

SECTION

ONE

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Crime No.

URN

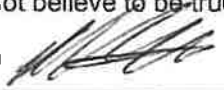
Statement of Robert Harris

Age if under 18 Over 18 (if over 18 insert "over 18")

Occupation Police Sergeant

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: R. Harris (witness)



Date 18/09/2022

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

I am Police Sergeant 20673 Robert Harris of the West Midlands Police currently based at Walsall Civic Centre.

Part of my responsibility as Walsall Town Centre supervisor is to manage and police the night time economy over each weekend.

The main location for the night time economy in Walsall Town Centre is on Bridge Street.

On Bridge street there are a number of licensed premises that are open for trade until the very early hours over Friday and Saturday nights.

This statement is in relation to a licenced premises on Bridge Street by the name of LEX BAR AND GRILL.

This premises is situated near the top of Bridge Street and is near to the junction of Goodall Street.

LEX BAR AND GRILL has a serious problem with drug misuse. Every single time I have walked past this location when it has been open for trade or when I have walked through the premises, there has been evidence of cannabis use: either customers inside being found in possession and or a very strong smell of the drug, thick in the air inside and directly outside the premises. It is apparent that the manager/owner of this premises has no interest in stopping this behaviour as they are normally present at the time.

The premises doesn't normally get busy until about 0200 hours with most of the customers arriving by car.

The vehicles that swarm the Bridge Street and Goodall Street area at this critical time of the evening then proceed to double park on Bridge Street (which has traffic restrictions in place although seem to be ignored by LEX BAR customers) and completely obstruct the free flowing traffic on Goodall street by double parking and completely blocking the pavements.

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This has a huge impact on the limited resources the police can provide to police effectively as my officers are always distracted by the traffic issues this causes. I have personally witnessed people park up illegally in front of me and when I have challenged them to move their vehicle, they have refused and walked into LEX BAR AND GRILL. This is a very common occurrence.

The door staff employed by LEX BAR AND GRILL and the normal gathering of people who stand with the door staff at the front door of the premises are ignorant, unhelpful and clearly do not appreciate the police presence. They lie about the numbers they have in the premises when asked and they are often abrupt with police and make attempts to slow officers down who are trying to perform walkthroughs of the premises. The motivation for this I believe, is to enable the staff inside to usher some of their punters out the back door so that the numbers inside are below what they are allowed. There have been occasions where door staff have told police they have a specific number inside and once officers have gained entry to the premises, there are clearly substantially more people inside than were disclosed.

The demographic or clientelle this premises attracts always seem to lower the mood on Bridge Street with numerous nominals attending who are well known to the police from all over the force area. With this brings cars without insurance, disorders, vehicles being driven dangerously and weapons being recovered.

LEX BAR AND GRILL is not the only premises in Walsall Town that causes Police issues however, I can say without any doubt that LEX BAR AND GRILL is the main drain on Police resources during Friday and Saturday evenings because of the reasons I have detailed above.



Signature 

Signature witnessed by

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

Crime No. N/A

URN N/A

Statement of Jennifer Mellor

Age if under 18 over 18 (if over 18 insert "over 18")

Occupation Walsall Licensing & Regulatory Service Officer, West midlands Police

This statement (consisting of 12 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: (witness)

Date 19th October 2022

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

I am Jennifer Mellor 60384, Walsall Licensing and Regulatory Services Officer currently stationed at Walsall Police Station.

This statement is a timeline of notifiable incidents occurring at Lexx Jerkz Bar and Grill, 75 Bridge Street, Walsall from the period 1st August 2021 to 19th October 2022. The information has been gained from speaking with police officers and officers of Walsall Borough Council. I have researched police and external systems and read police officer statements. The purpose of this statement is to provide supporting evidence in support of the Licensing Review served by the West Midlands Police on 9th August 2022.

On the 1st August 2021 a crime for a Section 47 assault has been generated on police systems, this is an assault which resulted in an injury. From the crime report the incident occurred between 05:00 and 05:15 a male appears to have had a verbal argument with a bearded male who was with the group. The bearded male then punches the injured party to the head area causing him to fall to the ground and become unconscious, the offender then walks away with other males. The injured male on the 4th August contacted police to report a robbery stating that when he started to gain consciousness he has began to hold onto his necklace to prevent it being taken. The offender has begun to pull at the necklace with force causing it to come from around males’ neck. The offender has then walked away with the necklace and get into the passenger side of a vehicle. PC Tolley has updated the incident log with the following note “. The CCTV shows the IP being assaulted and then his neck chin is stolen by other offenders, CCTV locker number is recorded in the crime reports.” After I viewed the local authority’s CCTV of this incident, I updated our Innkeeper system with the following update “The people involved had come out of Lexx, they can be seen on the town safe CCTV”

On the 5th August 2021 due to the above-mentioned incident I telephoned the person I believed to be the Designated Premise Supervisor (DPS) who informed me she had left a week ago. I advised her to contact the council to remove herself if that was the present position as the records still showed her as having the

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day to day reasonability's of the bar. I received an email from Walsall Council Licensing Department the same day at 12:56 hours. I produce this email within your evidence bundle on page 106 advising the DPS had remove herself from the premise. On receipt of the email, I sent correspondence to the sole director of Lexx Jerkz Bar and Grill, Melanie Jordon advising that any sales of alcohol at the bar would be unlawful and advising that CCTV footage had been seen of people leaving the bar at 05:05 hours on the previous Sunday morning. I produce this email within your evidence bundle on page 108. I did not receive a reply to be email.

After receiving a Variation for a DPS change on the same day I felt it appropriate due to the lack of engagement and the trading beyond their hours to request a meeting. Melanie Jordan was as previously mentioned the sole director of Lexx Jerkz Bar and now the proposed DPS. After contacting her then agent Nick Semper from the Licensing Guys, a meeting was arranged for 16th August at Lexx Jerkz Bar in Bridge Street Walsall.

On the 16th August at 10:00 hours I attended Lexx Jerkz Bar with Sarah Heath-Marshall, Community Protection Officer from Walsall Council. Present where Nick Semper from the Licensing Guys, Melanie Jordon and Derrick Minnot.

On the 18th August 2021 at 11:12 hours I sent an email to Walsall Council Licensing department accepting the DPS change however I made if clear I was making no representations with reservations which was communicated to the Premise Licence Holder (PLH) by way of a joint letter from myself and Sarah Heath Marshall dated 23rd August. The concerns were trading beyond licensable hours, violent incidents during the time Melanie Jordan was a director of Lexx Jerkz Bar and Grill and the association with Derrick Minnot given his poor management at a previous venue. I produce both emails within your evidence bundle on pages 110 and 84.

On the 10th and 22nd September I received two emails from Walsall Council Community Protection advising of noise nuisance complaints, the level of noise was not acceptable emanating from the premise. I produce both emails within your evidence bundle on pages 70 and 72.

On the 26th September 2021 at 00:00 hours T/Inspector 29944 Upton carried out a licensing walk through of the premise, in his professional opinion he could smell cannabis within the premise. The Inspector has provided a statement which is produced within your evidence bundle on page 112 . The following is evidenced in that statement "I am a serving Police Officer with 21 years' service so can identify the smell. I could not see any fire exit to the rear of the premises so asked MINNOTT where the was one and there was only one fire exit nearer to the front of the premises."

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On the 28th September 2021 I arranged a further visit to the venue due to a number of continued concerns. Present where myself, Sarah Heath-Marshall, Community Protection Officer from Walsall Council, Nick Semper from the Licensing Guys, Melanie Jordon and Derrick Minnot. West Midlands Fire Service had also been invited and attended the meeting to carry out their assessment of the premise. On viewing the internal CCTV for the 26th September, we evidenced people being allowed into the venue past the allowed hours. I could see customers sat in the front bar with a bottle, food and glassware in front of them. Derek Minnot confirmed to me these persons were not staff and apologised. Sarah Heath Marshall discussed the noise complaints with both Melanie and Derrick and we spoke about the smell of cannabis in the venue and the lack of engagement by door staff refusing to give their names to police officers. Due to the violence occurring in Bridge Street we were asking all on sales licensed premises to consider closing at 3am and at this meeting we asked the same of Lexx. We also asked them to consider a dress code. Also discussed was their external barriers which were blocking the pavement and the parking of two vehicles on the pavement out side their premise, one was used for taking payments off customers and the other belonged to Derick Minnot. It was at this meeting West Midlands Fire Service issued a Prohibition Notice. I noted whilst speaking with the Fire Office and Derek Minnot that the rear fire exit had been covered up seriously undermining the Public Safety licensing objective and putting customers at serious risk. The structure over the BBQ was also charred. In my opinion and listening to the conversations these factors could have resulted in fatalities and or life changing injuries as a result of their negligence.

On the 6th October 2021 I received an email from West Midlands Fire Service advising of an amendment to the Prohibition Notice restricting the capacity to 60 persons in the front bar and a further 60 in the back. I produce this Notice within your evidence bundle on page 67.

On the 14th October at 20:12 hours I sent an email to Melanie Jordon attaching a joint letter from Sarah Heath Marshall, I outlined our discussions and placed the premise on a 3 month action plan , I produce this letter within your evidence bundle on page 84 together with the PLH and DPS's response.

On the 14th October 2021 a number of venues were visited by Police Officers for the purpose of carrying out drug swab testing. PC Bytheway evidenced a positive drug swab in the toilets. I viewed the bodycam footage of the visit by officers after and noted that a member of staff and a customer were smoking cigarettes within the marquee area of the premise. In July 2007 The Health Act 2006 made provision for the prohibition of smoking in certain premises, places and vehicles. I produce these photographs within your evidence bundle on pages 74 and 76.

On 5th November 2021 I received a copy of a warning letter from Environmental Health sent to the venue as their smoking shelter did not comply with legalisation therefore undermining the Public Safety licensing

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objective. I produce this letter within your evidence bundle on page 78.

On the 20th November 2021 from the council’s CCTV at 05:45 hours two females can be seen leaving the venue after the closure time with food type packaging. Derrick Minnot was seen at and outside the venue at the time. I viewed this CCTV footage with a Walsall council employee.

On the 25th November 2021 a further visit was made to the venue. Present were myself, Sarah Heath-Marshall, Community Protection Officer for Walsall Council, Melanie Jordon, Derrick Minnot and Nick Semper her licensing Consultant from Licensing Guys. From correspondence and talks with Nick Semper, it was felt by the Premise Licence Holder, they had been unfairly treated and it was my interpretation of the situation Melanie Jordan felt I was being racially bias. Although this meeting was official, the meeting was more about addressing these issues as this breakdown in communications with Melanie Jordan was affecting the working relationship. I had been made aware Melanie had health issues but West Midlands Police have to unsure the premise was acting inaccordance with Licensing law and addressing any concerns which arose. Once these issues had been addressed, pictures of the persons smoking in the building as mentioned above were shown to the attendees, Derek confirmed one of the pictures was a member of staff and he believed the other was a customer. I also viewed the internal CCTV with Sarah Heath-Marshall which confirmed two females coming out of the venue at 05:45 hours. Unfortunately, I was involved in a car accident on 29 November so a letter confirming our discussions was not sent out.

On the 18th December 2021 at 02:40 hours an offender had been arguing, pushing and shoving at the door of Lexx Bar and Grill. This called was made by a member of the public with the caller stating “persons trying to fight with bouncers” This offence was crimed as an Array with the Sgt who attended the incident noting the door staff had no control over the queue.

On the 23rd December 2021 I made the decision to deem the 3-month Action Plan which had been communicated to Premise Licence Holder by letter on 14th October inactive. There were many reasons for this decision which are included in the email sent to Melanie Jordan and her agent. I produce this letter within your evidence bundle on page 116. The content of the Action Plan was never agreed due to Melanie Jordan being unwell and the lack of meetings which therefore resulted in the non production of written agreed plan. I do believe, the Premise Licence Holder has been evasive about attending meetings and producing information when requested. Due to the COVID position at the time and the high possibility venues would be closed for the Christmas period, the venue were not currently advertising events, there was a Prohibition Notice on the venue limiting capacity and with footfall being reduced on the town due to the NHS COVID passes it would have been totally bureaucratic to continue with the Action Plan as the 3 month period was coming to the end.

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On 1st January 2022 between 04:18 and 04:23 hours Police were three males had been involved in a fight outside Lexx Bar and Grill which resulted in a crime being generated for Affray, this being a public order offence. PC 24879 Leek witnessed one male attempting to punch another male who then made off on foot but was detained. The male stated he had been drinking for a few hours and was drunk therefore his memory of events was not full. He did remember that he had been in Lexx Bar when there was a confrontation between himself and a male he did not know. This made him angry but his friends stepped in and dragged him out and across the road where they went into the foyer area of Tameway Tower. He remembered tussling with his friends when the police came in and he tried to ran off

On 3rd January 2022 at 02:20 hours 2 females are seen on the local authority’s CCTV exiting Lexx Bar and Grill fighting. This fight continues when a third female becomes involved. The female dressed in black can clearly be seen on the floor being kicked whilst being held down. Possible door staff seen in the doorway but no assistance or intervention was taken by any door staff. The third female’s hair piece was seen being pulled off during the altercation. No Victim details are known. This footage was viewed by myself and a council member of staff in the week following were a crime number was also generated on 9th January at my request

On 4th February 2022 I emailed Melanie Jordon requesting a catch-up meeting which was followed up by a further email on the 16th February as there was no response. I produce these emails within your evidence bundle on page 118.

On the 18th February 2022 I received an email from West Midlands Fire Service who had attended court in response to the appeal of the Prohibition Notice served upon Lexx Jerks Ltd which restricted the safe capacity of the premises to 60 persons inside and 60 persons outside. The court refused the appeal and the notice remains in force. I produce this email within your evidence bundle on page 68.

On the 19th February 2022 between 04:11 and 04:19 hours a report was received that there was a disorder outside Lexx Bar involving approximately 20 unknown people. The group were a mixture of males and females. They reported “lots and pushing and shoving could be seen and shouts of fights heard” The group then moved towards the petrol station away from Bridge Street. On police attendance there were groups seen but no fighting observed. Myself and a Walsall Council officer viewed the Local Authority CCTV. At 04:02 hours three females can be seen leaving Lexx Bar. They then started fighting between themselves whilst others try and separate them including door staff.

On 20th February 2022 at 15:15 I received an email from PC White. The content of that communication stated “On the 20TH Feb 2022 at approx 02.00 hours we were in full uniform duty when we spotted a male

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now know to be as Mr XXXXX XXXXX BORN XXXXXX who was wearing his SIA Badge on his right arm while sitting in a VW Golf - Mr XXXX was seen to be holding cannabis and on seeing this we have alighted from our vehicle and found Mr XXXX holding a A4 size bag with approx 6 smaller bags of cannabis - Mr XXXX works the door at LEXX JERKZ (Bridge Street) and it was clear he had just came from this venue due to him still wearing his SIA Badge and due to the WV Golf sitting yards away.”

On my written and verbal communications with Derek Minnot, he confirmed that this male was not employed by Lexx Bar however, PC White confirmed to me on 6th August “I am sure he was on the door a few time” I produce the email within your evidence bundle on page 122.

On the 24th February 2022 Insp Hobday met with Derrick Minnot the manager of Lexx Bar at the Police Station with their head door man. The purpose of this meeting was to discuss incidents, management and door staff issues and to see if measures could be put in place by the venue to address our concerns. An email was sent to Derrick Minnot with details of their discussions. It was at this meeting Derrick suggested the possibility of him becoming the DPS. I produce this email within your evidence bundle on page 124.

On the 27th February 2022 PC Wall has produced a statement on smell of drugs he has evidenced since November 2021, a gang related incident which appeared to originate from Lexx Bar on 7th November 2021 involving two drug dealers and an intel dating date of 2015 when both Melanie Jordan and Derrick Minnot were spoken to by Officers at their home address with regards to an intercepted parcel from Jamaica containing 100g of Cocaine that was posted to their address. His statement also includes the lack of engagement of door staff. I produce this email within your evidence bundle on page 126.

On the 16th March 2022 an email was sent to Derrick Minnot from Insp Hobday advising that after reviewing the paperwork on the revocation of Premise licence The Bond Street Tavern, Bond Street, Wolverhampton the police could not give any reassurance they would not object if Derrick Minnot applied to be Premise Licence Holder or Designated Premise Supervisor. I produce this email within your evidence bundle on page 128. Full detail of the paperwork relating to this revocation is produced within your evidence bundle on page 18.

On 14th May 2022 Sgt James during a licensing visit smelt cannabis inside the bar. He noted Lexx closed at 04:30 with many customers exiting on mass and slowly dispersing to vehicles which had been abandoned on pavements and within roadworks with little to no regard for the highway code of other road users. I produce this statement within your evidence bundle on page 130.

On the 1st June 2022 WMP received intelligence that gang nominals would be attending an event that evening at the venue at Lexx Bar, this event had moved from its normal venue.

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On 4th June 2022 Sgt James carried out a licensing visit where staff initially stated there were 60 customers counted into the premises, however following the walkthrough and a headcount, revealed there were between 110-120 persons inside. When challenged they could not provide a reasonable excuse for the misrepresentation of their numbers. Sgt James also evidenced a strong smell of cannabis emanating from the bar. I produce this statement within your evidence bundle on page 130.

On Saturday 18th June 2022 at 03:10 hours a licensing walk through was carried out by officers including PC Harmon. In a statement dated 19th June he evidenced a strong smell of what he believed, after 15 years of policing, the smell of cannabis. I produce this statement within your evidence bundle on page 132.

On the 22nd June 2022 at 16:53 I emailed a Partnership letter to Melanie Jordon expressing continued concerns at the premise. This letter was also hand delivered to the venue which related to the continued smell of cannabis inside the venue and the inability of door staff to effectively manage numbers in relation to the licensing visit by Sgt James on the 4th June as mentioned above. The letter also made Melanie Jordon aware that police officers prior to carrying out a walk through were asked to complete a form attached to a clip board for completion prior to entry. I produce this letter on page 94 within your evidence bundle.

On the 24th June at 19:08 Melanie Jordon replied to my email disputing the numbers inside the venue. Within the email she asked to see the police bodycam footage under a Freedom of Information request and confirmed that their door staff would refrain from presenting our officers with a form on a clip board for completion as a condition of entry.

On the 27th June at 14:33 I replied to Melanie Jordon's above mentioned email advising of the process for Freedom of Information requests however we would be happy to show the footage of the walkthrough on 4th June at Walsall Police Station without such a request being made. She was invited in with her licensing consultation if she wished but Melanie Jordon did not reply or contact me to arrange a visit. I produce these emails within your evidence bundle on pages 96 and 98.

On the 25th June 2022 at 01:20 hours whilst delivering a letter and carrying out a walkthrough Sgt Bradburn evidenced a pungent smell of cannabis and has provided a statement. I produce Sgt Bradburn's statement within your evidence bundle on page 136.

On the 26th June 2022 around 02:42 hours whilst officers and Sgt James were performing a walk through at Lexx Bar they noted a very strong smell of cannabis. At the rear of the location a male was found openly placing cannabis into a grinder. When challenged and subsequently searched he was found in possession of cannabis. The male informed officers that he was at the location for work purposes as a singer. I produce this statement within your evidence bundle on page 130 and a further email on page 134.

Signature

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On Saturday 9th July 2022 whilst on foot patrol PC Taft was walking past Lexx Bar, a member of staff has walked out of the front door. When the door to the venue has been opened, a strong smell of cannabis has come from the venue. I produce this statement within your evidence bundle on page 138.

On 15th July 2022 at 10:18 hours a Partnership letter was emailed to Melanie Jordon outlining continued concerns. The letter requested the following, the DPS's presence and management at the bar to deter unlawful activity, the removal of Derrick Minnot as Manager of the bar, the replacement of the existing security company supplying SIA staff, a last entry policy of 2am, refreshment all staff training, especially relating to their drug policy, the adopt of LSAVI and complete self-assessment together with completion WAVE training. Melanie Jordan was also asked to contact myself to arrange a date the following week to come to the Civic Centre for a meeting with the Partnership. I produce a copy of this letter within your evidence bundle on page 100.

On 19th July 2022 police received intelligence that gang nominals would be attending an event that evening. Police Officers did attend and there was a private party going on. Local Authority CCTV officers where tasked to view the CCTV to provide vehicle registrations numbers. At the time of my statement I am not aware of the outcome of this request.

On 25th July 2022 at 15:42 hours I emailed a further Partnership letter Melanie Jordan advising that due to the delay in Melanie Jordan responding to the letter of the 15th July, the Partnership (Police and Local Authority) would be submitting a Licensing Review and therefore withdrawing the opportunity of a meeting. The letter suggested that Melanie Jordan should contact myself to arrange a meeting on the dates she confirmed where available to her, namely 1st and 2nd August. I did not receive any contact from Melanie Jordan. I produce a copy of this letter within your evidence bundle on page 102.

On 30th July 2022 at approximately 23:30 hours Sgt 5328 Cope, PS Hollowood and PC 21704 Clark conducted a routine walk through of the premise. PC Clarke asked a member of staff by the name of Melissa if there was any door staff on to be told, they were not there at the time, but it was a private party until the door staff arrived. PC Clark evidenced 6 people inside the premise including 3 members of the public, a DJ and staff. During the walk through there was a strong smell of cannabis. It was the opinion of PC Clark the staff present did not know when and how long they were going to be there for before the arrival of door staff. I product a copy of this statement within your evidence bundle on page 140.

On 3rd August 2022 I attended Lexx Bar with PCSO Dodgson to view the internal CCTV at the premise. The time and date had been arranged after a telephone conversation with Derrick Minnot on Monday 1st August following the incident the previous weekend of the venue being open and not having door staff.

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URN **N/A**

Statement of Jennifer Mellor

Derrick did not attend the meeting and did not answer his phone which went straight into voicemail. I left voice messages on both Melanie’s and Derricks phone whilst standing outside the premise. An email was sent to the PLH advising of the non-attendance but there has been no reply. I produce a copy of this email within your evidence bundle on page 104.

After our visit on the same day PCSO Dodgson watched the council’s CCTV footage of customers entering Lexx Bar and Grill in the early hours of 31st July 2022. Customers were seen being allowed into the venue without being search which I believe is contrary to their drug policy. At 02:40 two females entered the premises without being searched or a bag search being conducted, they were followed moments later by two males who also entered the premises without being searched. At 02:41 a male and a female enter the premises without a search including bag search on the female taking place. At 02:42 a group of three males then enter the premises with no search being conducted, these males are then followed by two males at 02:43 who had been in a car outside the location who appear to show a wristband and are allowed entry with no search taking place. At 02:44 a lone male attends the premise, this male has his jacket briefly patted down before being allowed access to the premises. Four males attend and are allowed entry to the premises with no search taking place at 02:46 and a further male is allowed access to the venue without search at 02:50. Two females who had previously left the venue to attend a parked vehicle over the road were allowed access without search at 02:52 as were two females at 02:54 and one female who had visited a vehicle minutes before returned to her vehicle again and was allowed entry without search again at 02:55, in these instances where the females had bags the bags were not checked. One male was also allowed access to the venue without search at 02:54. Furthermore at 02:56 a group consisting of two females and one male were allowed into the venue without search including bag search for the females as was a singular male at 02:57. I produce a copy of PCSO Dodson’s statement within your evidence bundle on page 142.

On the 5th August 2022 after realising there had been a number of changes at Companies House to Lexx Jerkx Limited, I emailed our legal services team. A new director had been appointed and both Melanie Jordan and Derrick Minott had ceased having any significant interest in the company. I was concerned of any potential impact this could have on the Review process. At this time, Melaine Jordan was and is the DPS. On the 11th August I had confirmation back that "Having reviewed the Licensing Act 2003, and the 2005 Regulations, I cannot see any basis for evidence relied on in a review to be disregarded following a change of director of the limited company holding the licence." I produce documents from Companies House within your evidence bundle on page 40 where you will note multiple companies associated with Derek Minott and Lexx Bar.

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On 6th August 2022 during a walk-through Sgt Derry evidenced the smell of cannabis

On the 6th August between 23:00 hours and 05:00 hours on 07 August 2022, PC O'Neil was deployed to police Walsall Night Time Economy with PC Wall and PC Rolfe. During the evening PC O'Neil made three log entries from information provided by Lexx Bar door staff about the numbers of persons inside. The first log entry at 00:30 hours, recorded 30 persons and 4 door staff at venue, then at 01:56 hours door staff said that there were 25 persons at the venue. Throughout the night, PC O'Neil noted quite significant numbers of people attending the venue with very few actually leaving, which made her question whether the numbers provided were accurate. At approximately 02:50 hours all three officers completed a walk-through of the venue. This was following a further report that there was then, 40 persons at the venue. Upon walking through the venue, there were clearly more than 40 persons inside and this was later challenged by her colleagues resulting in the door staff subsequently reporting a different number of 85. I produce a copy of PC O'Neil's statant within your evidence bundle on page 144. This undermines and has a disregard for the Public Safety licesing objective.

On the 12th August 2022, at 01:21 hours, Sgt James came across an altercation outside Lexx Jerkz Bar. It appeared that customers had been arguing with doormen on the front door, but no persons were willing to speak to the Sgt in relation to what had happened. From the Sgts statement he then spoke to the Council CCTV control room, who advised him that they had observed a male walk away from Lexx Jerkz Bar towards Goodall Street, where he had gone to a vehicle and secrete what they believed to be a weapon in the spare wheel compartment of the boot. The male was detained outside Lexx Jerkz which resulted in a hostile crowd forming. The male was arrested for having possession of a bladed article. Bystanders at this point became more hostile towards the police, filming and shouting in the Sgts face, claiming they were racist. One male described as 50-60 years of age, light skinned Jamaican, slim build wearing dark clothing, was spraying spittle as he shouted, some of which landed on the right hand side of PS Jame's face. Disgusted and wishing to create some distance from this male, he was pushed him back advising him not to continue spitting. This seemed to inflame the situation almost immediately, the male became more aggressive showing signs of aggression clenching fists, leaning forward and saying threatening things, fearing for the officers personal safety, PC James draw Parva spray in preparation to use it against the crowd. He was then joined by further officers. Their presence now helped disperse the crowd. A small bag of herbal cannabis was also found in the vehicle. I produce a copy of the statements within the evidence bundle on page 146 & 148 together with an email from PS James on page 183 relating to this incident.

On Tuesday 16/08/2022 at 13:30 hours PC Dodgson viewed local authority's CCTV alongside Community Support Officer of Walsall Council in relation to the above mentioned offence. In the early hours of Friday

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12/08/2022 at 01:17:32 the male later involved in the crimes above, is seen to be ejected from inside of Lexx Bar & Grill. I produce a copy of this statement within your evidence bundle on page 152.

On 24th August 2022 PCSO Dodgson made a phone call to a female following the Local Authority disclosing an alleged offence had been reported to them. This lady confirmed to police she had attended Lexx Bar and Grill where a female known as Priscilla had assaulted her forcing her to defend herself. The date was unknown but at the time of the call, it was over a month ago. The complaint had visited Lexx Bar with a friend where there were some issues with the daughter of an employee of the bar who seemed to take exception to this female and physically assault her. She defended herself, then took her phone out to call the police. The manager of the club told her not to and that he would deal with the situation himself. This person has attempted to go back to the club on another evening but was stopped by the manager who stated, she wasn't welcome. Our complaint did not wish to peruse any further complaint. A crime number was generated on 24th August for an assault without injury. In my belief this is the venue again, self policing their own venue.

On 30th August 2022 at 08:17 hours as part of my duties I was checking the crimes for the previous bank holiday weekend. I noted Sgt James had made the following written comment in relation to Saturday 27th nights trading for Lexx Bar "Usual smell of Cannabis emanating from Lexx Bar, however insufficient officer numbers from 0230 hours to enable a proactive walkthrough. I have spoken to door staff who initially stated they had 122 customers inside, but when challenged about capacity, had forgotten their cap. Melanie has then been on the door and monetarily stated she only had 90 persons inside, but challenged about her door staffs numbers and has then stopped persons entering whilst I have been at their door, stating that the venue was now at capacity and was a one in one out from this time. " A further disregard for Public Safety.

On 1st September 2022 PCSO Dodgson viewed the Local Authority CCTV from the point where the police left the venue to ensure that the "one in one out" direction was being followed which was the case until 02:50 until nine people were allowed entry to the premises by door staff in the following 5 minutes with no customers leaving through the same route. On receipt of this information I emailed the DPS with a copy to West Midlands Fire Service requesting further details. I produce this email as evidence on page 156 in your evidence bundle together with PCSO Dodgson's statement. I did not receive a reply to this email.

West Midlands Police respectfully request the Premise Licence on this occasion be revoked. The police have consistently tried to work with the venue but their lack of communication with police, poor management and evidence of unlawful activity as a clear sign the licensing objectives are not being upheld. West Midlands Police have exhausted the engage, explain and encourage elements of the nationwide 4 E approach

Signature

Signature witnessed by

03/2016

Witness contact details

URN : / / /

Name of witness: Mr/Mrs/Ms/Miss/Dr

Former name

***Email address:**

***Email address needed for correspondence i.e. support material to be sent**

Address Postcode:

Preferred telephone number: Alternate telephone number:

Agreed means of contact and frequency :

Gender Date and place of birth Ethnicity Code (16+1)

DATES OF WITNESS NON-AVAILABILITY: (12 months)

Witness care

Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (*youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case. ALSO crimes involving gun and knife crimes and victims of Modern Slavery Act 2015*)

Yes No If 'Yes', submit **MG2** with file in NGAP, contested or indictable only cases OR to read VPS in GAP cases.

Witness Consent (for witness completion)

- | | | | |
|---|------------------------------|-----------------------------|------------------------------|
| a) I am aware that I may have to attend court. | Yes <input type="checkbox"/> | | |
| b) I have been given the Victims' leaflet with the crime number on. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | |
| c) The Victim Personal Statement scheme (victims only) has been offered to me. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | |
| d) It has been explained to me what will happen next with this investigation | Yes <input type="checkbox"/> | No <input type="checkbox"/> | |
| e) I consent to police having access to my medical record(s) in relation to this matter (<i>obtained in accordance with local practice</i>) | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA, CLPD. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| g) Child witness cases only. I have had the provision regarding reporting restrictions explained to me. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| I would like the CPS to apply for reporting restrictions on my behalf. | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

- *I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court.*
- *I understand that my details may be passed to other agencies who can offer me help and support in relation to being a victim of this crime.*

I give my informed and explicit consent for my personal details to be passed to other agencies that can support me or are involved in the criminal justice process. Yes No

Signature..... Date

Parent/guardian signature..... Date

Address

Contact tel no

Supporter signature..... Date

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

Time and place statement taken:

Signature Signature witnessed by