

RESTRICTED (when complete)

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 Mark Lynch Pc 246MD..... URN: [] [] [] []

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

This statement (consisting of: 2..... 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: [Redacted] Date: 22nd August 2018

Tick if witness evidence is visually recorded [] (supply witness details on rear.

On Saturday 11th August 2018 I was on duty in full uniform, I was attached to Southwark Night time Economy Team. My duties include visiting various licensed premises on the borough to carry out licence inspections and respond to disorder. On this occasion at 0125hrs I was driving along the Old Kent Road when I saw that the shutters and doors were open of the venue Empire Lounge 777 Old Kent Road SE15 1NZ, I also noticed there were people inside the venue. I parked my vehicle in a nearby street and walked to the entrance of the Empire Lounge where the door was still open and there were no SIA present there was also no sign indicating the bar was closed, I then opened the inner door and was greeted by loud music which I saw was being played by a DJ positioned in the corner, the volume of the music exceeded that of background music. I walked to the bar area where I saw a female member of bar staff hand over the counter a glass bottle of beer to a male who then handed something to the member of staff, the male then walked to the rear of the premises. There were three members of staff behind the counter one of whom I recognised as the owner/dps George Nwachukwu who approached me, I asked Mr Nwachukwu why was he still open and why there were customers in the restaurant to which he stated that he was closed and everyone present were staff, I asked about the people at the rear of the property and he confirmed they were also staff, we then walked through the restaurant to the rear of the property where a female informed me that the four persons present were staff and they were clearing up after an event, I then turned around and saw a male who was drinking from a spirit glass his eyes were glazed and he mumbled something towards me, in my opinion this male was drunk, I counted about 11 people inside the bar all of which Mr Nwachukwu said were staff. I returned to the bar area where Mr Nwachukwu insisted the bar was closed, I asked to see a copy of his licence to which he produced and I pointed out that he does not have regulated entertainment on his licence and as such music should cease at 1100hrs. I informed Mr Nwachukwu that I would be completing a statement of my findings which I would pass to South Council.

The bar was clearly in breach of its licence in that it was open to the public after its licensed closing time, there were no SIA on duty at the time, the venue does not have regulated entertainment on its licence and they were

Signature: [Redacted] signature witnessed by:

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Continuation of Statement of

playing loud music by a DJ, and the volume level was not consistent with background music. I observed the supply of alcohol by a member of staff to a person inside the venue. The venue is of average size and in my opinion as a licensing officer cannot see how it employs eleven members of staff as stated by Mr Nwachukwu all persons in the venue were staff.

[Redacted]

246 MD

Signature:

[Redacted Signature]

Signature witnessed by:



Licensing Authority Copy

Notification of alleged offences under the Licensing Act 2003

Venue Name: 16, Riverside, London, E14 3AD REF: (CAD/CRIS etc.)

Address: 16, Riverside, London, E14 3AD

Date: 10/07/11 Time: 7:30pm

Details of person in charge at the relevant time: Oliver Thomas, 16, Riverside, London, E14 3AD

DPS Personal Licence Holder

Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No)
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No)
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No)
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

Offence 1: Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence. (Sec 57(4))

Offence 2: Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec 136(1))

Offence 3: Exposing alcohol for retail without an authorisation. (Sec 137(1))

Issuing officer: L. NORTON Print: L. NORTON

I acknowledge receipt of this form: (venue) [Redacted]

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001



Licensing Authority Copy

Notification of alleged offences under the Licensing Act 2003

Venue Name: 16 PENNINGTON STREET REF: (CAD/CRIS etc.)

Address: 16 PENNINGTON STREET, LONDON, E1 1AA

Date: 10/07/14 Time: 2:30

Details of person in charge at the relevant time: DR. T. M. HARRIS

DPS Personal Licence Holder

Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No)
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No)
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No)
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

Offence under section 136(1) Licensing Act 2003. The licensee failed to ensure that the premises were licensed for the sale of alcohol. The licensee was found to be selling alcohol to a person who is drunk. The licensee was found to be selling alcohol to a person who is under 18. The licensee was found to be selling alcohol to a person who is under 18. The licensee was found to be selling alcohol to a person who is under 18.

Issuing officer: L. NICHOLSON Print: L. NICHOLSON

I acknowledge receipt of this form: (venue)

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001