstall
Leicester

NFF
Version 2 18/01/10

LE4 3BU

T: 0116 210 5691

Safer People, Safer Places

DOORS OPEN - 6.30PM

URBAN SHUTDOWN U18's

6.30PM - LATE

LEICESTERS BIGGEST URBAN U18'S RAWE

JAY J

PERF 'BECKY' + MORE

16TH FEBRUARY

SUPPORTED BY

KZ + P1

A1

DJ JACKLANG



TICKETS
FROM
£5

ANONYMOUS
NIGHT CLUB



U18's Urban Shutdown

· 14 January 2019 ·

...

URBAN
SHUTDOWN
VIBES

PRESENTS

TAZE

PERF LIVE

"HEAD SHOULDER" "GUN LEAN REMIX" "SPLENDID"

DJ JACKLANG & DJ STUTZ
EXCLUSIVE BASHMENT SET

CARNIVAL AFTER PARTY
SATURDAY 3RD AUGUST

ANONYMOUS
NIGHT CLUB

10 MILLSTONE LANE, LEICESTER, LE1 5JN

7.00PM - 11.00PM

URBAN
SHUTDOWN
U18'S

DOORS CLOSE
9.00

PRESENTS

LEICESTERS OFFICIAL U18'S URBAN EVENT

TAZE

PERFORMING

GUN LEAN REMIX - HEAD SHOULDERS - TRAP NOT CARNI

DJ JACKLANG
JL



djdre
BASHMENT SET

LINE UP

TKA3 // KZ & P1 // A1

FRIDAY 20TH DECEMBER

ANONYMOUS
NIGHT CLUB

£5

Timeline ON THE DOOR

1 of 1

10 MILLSTONE LANE, LEICESTER, LE1 5JN



U18's Urban Shutdown

· 6 October 2019 ·

@tazeagain LIVE 20th DECEMBER GRAB YOUR
TICKETS NOW! LINK IN BIO !!



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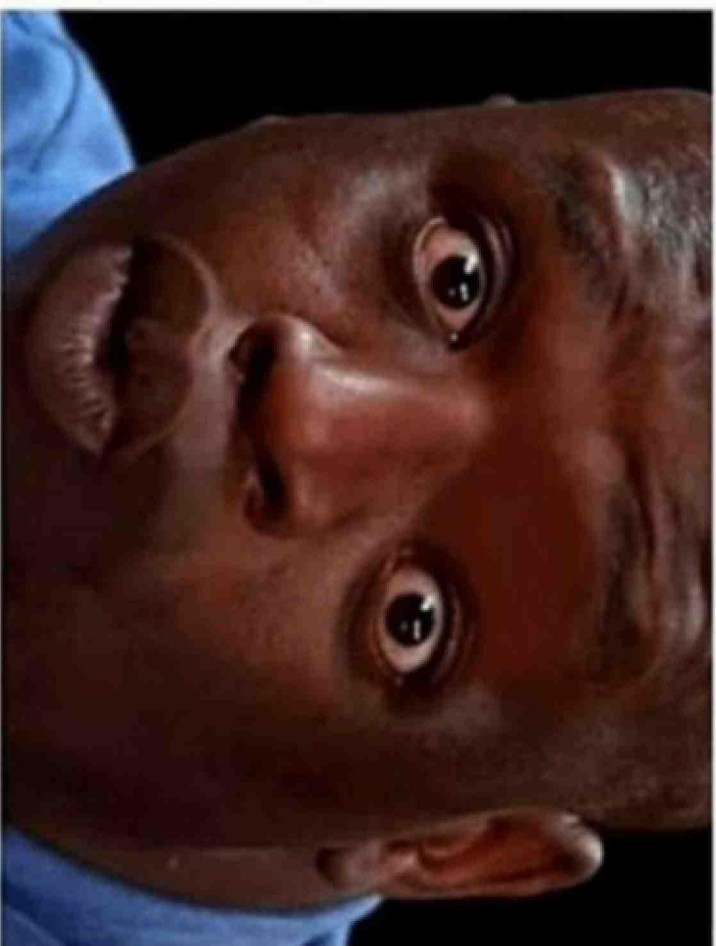
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26 January · 🌐



"Bro I had a gram of ket sitting
on the table, where is it?"

Me:



👍 11

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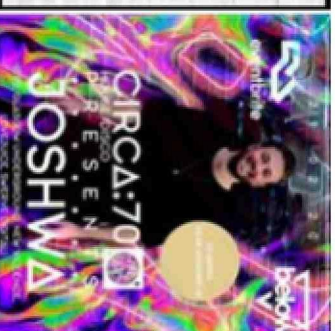


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JOIN us for all your underground sounds and vibes this Friday & Saturday Night 🌙



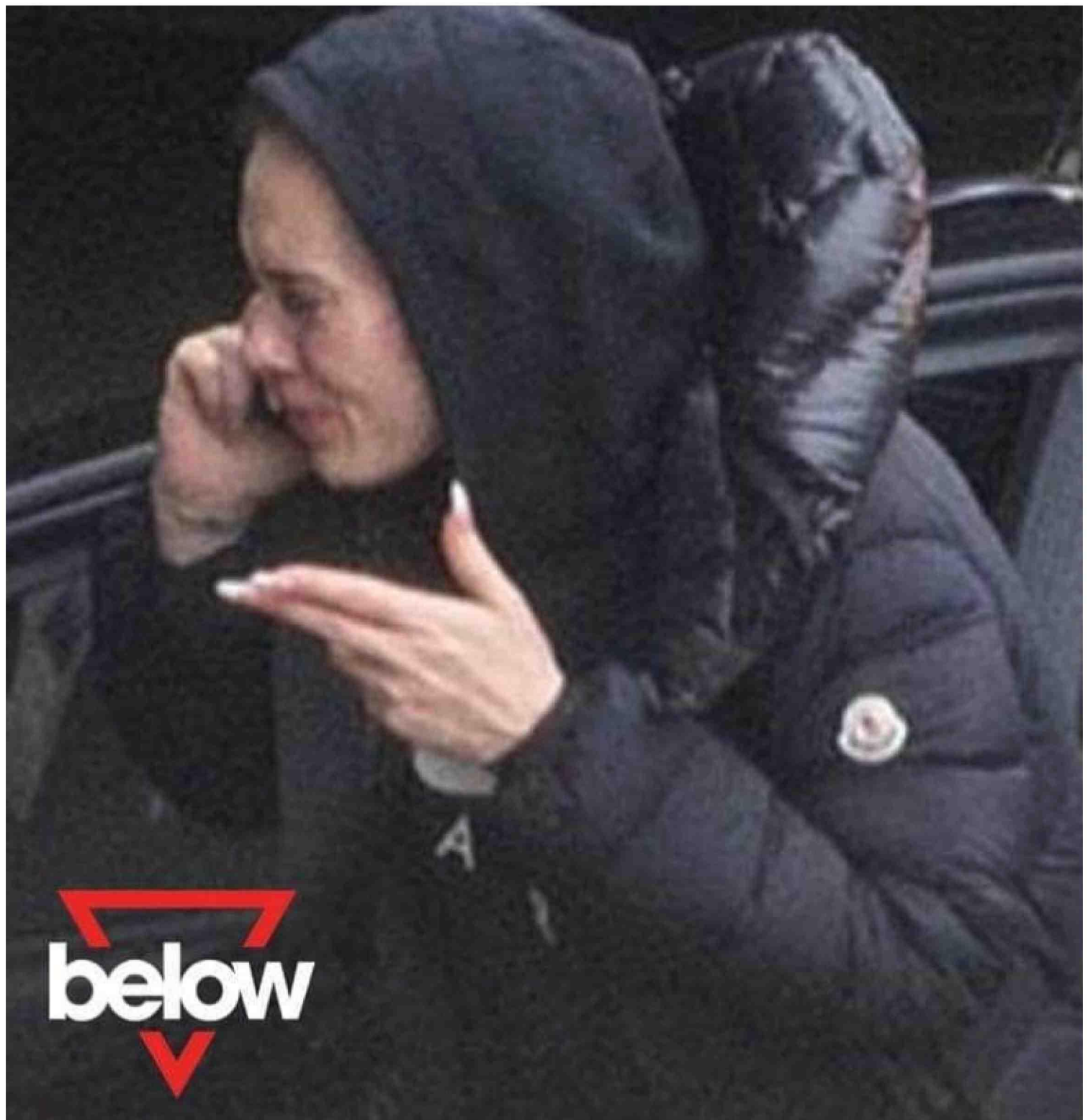
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12 October 2019 at 10:04 · Facebook for Android ·

TONIGHT // LEICESTER // BELOW
11PM TILL 7AM ▼
HOUSE // GARAGE // BASS



6 Likes



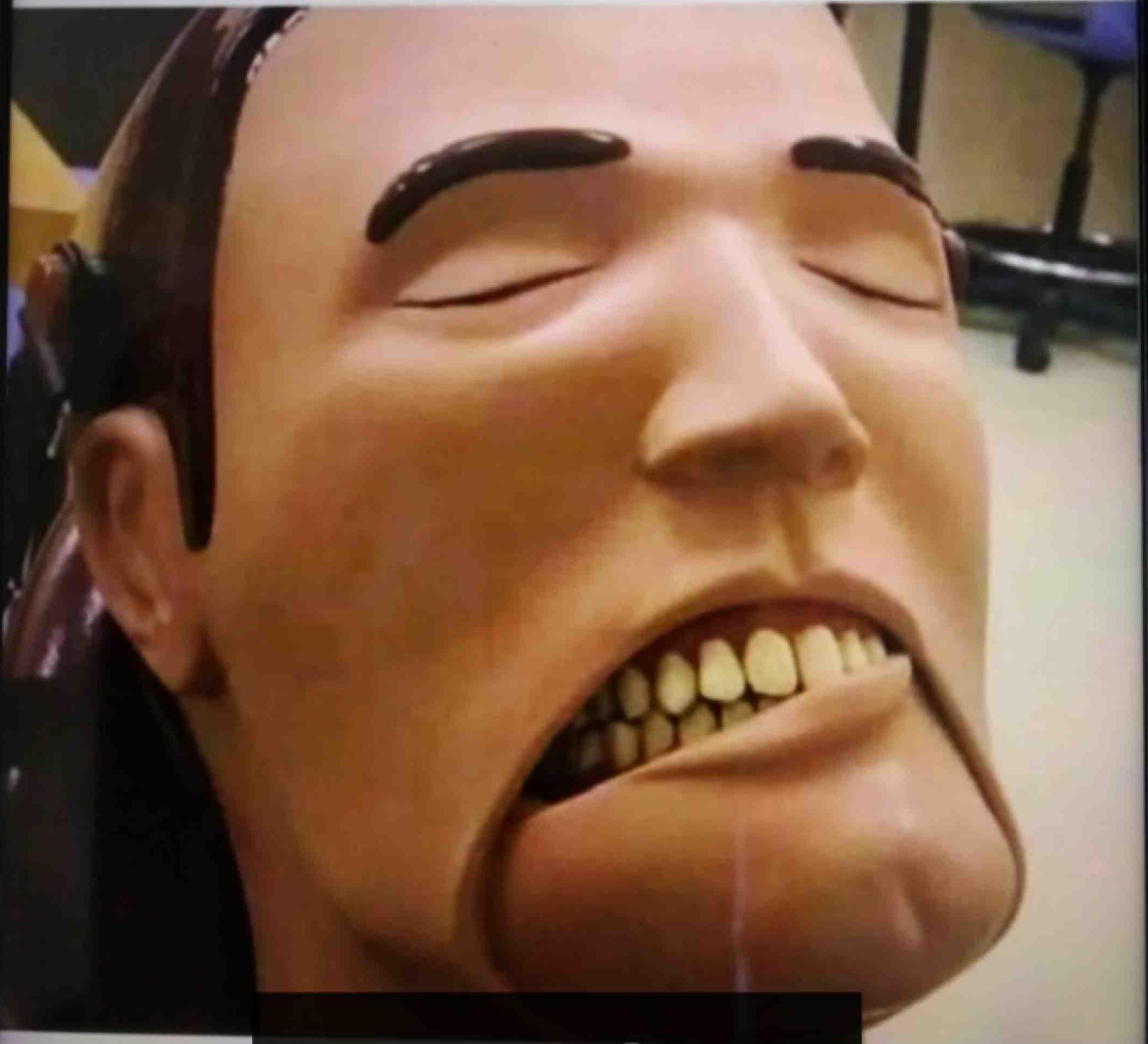


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22 September 2019 at 10:57 · Facebook for Android ·



This how y'all look when that PILL KICK IN 🤪



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or

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The “only going out for one drink but could quite easily be persuaded into a 3 day bender and will happily end up at an illegal rave somewhere ” starter pack

**BELOW**

"Might just nip into town for a couple of drinks, ENDS UP IN BELOW, ALLNIGHT 📉😂😂"

Mobile Uploads · 12 Jan · 📷

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The "only going out for one drink but could quite easily be persuaded into a 3 day bender and will happily end up at an illegal rave somewhere " starter pack



13 Likes



WITNESS STATEMENT

CJ Act 1967, s.9; MC act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

Statement of: Jefferson Pritchard

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Over 18

This statement (consisting of 22 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: 18/04/2020

I am PC2093 Pritchard of Leicestershire Police, currently based at Mansfield House police station in Leicester City Centre.

I am employed as the police licensing officer for Leicester City Centre.

My role involves acting as a point of contact for licensed premises and includes working in partnership with licensed premises in order to promote and enforce the licensing objectives. Partnership working is actively encouraged by the Licensing Act 2003.

My role also involves monitoring incidents of crime, disorder and anti-social behaviour associated to licensed premises in order to identify patterns or failings of licensed premises to support the licensing objectives. I work closely with owners, premise licence holders, designated premises supervisor, manager(s) and door supervisor(s) in order to resolve issues. Partnership working through the use of incremental steps to resolve problems and promote the licensing objectives is paramount. However on occasions, where there is serious or re-occurring issues then regrettable more robust action is sometimes required.

Every licensed premise will have an incident or incidents at some stage. On how many occasions, the type of incident(s) and if the premise as somehow contributed to the problem or failed to address the problem resulting in an unavoidable repeat is the key. The principles of the licensing objectives are fundamental and are not optional.

Since my appointment as Leicester City Police licensing officer in the May 2018, I became aware of a local businessman known to me as - Mr Jagdeep Narll. Through my engagement with Mr Narll, I am aware that Mr Narll is the tenant and manager of two city centre licensed premises, one of which is known as Anonymous, (formally Pyramid Lounge) located at 8-10 Millstone Lane, Leicester. LE1 5JN.

The premise is split across two subterranean floors with "Anonymous" occupying the

Signature: 

Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

basement accessed via Millstone Lane and "Below" occupying the subbasement, accessed via Berridge Street. Anonymous is the larger of the two venues.

The premises are internally linked for health and safety reasons and fire regulations.

Anonymous and Below did not come to my attention fully until late July 2019. I suspect this was as both premises were operating under capacity until this time, with few customers.

Through multiple meetings and conversations with all the relevant interested parties from the premise, I have established that the owner and management structure, is as follows:

- The premise licence holder and I believe the owner of the property is Mr Shane Murphy. However, Mr Murphy is not involved in the day-to-day operation of the business. Mr Murphy is a businessman who owns multiple other properties some of which are also located in Leicester City Centre.
- The tenant of the property and manager is Mr Jagdeep Narll. Mr Narll pays rent to Mr Murphy.
- The designated premise supervisor until officially 05/12/2019 was Mr Siamak Ghazvini.
- The current designated premise supervisor as of 05/12/2019 is Ms Hasnae (aka "Anna") Malki.
- The new manager as of the end of January 2020 is Mr Peter Finch.

In July 2019, PC4040 Pulsford contacted me to express her concerns about the premise and in particular her difficulties in obtaining CCTV evidence in regards to a criminal investigation which occurred at the premise from the manager Mr Narll. PC 4040 Pulsford has supplied an evidential statement to this effect, detailing her concerns about how a criminal investigation was hampered by Mr Narll's lack of engagement and inability to supply the required CCTV evidence.

I will now provide a chronological order to events, incidents which has resulted in the basis for this review hearing.

Tuesday 6th August 2019.

I received some information that an under 18's event had been held at Anonymous on Saturday 3rd August 2019, as it had been advertised on social media. There was also a suggestion that previous under 18's events, had also been held at the premise earlier in the year. (See exhibit JJP02 & JJP03 below).

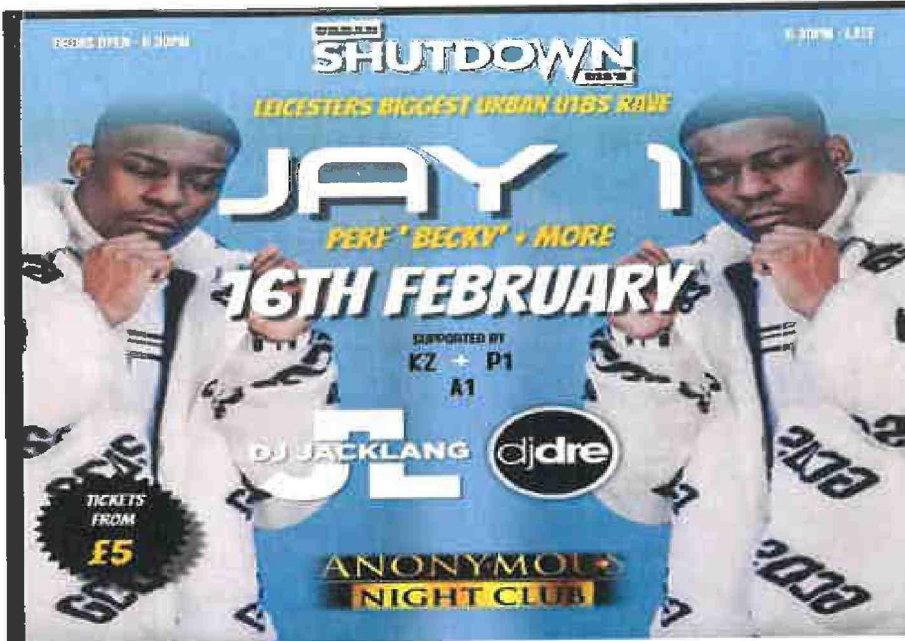
As the premise has a condition stipulating that *"No persons under the age of 18 will be permitted to the premise"*, means that a breach its licence conditions would have been committed if the events did indeed proceed.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,



(See - Exhibit JJP02)



(See Exhibit JJP03)

On hearing about the above suspected under 18 events, I telephoned the premise licence holder Mr Murphy and introduced myself. Mr Murphy stated he was at a funeral and unable to

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

talk at length. Mr Murphy did say that he was unsure who ran the business as he owned lots of property and would have to check his records once back in the office. I reminded Mr Murphy of his responsibility as the registered premise licence holder of the premise.

I was alarmed by the fact that Mr Murphy was unaware and/or could not recall who managed the premise for which he was the premise licence holder.

Several days after my conversation with Mr Murphy, Mr Narll contacted me and we arranged a meeting scheduled for Wednesday 14th August 2019.

Wednesday 14th August 2019.

During a meeting with Mr Narll and Mr Ghazvini to discuss licensing, the licensing objectives and the night time economy challenges in general, I also expressed by concerns to Mr Narll that my colleague PC4040 Pulsford had also raised. PC4040 Pulsford was still waiting for Mr Narll to provide the required CCTV footage in relation to the criminal investigation dating back to Saturday 7th July 2019.

Mr Narll assured me that the technical issues would be resolved and that the required CCTV evidence supplied within days. At the time of the meeting, I did not mention to Mr Narll, that I was aware that the suspect for the alleged assault was the partner of the DJ who performed at the premise.

During this meeting, I was also informed by both Mr Narll and Mr Ghazvini, that Mr Ghazvini would be leaving the business in four weeks' time. Mr Narll stated that he would notify me as to who the new designated premise supervisor was, which he never did. Mr Narll said that he did have a replacement designated premise supervisor in mind but as they wanted extra money for the role, he was in negotiation.

During the same meeting the subject of under 18's was discussed. Mr Narll initially said that five or six under 18's events had been held at the premise in the last year. However, on informing of his licence condition preventing persons under 18 from being admitted to the premise, Mr Narll's account immediately changed to him saying that the events had either been cancelled or that no one had attended. Mr Narll then attempted to distract me and move away from the subject by telling how the events were a scam by a promotor and that he was considering taking legal action against them.

Despite Mr Narll's admission but then subsequent denial, as there was no physical evidence that these events had occurred other than what was advertised on social media, Mr Narll was given a verbal warning about holding such future events.

Saturday 26th October 2019

Mr Ghazvini the designated premise supervisor phoned me after I had left him an earlier voicemail message, stating that he had since left the business. Mr Ghazvini stated his last day at the premise was a few days after our meeting on Wednesday 14th August 2019. I clarified

Signature:

[Redacted Signature]

Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

the exact dates again with Mr Ghazvini said and he again confirmed the above. Mr Ghazvini stated that he was no longer involved in the business in any capacity and had not returned since the weekend of Friday 16th August 2019.

Therefore, the premise had been operating without an active designated premise supervisor from Friday 16th August 2019 to Saturday 26th October 2019.

On hearing about the above, I requested colleagues visit later that evening to conduct a licensing visit, however due to operational demands they were unable to action a visit. On the weekend, Leicestershire Police received a call from a member of public stating that he had been racially abused outside the suspected entrance of "Below" and that a doorman had witnessed the incident. However, as the victim did not wish to pursue that matter no further investigation occurred.

Saturday 2nd November 2019.

PC2179 Body and PC290 Cole attended the premise to complete a licensing check and to ensure that the door staff were Security Industry Authority (SIA) registered. The officers stated that there was confusion between door staff and staff as to who was in charge and that no one knew who the designated premise supervisor was for the premise.

On checking the premises CCTV system, it was noted that one of the systems was displaying a counter time which was one hour fast, whilst the other system was displaying the incorrect date and time.

Friday 8th November 2019.

During a pre-arranged meeting with Mr Narll. Mr Narll stated that "Quinton" was the new manager and was himself a personal licence holder. Mr Narll stated that he would be appointing "Quinton" as the new designated premise supervisor.

However, Mr Narll did not know "Quinton's" surname which I thought was odd. Mr Narll proceeded to state that he had submitted a change of designated premise supervisor form to Leicester City Council on Wednesday 6th November 2019. Mr Narll stated that he submitted the form "on line" which I thought was odd as surely he would require "Quinton's" surname for such form. Needless to say, as far as I am aware no such form was submitted.

Mr Narll also stated that the current designated premise supervisor Mr Ghazvini was last at the premise two weekends ago (thus the weekend of Friday 25th October 2019). I asked Mr Narll to clarify this and he stated the same. I did not challenge Mr Narll or inform him that Mr Ghazvini had told me on Saturday 26th October 2019, that he was last at the premise on the weekend of Friday 16th August 2019. It was perfectly clear that either Mr Ghazvini or Mr Narll was lying.

Several days after the above meeting I contacted Mr Murphy and stated that I required a meeting to discuss concerns at the premise, however as Mr Murphy was going abroad shortly for two weeks, the meeting was delayed until his return.

Tuesday 3rd December 2019.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

I received a voicemail message from Mr Ghazvini stating that he had been asked to stay on for a few more weeks as designated premise supervisor" and that he would be working a "few shifts" at the premise.

As a designated premise supervisor is the person who authorise the sale of alcohol and responsible for the day to day running of the business on behalf of the premise licence holder, I do not consider working a "few shifts" as sufficient to deliver the fundamental principles of licensing objectives in a busy late licence, night time economy premise.

Thursday 5th December 2019.

A meeting was held with Mr Murphy and Mr Narll at Mr Murphy's office. During the meeting I expressed my concerns about the suspected under 18's events held at the premise earlier in the year, suspected unlicensed Security Industry Authority door supervisors employed at the premise, no designated premise supervisor present at the premise for approximately two months, an inadequate CCTV system, criminal investigations being hindered either by the lack of or delays in providing CCTV and a lack of management/leadership at the premise.

Mr Murphy and Mr Narll agreed to appoint a new designated premise supervisor with immediate effect and install a new fit for purpose CCTV system. However, it was agreed that as Christmas was fast approaching it may take until the New Year to install given the cost and installation period.

Ms Malki aka "Anna" was appointed as the new designated premise supervisor later the same day.

Despite reservations about Ms Malki's appointment there were no lawful reasons to object to her appointment.

Wednesday 18th December 2019.

During a pre-arranged meeting at the premise along with Leicestershire Police's crime reduction officer, I again met and spoke with Mr Murphy, Mr Narll and Ms Malki.

The role and responsibility of the designated premise supervisor was discussed as well as the importance of the licensing objectives. I stressed the importance of a CCTV upgrade in order for the premise to fulfil its obligation to support the licensing objectives in order to prevent crime and disorder. But also as a condition on the premises licence stipulates, *"The licence holder will install, operate and maintain a CCTV system on the premise"*.

I also stressed the importance of providing the required CCTV evidence that PC1303 Moncur required in relation to the incident on Sunday 8th December 2019. Mr Narll agreed to supply the CCTV to PC1303 Moncur.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard

Sunday 22nd December 2019

PC451 Chabuz and PC1085 Standen informed me that they had attended the premise at 02:24 hours on the above date to complete a licensing visit. The officers stated that on speaking to door staff they were unaware who the designated premise supervisor was and sought a person who they believed was to be in charge of the premise but later transpired was just the sound engineer.

Again, the incident identified a clear lack of understanding between staff working at the premise as to who was in charge and managing the premise during its busiest time in the weekend night time economy.

Saturday 11th January 2020 @ 05:48 hours.

After reviewing weekend crime, I viewed Leicester City Council's CCTV footage of a fight on the junction of Berridge Street and Millstone Lane. A group exited the premise, argued before fighting in the street immediately outside the premise.

On reviewing the footage, I observed that door staff from the premise did not report the incident, nor did they approach the police officers who attended shortly later to investigate. This was despite some of the group returning and standing outside the premise when the police arrived. It is highly likely that the doorman would have witnessed the fight.

Saturday 25th January 2020 @ 06:36 hours.

A Security Industry Authority (SIA) door supervisor / doorman by the name of Mr Parminder Sahib employed by the premise reported to the police that he had been bitten by a female customer as she left the premise. Mr Sahib did not wish to pursue a complaint and no further investigation was conducted.

On reviewing Leicester City Council's CCTV in regards to the allegation, the assault was not captured despite the relevant camera's facing towards both entrances. Therefore, I can only assume that the incident must have happened inside the premise. However, as I viewed the footage I observed at least three customers exit the premise still drinking in what I suspect to be glass bottles and loiter in the street for a period of time.

Monday 10th February 2020.

Mr Murphy left me a voicemail message stating that the new CCTV system had been installed, with the exception of one camera that was being installed shortly. Mr Murphy stated that the system would be available to inspect next week.

Friday 14th February 2020 @ 22:13 hours.

Whilst on patrol in the city centre as part of my night economy duties, I observed a male previously known to me as Mr Peter Finch, working at the premise.

Between 22:13 and 22:16 hours, I observed Mr Finch stood in the entrance of "Anonymous". Mr Finch was stood in the entrance, next to a doorman who I also know to be Mr Parminder

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

Sahib. Mr Finch was both switching on the external lights to the premise but also fiddling with a gas burner display feature in the doorway. Given Mr Finch's actions and the way he engaged with the doorman Mr Sahib, it was clear that he was working at the premise in some capacity.

Mr Finch has previously come to my attention and that of the Security Industry Authority (SIA). Mr Finch is an ex SIA door supervisor after having his licence revoked as a result of a criminal conviction for a violent offence several years ago.

Mr Finch was also regularly seen working at a former licensed premise known as The Yellow Door on Belvoir Street, Leicester, despite the owners and managements denials during a licensing committee hearing on Friday 16th August 2019. Following the hearing Mr Finch was seen multiple times visiting the premise and remaining on the premise after members of the public were permitted to do so.

The Yellow Door had its premise licence revoked by Leicester City Council in August 2019, after Leicestershire Police raised serious concerns about the sheer volume of incidents of crime and disorder linked to the premise, actions of its door supervisors, unlicensed door supervisors and the poor management at the premise.

As the premise appealed Leicester City Council's revocation decision, they were permitted to remain open but decided not to contest the decision the day before the scheduled court case on Tuesday 7th January 2020.

On Friday 14th February 2020, I also observed that between 22:13 and 22:16 hours, the door to "Below" was open and that no door staff or staff were present controlling access and egress. A female was seen stood on the pavement immediately outside the "Below" entrance drinking a bottle of Budweiser beer and smoking a cigarette. After a few minutes the same female went back into the premise.

Sunday 23rd February 2020 @ 06:18 hours.

I viewed Leicester City Council's CCTV footage of a fight in the street outside Anonymous, however police did not attend.

The footage shows a male stood in the road goading a group of people stood in the doorway of Anonymous, from a distance of at least fifteen metres. A second male is seen stood with his back to the wall by the front door and wearing a gold coloured mask. The type of mask is the premises logo but also represents V for Vendetta as in the film and that of Guy Fawkes. The mask has also become the symbol for the online hackiest group called Anonymous. Given the mask, it is possible that the male was a member of staff from the premise.

The second male is seen to approach the other male whilst taking off his large metal chain and swinging it around in the air and aiming it at the other male. The male trips over and the second male hits the male with the chain but also punches him before returning towards the entrance of the premise and standing next to a male who appears to be controlling access and egress from the premise. The second male proceeds to re-enter the premise.

The premise did not report this incident to the police.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

Leicester City Council CCTV exhibit CCS11486 is available to view.

Saturday 29th February 2020 @ 04:05 hours.

I viewed Leicester City Council's CCTV footage of a fight immediately outside the entrance of "Below". An unknown male is seen exiting the premise and standing with his arms out stretched in a gesturing manner. A second male exits the premise and fight erupts with a number of other males joining in. The fight spills out into the middle of Berridge Street.

The fighting stops but starts again a few metres from the entrance of "Below", as a doorman stands watching and does not intervene.

The premise did not report this incident to the police, despite it happening over several minutes.

In light of no complaints or allegations, no police investigation took place.

Leicester City Council CCTV exhibit CCS11485 is also available to view.

Saturday 29th February 2020 @ 05:06 hours.

I viewed Leicester City Council's CCTV footage of a fight immediately outside the entrance of "Below" involving two males. The doorman initially intervenes and the incident de-escalates. However, the two males return a short time later and start to fight again. During the incident one of the males picks up the metal barrier directly outside the front of the premise and holds it as though he is going to hit someone with it, however a member of the public prevents injury by taking it from him.

Mr Sahib and Mr Finch approach from the around the corner, thus from the direction of Anonymous and escort three males away from the premise. However, fighting breaks out again and again Mr Finch and another doorman attempt to separate the fighting parties. Once the situation has calmed, Mr Finch is seen stood next to an unknown female in the doorway of "Below" at which point he ushers her towards another doorman who the physically "man handles" the unknown female back into the premise.

The premise did not report this incident to the police despite the incident occurring over an eleven minute period.

In light of no complaints or allegations, no police investigation took place.

Leicester City Council CCTV exhibit CCS11485 is also available to view.

Sunday 1st March 2020 @ 03:17 hours.

I was contacted by several officers expressing their concerns about an incident they had attended earlier that morning at the premise as they suspected that a serious criminal offence had taken place inside the premise and that staff / door staff were denying knowledge of the incident, attempting to conceal the offence and therefore hindering a criminal investigation.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

I proceeded to view PS242 Forfar, PC11 Hannon, PC4551 Sturgess and PC4669 Dudman body worn video of the incident.

On viewing the footage, I can confirm that Mr Parminder Sahib is the doorman present who is assisting the two injured males at 03:18 hours. Mr Peter Finch is also later seen stood outside the premise and later seen getting into his motor vehicle and driving away with an unknown injured male in his front passenger seat.

On reviewing PC4551 Sturgess body worn video footage at 03:21 hours, Mr Sahib states that he is unaware of what has happened and has no knowledge of the incident. Mr Sahib is not forthcoming with any information to assist the attending officers.

At 03:22 hours, Mr Sahib states "that no one inside the premise is injured as far as he is aware" but later says at 03:22:21 hours, "We've got no one inside that's been hurt". Mr Sahib proceeds to state "We were just helping them out, by giving bottles of water". Again at 03:24:56 hours, Mr Sahib states that he did not see anything.

On reviewing PC4669 Dudman's and PC11 Hannon's body worn video footage, I can confirm the driver of the vehicle at 03:28 hours is Mr Finch. Mr Sahib is also seen to escort Mr Finch towards his motor vehicle prior to the officers approaching the car as it starts to drive off but is held in traffic. I suspect that if it was not for the traffic delaying Mr Finch's departure, the attending officers would not have had the opportunity to have approached him. Nor did Mr Finch approach the officers.

On reviewing PC11 Hannon's body worn video footage, Mr Finch states at 03:28:50 hours that he is taking the injured male in the front seat passenger seat to the hospital and that he did not know what has happened.

Tuesday 3rd March 2020

At 5pm I had agreed to meet Mr Narll at the premise to inspect the newly installed CCTV system. Mr Narll was not aware that I was also going to ask to view the footage from Sunday 1st March 2020. However, in light of events involving E-ON and Western Power earlier that day, did Mr Narll contact me thirty minutes prior to our scheduled meeting stating that he would have to re-arrange our meeting due a "few problems today". Mr Narll did not expand or clarify as to the nature of the "few problems". Mr Narll requested that the meeting be re-scheduled until the following week.

Wednesday 11th March 2020.

On Wednesday 11th March 2020, I contacted Mr Narll, Mr Murphy and Ms Malki about collecting CCTV footage from the premise in light of two incidents on Sunday 1st March 2020 but also a further assault allegation on Saturday 7th March 2020. The relevant times were specified. The importance of providing the CCTV in order to fulfil its licensing obligations was emphasised.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

Ms Malki replied later that day saying that she had been ill and had not been at work over the last three weeks, however Mr Narll would assist me with the CCTV enquiry. I suspected Ms Malki was distancing herself from any criticism or failings to support the licensing objectives.

Despite a text message exchange with Mr Narll agreeing to meet at the premise on Wednesday 18th March 2020, to view the new CCTV system. However, no sooner did I request the premises CCTV footage in relation to the two criminal investigating relating to Sunday 1st March and Saturday 7th March 2020, did Mr Narll suddenly stop communicating and failed to respond thereafter.

It my opinion that Mr Narll was deliberately evading my request to provide CCTV relating to several criminal investigations related to the premise.

Friday 13th March 2020 @ 23:36 hours.

I attended the premise along with SPC5129 Pemberton in order to carry out a licensing inspection. As I entered the premise I activated my person issue body worn camera number E9945. I later uploaded this footage up onto secure police database and can produce it as exhibit JJP01 if required.

On entry at 23:36 hours, there were four or five customers stood outside the front of the "Below" entrance and as we entered a further two customers exited. A doorman was sat in the foyer. We proceeded to go down the first flight of stairs towards the landing area where the internal door links both floors, thus the two clubs. The door was closed and locked. I attempted to open the door and used moderate force but the door was locked. The door has a chrome coloured metal push button key code, so without the code I was unable to open the door.

SPC5129 Pemberton and I proceeded down the stairs and into the sub-basement known as "Below". There were several customers inside. It was at this point a male approached and asked if we would like to see the manager. We proceeded to follow the male back upstairs and it was at this point we were meet on the stairs by Mr Finch. Mr Finch unlocked the door in our presence and we were able to go into the Anonymous part of the premise and into the office located behind the DJ booth.

Mr Finch stated that he was the manager and was responsible for both venues. Mr Finch stated that he had been the manager for six to seven weeks.

On speaking with Mr Finch, he stated he was unsure if Anna Malki or Jagdeep Narll was the designated premise supervisor was. This again confirmed the existing of a lack of understanding between the management as to their licensing responsibilities.

Mr Finch was made aware of the requirement for the link door to be unlocked at all times that the premise was open to the public as it is required as a fire exit. Mr Finch stated he was unaware of this and would ensure that the door was unlocked in future.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

As I spoke with Mr Finch I could see the CCTV monitors. There appeared to be no improvement in either the quality or quantity of cameras, despite Mr Murphy and Mr Narll stating that there had been a CCTV upgrade. This confirms the management's lack of commitment to supporting the licensing objectives.

I suspect cost implications and unwillingness to co-operate with criminal investigations to part of the reason for this failing to deliver what they agreed and what was expected of them in order to promote the licensing objectives.

Mr Finch was also informed of the relevant times and cameras I required in relation to Sunday 1st March 2020 and Saturday 7th March 2020. The importance of providing the CCTV in order to fulfil its licensing obligations was emphasised.

Saturday 14th March 2020 @ 05:58 hours. Public Disorder

At 06:01 hours a member of the public called the police reporting eight persons fighting in the street. Police attend approximately ten minutes later, but the group had dispersed. As no complaints not formal investigation commenced.

However, in the light of the incident and its proximity to the premise, I viewed Leicester City Council's CCTV.

The CCTV footage consists of two cameras. Camera 79 that is facing towards Millstone Lane/ Berridge Street and camera 254 on Berridge Street facing towards Millstone Lane and Pocklingtons Walk.

At 05:58 hours, customers start to exit Anonymous and loiter in the street. At 05:59 hours a group start to fight in the street on the junction of Millstone Lane / Pocklington's Walk and Berridge Street. The fight then spills towards the entrance of "Below" on Berridge Street before the group start to disperse from 06:04 hours.

As far as I am aware, no one from the premise reported the incident, despite part of the fight happening in the doorway of "Below" whilst the premise was open to the public.

Leicester City Council CCTV exhibit CCS11543 is available if required.

Wednesday 18th March 2020.

On Wednesday 18th March 2020, the new manager Mr Finch called me and re-arranged the meeting for later that day. Mr Finch stated that he had not heard from Mr Narll but that an engineer would also be attending the premise that afternoon to assist with downloading the required CCTV footage.

However, on my arrival only Mr Finch was present. Mr Finch stated he did not know how to operate the CCTV system. Mr Finch telephoned Mr Narll in my presence and I spoke with Mr Narll and stressed the importance of providing the required CCTV and stressed my serious concerns about the delay in being provided with the requested CCTV in regards to criminal

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

and licensing matters. Mr Narll stated that the relevant CCTV footage would be supplied to me by 10am the following day, thus Thursday 19th March 2020.

Mr Finch also insisted that he would get the engineer to download the required footage onto a memory stick, to prevent the footage from being overwritten.

On speaking with Mr Finch in person on Wednesday 18th March 2020, he made no reference to the incident on Saturday 1st March 2020, for which the CCTV was being sought, despite me knowing that he was present. Mr Finch was also evasive when asked questions about the abstracting electricity incident.

Whilst at the premise on Wednesday 18th March 2020, I inspected the alleged upgraded CCTV system that had been agreed by all parties in December 2019. It was clear that only the bare minimum upgrade had been completed. Only one new camera had been installed and as far as I could establish the camera was of little evidential value due to its positioning above the entrance to "Below". However due to the camera's position and the canopy the camera simply shows the top of people's head's and is of very little evidential value to the police or other responsible authorities.

I was also further alarmed as a primary external camera facing the entrance of Anonymous was not functioning. As this camera covers the key, high risk, flash point of any licensed premise, I found the fact that it was not operational very disturbing and not supportive of the licensing objectives.

Again, it shows the lack of commitment of the management towards supporting the licensing objectives. It is also worth noting that this camera would have been pivotal in the investigation into the incident on Sunday 1st March 2020 and Saturday 7th March 2020. I can only speculate as to what reasons why a premise would not have an operational CCTV camera in this position.

Mr Finch also stated that a new security company called "Stallion Security" were now being deployed at the premise. Mr Finch stated that the owner of the company was Mr Parminder Sahib. Given Mr Sahib's presence during the incident on Sunday 1st March 2020, I have my doubts as to his integrity.

Thursday 19th March 2020.

Mr Finch telephoned and stated that due to technical issues the footage for Sunday 1st March 2020 and Saturday 7th March 2020, would now not be available until at least Saturday 21st March 2020. It was only at this point did Mr Finch admitted that incident on Sunday 1st March 2020, happened inside the premise and would have been captured on the premises CCTV. However, he stated he did not see anything. Nor did Mr Finch disclose anything further about the incident, despite knowing that he had transported an injured male to hospital in his car.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard

Friday 20th March 2020.

At approximately 5pm, the Prime Minister announced to the media that in light of the corona virus (Covid-19) escalation that licensed premises including pubs, bars and nightclubs should close by midnight on Friday night. This extraordinary step was taken to prevent the further spread of the coronavirus in order to protect public health, protect the National Health Services (NHS) but ultimately to save lives.

Given the severity and extraordinary events, the news spread quickly across social media and traditional media broadcasters.

Despite the above, Below and Anonymous remained open until the early hours of Saturday 21st March 2020, therefore putting the public health at risk.

Below closed to the public between 03:45 and 04:01 hours on Saturday 21st March 2020. I suspect the person present at 03:50 hours wearing the red coloured coat to be Ms Malki.

Whilst Anonymous closed to the public between 05:15 and 05:30 hours on Saturday 21st March 2020. Mr Finch is seen to leave the premise in his motor vehicle at approximately 05:30 hours.

However, please note that the change in legislation, meant the Public Health, England – The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, did not legally take effect until 2pm on Saturday 21st March 2020.

Leicester City Council's CCTV exhibit CCS11586A & CCS11586B is available to view.

Sunday 5th April 2020.

Despite multiple requests both in person, on the telephone and via email to all the relevant persons responsible at the premise, the premise has failed to deliver the required evidential CCTV footage.

Therefore, given the length of time which has now passed since this incidents, I can only be assumed the footage has now been lost and/or overwritten.

As a result of this, several serious assault allegations and public disorder incidents which allegedly occurred at the premise on Sunday 1st March 2020 and Saturday 7th March 2020, now cannot be fully investigated. As the premises CCTV footage would act as the primary source of evidence, without this means that there are now no further lines of enquiry available.

The premise has continually failed to support the police with criminal investigations and continually failed to deliver on their responsibility to support and promote the licensing objectives.

This is clear evidence that the premises management is deliberately obstructing the police and preventing criminal allegations from being investigated.

As of Sunday 5th April 2020, no one from the premise has contacted myself to discuss the above, despite having my works email address and telephone number and despite previously communicating with me on these.

Signature:



Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard

Monday 6th April 2020.

Mr Finch has contacted me via SMS text message stating this old phone was stolen. Mr Finch stated that he was aware that the premises licence is under review and is implementing some improvements which he feels would assist them in the review process.

On checking Leicestershire Police's recording systems including Genie and Niche, Mr Finch has not reported his phone stolen to date to Leicestershire Police. Or if he has, it is not recorded anywhere.

Mr Finch has since sent a further SMS text message on Tuesday 6th April 2020, stating that he is attempting to source the required CCTV footage from Sunday 1st March 2020 and Saturday 7th March 2020. Mr Finch states that he is willing to cooperate, however due to the current "lock down" it is currently preventing him at present.

In light of the current 'Coronavirus' (Covid-19) public health emergency, limitations to the public's freedom of movement was not announced to the nation / come into effect until the evening of Monday 23rd March 2020, when the Prime Minister addressed the nation. Again, I consider this to be yet another delay excuse given the length of time since the footage was requested.

In Mr Finch's SMS text message it refers to the incident on Sunday 1st March 2020. It states, *"I recall speaking to officers on the evening where I escorted a guy away in my car, I pulled over and spoke with 2 officers on this night."*

However, I disagree with Mr Finch's account of events in relation to Sunday 1st March 2020. On reviewing the attending officers body worn camera footage and evidential statements, Mr Finch and the injured unknown male got into his car and did not approach the police officers stood nearby. It was only the stationary traffic on Millstone Lane / Horsefair Street at that time which prevented Mr Finch from driving off. It was this delay that permitted the attending police officers time to approach and speak to the occupants. Therefore, Mr Finch's account of events is factually incorrect.

Since the review application was submitted, I have become aware of another social media post suggesting that an under 18's event was held at the premise on Friday 20th December 2019.

As the premise has previously been suspected to have breached its premise licence by hosting similar events in 2019 and after warning all the relevant responsible persons connected to the premise on Wednesday 14th August 2019, Thursday 5th December 2019 and on Wednesday 18th December 2019, raises significant concern.

I admit there is no conclusive evidence that the event did indeed occur, however it is worth asking the question why a promotor would actively promote an event and damage their reputation for an event that did not take place, so why promote it?

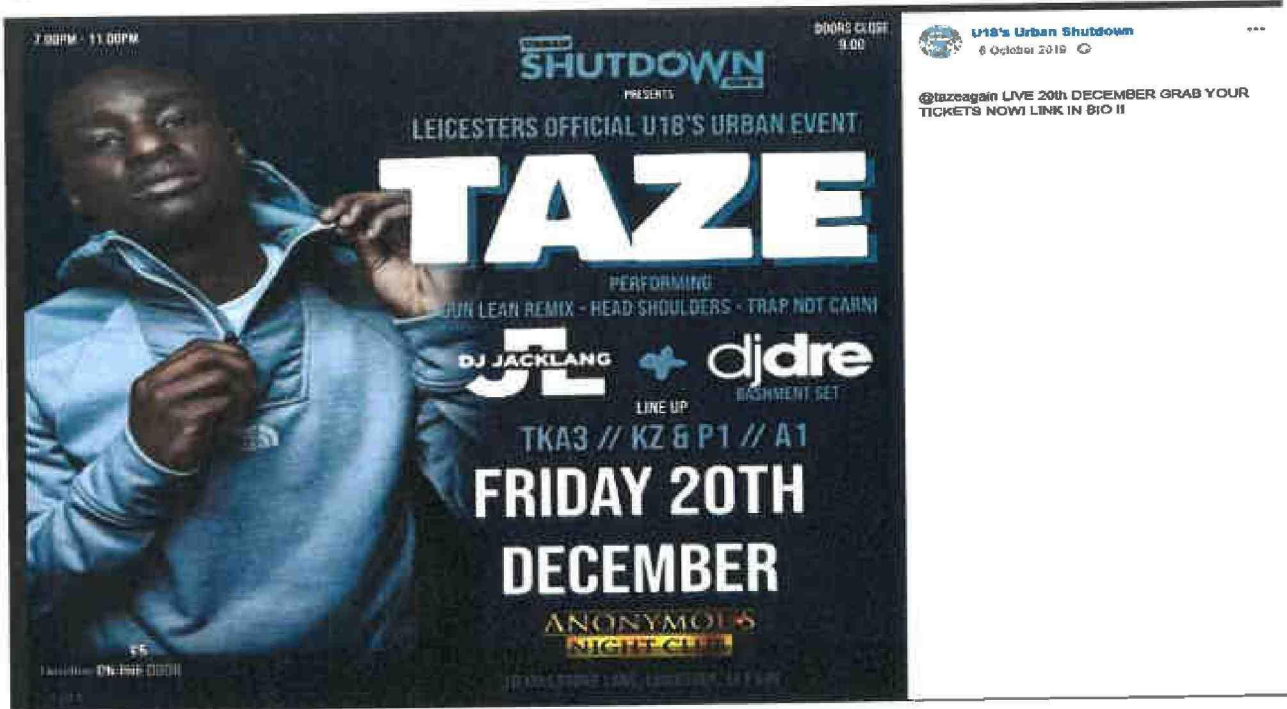
Please see the "Urban Shutdown's" social media post below scheduled for Friday 20th December 2020 between 7pm-11pm at Anonymous.

Signature:



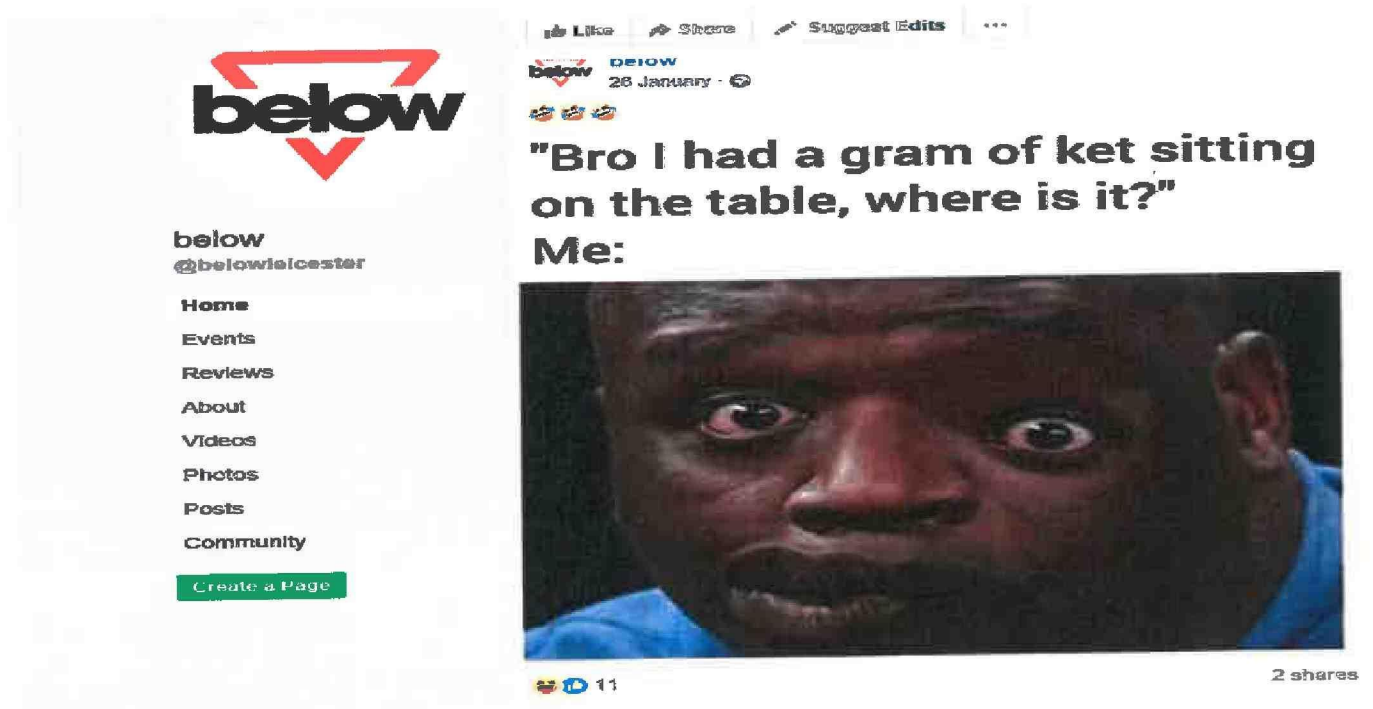
Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,



(See Exhibit JJP04)

Since Mr Finch became the new manager of both premises at the end of January 2020, two social media pictures / posts have been posted on Below's own Facebook account.



(See Exhibit JJP05)

Signature:

[Redacted Signature]

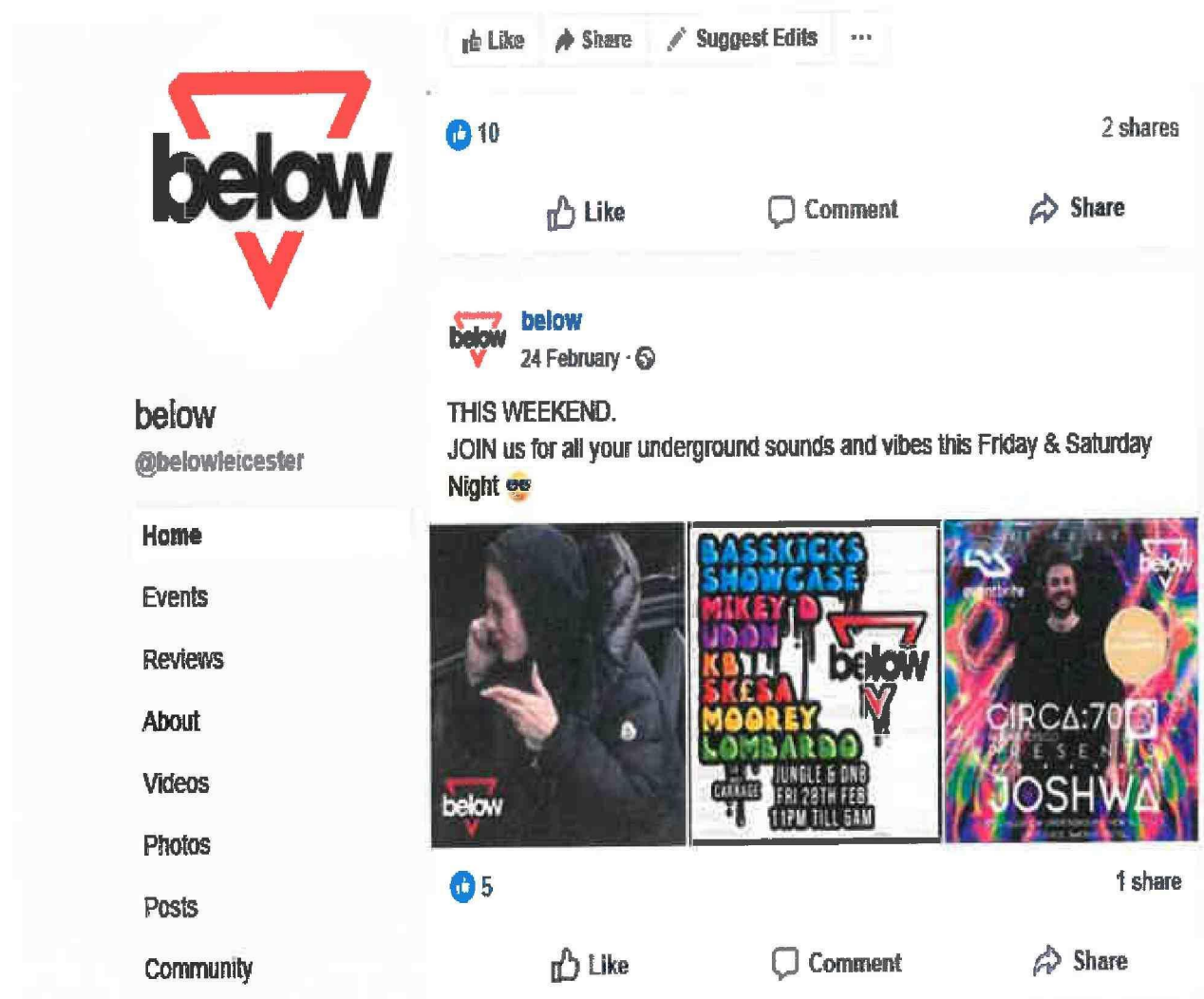
Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

"Ket" or K is the street name for "Ketamine" which is a class B controlled drug. Ketamine is popular within the dance club scene and can induces a trance like state. The drug can boost energy levels, cause hallucinations and an "out of body experiences. However, the drug can result in memory loss and other serious health implications.

The fact that "Below" has also attached "laughing emoji's" would suggest that the premise is either encouraging such activity or mocking the serious health risks associated with the illegal drug. Either way the post is not supportive of the licensing objectives in terms of the prevention of crime and disorder and public safety.

Another post was posted on "Below's" Facebook account on Monday 24th February 2020.



(See Exhibit JJP06A)

Signature:

[Redacted Signature]

Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard



(See Exhibit JJP06B)

Admittedly exhibit JJP06A / JJP06B is open to interpretation. It could be interpreted as a person using a mobile phone or as someone snorting illegal drugs off their hand.

Another concerning "Below" Facebook posts was posted on 12th October 2019.



Signature:

[Redacted Signature]

Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

(See Exhibit JJP07 above)

Admittedly exhibit JJP07 is open to interpretation. However, its context and similarity to the yellow coloured smiley face which acted as the symbol for the acid house generation in uncanny.



(See Exhibit JJP08) – Dated posted 22nd September 2019.

Exhibit JJP08 involves the premise actively encouraging drug use and the post speaks for itself.

Exhibit JJP08 is still available to view on social media.

However, the most concerning and blatant post was uploaded onto "Below's" Facebook account on Sunday 12th January 2019.

The post received 13 likes.

Signature:

[Redacted Signature]

Signature witnessed by:

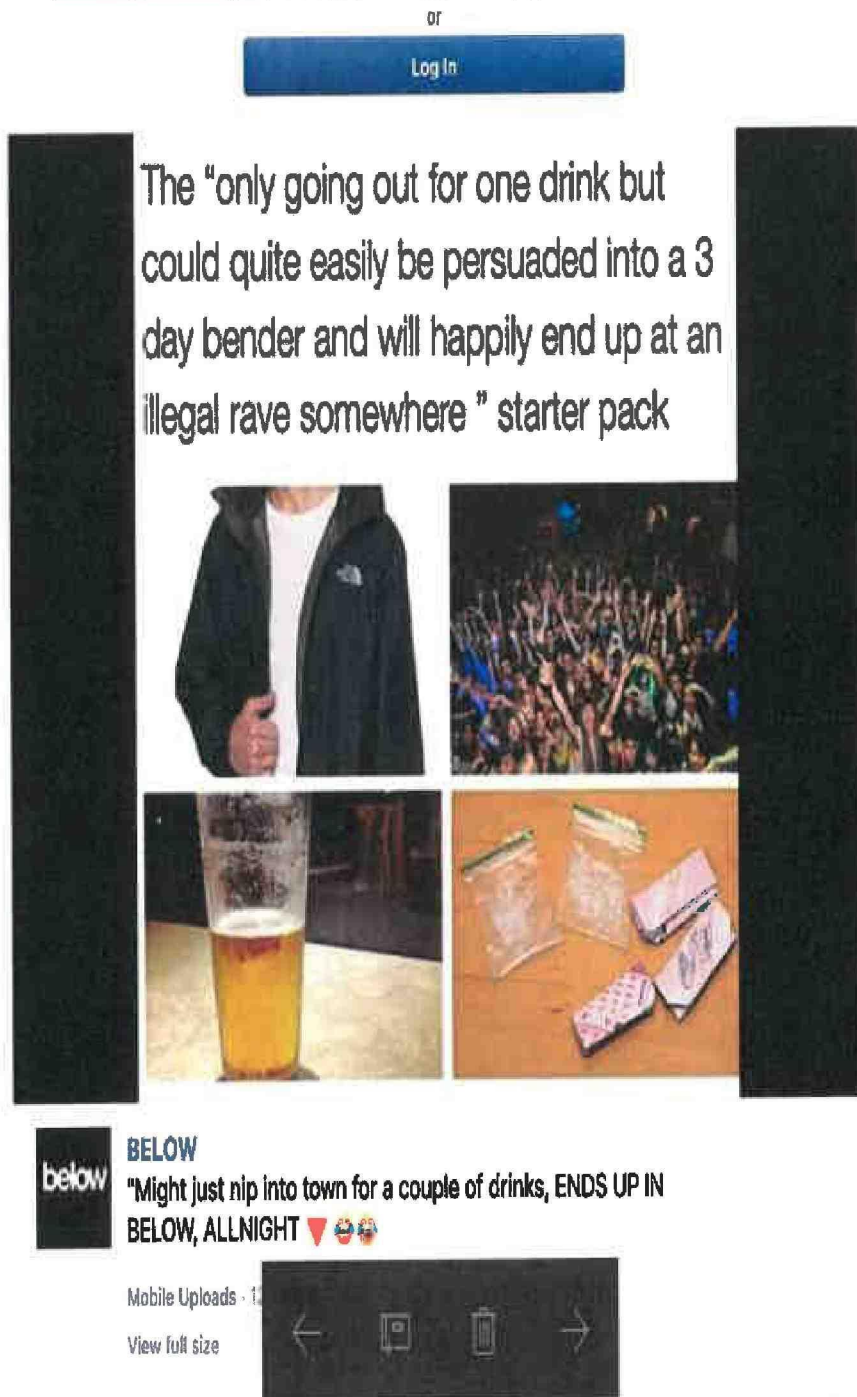
Continuation of Statement of: PC2093 Jefferson Pritchard ,

The post is still available to view on their Facebook account as Tuesday 7th April 2020.

Given the posts content and comments raises significant concern about the premise encouraging criminal activity and failing to promote the licensing objectives.

I believe the post speaks for its self.

See exhibit JJP09A & JJP09B below.



Signature:

Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard .

(See Exhibit JJP09A)



(See Exhibit JJP09B)

Signature:

[Redacted Signature]

Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

As of Saturday 18th April 2020, the premise have still not provide the previously requested CCTV for Sunday 1st March 2020 and Saturday 7th March 2020.

As a result of the twenty one pages of evidence above, I believe the premise and its management are failing to promote all four of the licensing objectives including:

- (1) The prevention of crime and disorder.
- (2) Public Safety.
- (3) Public Nuisance.
- (4) The protection of children from harm.

Signature:



Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

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Statement of: Anna PULSFORD

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

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: AMP 4040 Date 4/3/2020

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

I am DC 4040 Anna Pulsford of Leicestershire Police, currently based in the SIGNAL team at Keyham Lane Police Station, Leicester. Prior to being based there I was on the Neighbourhood Investigation Unit at Euston Street police station.

In both roles I have had cause to contact a male I know to be Jagdeep NARLE [REDACTED] in his capacity of manager/owner of the licensed premises called "BELOW" or "ANONYMOUS" on Millstone Lane, Leicester.

The first matter, in July 2019, involved an allegation of a female victim being attacked on the dancefloor with a glass bottle causing a nasty laceration to her eyebrow requiring hospital treatment and 5 stitches.

The second matter, in January 2020, related to a 15 year old female who had been sexually assaulted in the male toilets inside the club.

Both cases relied heavily on the assistance of the CCTV at the location.

In both instances I have found NARLE difficult to manage and access. He appears very cooperative and helpful on the face of it but to actually get his help and actual evidence is incredibly difficult.

All my efforts to obtain the CCTV in both cases have been logged on evidence logs on our crime report system.

In relation to the July 2019 case here is a paraphrased summary of my enquiries;

29/7/19- called Jagdeep who has said he will have a look for me and asked me to call back to arrange collection or viewing. I also texted him the details of the CCTV I required to he had a written record of what was needed

31/7/19- called Jagdeep who states he will download the footage and get it to me. Told him I would call him to arrange collecting the CCTV.

6/8/19- spoke to Jagdeep who states they have had problems unlocking the system but should be ready on 8/8/19.

8/8/19- Jagdeep not answering his phone

9/8/19 (Friday night) - colleague who was on city enquires was tasked with making enquiries on my behalf. Jagdeep claimed his CCTV operator was very ill and unable to assist but then stated he would get the same person to come into work and then call me when he was there.

Later the same day I asked another colleague to visit the club during opening hours (on a night shift). That colleague was told the CCTV operator was not on site until Monday.

Jagdeep has then called me to explain why the CCTV has not been provided yet. At this point I have advised him that I am used to having more prompt support from licensed premises and I would be advising the police Licensing Officer PC 2093 Pritchard about the lack of cooperation. Jagdeep advised me he would be seeing PC Pritchard on 14/8/19 and would provide my CCTV to him on that day.

14/8/19- no CCTV provided

20/8/19- email sent to Jagdeep expressing the importance of the CCTV to my enquiry and that time was running out and that I expected a reply within the following 48 hours.

21/8/19- I spoke to Jagdeep who stated he had viewed the footage and there was nothing relevant on it. I explained I would want to view it for myself and he agreed to meet me at 8pm the next day. I told him I would call him at 7pm to confirm.

22/8/19- called Jagdeep at 7pm and he had "forgotten". I challenged him about avoiding me and how unhappy I was with him. He suggested meeting at location at 10am on 26/8/19

26/8/19- called Jagdeep twice but no reply. Sent him an email requesting contact before the end of my shift that day. I also made a point of including PC Pritchard in the email so Jagdeep could see he had received it too

27/8/19- Jagdeep replied by email to say he would hopefully have the CCTV for me in the next 2 days. I replied to provide my duty times on that date and could he attend the station with it. However, he didn't reply or attend

It then went on annual leave and my Sgt 1192 Kevin Hames made contact with Jagdeep on my behalf in the interim but still no CCTV was forthcoming despite the intervention of a higher

I returned to work on the 17/9/19 and there was still no sign of any CCTV. I had to concede that the CCTV I needed was never going to be supplied and unfortunately the case had to be closed at that point because of that.

I ensured PC Pritchard was fully aware of the circumstances.

There was also a concern that a member of door staff which the victim had named and helped her on the night was not registered with the Security Industry Authority (SIA) scheme and nor was he suitable to be in that role.

When I was allocated the incident in January 2020 and realised it was at the same location, I can honestly say my heart sank. Having experienced all that effort with no result in July and August 2019, I knew it was going to make my job much more difficult.

Needless to say I have experienced the same problems and difficulty this time around. It is similar to having to deal with a child. I have to "tell" rather than "ask" Jagdeep what I require. I then feel he needs to be given written instructions to back up what is needed ie an email or a text. Even then the promised product never materialises.

I met Jagdeep at the premises on 30th January 2020 with the intention of collecting CCTV but, as anticipated, there was none forthcoming. In fact he seemed more concerned about showing me his premises and how it is organised and managed. It was as though he had concerns about his licence and the fact that a group of 15 year old girls had got into his club and not been spotted or ID checked.

In relation to the entry to the club, the witnesses stated they walked straight into the club without being challenged or searched. They then were able to drink a bottle of vodka in the toilets without being seen or challenged. One of the group was then in the female toilets for several hours being unwell and looked after by friends without any intervention from staff.

On the 5/2/2020 I insisted Jagdeep brought me the CCTV at Mansfield House station and this was non- negotiable. He attended with a USB stick of 6 hours of footage from the date I asked for.

However, I am not convinced the footage is dated correctly as the activity I expected to see on there is not present. As I have not been able to see the recording equipment I cannot check the basics of whether the date and time are set correctly. Due to his pattern of behaviour and lack of reliability, I have no faith or trust that Jagdeep's CCTV will be set up correctly in the first

place.

RESTRICTED (when complete)

MG11

I have been a police officer for over 21 years, much of which has been city centre based, and have investigated innumerable crimes.

I can honestly say I have never had so much difficulty with liaising with a licenced premises. Other licensees will oblige and see you as soon as possible, within the constraints of their peak times and opening hours and ability to operate the equipment etc.

This has not been the case with Jagdeep NARLE and I hope I don't have to investigate any other incidents at the location in the near future due to the obstructive and difficult approach I have encountered as documented above.

Signature:..... Signature witnessed

by:.....

Signature:.....Signature witnessed
by:.....

Signature:..... Signature witnessed
by:.....

Witness contact details

Home address:..... Postcode:.....

Home telephone No:..... Work telephone No:.....

Mobile/Pager No:..... E-mail address:.....

Preferred means of contact (*specify details*):

Best time of contact (*specify details*):

Male / Female Date and place of birth:

DATES OF WITNESS NON-AVAILABILITY:

Witness care

- a) Is the witness willing to attend court? Yes ☐ No ☐ If 'No', include reason(s) on form **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes ☐ No ☐ If 'Yes' submit **MG2** with file.
- d) Does the witness have any particular needs? Yes ☐ No ☐ If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)
.....

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes ☐ No ☐
- b) I have been given the Victim Personal Statement leaflet Yes ☐ No ☐
- c) I have been given the leaflet "Giving a witness statement to the police – what happens next?" Yes ☐ No ☐
- d) I consent to police having access to my medical record(s) in relation to this matter (*obtained in accordance with local practice*) Yes ☐ No ☐ N/A ☐
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes ☐ No ☐ N/A ☐
- e) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA: Yes ☐ No ☐
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services: ☐

Signature of witness:..... PRINT NAME:.....

Signature of parent/guardian/appropriate adult:..... PRINT NAME:.....

Address and telephone number if different from above:.....

Statement taken by (*print name*):..... Station:.....

Time and place statement taken:

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of: **KATHERINE MONCUR**

Age if under 18 Over 18 (if over 18 insert 'over 18') 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 **KATHERINE MONCUR**

Date 09/03/2020 16:05

Tick if witness evidence is visually recorded ☐ (supply witness details on MG11b)

I am PC 1303 MONCUR of Leicestershire Police and I am completing this statement in relation to my experiences with BELOW, BERRIDGE STREET, LEICESTER due to me being the Officer in the Case for a reported assault at the premises 08/12/2019.

Victim sustained significant injuries including a fractured nose and dislodged septum. The two suspects for the report have been charged following a not guilty interview. It has been disclosed that both suspects were employed by BELOW and received payment from BELOW for the night of the assault.

It has also been reported that security did not take action against the suspects due to them being employees and that the victim was removed from the premise rather than the suspect.

Upon police attendance victim reports both suspects being present and taunting victim from outside the entrance of the premise. When police attempted arrest attempts they were informed that the suspects were not present which the victim disputes.

Victim reports that this assault took place in front of a CCTV camera and visibility was good. I have documented the below unsuccessful attempts at obtaining this footage.

- I have attempted to make contact but this number went straight to voicemail. I have left a voicemail with my details requesting contact 10/12/2019

- I rang NARL again who said he heard of this incident but stated that no one was aware of it at the time and that the two females had resolved the situation. I explained to NARL that from the information received the victim was carried out by door staff and as such I am surprised that they cannot recall it. I explained to NARL that the incident reportedly occurred within a quiet room with CCTV cameras and I would need to review this

Signature:



Signature witnessed by:

82

footage. NARL requested I put the details on an email and send it to him on [REDACTED] I have done this. 11/12/2019

-I have received no response from my email. I was chase this tomorrow. 12/12/2019

-I have made contact with JAGDEEP and chased this CCTV review. JAGDEEP stated that he was attending BELOW this evening and would email me once this had been completed. 13/12/2019

-I have still not had a response from JAGDEEP in relation to CCTV. I have chased this and he states that he will review it Monday. I have explained the seriousness of this incident and the importance of obtaining this footage. JAGDEEP stated that he was currently ill but that he would do it tomorrow. I have requested an update via email. 14/12/2019

-I have contacted NARLE again who states that the incident cannot be seen and the footage is blurry. 20/12/2019

-I have had no response from my messages. I have left a further voicemail and SMS with my details requesting contact. 20/12/2019

-I have attempted to make contact with NARLE but the number went straight to voicemail. I have left a voicemail with my details requesting contact. I have sent a chaser email with my details requesting contact. 20/12/2019

I have never received a response to a voicemail or an email. NARLE was uncooperative on the phone and I do not believe he ever viewed the footage as victim states the incident occurred in an empty room with good visibility underneath a CCTV camera. I believe NARL was purposefully uncooperative in order to disguise his staffs action, security actions and the reputation of the premises. Whilst NARLE stated I could view the footage myself he never answered my attempts at communication to allow me to arrange a time to do so.

Signature: [REDACTED]

Signature witnessed by:

Signature:	#3301303 MONCUR, K.	Signature witnessed by:	
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WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of: **Mark williamson**

Age if under 18 over (if over 18 insert 'over 18') Occupation: PCSO

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 in it, anything which I know to be false, or do not believe to be true.

Signature

Date 18/03/2020

Tick if witness evidence is visually recorded ☒ (supply witness details on MG11b)

I am Mark WILLIAMSON and I am PCSO employed by Leicestershire police based at Mansfield house police station 74 Belgrave gate Leicester LE1 3GG .

Further to my statement I made on 03/03/2020 I am producing my body camera as evidence and I will produce it in court if needed and marked MTW 1.

Signature:



Signature witnessed by:

Signature:

#3306179 WILLIAMSON, M.

Signature witnessed by:

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

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Statement of: **MARK WILLIAMSON**

Age if under 18 OVER 18 (if over 18 insert 'over 18') Occupation: PCSO

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 **MARK WILLIAMSON**

Date 3.3.2020

Tick if witness evidence is visually recorded ☐ (supply witness details on MG11b)

I am Mark Williamson and I am PCSO 6179 employed by Leicestershire police based at Mansfield police station 74 Belgrave gate Leicester IE1 3GG.

On Tuesday 03/03/2020 I was on duty when I got a radio communication from Leicestershire control room at 11:02 stating that 3 males were breaking into ANONYMOUS NIGHTCLUB, MILLSTONE LANE, LEICESTER. I heard PC 4546 ELLIOT called up for the job at the same time, I started to make my way and met up with PC 4546 outside ANONYMOUS when we came across a locksmith and 2 western power employees with a warrant to enter the premises. The control room were notified when I was shown some identification. 2 cleaners were already in the premises prior to our arrival and then made themselves known once myself and 4546 were on scene, both persons were asked for identification to which they could not provide ID for being a cleaner however they had other identification not in relation to being cleaners the names of these males were collected and are GLOVANNI DE PACE [REDACTED] and DOUGLAS CRANSTON [REDACTED] PC 4546 checked both the males through police systems and were not currently outstanding or wanted for any offences. It is unknown if these males were genuinely in the premises for cleaning purposes this could not be established at scene. DE PACE was downstairs and I was asked by a member of western power if I could check on his co-worker as he was downstairs by himself. DE PACE was asked to come upstairs to which he did and I believe I heard somebody else downstairs in the nightclub so I put my bodycam on and searched the area there was nobody else down there but I did find nitrous oxide canisters. The canisters were in every room and toilets there was also wrap bags which I believe were used

Signature:

85

Signature witnessed by:

to store drugs. All rooms and floors in ANONYMOUS which is connected to BELOW night club via a stair case had canisters and burst balloons of which I could say were approx. 100 of each.

Signature: 

Signature witnessed by:

Signature:

Signature witnessed by:

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

41

Statement of: **MATTHEW CRAIG**

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant 4112

This statement (consisting of 3 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 **MATTHEW CRAIG**

Date 01/04/2020 00:06

Tick if witness evidence is visually recorded ☐ (supply witness details on MG11b)

Approximately 03.30hrs on Sunday 1st March 2020 I was on duty in full uniform. I was engaged on mobile patrol of the Leicester City Centre night time economy. I responded to a request for further officers to attend Millstone Lane, Leicester due to an ongoing disturbance at the location. As I arrived I located PS 242 FORFAR standing next to an orange car. The car drove off as I approached her. She informed me that a male passenger of the car was believed to have been involved in the disturbance and had sustained injuries for which he was going to take himself to the LRI. The male had refused his details to PS FORFAR. She further informed me that another involved male with a minor head injury was standing further down the road and I could see other officers speaking with a male. I can recall him having white skin and in his mid-30's. He had a bald head but I do not recall his clothing. PS FORFAR further informed me that it was believed the incident had occurred inside The Below Nightclub which is on Millstone Lane. As such PC 812 PHIPPS and I walked to the nightclub entrance on Millstone Lane. As I approached the entrance I could see two door staff standing by the door. Both appeared to have their SIA licences in display on their arms. I asked to speak to the designated premise supervisor. One of the door staff went into the club the find them. As he walked down the stairs I could see a male standing at the bottom with a mop, cleaning the steps and the floor at the bottom. I asked the door staff on his return what had happened. He claimed not to know but stated that he believed the incident to have occurred outside the club. A few moments later an Asian male with a black pony tail, who was approximately 5'00" in height. He stated to me that the designated premise supervisor was not present or available, however he was the manager on duty. I asked if he or his staff had seen the incident and he stated that he had not and was not aware an incident had occurred. I asked to see

Signature:



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Signature witnessed by:



his CCTV and he stated that he would go inside and take a look the CCTV. I then went back to PS FORFAR to see if there was any further information. I was informed that the bald male standing by the van had now left and he did not wish to make a complaint and was unwilling to provide his details. However it was believed the incident had occurred within the night club. I immediately returned to the night club and as I did I could see that the door staff were no longer present on the door. Patrons were free to come and go as they pleased. I stood by the door awaiting the door staffs return. This took several minutes and as such I entered the club. I made my way to the bar area of the first basement floor where I spoke to a member of staff who took me to the managers officer. On entering I spoke to the same manager who I had spoken to outside. He was sitting in front of the CCTV. He stated to me that he could not work it and nor could any other staff member present. I asked him why not and he stated he did not know how, despite having told me he intended to go and check the CCTV minutes earlier. I then asked who could review it and was told that there was someone who could get it to work, but they would be over an hour to get to the premise. As such I was left with no choice but to leave without the opportunity to review the CCTV. Prior to leaving I walked through the main floor of the club. There was no sign of a disturbance having occurred and no blood or broken glass that I would usually expect to see with the injuries that had been reported. With neither male who were previously present wishing to report and assault and no other evidence to conduct any further fast track enquires I was left with no opportunity but to come away from the club.

I am of the opinion as a professional investigator that the incident must have been witnessed by members of staff and at least by the door staff. The lack of information from those working at the club that night significantly frustrated the initial investigation and may have prevented the apprehension of those present if we were able to build a suspicion that they had been the aggressors in the incident. This was further hampered by the fact that I was unable to review the CCTV. Had I been able to immediately review the CCTV, I would have been able to quickly establish the level of offence that was present and investigate appropriately. The area where the incident had occurred, which I believe to be the main stairwell was being clean on my arrival and would suggest this was therefore occurring even before the police on scene had managed to calm the situation and were able to investigate the matter. Whilst I appreciate that club has a requirement to keep it clean for their clients, I would expect that the cleaning be done after consultation with the police. Particularly as I have later learnt the significant level of injury to the people involved. I am also concerned as to both door staff not being present for several minutes. I watched as patrons came to and from the club. This allowed a window of time, where had I not been there, anyone could have entered irrelevant of age or motive.

Signature:		Signature witnessed by:	
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To conclude the clubs actions and lack of information, particularly the lack of ability to review CCTV prevent frustrated any investigation and prevent the apprehension of any person who could have been captured as the offender. Furthermore the club was poorly staffed outside allowing entry to anyone.

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Signature witnessed by:

Signature:



Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

Statement of: Matthew James CRAIG

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Sergeant 4112

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


Date: 16/04/2020

On Sunday 12th January 2020 I was in duty in uniform. I was on general patrol in the city centre of Leicester with Police Constable 4680 HENNEY. Just after midnight we attended Below / Anonymous night club, Millstone Lane, Leicester to conduct a licencing check of the premise. On arrival I approached the Berridge Street entrance of the night club. This is one of two entrances with the other being on Millstone Lane. I was aware that the Millstone Lane entrance was also open having driven past it before attending the club. As I approached the door I would see a large male in his 30's with a red top and wearing a baseball cap. He was talking to patrons as he entered they entered. He did not appear to know the patrons, rather was welcoming them and it appeared to me as though he was acting as a member of staff or door supervisor. There were no other door supervisors on the door. I approached the male who initially spoke with me. However when I began asking him what his connection to the club was, he became very evasive and stated that he was not working, before disappearing back into the club. For the brief period I spoke with him, I could see he had pin hole pupils and was slightly unsteady on his feet. His eyes were slightly blood shot. These are indicators of drug and alcohol use. I could smell alcohol on him. I formulated the opinion that he was clearly intoxicated. PC HENNEY and I entered the club to locate the manager. We walked around both floors of the club. There were a small number of patrons on each. I could see bar staff behind the bar and asked to speak with the manager. The manager was not present and they called her to return. After a few minutes a female returned who I would describe as Asian in her 40's. Unfortunately due to time between attending and writing this statement I am unable to recall anything else about her description. However PC HENNEY did obtain her details. I spoke with the manager and asked to see her personal licence. She stated that she did not have a personal licence and confirmed that no other person on the premise had one either. I

Signature:

Signature witnessed by:

Continuation of Statement of: PC2093 Jefferson Pritchard ,

then asked the manager who the designated premises supervisor was and she stated she did not know. I explained that I would expect her to know as the manager but she stated that she did not. I asked to check the premises licence and the CCTV as part of my licencing check. The manager showed me the licence premise that was displayed on the wall behind the door furthest away from the entrance from the room. It was hanging in view and in order. I then checked the CCTV which was on and recording, all be it was not particularly good quality. PC HENNEY and I exited via the Millstone Lane door. As I exited I saw two black males, both dressed in black standing at the door next to each other. I was apparent they were both acting as door supervisors for the club. I spoke with one of the males who produced his SIA licence and explained to me that he was door staff for the club. The second male stood with him stated that he knew the first male but was not door staff and did not have an SIA licence. The second male did not appear to have been driving and did not appear to be a patron. As such I challenged him that I believed he was working as a member or door security but he continued to deny this. I asked the first male who was a door supervisor whether he was the only member on. He stated that he was and that another door supervisor was due to join him at 12.30. I pointed out to him that it had pasted 12.30 at the time I was speaking with him and he said he did not know where they were. I spoke with the manager again regarding there being no door supervision in the Berridge Road entrance. She stated there was and I took her to the door where there was no door supervisor present. As such she agreed to close this entrance until a door supervisor was present. We then left the premise. 

Signature:



Signature witnessed by:

MG11 WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9

Occurrence Number:		URN:	
Statement of:	FORFAR, ALICE		
Age:	Over 18	Occupation:	
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.			

On Sunday 1st March 2020 I was on duty in a marked police van assigned to the city centre night time economy, in company with PC 4551 Sturgess and PC 4669 Dudman. We were sitting in the van on HORSEFAIR STREET after dealing with an incident on MARKET STREET. At approximately 03:15am a member of the public informed us that there was a person covered in blood on MILLSTONE LANE. We therefore exited the van and searched for this person. Eventually we saw a male to the right of a night club I now know to be Anonymous on MILLSTONE LANE. The male had his top off, his face was covered in blood and he had blood which had dripped onto his neck and torso. There was also a male in a blue t-shirt who had blood on his face, t-shirt and had no shoes on. Next to the males was a member of door staff from Anonymous pouring bottles of water onto the males' head while they washed the blood off their heads and faces.

We asked the males repeatedly what had happened and they did not respond to us. We asked the member of door staff what had happened and they did not respond to us.

As the blood was washed off the male's head who had his top off I saw that he had two cuts on top of his head, around one inch long; they were still bleeding profusely.

The male in the blue t-shirt had no obvious cuts but had a large red lump on the left side of his face.

The two males had strong Irish accents.

The males her with a group of other persons who were verbally abusive towards us and towards each other but none of them would inform us what had happened; they just told us that we should do something about it.

I asked the males for their names and they declined to give them to me. I asked just for their first names so that I knew who I was talking to and they said they will not give me their name.

We asked the males to let us look at their injuries and to obtain medical attention for them and they declined this too.

The male with is top off began to make various phone calls, and whilst it was unclear what was being said due to the noise of the crowd, it seemed as if he was informing people what had happened and requesting that people come down to assist them.

After 10-15 minutes 2 other officers arrived to assist us; making 5 officers there.

After around 15 minutes outside the venue, I heard that there was a third male inside the address with a head injury that was bleeding who was the suspect for the injuries sustained by the two males outside. I do not know where this information came from. The door staff would not engage with us or give us any information. Due to the unknown level of head injury to the male inside I thought that we may have to enter the club in order to check on the male's welfare. Due to the hostility of the crowd with the injured males, and the lack of engagement from the

door staff I felt it may be unsafe for the 5 of us to enter the club. I also thought that the situation may escalate again with all parties still present and so I requested more resources.

Whilst awaiting more resources, one of the officers noticed a male with an actively bleeding head injury exit the club and enter a yellow Ford Mustang which was parked a few metres up the road from the club. By the time officers were able to approach the male he was in the vehicle. I cannot remember who was driving the vehicle and there were a further two males in the back of the vehicle. The vehicle pulled away and tried to drive off but was blocked by the amount of traffic in the way. Officers repeatedly knocked on the window and tried to engage with the male who had a dressing held against his head stemming the blood flow. Eventually he opened the window but would not tell officers his name nor what had happened. He just stated that he was going to hospital. As soon as the traffic cleared the member of door staff drive away with the male.

It appeared as if the door staff had kept the male concealed from us inside the club, then had ushered him out discreetly to the left of the club while police officers were tied up to the right of the club. He was already in the vehicle which was attempting to drive off when officers noticed. Had there been no traffic I don't believe we should have seen the male at all.

Eventually the two original males with head injuries accepted first aid from officers and left the area.

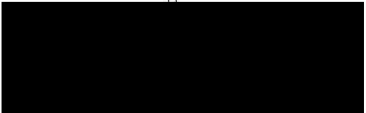
Throughout the incident I felt that the customers outside Anonymous were hostile towards us, towards each other and that a further incident could escalate at any minute.

Whilst the door staff were not hostile towards us, they did not engage with us at all, no not answering questions nor volunteering any information to us. They did nothing to diffuse the volatile situation and did not assist us in asking the males who were to leave the vicinity, despite it being obvious that they were the epicentre of the tension.

Right at the end of the incident, just prior to police leaving the scene another male appeared who I had not yet seen. He was a tall slim male with lots of tattoos on his arms and neck. The way he spoke to officer he appeared to be either the manager or head door staff or something similar. He was not wearing any uniform nor any badges. I did not speak to him directly but he was being much more helpful than the door staff had been previously. He was actively engaging with us and answering questions. The club had no insignia with its name on it and it wasn't until someone asked him the name of the club that I learned that it was called Anonymous.

Two officers entered the club to view the CCTV but were told that it was not working.

My attendance at this incident was captured on my body-worn video camera and has been uploaded onto DEMS.

Signature of Witness		Signature Witnessed By	
Name:	FORFAR, ALICE	Name:	
Signed Time:	02/03/2020 05:04	Signed Time:	
			

MG11 WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9

Occurrence Number:		URN:	
Statement of:	FORFAR, ALICE		
Age:	Over 18	Occupation:	
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.			

Further to my statement earlier today in relation to this occurrence, I would like to add the following.

No-one outside the club, inside the club nor any member of staff phoned the police about this incident. We only became aware of it because we were nearby when a member of the public noticed the male covered in blood. Had we had not coincidentally been just up the street after it had occurred, it does not appear that we would have been told about it.

Also, to clarify my point regarding the driver of the Ford Mustang; at the time I remember thinking that it was a member of door staff, however I can now no longer picture who I saw in the drivers' seat so I cannot be sure who it was.

Signature of Witness		Signature Witnessed By	
Name:	FORFAR, ALICE	Name:	
Signed Time:	02/03/2020 06:31	Signed Time:	

MG11 WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9

Occurrence Number:		URN:	
Statement of:	FORFAR, ALICE		
Age:	Over 18	Occupation:	
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.			

Further to the statement made on 02/03/2020 in relation to Anonymous nightclub; I exhibit my body-worn video footage as AF01.

Signature of Witness		Signature Witnessed By	
Name:	FORFAR, ALICE	Name:	
Signed Time:	09/04/2020 07:53	Signed Time:	

WITNESS STATEMENT**CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1**

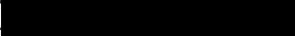
URN

Statement of: Charlotte HANNON

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Constable

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 in it anything which I know to be false, or do not believe to be true.

Signature: 

Date: 11/03/2020

I am Police Constable 11 HANNON and I am currently based at Mansfield House Police Station.

On Sunday 1st March 2020 I was on duty in full uniform using call sign MU18 in company with PC 812 PHIPPS. At approximately 0323hrs we were in attendance at Club ANONYMOUS after PS 242 FORFAR asked for assistance with two males who had head injuries. On arrival I have activated my body worn video camera and exhibit this as CMH/1. I have approached officers and could see that there were two white males both had a considerable amount of blood on their hands and faces. One of the males had a blue t-shirt on and the other a black jacket. Officers advised that no one was reporting anything. Both males appeared agitated and were approaching door staff, the male in the black jacket was shouting "YOU DID FUCK ALL!" I then approached a door staff member, I do not know his name but I would describe him as an Asian male, around 6foot tall, he had a beard and had a black skin tight head scarf on. I have asked him what has happened, he has responded that he did not know. I asked if the incident happened inside or out, he has then pointed to outside the front of the club and said "IT HAPPENED HERE, I DON'T KNOW IF HES BEEN BOTTLE BUT I GAVE HIM MEDICAL ATTENTION" I clarified "SO NOTHINGS GONE ON IN THERE?" and he has told me "NOT THAT I KNOW OF NO." I have then left the door man and returned to officers who were stood near to the two injured males, at this point I have seen that the male in the blue shirt had no shoes on, I have asked PS 242 FORFAR where his shoes had gone and she had told me they were in the club. I have found it odd that the male had managed to lose his shoes inside the club but the incident had happened outside as per the door staffs account. A door staff member has then handed the male his trainers, again I do not know his name. A male who I now know as Peter FINCH has then approached me. FINCH has informed me that there was a male inside the club who had blood spurting from his head. FINCH has asked if I was going to do first aid or should he take him to hospital. I advised that if he felt he should go to hospital then that is what he should do. The male in the black jacket has been nearby and has become angry at hearing about the third male, FINCH has told him he needed to take care of him and walked off. The male in the black jacket has shouted after him "PETER PETER" I have asked the male "IS HE YOUR MATE?" and he has responded "NO HE'S THE BOUNCER" he has then walked off back towards the club. As I have been speaking to a member of the public PC 812 PHIPPS has alerted me to something happening a short distance up from where we were. As I have got outside of ANONYMOUS I have seen the Asian door staff member I spoke to earlier ushering the male in the black jacket away from an orange Mustang that was now trying to pull away from the club. I have asked the Asian door staff member if the male in the vehicle was involved in the fight and he said "I DON'T KNOW." I have then gone to the driver's side of the vehicle, FINCH has been the driver. I have asked FINCH if the guy in the car with him was one of those that had been fighting, he has told me he didn't know what had happened but the ambulance told him to take him to hospital. FINCH held his hands out of the car and said "LOOK I'VE NOT BEEN DOING ANYTHING" I found that to be an odd statement as I had not question his involvement. FINCH repeatedly said he did not know what had happened, FINCH then drove off and he has been allowed to go as the male in the passenger seat needed medical attention. I have then gone towards the police van where the two victims were receiving medical attention from officers, I have then been called away and I have had no further dealings with the incident at ANONYMOUS.

Signature:  Signature witnessed by:

Complete If Req'd	GSC Class:	Reason:
	Handling Conditions:	

MG11

Occurrence Ref:

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9

URN

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Statement of: Daryl Sturgess

Age if under 18: O18

(if over 18 insert 'over 18')

Occupation: Police Constable

This statement (consisting of 3 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: 11/03/2020

I am PC 4551 Daryl Sturgess of Leicestershire Police currently based at Keyham Lane Police Station. On Saturday 29th February 2020 I was on duty in full uniform in crew with PS 242 FORFAR and PC 4669 DUDMAN. Our call sign for the evening was MV20 with our primary duty being NIGHTWATCH dedicated for public order prevention in the city centre.

At approximately 03:15 hours we were parked stationary for a visible presence on Millestone Street, Leicester close to MARYLAND take away. I was speaking with a member of the public when a taxi driver drove past and told me there was a male covered in blood further back towards MCDONALDS and FIREBUG bar. I told the officers I was in crew and we walked in that direction.

As we got closer to ANONYMOUS bar, I saw a member of security staff pouring water over the head of a male wearing a blue t-shirt. We made our way over there and discovered 2 males with a lot of blood on their heads. I would describe the male in the blue t-shirt as IC1, approximately 5feet 7 inches tall and of stocky build. He had fair hair which was cut short. I would estimate his age to be 35-40 years old. Other than the blue t-shirt he was wearing blue jeans and initially he had no shoes on. He had a pale complexion and had blood on the top, back and sides of his head. He had a very strong Irish accent. He will be referred to as the male in the blue t-shirt. The other male with him was stood in the doorway to neighbouring property to ANONYMOUS. He was also having water poured over his head. I would describe him at IC1, approximately 5 feet 10 inches tall and of medium build. He had a shaved head and had a lot of blood coming from 2 significant cuts on the top of his head. He had 2 tattoos on his chest but I cannot recall what they were. I have viewed my BWV in order to describe the tattoos but cannot make them out properly. As I arrived, this male was taking his t-shirt off which was black/dark navy in colour. I will refer to him as the male with no top on. I would also estimate his age to be 35-40 years old.

As we arrived, there were a number of people outside, none of whom were willing to inform us what happened. From the sporadic bits of information I could gather, the 2 males had been in a fight inside of ANONYMOUS. Most people were under the impression the 2 males were the victims in this fight and they had been attacked by a number of people. One member of public even went as far to say there were around 20 of them. There was still a member of security staff present. I would describe him as an Asian male, approximately 6 feet tall and wearing a turban. He had a short, neatly trimmed beard and moustache. He was dressed all in black with a thick coat on and gloves.

I shouted to the male with no t-shirt on to put the t-shirt on top of his head which he did. The member of security staff assisted him and held the t-shirt on top of his head for him. This was the extent of the first aid offered by any security staff.

Signature:



..... Signature witnessed by:

Continuation of Statement of:.....

Page 2

I immediately put on a pair of rubber gloves and tried to persuade the male with no top on to allow me to administer first aid. The injuries to the male with the blue t-shirt on were not as bad as the male with no top on. I tried to establish whether the male with no top on was injured anywhere else but he would not engage. I asked him to show me the top of his so that I could see the cuts. He bowed his head down so that the injuries were captured on my body worn video camera. There were 2 significant cuts directly on the top of the head which were deep in the centre and had other splinter cuts coming away from the middle. I thought these cuts to be consistent with being hit by a heavy, blunt instrument. From the shouting I could hear around me, I believed these cuts to be from a bottle. Once he stood up straight again, he told me he did not wish to talk to me about the incident or tell me what happened. At this point, my priority was getting his injuries dressed to stop the bleeding and trying to persuade him to go to the hospital. The cuts definitely would require stitching/gluing back together. They continued to bleed steadily with streams of blood running down the side of his head. My idea was that if I could get him away from the crowd to be treated, he may offer more information as to what had happened. However he would not fully engage with me, despite being polite. Neither male were aggressive or abusive towards myself or my colleagues. I tried to ask them a few times if they would take themselves to the hospital or if we could take them. Neither looked concussed or in danger of losing consciousness immediately. Both males were trying to make phone calls whilst we were with them. I could not hear what was being said on the phone calls but they were both speaking aggressively down the phone and gesturing with their hands in an animated way. This led me to believe they were making phone calls to get others to the location and continue with the fight. PC 4669 DUDMAN also picked up on this and he contacted the control desk for more officers to make their way. I heard PC 11 HANNON and PC 812 PHIPPS respond to say they were making their way. There was also a firearms crew deployed to assist.

There was a female in a black dress speaking to the males but from the conversation I could hear, she did not know them personally. The security had made their way back to the doors at this point without informing any of us what had happened. I decided to make my way over to the door to speak to security staff for more information. I spoke with the Asian male described earlier in my statement and asked him what happened. He told me he did not know. Again from bits of conversation I could hear, there 2 more people inside with injuries. I asked the member of security staff this but he told me he was not aware of anyone with injuries. He told me he would check if there were any further injured parties inside. I told him to keep them inside if there were in case any further incidents would occur. I was mindful of the fact the other 2 males were making phone calls and we suspected they were trying to rally more people to help them fight. Without going back inside, the member of security staff then told me there were no more people inside with injuries. I do not know how he obtained this information. I asked him if he saw anything in relation to the fight or if any other members of staff had. He told me he didn't see anything but did not know whether anyone else had.

I then went back over to PC 4669 DUDMAN to tell him that security staff did not know what had happened and that we need to move the 2 injured males away from the club. I was aware PC 11 HANNON and PC 812 PHIPPS had just arrived at the scene. PS 242 FORFAR was speaking with the 2 injured males and I caught the end of their conversation where they were telling PS 242 FORFAR they still had property inside the club, including the shoes belonging to the male in the light blue t-shirt.

Both males went to speak to security staff at the door. There were only there a matter of seconds before they came walking back in anger. They spoke with the Asian member of staff.

After this I again tried to see if the male with no top on would allow me to treat his wounds. He had, by this point, put on a black jacket. He was more interested in a message on his mobile phone. He was becoming animated and repeated that he was attacked by 20 people. As I continued to try to see if he would allow me to administer first aid, he made another phone call and walked away from me. The male in the blue t-shirt had been given his shoes back from inside the club. I do not know who gave them to him.

Shortly after, PC 812 PHIPPS approached me and PS 242 FORFAR and informed us there was another male with a head injury inside. Eventually, the male who had no top agreed to let me bandage his head. He again stated he would not tell me what had happened. He agreed to come down to the van with me. I asked PC 4669 DUDMAN to assist me and we walked back to the van.

Once I had applied the bandage, the male declined a lift to the LRI and instead walked off towards Town Hall Square and out of sight. I then made my way back to ANONYMOUS with the officers. I was told another male had come out of the club now that the 2 injured males had left. He was in the front passenger seat of an orange

Signature:



Signature witnessed by:

Continuation of Statement of:.....

Page 3

FORD MUSTANG. The driver was a tall male who I had assumed worked at ANONYMOUS, based on the fact I had seen him speaking with security staff earlier and his car had been parked outside since we had first driven into the city on NIGHTWATCH. He did not have a security badge displayed on his arm like the other security staff. He had already spoken to other officers, I cannot remember who, and informed them he would be taking a further injured male to the LRI. I did not see the injured male or obtain any details.

I would describe the driver of the orange MUSTANG as an IC1 male, aged approximately 30-35 years old. He was around 6 feet 7 inches and of muscular build. He has short dark hair and was cleanly shaven. He was wearing a tight black t-shirt but I cannot remember what trousers he was wearing. I think he had tattoos on both arms but I cannot recall what they were or where they were specifically. I did not have much of a conversation with this male and thought other officers had previously spoken to him whilst I was administering first aid to the other males.

Due to the levels of injury to both males and the number of members of the public reporting a large fight with a possibility of 20 people involved, I was surprised that no members of staff even knew about the fight. This gave me the impression they did not wish to report anything to us rather than not seeing anything. They had cleared up the mess at the bottom of the stairs quickly which led me to believe they were trying to hide the incident or even try to mask how serious it was. There was no phone call to the police despite a report of a large fight and males with more serious injuries, consistent with being hit by an implement.

I am aware PC 812 PHIPPS and another officer went inside the club to try to find more injured people but were unable to find any. I was originally told there were no other people injured or involved in the fight still remaining inside the club. However I told a member of security staff that if there was anyone still involved to keep them inside until the 2 injured males had left.

The extent of the conversation I had with security staff was that they did not know what had happened. I did not see any of them speak to other members of staff to see what had happened. Again this gave me the impression they did not want to speak to officers, rather than not knowing what had happened. At the time, I did not press them for more information as my priority was to treat the injured males, prevent any further incidents and try to get the 2 injured males to leave.

In relation to the actual offence, I had considered arresting the 2 injured males on suspicion of Affray, however from the limited amount of information we could obtain at the scene, they were described as victims.



Signature:



Signature witnessed by:

Complete If Req'd	GSC Class:	Reason:	
	Handling Conditions:		

MG11

Occurrence Ref:

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9

URN

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Statement of: Daryl Sturgess

Age if under 18: O18

(if over 18 insert 'over 18')

Occupation: Police Constable

This statement (consisting of 3 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



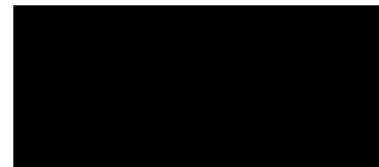
Date: 15/04/2020

I am PC 4551 Daryl Sturgess of Leicestershire Police currently based at Keyham Lane Police Station. My statement is in relation to producing my body worn video camera as an exhibit. I have already added a detailed statement with my involvement in relation to the below incident.

On Saturday 29th February 2020 I was on duty in full uniform in crew with PS 242 FORFAR and PC 4669 DUDMAN. Our call sign for the evening was MV20 with our primary duty being NIGHTWATCH dedicated for public order prevention in the city centre.

At approximately 03:15 hours we had cause to attend ANONYMOUS night club after a member of public had informed me there was a male outside the location covered in blood. We immediately made our way over to the night club. Prior to our arrival I immediately activated the body worn video camera assigned to me to record mode.

Later whilst at Keyham Lane Police Station I connected my camera to the download dock. The footage I had taken outside of ANONYMOUS night club was downloaded and stored on the computer's internal hard drive. I produce the footage as my exhibit DLS1.



Signature:



Signature witnessed by:

100

WITNESS STATEMENT**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

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Statement of: Christopher PHIPPS

Age if under 18: OVER 18 (if over 18 insert 'over 18')

Occupation: POLICE CONSTABLE

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 in it anything which I know to be false, or do not believe to be true.

Signature:..



Date: 10/03/2020

I am Police Constable Christopher PHIPPS collar number 812 of Leicestershire Police. In the early hours of 01/03/2020 I was on duty in full police uniform when I attended an incident at Anonymous, Horsefair Street, Leicester. The location is a bar/ night club.

When I arrived there were a number of officers already on scene who were dealing with two males who had clearly been injured, I can't give a time as I am unable to recall it. They were refusing to engage with officers and only stated that it had "KICKED OFF" inside the bar. One had a few cuts to the top of his head and had no top on apart from a black coat. The other male had blood over his top but only had a very minor cut to the rear of his head. They were not telling officers what had happened at all.

Whilst officers were dealing with them I was stood back monitoring rest of the public and was there for the officer in case any further issues. A short time later PS 4112 CRAIG asked me to go inside the bar with him to view CCTV, we walked through the bar and across the dance floor, there were about 40 people in there, We have then gone behind the DJ box to the office and unfortunately the male didn't know how to work the footage. We have then left the location and carried on dealing with other incidents in the city centre.

I can't provide any further information in relation to this incident.



Signature: ..



Signature witnessed by:

MG11 WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9

Occurrence Number:		URN:	
Statement of:	DUDMAN, JAKE		
Age:	Over 18	Occupation:	
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.			

I am PC 4669 Dudman of Leicestershire police currently based at Keyham lane police station.


At around 03:15am on 1st March 2020 I was in company with PC 4551 STURGESS and PS 242 FORFAR, I attended a report of a fight at Anonymous nightclub millstone lane, Leicester. Upon arriving at the location we found 2 males who were clearly injured, one male who had a bold head clearly had a head injury and a member of door staff from the club was pouring water over his head in an attempt to clean the wound. There were plenty of other members of public around, one of whom informed me that there had been a fight where there was two males out here who were 'nutcases' and two other people inside who were 'nutcases' The female stated we needed to get the males out of the way before it kicks off again. I informed them we were trying however they did not want to leave and we needed to get them medical assistance.

The males refused to tell us what had happened and refused to go the hospital, shortly after I was then informed that some other injured persons were getting into a yellow mustang. I went over to the mustang and knocked on the window as it was trying to drive off, one of the occupants then opened the window and the front seat passenger who also clearly had a head injury and had some form of clothing pressed on his head and the driver who stated he was the owner of ANONYMOUS stated they had called the ambulance who stated they had no staff and to go to the hospital which they were doing. The male passenger refused to provide any details and stated they had to go to the hospital and were in a rush.

A short while later the male in the yellow Mustang came back to the scene and upon asking him what had happen he stated he did not know anything and had not seen anything along with another member of door staff. I and PC 4551 then provided some medical assistance to the two males who were outside the bar when we arrived bandaging up one males head.

Other officers then went inside ANONYMOUS whilst we waited outside for them and after they came out we then resumed to our normal duties.

I had my body camera device on during the incident and would like to evidence this as JD1.

Signature of Witness		Signature Witnessed By	
Name:	DUDMAN, JAKE	Name:	
Signed Time:	11/03/2020 00:15	Signed Time:	
			

WITNESS STATEMENT

CJ Act 1967, s.9; MC act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

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Statement of:

[REDACTED]

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Over 18

This statement (consisting of 4 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]

Date: 05/04/2020

I am the above named person. My contact details are known to the police and are recorded on the MG11B form.

This statement relates to a nightclub known as "Below" on Berridge Street, Leicester and the activities and effects that the premise has had upon me personally.

The club has no beer garden and patrons use the street outside as a communal gathering place throughout its opening times, which is mostly Friday nights from 11pm until 6am on Saturday mornings.

This causes a considerable amount of noise disruption and prevents the residents of the ten apartments within Phoenix House, which is located opposite the club from sleeping between 10.30pm through to around 7am. Customers from the club as they depart often remain in the street to fight, talk, or be entertained by the buskers and homeless/street life individuals who are drawn to the area at 6am looking for money from customers of club.

These individuals ring the doorbells of the apartments, raising residents out of bed. They are threatening and abusive to residents trying to return home late at night. The overall effect is that we as residents feel completely unable to leave the building on a Friday night, and are constantly on edge throughout the night and into the small hours of the morning. We are also constantly being raised out of bed by screaming from the street, rushing to the window to see if someone is in danger.

Signature:

[REDACTED]

Signature witnessed by:

Continuation of Statement of [REDACTED]

On Saturday and Sunday mornings, we are awake most of the night and are tired and irritable. I worry about my fiancé driving, on so few hours sleep. My fiancé's friends know about the club and refuse to let her walk home alone to the apartment as they are also worried something will happen to her. If she is out, coming home late, I do not go to bed and stay up to make sure she gets through the crowds on the doorstep safely.

Patrons of the club habitually sit on the doorstep of [REDACTED] taking drugs and smoking cigarettes. This resulted in an admonishment letter from [REDACTED] building management company, threatening to bill us for cleaning and maintenance.

Patrons post their cigarette butts under the front door of [REDACTED] onto the door mat, as well as leaving bottles, glass, drug paraphernalia, urine, vomit and items of clothing on the access step. It is distressing for residents to try to leave the building through this mess in the threshold and it is attracting rats. I am concerned about the potential fire risk to the door mat but also due to the smell of marijuana, means we cannot leave the windows open.

By leaning heavily on the front door of [REDACTED] club-goers have managed to disable the lock, giving free access to the communal areas of [REDACTED]. A letter was sent to residents warning of homeless persons sleeping in the corridors and drug paraphernalia found in the communal areas.

On Friday 20th March 2020, persons who were attending the club (and we believe we recognise as regulars, functioning as a kind of "informal staff") forced their way into the building through the compromised lock and ran round the corridors, slamming on front doors. This was terrifying. I had a panic attack and was unable to sleep without experiencing nightmares for a number of nights afterwards.

Every time there was a noise in the street or corridor for the rest of the night, I was afraid.

The clubbers have threatened us and are now breaking into the building. We feel that this is a clear escalation.

On one occasion we were forced to stand in the doorway, blocking them from re-entering [REDACTED] when they tried the door again. The door is still broken, and the building management company are struggling to get it fixed due to the coronavirus public health emergency, so it is a constant source of worry that someone may come back and try again to gain access to the building.

Prior to this, we would think nothing of leaving our front door open whilst we did the two minute trip to put the rubbish in the bin store. Now, we lock the door behind us and carry a mobile so we can text for help if we encounter someone. I also now never go down with a rubbish bag in

Signature: [REDACTED]

Signature witnessed by:

Continuation of Statement of: [REDACTED]

each hand –and take one bag at a time in case I meet someone who shouldn't be in the building. Every time one of the internal doors swings, even just the postman, I am on edge.

We have been forced to provide medical assistance to a young man lying on the doorstep of [REDACTED] in great distress, screaming that he was going to die. According to the crowd around him, his drink had been spiked and had overdosed on MDMA whilst attending Below.

Despite offering to call an ambulance for him the crowd quickly took him away. We do not know if he received medical attention or not. We felt morally compelled to check on him, yet also deeply afraid of the crowd and how they might react to our presence. Despite some of the regulars from the club recognising us, which is unsettling, we were concerned that someone may die on our doorstep.

On Friday 6th March 2020, I was woken up by noise in street outside. We attended to a bicycle courier named "Lilia" who had head injuries. She claimed to have been the subject of an unprovoked attack by two female's attendees of Below nightclub and her account seemed to be corroborated by the two men with her. This was at 6am when the club closes. I have photographic evidence of her facial injuries and pools of blood in the street.

We reported the incident to the police by calling 101, but by this point the woman and her friends had left. She claimed she had begged for protection from the door staff and been ignored.


There are many more occasions where we have witnessed fights outside the club and been able to clearly observe fighters leave and return presumably with weapons. In these cases, they sometimes leave friends to "stand guard" outside the club, usually near to the former Adoption Centre and follow the intended victim should they attempt to depart.

All of this is clearly observable from our living room window over the course of an evening.

Door staff do not intervene and on occasions appear to congratulate the "winner" of the fight. This gives us no confidence that we are safe on Berridge Street when the nightclub is open. It is distressing to watch all of this play out literally on your front doorstep, night after night, month after month.

Our neighbour has a young son and she tells us how frightened he is by the noise in the street. As numerous medical workers reside in some of the other apartments who arrive at all hours of the day and night due to shift patterns, means that we are constantly worried about our neighbour's safety.

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of: 

The issues related to the nightclub are not getting any better and are not going away.

On social media, Below nightclub markets itself as a place to experience "an illegal rave" with images of drugs as advertising material.

Our bad experiences are not isolated incidents. They are part of the fabric of the club's identity.

I have screenshots of their Facebook ad's and have kept an informal "Crime Diary" from Friday 6th March 2020 until the government enforced shutdown due to COVID-19 on Friday 20th March 2020 into Saturday 21st March 2020. During this period, there has been a violent episode every single Friday night/Saturday morning.

We moved to the Greyfriars Conservation Area in order to be able to enjoy the cultural and historic environment of the city. We were regulars at Pierre's restaurant, and occasionally enjoy drinks at Firebug or a social event at Brewdog.

However, as a result of "Below" and the way they operate, renders us trapped in our own home. Afraid to leave and unable to contribute to the life of the city. We want to be able to enjoy the spontaneity of city-centre life we used to have. To be able to go out to into the Lanes for ice cream, or a cocktail, or a meal out or trip to the new bowling alley. All of that has been effectively taken away from us and our neighbours.

Signature:  Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

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Statement of:

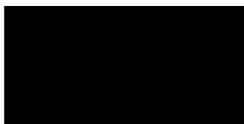


Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Over 18

This statement (consisting of 3 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: 05/04/2020

I am the above named person. My contact details are known to the police and are recorded on the MG11B form.

This statement refers to a licensed premise in Leicester city centre known as "Below". Below is accessed via Berridge Street, whilst the other part of the same premise known as "Anonymous", is accessed via Millstone Lane.

This statement refers to incidents of crime, disorder and anti-social behaviour associated to customers of "Below", I have experienced throughout 2019 and up until Saturday 21st March 2020.

Below nightclub has been open for almost a year, routinely every week on a Friday and Saturday night. During this time we have been continuously disturbed by customers frequenting the club.


The club has no designated smoking area so their patrons are permitted to smoke out in the street, without any clear cordons. This means that the street outside is used for communal gatherings and as a smoking area.

As the club opens every Friday and Saturday night from 11pm to 6am, causes us considerable disruption. Buskers are often drawn to the area as there are often large groups of people congregating in the street. This has led to on more than one occasion where I have been forced to leave my flat between 4-6am to ask a particularly loud saxophonist to move away from the area as we cannot sleep through it.

Signature:



Signature witnessed by:

Continuation of Statement of: 

Our doorstep is often used as a gathering spot and smoking area for customers of the premise and means coming home from a night out we are often met by groups of strangers blocking the communal entrance/exit to the building in which we live. On more than one occasion, I have asked people on our door step to move away, which has resulted in aggressive confrontations and verbal abuse.

On several occasions, I have had to call the relevant authorities. In the first instance, a call to 101, told me "not to engage". However, I could not access my own home. Therefore, we are having no choice but to engage and potentially put ourselves in danger, just to get into our home.

Customers from the club have treated the doorstep and entrance to the block of flats in which we live, as a refuse and urinal area. This is of course is wholly unpleasant and unsanitary for all of the tenants. The company that owns the building has even accused the tenants of this behaviour, as the cleaners of the communal area have had to deal with this. We of course have absolutely no control over this.

Almost every week there are fights in the street that appear to have started in the club. Customers from the club often congregate in large numbers in the street and shout at each other resulting in noise which is so loud that it wakes us up in the night. We can see these fights very clearly from our living room window. We have a clear and unobstructed view of the street as the street is also well lit with bright street lights.

On several occasions I have called 999 to report fights outside the premise. During one these fights, I was called to give the police an evidential statement as a knife was found in the possession of one the involved individuals.


The door supervisors at this venue never intervene when the fights happen right on their doorstep leading to more persons being involved and often other members of the public being caught in the crossfire.

Earlier on in the year, a fight was reported to the police via 999 as two large groups of males were fighting in the street, outside the club. The door supervisors were nowhere to be seen. As the fight ended the door supervisors appeared and appeared to know some of those involved in the fight, even collecting their belongings from the club for them. It later transpired that one of the men involved was in possession of a bladed article as I have been called to make a statement regarding the incident.

I recall an incident on Saturday 29th February 2020, where a male patron attempted to use a pole from a rope barrier outside the club as a weapon. The door supervisors did not intervene

Signature: 

..... Signature witnessed by:

Continuation of Statement of: 

and thankfully the item was too heavy for him to wield properly as a weapon and he put it down. This was also reported to the police via calling 999.

Recently customers from the club who loiter on the doorstep to the block of flats where we live have managed to damage the front door to the building by either leaning or forcing the door. This has led to someone managing to gain access to the building on Saturday 21st March 2020, who then proceeded to bang on every door in the building, thus all ten flats, at 02:30 in the morning. This was exceptionally scary and unsettling for us, as there was now someone trespassing in the communal areas of the building. I went to the top floor and working my way downwards through the building but could not find the person(s) responsible. Another tenant in the building also met us in the stairwell, as he was also disturbed enough to come out of his flat to find who had broken into the building.

Having worked our way through the building and into the main lobby we did our best to secure the main door which had been forced open. The door is floor to ceiling and consists of tempered glass, so we can hear it from our flat when it is banged on and we can certainly see through it and into the street.

Whilst in the lobby securing the door we saw two more males from the club attempt to force the door. I challenged them on the doorstep and requested that they move away. Again, I received verbal abuse for this and had to call the police on 999. The two males then went back to the club and were heard making threats towards us as they recognised us. This has all further added to the feeling of being truly trapped in our home whilst the club is open.

Whilst this venue is allowed to operate, we and other tenants of this building will be repeatedly disturbed by the noise of violent disorder linked to the premise. We will continue to be intimidated and threatened just for trying to enter or leave our home. We will have to continue cleaning up after the customers from the club, some of whom have a disgraceful disregard for private property or the public street. We cannot sleep at the weekends, when this should be our time of rest. Since the door was forced earlier this month, every time we hear it bang my fiancé is scared that someone is in the building that shouldn't be.

Before this venue opened we had none of these problems. Other nearby vibrant venues including Brewdog and Firebug exist, however they are respectful neighbours. Brewdog and Firebug often have live events and/or also open until late. Not once have we been disturbed or felt the need to ask for police assistance in relation to these premises.

Signature: 

Signature witnessed by:

LEICESTERSHIRE CONSTABULARY

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Form MG 11

Witness Statement

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

Statement of: Jason Smith

Age: Over 18

This statement (consisting of 2 page(s), 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.

Dated: 11/03/2020

Signature: [REDACTED]

I am Police Constable 2922 of the Leicestershire Constabulary, currently based at Euston Street Police Station.

On Sunday 1st March 2020 I was on duty in full uniform with PC 4737 in a marked police mobile MU17.

As part of our tour of duty we were assigned to attend the Holiday Inn, St Nicholas Circle Leicester following the report from EMAS that two persons were present who had been assaulted.

Upon attendance an ambulance was already at the scene, we were informed that they were taking both males to the Leicester Royal Infirmary due to concerns that one male who I now know to be [REDACTED] had a fracture to his right ankle.

Upon attending the hospital we spoke with BOYD and the second male; [REDACTED], both spoke with Irish accents. I obtained a bodycam account which I present as exhibit JMPS1. I was told that the two had been in a club opposite the Fan Club which was underground, from local knowledge this is ANONYMOUS.

I was informed that there had been a fight within the club starting in the toilets with [REDACTED] and [REDACTED] being attacked by a group of males they refused to identify. [REDACTED] had a cut to his right eyebrow and on his swollen right ankle both consistent with slash marks inflicted with glass or similar, [REDACTED] had similar cuts to the top of his head. [REDACTED] informed me that during this fight a male had pushed his right leg against a chair or table leg and applied force causing the injury that hospital staff suspected was a fractured ankle. Neither were prepared to pass full details of the incident or make a complaint but told me that broken bottles had been used to cause the injuries and that doorstaff had intervened and separated all parties.

I attended ANONYMOUS and spoke with door staff at approximately 06:15 hours with a view to looking at CCTV within the club, I was told that no one present could operate this and that it would have to wait until a manager arrived to view. Asking if they were aware of a fight within the club of the circumstances described I was told no but informed

Signature: [REDACTED]	Signature witnessed by: [REDACTED]
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Continuation Statement of: Jason Smith

that doorstaff had broken up a fight on the main street between Irish
males at around the same time.



Signature:		Signature witnessed by:	
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From: Cllr Lynn Moore <Councillor.Lynn.Moore@leicester.gov.uk>
Sent: 26 March 2020 11:40
To: Deborah Bragg <Deborah.Bragg@leicester.gov.uk>
Subject: Re: Review application - 8-10 Millstone Lane, known as Anonymous

Dear Deborah

Having read the application and the extensive information provided, I consider that the licence should be revoked on the grounds of Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance.

Yours sincerely

Cllr Dr Lynn Moore

From: Deborah Bragg <Deborah.Bragg@leicester.gov.uk>
Sent: 26 March 2020 08:26
To: Cllr Lynn Moore <Councillor.Lynn.Moore@leicester.gov.uk>
Cc: Licensing <Licensing@leicester.gov.uk>
Subject: FW: Review application - 8-10 Millstone Lane, known as Anonymous

Good morning Cllr Moore

I have been forwarded your email regarding the review application for Anonymous.

In terms of your comments if you would like to make a formal representation then can you expand on your comments to link them to one or more of the Licensing Objectives –

Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.

If you could give reasons linked to those objectives why you feel that the licence should be revoked.

The last date for representations is 22 April 2020.

Kind regards

Deborah

