

RESTRICTED (when complete)

MG11C

WITNESS STATEMENT

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

URN [ ] [ ] [ ] [ ]

Statement of: Sebastian ROOKE

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

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

Witness Signature: [Redacted] 3203T Date: 31/01/18

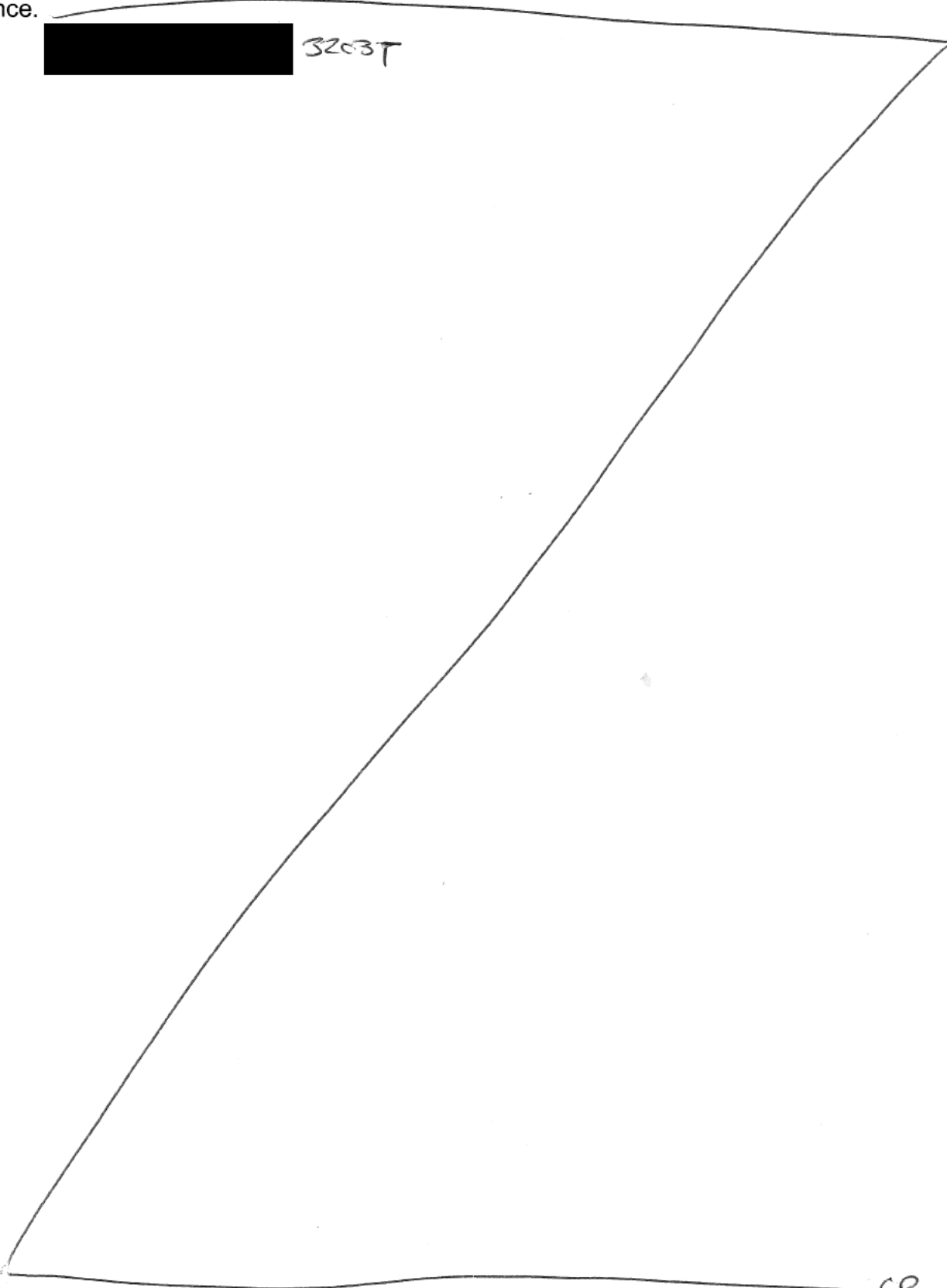
On SATURDAY 27th JANUARY 2018 I was in in full uniform with A/Ps STEPHENS 2694T from RTPC and Pc DUCKER 494MD from the night time economy team tasked to attend THE EMPIRE 777 OLD KENT ROAD as part of a licencing visit. At approximately 0007hrs we entered the venue and spoke to George NWACHUKWU who verbally identified himself to us as the DPS and his identity was confirmed using his DPS personal licence. NWACHUKWU was informed that the venue's licence would be inspected and a form 695 would be completed. NWACHUKWU was complaint with this and cooperated to show me around the venue including areas behind the bar, the toilets, the separate seating area and the main bar and seating area in order to be inspected in his presence. While I was inspecting the premises with A/Ps STEPHENS, Pc DUCKER examined the venue's licence. While examining the licence, PC DUCKER noticed a number of breaches to the licence and he conveyed these breaches to NWACHUKWU. Condition 352 was identified as being in breach as it stated that a minimum of two SIA registered door staff should be on duty from 2200hrs until the premise shuts on FRIDAY and SATURDAY. However as we had entered the venue, we did not see any SIA registered door staff present. When this information was conveyed to NWACHUKWU, he stated that the door staff had left because they finished at midnight as alcohol is no longer served after midnight. NWACHUKWU could not provide a record of the door staff that had been working in order to indicate that they had worked that night so there was no evidence to establish if any SIA registered door staff had been present. This was identified as a direct breach of licence condition 352. Pc DUCKER asked to review the CCTV in accordance with condition 288 that states the CCTV should record for 31 days and should be available within a reasonable time at the request of the police. NWACHUKWU was unable to operate the CCTV personally but said that his friend who also work at THE EMPIRE is able to do so. When asked where this friend was, NWACHUKWU did not know and was unsure how long it would take in order to contact his friend and get him to operate the CCTV. Condition 288 was therefore in breach as we could not confirm whether the CCTV had a 31 day playback and the CCTV was not accessible at our request. Pc DUCKER requested that NWACHUKWU provided the training records of the staff in accordance with condition 293 that states all staff training should be recorded and updated every six months. NWACHUKWU provided us with a book labelled staff training however it was incomplete and outdated therefore breaching condition 293. Finally NWACHUKWU breached condition 843 of the licence that states the venue must display signage dictating that no patrons will be admitted into the venue if they park, are dropped off or picked up in private or hackney carriage vehicles from SYLVAN ROAD. No signage following this requirement was visible and therefore NWACHUKWU was in breach of the licence. Pc

Witness Signature: [Redacted] 3203T

Signature Witnessed by Signature: .....

Continuation of Statement of:

DUCKER completed a section 19 closure order which was signed and endorsed by NWACHUKWU who was informed of and accepted the need to amend the breaches to the licence.



Witness Signature:



3203T

Signature Witnessed by Signature:.....

### WITNESS STATEMENT

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

URN

[Empty boxes for URN]

Statement of: Jonathan Ducker Pc 494MD

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.

Witness Signature: [Redacted] Date:

On Saturday 27<sup>th</sup> January 2018 I was on duty in full uniform as part of the night time economy team when at shortly after midnight I attended The Empire 777 Old Kent Road with A/PS 2694T Stephens and Pc 3203T Rooke to conduct a licensing inspection of the venue. Once inside I met the DPS George Nwachukwu and we explained what we were going to do and began running through the conditions. As I checked the license I got to condition 352 which stated that a minimum of 2 SIA registered door staff shall be on duty from 2200hrs until the premises are shut on Friday and Saturday. There were no SIA at the premises and when I pointed that out to Mr Nwachukwu he told me that they'd finished at midnight once alcohol had stopped being sold. I read the condition to him which clearly stated 'until the premises are shut' which is a breach of the licence. I asked if he had any records of which door staff had been working and he did not (which would at least have suggested they had worked). Condition 288 refers to CCTV and that it records for 31 days and is viewable upon request of officers within a reasonable time. Mr Nwachukwu could not work the system and informed me that his friend who could work it was gone. I tried to ascertain how quickly he could be at the premises and the answer I eventually received was that his friends whereabouts were not known. That condition was therefore breached and we have no idea whether the CCTV is working or not. Condition 293 states that all staff shall be trained in their responsibilities under the licensing act 2003 and records of that training kept and updated every 6 months and immediately available for inspection. There were training records for the venue but all over 6 months old and some pertaining to staff who no longer work at the venue, again in breach of the licence. Finally condition 843 states that the premises licence holder shall visibly display signage stating that entry will not be permitted to patrons who use Sylvan Road to either park, drop off or collect by private hackney carriage vehicles. There was no signage and therefore this was a breach too. I completed a section 19 closure notice with all the breaches listed above and Mr Nwachukwu signed the paperwork advising him of how all of the breaches can be remedied. The entire visit was filmed using BWV.



Witness Signature: [Redacted]

Signature Witnessed by Signature: [Redacted]