

**RESTRICTED (when complete)**

<b>WITNESS STATEMENT</b>	
<small>Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B</small>	
Statement of: <b>Stuart Elliott-Smith</b>	URN: <span style="border: 1px solid black; padding: 2px;"> / /</span>
Age if under 18: over 18 (if over 18 insert 'over 18')      Occupation: <b>Licensing Officer</b>	
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 anything in it, which I know to be false, or do not believe to be true.	
Signature: _____	..... Date <b>17<sup>th</sup> December 2014</b>
Tick if witness evidence is visually recorded <input type="checkbox"/> ( <i>supply witness details on rear</i> )	

Since November 2013, I have held the post of Licensing Officer for Suffolk Police Constabulary, based at the Licensing Team, Landmark House, Ipswich.

During my role, I have been aware that Flex Nightclub, St Andrews St South in Bury St Edmunds has been a very regular location of violent offences. Due to this, the Constabulary has, since June 2014, tried to engage with the premises to significantly lower this offending level.

I have produced a record of the reported crime from the premises, detailing the period from 1<sup>st</sup> June 2014 through to 17<sup>th</sup> December 2104. I can produce this document as exhibit SES/1.

Having identified the issue of violence at the premises, the Constabulary has carried out a series of visits to the Designated Premises Supervisor, Mr Creffield, and his management team.

On Thursday 26<sup>th</sup> June 2014, I visited Mr Creffield at the premises. We discussed the issue of violence and vulnerable females within the Flex Nightclub premises and I reinforced that change was needed to stop this from happening. Mr Creffield was engaging and reassuring during the meeting and agreed to look at ways of reducing the issue. He cited the closure of another nightclub within the town as being part of the issue.

I then continued to monitor the crime levels at the premises over the following months. I could see that the same issues were continuing with assaults taking place inside the premises on a regular basis.

Due to the level of crime at the premises, the local policing team, most specifically Sgt Hill, began to visit the location on a regular basis to discuss crime and also to check if further support was required. Again, this was all done with the aim of reducing assaults and encouraging change within the premises.

On Thursday 13<sup>th</sup> November 2014, I again visited the premises and spoke to Ben, one of the managers. I discussed the issue of violent crime yet again and made it clear that the

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



Constabulary would consider a licence Review if there was no improvement in the assault level. We also discussed their use of flyers for free drinks and vulnerability issues. Again, he was engaging and interested in the conversation and assured me he would update Mr Creffield.

On 21/11/11, I sent Mr Creffield an update on the level of recent crime at the premises together with a covering email stating the need to address the violence levels. I can produce this email and crime update as SES/2.

Due to the ongoing concerns about the violence in the premises, a covert police visit was carried out by four police officers on Friday 28<sup>th</sup> November 2014. During this visit the officers made notes of what they observed and subsequently produced evidence statements. From these I could see that there were observations of:

- Door staff not searching or engaging with people entering
- Intoxicated people being served alcohol
- High levels of intoxication in the premises
- Male and female couple openly engaging in a sexual act
- Vulnerable female experiencing difficulties with a group of males with intervention.
- People falling on the dance floor

Following this visit, there have since been further assaults, which can be seen in Exhibit SES/1. It is clear that despite the numerous police visits, advisories and attempts to create positive change with the premises and Mr Creffield that this has failed.

It remains the opinion of the Constabulary that this premises is vulnerable to violent crime and excessive drinking of alcohol. This is putting people at considerable risk and is serving to generate occasional excessive violence in the town. We feel that the failings of the premises reflect the relative weakness of the existing premises licence and that changes are needed to ensure basic control measures are in place. This includes, as a minimum, the training of staff and the use of policies to provide formal guidance on management of the premises.

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

SES/1

1/7

**Flex Nightclub, Bury St Edmunds, IP33 1SD**

Crime and Incident Summary from 01/06/14 – 17/12/14 for Review process.

List compiled on 17/12/14 by Stuart Elliott-Smith, Licensing Officer using the Innkeeper System.

**Quick summary:**

Total number of reported crimes: 35

Number of assaults: 19 (highlighted in BLUE)

**Detailed breakdown of offences:**

**13/12/2014 00:35**

BU/14/3654

OFFICERS WERE ON FOOT PATROL OUTSIDE THE NIGHTCLUB WHEN THEY WERE CALLED OVER TO THE ENTRANCE OF THE CLUB BY DOORSTAFF WHO HAD A HOLD OF TWO MALES ONE BEING THE VICTIM WHO HAD A CUT EYEBROW AND THE OTHER THE SUSPECT. VICTIM DID NOT WISH TO PURSUE A COMPLAINT. COMMUNITY RESOLUTION.

**10/12/2014 01:10**

BU/14/3622

CCTV PUT UP A POSSIBLE DRINK DRIVER IN A CLIO IN ST ANDREWS STREET SOUTH IN BSE. IT WAS ALLEGED THAT SHE HAD BEEN DRINKING IN THE NIGHTCLUB ALL NIGHT AND INTENDED TO DRIVE HOME TO THETFORD. SUSPECT ENTERED CAR AND DROVE TOWARDS THE NIGHTCLUB SHE CLIPPED THE CURB AND STOPPED BY OFFICERS. BREATH TEST AT 70. ARRESTED.

**07/12/2014 01:10**

BU/14/3598

OFFICERS ON SCENE CALLED AN AMBULANCE FOR FEMALE KNOCKED UNCONSCIOUS. MALE WAS ARRESTED FOR BEING DRUNK AND DISORDERLY AND WAS ALSO ARRESTED FOR CAUSING AN AFFRAY. HE WAS INVOLVED IN A FIGHT IN THE NIGHTCLUB WHICH CAUSED THE FEMALE TO BE KNOCKED UNCONSCIOUS.

SES/1 2/17

07/12/2014 00:55 BU/14/3594

POLICE CALLED OVER TO FLEX BY DOOR STAFF FOR A MALE CAUSING PROBLEMS. THERE WAS AN ALLEGATION OF AN ASSAULT WHICH DID NOT COME TO LIGHT UNTIL AFTER THE ARREST. MALE WHEN ASKED TO CALM DOWN BY POLICE BECAME AGRESSIVE AND DISORDERLY. THIS WAS IN A PUBLIC PLACE AND ARREST MADE.

23/11/2014 01:45 BU/14/3434

IN HOURS OF DARKNESS IN TOWN CENTRE NIGHTCLUB KNOWN OFFENDER HAS PUNCHED VICTIM TWICE ABOVE THE LEFT EYE CAUSING A SMALL CUT

22/11/2014 02:37 BU/14/3420

DURING NIGHT TIME ECONOMY PATROL IN BURY ST EDMUNDS TOWN CENTRE THE OFFENDER WHO WAS INTOXICATED WAS EJECTED FROM FLEX NIGHTCLUB AND BECAME ABUSIVE TOWARDS DOORSTAFF AND POLICE OFFICERS WHO WERE PRESENT CONTINUING TO BE ABUSIVE TOWARDS OFFICERS DESPITE

18/11/2014 01:50 BU/14/3363

DURING EVENING HOURS MALE WAS EJECTED FROM FLEX NIGHTCLUB CLEARLY INTOXICATED HE WAS ABUSIVE AND AGGRESSIVE TOWARDS OFFICERS MALE WAS WARNED ABOUT CONDUCT BUT CONTINUED TO ABUSE OFFICERS SHOUTING AND SWEARING

08/11/2014 01:30 BU/14/3287

OFFENDER HAVING BEEN EJECTED FROM A NIGHTCLUB PUNCHED A DOOR SUPERVISOR IN THE FACE CAUSING BRUISING.

02/11/2014 01:50

2 MALES WERE EJECTED FROM THE CLUB. ONE OF WHICH REMONSTRATED VERBALLY WITH A MEMBER OF DOORSTAFF (KNOWN AS HARRY). THE EJECTED MALE SAID THAT HE WANTED TO FIGHT THE DOORSTAFF AND CALLED HIM A FAT F\*\*\*AND A MUPPET. THE MEMBER OF DOOR STAFF REPLIED CALLING HIM THE SAME.

SES/2 3/1

02/11/2014 01:30

MEMBER OF DOORSTAFF WALKED OUTSIDE TO POLICE AND HANDED THEM A WRAP OF WHITE POWDER THAT WAS FOUND IN THE TOILETS. HE SAID THAT HE THOUGHT 2 MALES WERE DEALING IN THE TOILETS SO EJECTED THEM. HE THEN FOUND THE WRAP AFTER THEY HAD LEFT SO WE HAVE NO DETAILS OF OFFENDERS.

01/11/2014 02:50 BU/14/3219

DURING HOURS OF DARKNESS DURING BUSY NIGHT TIME ECONEMY HOUR OFFENDER WAS OBSTRUCTIVE ABUSIVE AND DISORDERLY TOWARDS POLICE OFFICERS WHILST UNDER THE INFLUENCE OF ALCOHOL ALL WHILST OFFICERS ATTEMPTED TO DEAL WITH ASSAULT IN WHICH HE WAS VICTIM.

01/11/2014 02:30 BU/14/3218

DURING THE HOURS OF DARKNESS IN A NIGHTCLUB IN THE TOWN CENTRE THE SUSPECT HAS ASSAULTED THE VICTIM BY PUNCHING HIM IN THE NOSE CAUSING A NOSEBLEED

01/11/2014 01:00 BU/14/3222

WHILST INSIDE A NIGHTCLUB SITUATED IN THE CENTRE OF A TOWN KNOWN MALE HAS GRABBED THE VICTIM BY THE THROAT. BOTH HAVE BEEN REMOVED FROM THE CLUB BY SECURITY WHEN OUTSIDE KNOWN MALE HAS THEN PUNCHED THE VICTIM TWICE CAUSING CUT AND SWELLING TO NOSE

27/10/2014 01:15 BU/14/3170

IN HOURS OF DARKNESS IN A RURAL MARKET TOWN NIGHTCLUB A MALE HAS BEEN PUNCHED TO THE FACE BY UNKNOWN PERSON

25/10/2014 23:30 BU/14/3158

DURING THE HOURS OF DARKNESS INTOXICATED MALE FOUND BY DOOR STAFF AT TOWN CENTRE LICENCED PREMISES IN POSSESSION OF SINGLE WRAP OF WHITE POWDER

25/10/2014 02:00 BU/14/3151

IN SMOKING AREA OF BUSY NIGHTCLUB IN BUSY TOWN CENTRE OFFENDER HAS PUNCHED VICTIM TO THE FACE CAUSING SWELLING TO CHEEK OFFENDER IS KNOWN TO THE VICTIM

SGS/i 4/7

16/10/2014 01:45

PS HILL WAS ON FOOT PATROL OUTSIDE FLEX OBSERVING OFFICERS DEALING WITH EJECTED MALE AND FEMALE WHEN THE LICENSEE DOMINIC CREFFIELD ALERTED HIM TO A MALE AT THE SIDE ENTRANCE IN KINGS ROAD WHO HAD BEEN ASSULTED AND WAS COVERED IN BLOOD. PS HILL ATTENDED AND MALE STATED HE HAD BEEN HIT BUT WAS UNCOOPERATIVE WITH DETAILS.

05/10/2014 01:34 BU/14/2910

OFFENDER HAD BEEN EJECTED FROM FLEX NIGHT CLUB AND WAS FIGHTING WITH DOOR STAFF HE WAS PUSHED AWAY BUT RETURNED TO TRY AND REGAIN ENTRY TO THE CLUB HE WAS GIVEN PLENTY OF OPORTUNITY TO LEAVE BUT PERSISTED IN HIS DRUNKEN AND DISORDERLY BEHAVIOUR RESULTING IN ARREST.

04/10/2014 01:45 BU/14/2887

DURING THE HOURS OF DARKNESS ON A PUBLIC ORDER NIGHT OFFERS HAS BEEN EJECTED FROM A TOWN CENTRE NIGHTCLUB WHEN POLICE OFFICERS HAVE ATTEND OFFENDER HAS BECOME ARGUMENTATIVE AND ABUSIVE TO POLICE DESPITE BEING ASKED TO LEAVE THE AREA OFFENDER HAS THEN CONTINUED AND BEEN ARRESTED.

04/10/2014 01:00 BU/14/2883

WHILST ON PUBLIC ORDER PATROLS APPROACHED BY DOORSTAFF WHO SEARCHED A MALE WHO HAD A CARDBOARD WRAP CONTAINING WHITE POWDER IN HIS POCKET BELIEVED TO BE A CLASS A SUBSTANCE

04/10/2014 00:50 BU/14/2884

DURING THE HOURS OF DARKNESS OUTSIDE A LOCAL NIGHTCLUB THE OFFENDER AND HER FRIEND WERE SEARCHED BY STAFF AFTER COMING OUT OF THE SAME TOILET CUBICLE THE OFFENDER WAS FOUND TO BE IN POSSESSION OF A WHITE POWDER SUBSTANCE WRAPPED IN CIGARETTE PACKET.

19/09/2014 00:00 BU/14/2710

DURING THE HOURS OF DARKNESS VICTIM HAS BEEN IN FLEX NIGHTCLUB IN BURY ST EDMUNDS AND DURING AN ALTERCATION WITH ANOTHER CUSTOMER HAS BEEN PUNCHED ONCE TO THE FACE CAUSING REDDENING TO THE LEFT SIDE OF HIS FACE

565/1 5/1

07/09/2014 01:40 BU/14/2579

DURING THE HOURS OF DARKNESS INTOXICATED FEMALE HAS ATTACKED HER MALE PARTNER ON FOOTPATH IN TOWN CENTRE BY SCRATCHING HIS NECK FIGHT STARTED IN THE CLUB WHEN OFFENDER TOOK DISLIKE TO I/P TALKING TO A FEMALE MEMBER OF STAFF

05/09/2014 00:10

FEMALE WALKED INTO THE PREMISES WITHOUT SHOWING ID. DOOR STAFF CONTROLLED AND EJECTED THE FEMALE WHO ASSAULTED THE LICENCEE. LICENCEE WANTED TO MAKE A COMPLAINT OF ASSAULT. FOLLOWING ARREST OF FEMALE AND CCTV ENQUIRIES WITH LICENCEE, LICENCEE THEN DECLINED TO MAKE A COMPLAINT. FEMALE DEALT WITH BY COMMUNITY RESOLUTION.

05/09/2014 01:01 BU/14/2550

POLICE CALLED TO FLEX NIGHTCLUB VIA TOWNLINK RADIO TO ASSIST DOORSTAFF WITH A FEMALE WHO HAD SLAPPED A DOORMAN WHILE BEING REFUSED ENTRY FOR BEING UNDERAGE.

16/08/2014 03:00 BU/14/2362

DURING HOURS OF DARKNESS OUTSIDE TOWN CENTRE NIGHTCLUB UNKNOWN OFFENDER HAS STRUCK VICTIM FROM BEHIND CAUSING HIM TO FALL TO THE FLOOR AND CUT HIS HEAD SEE ALSO LINKED CRIME BU/14/2363 - COMMON ASSAULT (BOTH VICTIMS DESCRIBED AS HEAVILY INTOXICATED).

16/08/2014 01:00 BU/14/2334

AT STATED TIME IN BUSY NIGHTCLUB A FEMALE WAS HEADBUTTED TO THE MOUTH BEFORE BEING PUSHED TO THE GROUND, SAT ON AND PUNCHED.

16/08/2014 00:40 BU/14/1575

DURING HOURS OF DARKNESS D/P WHILST INTOXICATED HAS GOTTEN INVOLVED IN AN ALTERCATION WITH AN UNKNOWN MALE WHICH HAS LED TO BOTH BEING EJECTED BY DOORSTAFF ONCE OUTSIDE HE HAS SWORN REPEATEDLY AT POLICE OFFICERS ON THE SCENE REFUSED TO PROVIDE HIS DETAILS.

SOS/1 6/17

08/08/2014 01:30 BU/14/2270

DURING HOURS OF DARKNESS WHILST IN BUSY TOWN CENTRE NIGHTCLUB OFFENDER HAS APPROACHED THE IP AND Poured DRINK OVER HER HEAD BEFORE LAUNCHING AND PULLING HER TO THE GROUND IN A SCUFFLE.

02/08/2014 03:15hrs Crime Number BU/14/2164

DURING THE HOURS OF DARKNESS OUTSIDE OF FLEX NIGHTCLUB ON ST ANDREWS STREET SOUTH IN BURY ST EDMUNDS THE MALE OFFENDER HAD A VERBAL ALTERCATION WITH AN UNKNOWN PERSON AND IN ORDER TO PREVENT ANY FURTHER ISSUE THE OFFENDER WAS LEAD AWAY AT THIS TIME THE OFFENDER ATTEMPTED TO PUNCH THE OFFICER HE WAS ARRESTED FOR DRUNK AND DISORDERLY AND RESISTED WHILST OFFICERS HANDCUFFED HIM.

02/08/2014 00:25hrs Crime Number BU/14/2165

DURING HOURS OF DARKNESS IN THE TOWN CENTRE OF A BUSY MARKET TOWN THE OFFENEDR WAS DRUNK AND POLICE ATTENDED A CLUB AS HE WAS REFUSING TO LEAVE ON POLICE ARRIVAL HE RAN AWAY FROM OFFICERS AND WAS LOCATED TRYING TO GAIN ENTRY TO ANOTHER CLUB HE WAS STOP SEARCHED AND ISSUED SECTION 27 DIRECTION TO LEAVE OFFENDER REFUSED TO LEAVE AND AFTER BEING TOLD 4 TIMES WAS ARRESTED

20/07/2014 00:01hrs Crime Number BU/14/2006

DURING AN EARLY HOUR MORNING PERIOD WHILST IN A BUSY TOWN CENTRE NIGHTCLUB INFORMANTS BLACK NOKIA ILLUMIA MOBILE PHONE HAS BEEN REMOVED FROM HIS FRONT TROUSER POCKET BY AN UNKNOWN OFFENDER

13/07/2014 00:01hrs Crime Number BU/14/1944

THREE UNKNOWN MALE OFFENDERS HAVE APPREHENDED THE VICTIM ON A BUSY TOWN CLUB DANCE FLOOR GRABBED THE VICTIMS SHOULDERS AND TAKEN HER TO THE FLOOR ONCE ON THE FLOOR ONE OF THE MALES HAS PULLED AT THE VICTIMS BELT AND VICTIM STATES THAT SHE FELT AS THOUGH ONE OF THE MALES WAS TRYING TO HUMP HER

05/07/2014 01:45hrs Crime Number BU/14/1859

OFFENDER ASSAULTED VICTIM BY MEANS OF PUNCHING HIM TO THE RIGHT EYE CAUSING SWELLING DURING ALTERCATION IN A TOWN CENTRE NIGHT CLUB



SES/2 1/4

**Elliott-Smith, Stuart**

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**From:** [redacted]  
**Sent:** 21 November 2014 09:18  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** [redacted]  
**Attachments:** Crime Data for Flex Nightclub Updated.docx

Hi Dominic,

Hope all is going well, especially with the newly acquired premises in Sudbury.

I've attached an update of crime which is directly linked to Flex Nightclub – please take the time to review these and look at any potential measures which can be taken to eliminate future crime (specifically violent crime).

I did speak to your colleague, Ben, just over a week ago and suggested that it may be a good time to look at the current deployment of staffing and possibly consider increased roving patrols internally with a view to identifying intoxicated people earlier. Beyond that, we have also had several witnesses to the misuse of the free drink flyers with people obtaining multiple free drinks (witnessed by police officers). We strongly suggest that the use of these is halted and an alternative advertising system used.

The level of violent offences at the premises continues to be the highest in Bury St Edmunds and also within the wider West Suffolk area. Whilst accepting that you may be busier than previously, this violent crime issue is concerning and needs to be addressed or we will look at other actions that will be taken by the Constabulary. We are more than happy to have a chat about any ideas you may have and will support you as much as possible to achieve improvements.

Please feel free to contact us and we look forward to working with you on improving the crime at the premises,

Yours sincerely

Stuart Elliott-Smith  
Licensing Officer  
Suffolk Force Licensing Team  
Landmark House  
Ipswich

Tel [redacted]

S65/1 7/7

21/06/2014 03:00hrs Crime Number BU/14/1730

DURING EARLY MORNING HOURS INSIDE TOWN CENTRE NIGHTCLUB KNOWN SUSPECT HAS ASSAULTED VICTIM BY PUNCHING HER WITH A CLOSED FIST THREE TIMES TO THE RIGHT HAND SIDE OF HER FACE CAUSING A BLACK EYE AND CUT LIP

565/2 2/4

**Crime Data for Flex Nightclub in Bury St Edmunds for periods between  
08/08/14 and 14/11/14**

The data shows:

Reported incidents of assault – 12

Number of drug incidents – 4

Number of public order incidents – 5

Total recorded incidents - 22

Compiled on 14-Nov-2014 10:09 By Stuart Elliott-Smith, Licensing Officer, Force Licensing Team, Suffolk Constabulary using data from the InnKeeper system. Details as below:

08/11/2014 01:30 BU/14/3287 OFFENDER HAVING BEEN EJECTED FROM A NIGHTCLUB PUNCHED A DOOR SUPERVISOR IN THE FACE CAUSING BRUISING.

02/11/2014 01:50 2 MALES WERE EJECTED FROM THE CLUB. ONE OF WHICH REMONSTRATED VERBALLY WITH A MEMBER OF DOORSTAFF (KNOWN AS HARRY). THE EJECTED MALE SAID THAT HE WANTED TO FIGHT THE DOORSTAFF AND CALLED HIM A FAT FUCK AND A MUPPET. THE MEMBER OF DOOR STAFF REPLIED CALLING HIM THE SAME.

02/11/2014 01:30 MEMBER OF DOORSTAFF WALKED OUTSIDE TO POLICE AND HANDED THEM A WRAP OF WHITE POWDER THAT WAS FOUND IN THE TOILETS. HE SAID THAT HE THOUGHT 2 MALES WERE DEALING IN THE TOILETS SO EJECTED THEM. HE THEN FOUND THE WRAP AFTER THEY HAD LEFT SO WE HAVE NO DETAILS OF OFFENDERS.

01/11/2014 02:50 BU/14/3219 DURING HOURS OF DARKNESS DURING BUSY NIGHT TIME ECONEMY HOUR OFFENDER WAS OBSTRUCTIVE ABUSIVE AND DISORDERLY TOWARDS POLICE OFFICERS WHILST UNDER THE INFLUENCE OF ALCOHOL ALL WHILST OFFICERS ATTEMPTED TO DEAL WITH ASSAULT IN WHICH HE WAS VICTIM.

01/11/2014 02:30 BU/14/3218 DURING THE HOURS OF DARKNESS IN A NIGHTCLUB IN THE TOWN CENTRE THE SUSPECT HAS ASSAULTED THE VICTIM BY PUNCHING HIM IN THE NOSE CAUSING A NOSEBLEED

01/11/2014 01:00 BU/14/3222 WHILST INSIDE A NIGHTCLUB SITUATED IN THE CENTRE OF A TOWN KNOWN MALE HAS GRABBED THE VICTIM BY THE THROAT. BOTH HAVE BEEN REMOVED FROM THE CLUB BY SECURITY WHEN OUTSIDE KNOWN MALE HAS THEN PUNCHED THE VICTIM TWICE CAUSING CUT AND SWELLING TO NOSE

27/10/2014 01:15 BU/14/3170 IN HOURS OF DARKNESS IN A RURAL MARKET TOWN NIGHTCLUB A MALE HAS BEEN PUNCHED TO THE FACE BY UNKNOWN PERSON

SES/2 3/4

25/10/2014 23:30 BU/14/3158 DURING THE HOURS OF DARKNESS INTOXICATED MALE FOUND BY DOOR STAFF AT TOWN CENTRE LICENCED PREMISES IN POSSESSION OF SINGLE WRAP OF WHITE POWDER

25/10/2014 02:00 BU/14/3151 IN SMOKING AREA OF BUSY NIGHTCLUB IN BUSY TOWN CENTRE OFFENDER HAS PUNCHED VICTIM TO THE FACE CAUSING SWELLING TO CHEEK OFFENDER IS KNOWN TO THE VICTIM

16/10/2014 01:45 PS HILL WAS ON FOOT PATROL OUTSIDE FLEX OBSERVING OFFICERS DEALING WITH EJECTED MALE AND FEMALE WHEN THE LICENSEE DOMINIC CREFFIELD ALERTED HIM TO A MALE AT THE SIDE ENTRANCE IN KINGS ROAD WHO HAD BEEN ASSULTED AND WAS COVERED IN BLOOD. PS HILL ATTENDED AND MALE STATED HE HAD BEEN HIT BUT WAS UNCOOPERATIVE WITH DETAILS.

05/10/2014 01:34 BU/14/2910 OFFENDER HAD BEEN EJECTED FROM FLEX NIGHT CLUB AND WAS FIGHTING WITH DOOR STAFF HE WAS PUSHED AWAY BUT RETURNED TO TRY AND REGAIN ENTRY TO THE CLUB HE WAS GIVEN PLENTY OF OPORTUNITY TO LEAVE BUT PERSISTED IN HIS DRUNKEN AND DISORDERLY BEHAVIOUR RESULTING IN ARREST.

04/10/2014 01:45 BU/14/2887 DURING THE HOURS OF DARKNESS ON A PUBLIC ORDER NIGHT OFFERS HAS BEEN EJECTED FROM A TOWN CENTRE NIGHTCLUB WHEN POLICE OFFICERS HAVE ATTEND OFFENDER HAS BECOME ARGUMENTATIVE AND ABUSIVE TO POLICE DESPITE BEING ASKED TO LEAVE THE AREA OFFENDER HAS THEN CONTINUED AND BEEN ARRESTED.

04/10/2014 01:00 BU/14/2883 WHILST ON PUBLIC ORDER PATROLS APPROACHED BY DOORSTAFF WHO SEARCHED A MALE WHO HAD A CARDBOARD WRAP CONTAINING WHITE POWDER IN HIS POCKET BELIEVED TO BE A CLASS A SUBSTANCE

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07/09/2014 01:40 BU/14/2579 DURING THE HOURS OF DARKNESS INTOXICATED FEMALE HAS ATTACKED HER MALE PARTNER ON FOOTPATH IN TOWN CENTRE BY SCRATCHING HIS NECK FIGHT STARTED IN THE CLUB WHEN OFFENDER TOOK DISLIKE TO I/P TALKING TO A FEMALE MEMBER OF STAFF

05/09/2014 00:10 FEMALE WALKED INTO THE PREMISES WITHOUT SHOWING ID. DOOR STAFF CONTROLLED AND EJECTED THE FEMALE WHO ASSAULTED THE LICENCEE. LICENCEE WANTED TO MAKE A COMPLAINT OF ASSAULT. FOLLOWING ARREST OF FEMALE AND CCTV ENQUIRIES WITH LICENCEE, LICENCEE THEN DECLINED TO MAKE A COMPLAINT. FEMALE DEALT WITH BY COMMUNITY RESOLUTION.

SES 2 4/4

05/09/2014 01:01 BU/14/2550 POLICE CALLED TO FLEX NIGHTCLUB VIA TOWNLINK RADIO TO ASSIST DOORSTAFF WITH A FEMALE WHO HAD SLAPPED A DOORMAN WHILE BEING REFUSED ENTRY FOR BEING UNDERAGE.

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16/08/2014 01:00 BU/14/2334 AT STATED TIME IN BUSY NIGHTCLUB A FEAMALE WAS HEADBUTTED TO THE MOUTH BEFORE BEING PUSHED TO THE GROUND, SAT ON AND PUNCHED.

16/08/2014 00:40 SU/14/1575 DURING HOURS OF DARKNESS D/P WHILST INTOXICATED HAS GOTTEN INVOLVED IN AN ALTERCATION WITH AN UNKNOWN MALE WHICH HAS LED TO BOTH BEING EJECTED BY DOORSTAFF ONCE OUTSIDE HE HAS SWORN REPEATEDLY AT POLICE OFFICERS ON THE SCENE REFUSED TO PROVIDE HIS DETAILS.

08/08/2014 01:30 BU/14/2270 DURING HOURS OF DARKNESS WHILST IN BUSY TOWN CENTRE NIGHTCLUB OFFENDER HAS APPROACHED THE IP AND Poured DRINK OVER HER HEAD BEFORE LAUNCHING AND PULLING HER TO THE GROUND IN A SCUFFLE.

## Op GRANADA - 28/11/14



This is a report in regard to Operation Granada, a covert police process based around Flex Nightclub, St Andrews Street, Bury St Edmunds. The intention of the operation was to contribute toward the goal of reducing alcohol related violence, improving public confidence and evidencing poor practise by observing all aspects of the nightclub throughout a nights trading.

I conducted this operation in company with Sgt Darren Brooks, Sgt Claire Connick and Pc Ben Towns (Sgt Connick and Pc Towns – Suffolk Licensing / NTE Team)

### Events – In chronological order:-

2331	<p>Entered venue. Walked past three separate door supervisors, one of whom said 'good evening', short of that no conversation took place, no ID check was completed. No cost on entry.</p> <p>Venue had approx 30 persons inside. Approached bar and purchased 3 x San Miguel Lager and 1 x Bacardi &amp; Diet Coke. No ID check at bar.</p> <p>Initial appearance of the venue was one of a difficult plan to manage. I noted the dance floor is located to the left of the entrance door but is then set back, this means any door supervisor standing near to the entrance would not be able to see round the corner to an area that appeared well populated. A boxing machine was located near to the end of the bar which was attracting groups of males and served only to wind those 'playing' the game up. A further area, appearing to be more of a seating area is located behind the main bar which links the main club back up with access to the smoking area and toilets, in effect creating a loop of the venue. This seating area was poorly lit and was monitored very little by door staff.</p>
2333	<p>Door staff seen to be patrolling the main bar area on the ground floor. The entrance to the upstairs area was seen but not opened to customers. No ID checks being conducted at the bar.</p>

**Op GRANADA - 28/11/14**



2334	Noted that the door supervisor near to the entrance was using his phone, falling to lift his eye sight up for prolonged periods, offering no monitoring of busy areas of the venue.
2339	Approx 40 customers inside. Appeared to be filling up quickly. Both door supervisors who were now stood together near the entrance using their mobile phones, again falling to observe the venue in any way.
2345	Group of four males near to bar seen to approach staff behind bar. One particular male, very intoxicated tried to approach and lean on bar, missed his intended target and fell into the bar itself. Staff could not have missed this, however, he then orders drinks, believed to be two Jaeger-bombs, is served and goes to drink them at the bar, in front of the staff. No challenge was made.
2349	Intoxicated male on dance floor approaches glass of wine on ledge near to stairs, 'necks' the contents and returns to the dance floor. It did not appear the drink belonged to him. Door staff then approach and compliantly eject the male.
2354	Venue filling up quickly, approx 100 inside. Upstairs still closed to customers.
0001	Male Door Supervisor seen to approach intoxicated female on dance floor, speak into her ear and leave. Female then makes motion with her hand, to her friend to indicate the comment was about her drink.
0016	Toilet check completed (male). Four males queuing to get into one of the two cubicles, this despite the fact all urinals were free. This suggested something other than its primary use was being sought, especially as there appeared little urgency amongst the waiting males. Smoking area busy, large amount of glass left around. Dance floor also littered with glasses and bottles.

**Op GRANADA - 28/11/14**

0032	Upstairs bar opened. 1 x Hooch and 1 x Red Bull purchased from the bar. Still not any ID checks witnessed.
0038	In upstairs bar area. Made up of a large, open plan space, centred by a dance floor made up of numerous colour changing squares. Toilets situated to the right side of the room, next to the bar.  Approx 30 customers, mainly on the dance floor.
0043	Several intoxicated females noted on the dance floor. Door staff watching, located near the entrance, however no challenge made, despite the fact all females had alcoholic drinks in their possession.
0050	Male in blue shirt, drinking WKD Blue approaches dance floor from toilets appearing extremely intoxicated, to the degree he could not walk in any form of straight line, appearing to trip onto the actual dance floor, although there is a small step in this area.
0115	Male in blue shirt still drinking heavily. Does not appear to be in company with anyone else, suggesting he is being served his drinks at the bar.
0119	Male in grey shirt on ground floor dance floor heavily intoxicated. Was seen to be drinking heavily when we arrived, has clearly not been monitored or stopped by staff.
0131	Drunk male falls backwards near to stairs of ground floor dance floor, as he falls he grabs female next to him and pulls her to the floor. No injuries, however, it appears the incident was purely as a result of intoxication. Member of door staff approx 5 feet away, simply watched, offering no assistance or intervention.
0144	Male compliantly ejected from upstairs dance floor. Unsure of reason, however, all the door supervisors from that room left with the male leaving no monitoring of the entire upstairs area for approx 5 minutes before male DS arrived back.
0204	Female in White top, black trousers seen to fall over on upstairs dance floor after looking intoxicated. Door staff watched but failed to intervene or take any action that would avoid further alcohol being consumed.



Op GRANADA - 28/11/14



0209	Red Bull purchased at upstairs bar.
0220	Toilet check completed on ground floor. Cubicle furthest from the entrance checked. Traces of white powder visible on ledge.
0225	Verbal domestic occurring in area behind ground floor bar. No intervention by door staff, despite being able to see from his position near the boxing machine.
0226	No change in sound levels – relevant to licence condition.
0239	Large numbers of intoxicated customers. Witnessed several occasions where those who has consumed too much alcohol bumping into others, specifically on the upstairs dance floor. This caused friction between parties that threatened to become violent.
0255	Upstairs dance floor clearing out quickly, approx 20 customers still present, a large amount of whom are heavily intoxicated. Smoking area shut, although staff struggling to clear those already in that area. Male on ground floor dance floor seen to be jumping around without a shirt on. Bouncing into other patrons who appear annoyed at his actions, no intervention by door staff despite clear tension growing.
0257	Dangerously intoxicated/drug affected female on ground floor dance floor. Being embraced by a group of males who initially appeared to know the female, however after watching for short time it became apparent she has no connection to the males, however she clearly has no awareness of surroundings or the company she was in. Witness female stumble away from group as they laugh at her. Female appears so intoxicated or under the influence that she has no comprehension of her actions, leading to serious concerns for her welfare. Relayed information to Sgt.
0303	Venue closing. See two members of door staff move around the back of the remaining customers on the ground floor dance floor, shepherding the stragglers away from the area toward the exit. As I leave witness bar staff serving three bottles of beer to female at the end of the bar, nearest the smoking area.

**Op GRANADA - 28/11/14**



0304	Leave venue. Large numbers appearing to gather outside the venue. This may be down to some sort of taxi rank assembling in the area. Drunken ASB being displayed. Move away from area. No further evidence to offer.
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## Flex Nightclub – Observation Report

Sgt 3410 Darren Brooks – Norfolk Police Licensing Regulation Team

Below are my notes from a Covert Op on Friday 28th November 2014 at Flex Nightclub, Bury St Edmunds, Suffolk. These were aided by sending regular e mails to myself using a Constabulary Blackberry during the Op.

On entry to the venue there were at least four door staff stood outside the front door who simply acknowledged us and we walked straight in, no payment required, in to the venue. No searches or I.D checks took place.

We went to the bar and purchased a round of drinks. I could not see the summary anywhere on display. 2 door staff were stood in the area of the stairs to upstairs, guarding the doors which at this time were closed as upstairs didn't open until later. Both these door staff spent considerable time looking down at their mobile phones in their hand, looked as though they were texting etc.

A walk around downstairs saw a boxing machine at the end of the bar, far side of the room. These really are a bad idea in nightclubs. Encourages macho behaviour and those using it get themselves pumped up before their burst of aggression, completely the wrong thing to have in a venue where violence is a concern.

Behind the bar is a dark seated area which appeared to be virtually unused during this evening. This appears to be a waste of space, I would suggest putting the bar in this area which would create far greater space between the bar and dance floor as this is a very congested area, with people bumping into each other, which has the risk of spilling drinks and the resulting tension that causes.

Walking further round you come to the toilets and then the smoking area, which is through a door. This smoking area is pretty small and during the evening was constantly full.

12:25 AM: First toilet check downstairs. On entry saw 3 door staff stood at the cubicle door and 1 over cubicle wall shouting at the occupant. As the door opened a male came out. Instantly one of the door staff took his bottle of beer off him and they all escorted him out of the toilet area with no fuss or real hands on, a civilised ejection. Once they had gone I looked in the cubicle and saw that behind the cistern is a flat shelf area which is perfect for drug use. Although I could not see any traces at this time it is pretty clear that was the reason for ejection. A simple redesign of these toilet areas could remove all flat surfaces and make it difficult for drug use.

On way out of the toilets a female falls over right in front of me on the tiled floor in between the toilets and the smoking area. When the female was helped up she appeared lightly intoxicated and I think shoe choice didn't help! I remained in the area for approx 5 minutes and no one came to mop the floor which is a slip hazard.

12:36 AM: first visit upstairs as the doors to stairs only recently opened. Another boxing machine found at the rear of the room. Is this really necessary? 2 door staff posted in the room, stood in between the door way and the DJ booth.

12:55 AM: First toilet check upstairs. These were found to be already dirty with wet floors.

01:12 AM: back downstairs for a walk around the room. Domestic found occurring between male and female in the rear room. No door staff in sight to challenge and stop or defuse the argument. This is a dark area so we remained nearby in case it escalated. After a couple of minutes the pair walked off back to the bar area.

01:44 AM: whilst upstairs again 2 males were separately ejected from the bar area for arguing. This was done again with no force used, a small group of door staff simply 'bubbled' the ejected person and all walked out of the room to the stairs out of my sight.

01:58 AM: A further male ejected from upstairs. Again door staff walked the male out stood by his side, no hands on. Nice and calmly.

02:06 AM: I followed a male into the upstairs toilets as he was staggering and slipping as he walked. He appeared heavily intoxicated judging by his trouble walking. I noticed Door staff follow me in a short while after. I began my exit out of the toilets while the drunk male was still by the sinks. No action was taken by the door staff who then also left. It was clearly this was a simple toilet area check by door staff, but not really looking to identify drunk or vulnerable persons.

02:23 AM: So far no change in music volume, style or tempo.

02:32 AM: Further toilet check upstairs. Again door staff carried out a toilet check at the same time. It would appear they carry out fairly regular checks in the gents toilet areas.

On exit of the toilets I could see 3 females arguing at end of bar. 1 female stood in between them attempting to resolve the matter. Door staff were still stood near the entrance door and DJ booth, (the furthest point from the location of these females). Slow to react or notice it. I remained to monitor and by the time door staff got there 1 female party had walked off so they simply had a conversation with the remaining upset female.

02:38: Still no change in music volume or tempo upstairs. Eminem playing, hardly wind down music!!

I have to say that at no point during this evening did I see any fights occur, and indeed no door staff lay 'hands on'.

There were clearly stacks of heavily intoxicated customers, however at no point did I witness any alcohol refusals at the bar, neither did I witness any ID checks by bar staff:

There appeared to be sufficient door staff numbers (including 1 female) for the amount of customers tonight, estimated to be approx 400. There were also plenty of bar staff on, at least 4 or 5 in each bar.

There appears to be no dress code in operation. Trainers were common place, even shell suit tops.

Drinks were allowed on dance floor which meant there were regular spills which never got cleaned or wiped away. Several people on the upstairs dance floor were seen to fall over, a combination of alcohol and slippery surface.

During the 4 hours inside the club I consumed 2 bottles of San Miguel & 3 red bulls. My purchases: San Miguel £3.70, Bicardi/coke & Red bull £6.30, 2 red bull @ £2.50

**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of **Claire C Connick** ..... URN: 

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police 495**.....

This statement (consisting of: .... **4**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: ..... Date: 15/12/2014

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

I am Sergeant 495 Claire Connick of the Suffolk Licensing Department. On Friday 28<sup>th</sup> of November I was on duty in plain clothes working on a covert operation in Bury St. Edmunds. I was working with Pc Ben Towns (Suffolk Constabulary) Pc Jeremy Brown (Norfolk Constabulary) and Sgt Darren Brooks (Norfolk Constabulary). We attended Flex, Devonshire House, St Andrews Street, Bury St. Edmunds. The role of the covert visit was to observe how the premises are managed on the night.

We arrived after 2300 hrs, there were three door supervisors on the entry door to the premises, no searches occurred as a condition of entry. It was free entry, so we walked into the ground floor, only this area was open at this time. There were approximately 45 people on the ground floor with another 20 persons in the smoking area. I walked around the ground floor and I could see a small dance floor with a DJ booth. The bar was in the middle of the ground floor, with a quiet area behind the bar. The toilets were to the right of the quiet area and the smoking area was to the right of the toilets.

When observing the smoking area, I noticed an SIA member of staff in this area yet the SIA door-staff was smoking, so I was not aware if he required to be at this point or not. I was bought a Bacardi and diet coke by Pc Jeremy Brown, while this drink was being purchased, I could see three males dancing on the carpet area in front of the bar next to the dance floor. I would describe these males as drunk and believed they would be an issue later in the evening by the manner of their dancing and behaviour.

At 2330 hrs I entered the downstairs ladies toilet and used a swab in each toilet cubical. There was a shelf behind the cistern, which I would believe would be a very good area for drug usage. I also swiped the sink top area then placed this swab in an envelope and placed in the small pocket of my handbag. When I left the toilets a girl ran past the SIA into the premises and into the toilets, the two SIA door staff followed her, when she left the cubical she was escorted from the premises.

I then queued to put my coat into the clock room. The price per items was £1, they did not ask for any initials to aid claiming the item at the end of the evening. I noticed that a person was taking photos of the

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



Continuation of Statement of **Claire C Connick**.....

customers if they wished to pose. I could tell that the customers were approximate ages of between 18 to 56 years.

The dance floor had approx 40 person dancing, I noticed that the customers were able to take their drinks on the dance floor, something I do not believe should be encouraged and this can be the caused of many a disagreement from spilling which only leads to assaults. I am aware the premises serve drinks in a polycarbonate vessel so breakage is not an issue, I looked that the premises signage and could see they had prices being advertised for each drink including all measures. I also noticed a boxing machine on the ground floor next the fire exit. I do not approve of such machines in late night venues as I do not believe they mix with alcohol.

At 00.03 hrs on 29<sup>th</sup> November, I have observed that the numbers in the premises has picked up to almost double from my entry time. I would describe the premises to 2/3 full at this time on the ground floor. It was at this time I saw the door-staff seems to take up different positions inside the premises to cover all aspects of the premises. Such as, one SIA staff next to the dance floor and another by the emergency exit looking over the quiet area.

At 0028 hrs the premises seems to have quietened down again, I have checked the toilets then the smoking area, then concluded that the layout of the premises was making the patrons leave and they could not get to the bar or onto the dance floor as both had previously been full.

At this time the premises photographer took a photo of the four of us on the covert operation. While posing for the photograph I noticed the SIA had left the emergency exit area, so no one was observing the three males in the quiet area.

At 0039 hrs I checked the downstairs toilets again, I could see a female getting sick in a cubicle, near the toilets to observe another female check on her, so I was aware they were friends. No SIA near toilets to observe patrons in the toilets. The upstairs have opened as the numbers have increased again. I visit the upstairs and see approx. 50 persons had gone upstairs; it is a large room with two SIA door staff on a raised platform overlooking the dance floor and bar area. I have checked these female toilets yet I do not see any obvious area for drug dealing so no swab taken.

I then went back downstairs to further observe this area as it as the busier area.

At 0058 hrs I observed that the style of music being played downstairs on the small dance floor was, what I would describe as hard core an example is Ludacris, Move Bitch. Lyrics are as follows [*Chorus*] Move bitch, get out the way, Get out the way bitch, get out the way. Move bitch; get out the way Get out the way bitch, Get out the way.

This was being played on a small dance floor were persons were pushing each other to dance with attitude yet upstairs the club was playing music seemed so much calmer. This premises needs to play the hard

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

Continuation of Statement of **Claire C Connick**.....

core style of music upstairs on the larger dance floor. Also the air con is on upstairs which also aided the environment.

At 0133hrs there were at least 100 persons upstairs, this area is much calmer then downstairs, even though this is a Friday I believe that even busier, this environment is calmer because of the room size and aircon. The only issue I am observing is that coats are being left on all the chairs and sofas upstairs with no one clearing these coats or observing them.

I have had a further diet coke to drink and another Bacardi and diet coke

At 0200 hrs I have checked upstairs and down stairs ladies toilets, the downstairs toilet had an SIA staff also checking the toilet, and these toilets were blocked with vomit which had spilled onto the floor. The ground floor dance floor had emptied a lot with only 15 or so actually using the dance floor. The DJ used the ice machine which seemed to cover the dance floor reducing the visibility.

I then decided to check the smoking area yet this area was packed with people. I did not attempt to enter this area as I would say it was not possible. I saw a male attempt to exit the smoking area to re-enter the Club. He trip over another person fall down the step, spilling his drink in the process. The drink spilled onto a tiled area outside the toilets which made this area very slippy and a large hazard.

At 0227hrs I have been mainly upstairs as this is the busier of the two levels, I have witnessed the two SIA deal with a drunken male on the dance floor as he was attempting to strip. I have then conducted another walk around, checked both toilets at this time the downstairs toilets have been cleaned as I can smell the bleach from the floor and sink area. The smoking area is still packed and above capacity for this area. If SIA were in this area I could not see them. The music has not quietened or become softer in style on either floor

At 0235hrs I observed a drunk male who previously attempted to strip on the dance floor being served a jaeger bomb at the upstairs bar, this male was clearly drunk and at this time there was no one else at the bar so the staff had a full view of his manner and behaviour. He did not attempt to hide how unsteady he was on his feet. I have returned to the downstairs toilets and used another swab on the back shelves of each toilet cubical as this area had not been cleaned throughout the evening. I placed the swab into a brown envelope and folded the envelope four times and placed into a pocket in my handbag.

We left the premises.

My overall observation of the premises was that it had a particularly poor layout on the ground floor; there were some obvious issues around levels of intoxication with no challenges being made whatsoever. Many of the customers inside the venue were intoxicated and able to continue drinking unchallenged throughout the

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



Continuation of Statement of **Claire C Connick**.....

night. It would appear that doormen had no remit other to be inside the club and appeared to spend most of their time chatting and smoking cigarettes when in the smoking area

I am prepared to attend court as necessary.

*[Faint signature]*

*[Large handwritten signature]*

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



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN: **36** / /

Statement of: Benjamin Towns

Age if under 18: 018 (if over 18 insert 'over 18') Occupation: Police Constable 1866

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature: BenjaminTowns Pc 1866 .....Date 04/12/2014

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

On Friday 28<sup>th</sup> December 2014 I was on duty, in plain clothes, in company with Ps Claire Connick and Ps Darren Brooks, Pc Jeremy Brown from the Norfolk Constabulary Licencing Team. We were carrying out a covert licensing operation at Flex Nightclub, St Andrew Street South, Bury St Edmunds Suffolk. The following account details my observations of the premises.

We entered the venue at approximately 2320 hours. There were four door supervisors at the front door of the premises on our entry. All four of us walked straight in and were not searched, asked for proof of age. Whilst walking through the entrance I noticed a number of signs by the door. There was no fee for entry and a cloakroom was available at a fee.

Having walked past the cloakroom I immediately enter the ground floor of the premises. It is quite dark inside with low ceilings. Seating areas were present as was a small dance floor area. The bar was attended by a number of bar staff who wore branded t-shirts. There were around 50 people inside at the time we entered.

At 2330 hours Pc Brown purchased a bottle of San Miguel at 4.4% for me, this came in a standard glass bottle. I noted that there were a few rowdy gents who were jumping around and looked quite intoxicated. During the first 30 minutes of being inside the club I witnessed doorstaff on the mobile phones and standing in a position where they would not be able to observe the dance floor area, which as it got closer to midnight was becoming gradually more busy as more customers entered the club.

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





Continuation Statement Of: BENJAMIN TOWNS Page 2 of 5

The bar which had plenty of staff was clear of glasses and I noted that throughout the night glass collection was very good. The bar did advertise Challenge 25 and had the relevant sign for measures of wine. I could not see any other signs including those promoting alcohol. There were a number of menus on the bar and on some of the tables which did have some promotional offers though these did not seem irresponsible.

At midnight I went into the gent toilets which had no toilet attendant, I noted that the locks on the cubicle doors had been removed. Inside the cubicle there is a large flat surface which is ideal for setting up and taking illegal substances. I swabbed this flat surface with a ION track swab and secured it on me.

With no toilet attendants or regular checks by doorstaff there is too much opportunity for those who are intent on using drugs to do so freely.

The club was beginning to fill up now, there were 2 swift ejections though it was not clear as to why these took place. There was no force used to assist in the ejections by doorstaff who worked well together.

It appeared the club attracted a younger crowd with a majority of people being in the low 20's. One male who appeared on his own wearing a jumpsuit was dancing very erratically and gave the impression that he had maybe taken something as he was sweating as well as erratic dancing.

At 0015 I went to the smoking area which is a small square patio area, it was very busy with no security or cctv that I could see.

Just before 0030 the DJ announced the upstairs was open, upon this announcement many people left the downstairs area and headed upstairs. Ps Connick purchased drinks from the downstairs bar and I had a bottle of San Miguel at 4.4%.

I could see that there were still around 3 members of doorstaff who remained downstairs and regular glass collecting which was good. The doorstaff were quite static in their positioning and did not move around much.

At 0100 hours Ps Connick and I went upstairs, the dance floor was much larger in comparison and there was a sense of more space upstairs. The dance floor as the night went on became slippery where drinks had been spilt and not cleaned up, this resulted in a number of people, particularly women losing their balance.

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



Continuation Statement Of: ... BENJAMIN TOWNS ..... Page 3 of 5 .....

The upstairs area appeared more intimate and this was demonstrated by a number of partners kissing and touching each other. One particular couple were clearly inappropriate whereby the male had his hand down the front of a female's jeans pleasuring her while she moved around sitting on his lap. This took place just feet away from one of the members of security.

I saw the male who I had earlier described as being erratic in his dancing upstairs, his behaviour was still very much the same and this caused a nuisance to a few other groups as he bumped into them. Though violence was not anticipated in this case, it could have if he knocked into the wrong people.

At 0145 hours a male was ejected from upstairs, no force was used and his removal from security was swift and effective. Although I am unaware of the reasoning behind this gentleman's ejection it did involve the same female with which I had earlier seen with a different male who seemed to be pleasuring her.

This female as the night progressed became increasingly more vulnerable, it was not clear if she was on her own or with other girls who were seen to pull her away when men started to dance with her. She often stumbled around, and whilst putting a bottle of water on the floor next to a member of security almost fell over.

If this girl was on her own then I would have concerns around her vulnerability as she was attracting a lot of attention from men which could result in a serious incident.

I purchased 2 diet cokes from the upstairs bar which was smaller in size. The bar did advertise free tap water; however the size and font style of the print could be improved to make it easier to read. I also noted that there were the relevant posters for measures of wine and Challenge 25.

At 0215 hours I noticed a male member of security checking the upstairs toilets. I went in soon after and again this toilet had no toilet attendant and was another ideal place for those wanting to use drugs. The lock had been removed from one of the cubicles, although there was no flat surface inside the cubicle which would make the taking of drugs more difficult.

Upstairs there was a small seating area just by the toilets; I noted that there were a few coats left on these seats that were left unattended for well over an hour. This made them a target for any potential theft.

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Continuation Statement Of: BENJAMIN TOWNS Page 4 of 5

At 0240 hours I took swabs from the same toilet cubicle as I had done earlier and this was again secured on me.

At 0250 hours I saw security remove a man from the downstairs area, again I was not sure why this had taken place but he was removed by the arm out of the venue.

At 0255 hours I noticed that the music had become slower in the choice of songs played, but the volume was still the same. I consider this to be a breach of their licence in which it states under:

Annex 3 – Conditions attached after a hearing by the licensing authority; Prevention of Public Nuisance:

*"2. Amplified music shall be noticeably quieter during the last 45 minutes of that licensable activity".*

At 0300 hours the music stopped and the DJ reminded people to get home safe, the lights soon came on to encourage people to leave. This however did not seem to encourage some to leave as many were still leaning by the bar or sitting down with drinks to finish and showed no intention to leave imminently or encouraged to by security.

I would recommend that there should be a suitable length of time whereby people cannot purchase alcoholic drinks prior to the end of the night. This would encourage those to leave quicker, making it easier for security to get people out of the venue swiftly and reducing any annoyance from customers who had recently purchased a drink but not given enough time to drink it sensibly.

I was informed by Pc McAuley who was a uniformed officer outside the venue that the peak numbers for the night was 300. This is comfortably below the 600 capacity for the venue. The last admission to the venue however was at 0230 hours and this was further evidenced on the venues Facebook page that last admission is at 0230 hours. This however would appear to be a breach of their licence which states under Annex 2 – Conditions consistent with the Operative Schedule; Prevention of Crime and Disorder:

*"4. No entry will be permitted to the premises after 2.00am"*

In general there was good work being carried out by the team of security who when required carried out ejections swiftly and safely. It was disappointing about the lack of attendants in the toilets to discourage drug taking, as well as to deal with any other issues such as if a person

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



Continuation Statement Of: BENJAMIN TAINIS Page 5 of 5

had collapsed, or a fight had taken place in the toilets, there would be a risk that this would not be identified and reacted to by security team and this is a concern. I was pleased to see that the staff wore t-shirts which advertised a local taxi firm which is a responsible thing to do to help people get home safely. There also seemed very few promotions on alcoholic drinks and when there were promotions they were responsible and reasonable. I did not see any bar staff refuse to serve customers which was a surprise given the number of intoxicated people in that venue. I also had concerns about the welfare of women especially those who were or appeared to be on their own. This was raised by the actions and behaviour witnessed of a lone female. This girl was have a sexual act performed on her, involved in another male being ejected from the club as well as being incredibly intoxicated, attracting the attention of men and stumbling around. There was an opportunity for staff to intervene when the female nearly fell over in front of a member of security, however no action was taken. Training of staff in relation to identifying and caring for vulnerable people may be appropriate.

Consideration should also be given in relation to the positioning of doorstaff particularly early on in the evening. Although the team of security worked well and covered the venue it was disappointing to see that some were more focused on their mobile phones than what was going on in the club.

I have tested the swabs that were taken. The first swab indicated the presence of cocaine to a level of 1.28; the second swab which was taken also indicated the presence of cocaine to a level of 1.29. This would suggest that cocaine had been present on the area swabbed but no further cocaine was present that evening.

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