

WITNESS STATEMENT **Appendix A(iv)**
Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s.9

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Statement of: **Rebeka Casey**Age if under 18: **018** (if over 18 insert 'over 18')Occupation: **Police Constable 1299**

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

Signature: [REDACTED]Date **26/01/22**Tick if witness evidence is visually recorded (*supply witness details on rear*)

I am the above named person employed as a Police Constable within Lincolnshire Police. I am currently an Officer in the Alcohol Licensing Department based at the Myle Cross Centre in Lincoln.

On Tuesday 9th September 2021 I visited Place2B, Butchery Court, Lincoln in company with Ian Cullen and Rob Cuffling (Licensing Officers from the City of Lincoln Council). At this time, we met with the premises licence holder and designated premises supervisor (DPS) – Simon Ward. The visit had been pre-arranged with Mr Ward and the purpose of the visit was to conduct a compliance check in relation to the premises licence. On reading the Annex 2 conditions with Mr Ward it became quite apparent that the premises was largely non-compliant in relation to conditions surrounding CCTV, Door staff, drugs policies, incident/refusals logs and age restricted sales. Mr Ward did not appear to have any knowledge of the conditions within his licence and tried to blame the non-compliance on a recently dismissed bar manager. He was reminded that as DPS and Prem LH the responsibility to ensure compliance lay firmly with him. Details of the breaches and areas for improvement were sent both via email and the post to Mr Ward and he was told that the issues must be rectified (*See Annex A - letter to Mr Ward and Annex B - e-mail correspondence with full breakdown of findings.*)

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On 1st October 2021 Mr Ward reported a criminal damage to Lincolnshire Police whereby an unknown male offender smashed the door to the premises. A comment was made by the attending officer that Mr Ward and his staff appeared in drink. On a later inspection of the door supervision log Simon Ward was one of the two door staff on duty that evening.

On 19th November 2021 a report was made to Lincolnshire Police [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Following my first visit, I requested that local response Officers visit the premises and carry out unannounced checks in order to establish whether door staff were being employed at the relevant times and in an appropriate number. Officers did visit the premises on two occasions to carry out this task.

On Friday 26th November 2021 at 23:48 hours Pc Gordon-Rundle attended and spoke with the door supervisor who was standing inside the premises. He was the only member of door staff on duty but was able to provide the door supervisors book when asked to do so.

On Saturday 11th December 2021 at 23:26 hours Pc Nisbet attended and spoke with Mr Ward who appeared to be operating as a DJ and a door supervisor (he removed his SIA badge from his back pocket and showed it to Officers). The Officer enquired as to whether Ward was DJ'ing as well as controlling the door and he replied that he'd put it on auto pilot, he was however, seen on body worn video to run across to the DJ booth at the end of one song in order to start the next track. PC Nisbet asked how many door staff should be employed to adhere to his licence conditions to which Ward

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replied, "I SHOULD HAVE 2 BUT I ONLY NEED 1 REALLY." He also explained that both door staff had let him down and appeared to show the officer evidence of text messages he had sent to the agency.

Both of these visits were captured on Body worn video and provide clear evidence that Place2B is in breach of the Annex 2 condition which stipulates there must be 2 door staff on duty from 23:00 on Fridays and Saturdays.

On Sunday 5th December 2021 at 23:52 an incident of assault was reported to Lincs Police control room (incident 464 relates.) The attending Officers spoke with the injured party who claimed to have been assaulted whilst inside the venue. Of concern the victim appeared to have allowed himself access to the staff area beside the bar and his friend also freely accessed the room seemingly unchallenged. Officers once again had body worn cameras activated and at no point were they approached by Mr Ward. Mr Ward offered no assistance to the investigation and neither did he report criminal damage to a toilet door which had allegedly occurred during the assault. Officers did have a brief conversation with a member of bar staff who stated that CCTV was not working so could not be reviewed. Once again, this is further evidence of a breach of Annex 2 conditions.

On Tuesday 14th December 2021 I re-attended the venue with Ian Cullen (CoLC) and Sgt 1367 Cotton as a pre-arranged meeting with Mr Ward. I carried out a further compliance check and unfortunately, found that Mr Ward hadn't taken the steps required in order to rectify the majority of breaches which had been pointed out to him some 3 months prior. Mr Ward displayed the same attitude of that during my first visit and was, once again, trying to shift the blame for the breaches onto his employees who had failed to do certain things. I pointed out that it was not the responsibility of his employees to ensure that the premises was compliant with the licence conditions and neither was it for them to ensure they had

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signed the appropriate training records/log books. As DPS and PLH it was a responsibility that was held by Mr Ward.

During the compliance check I took various photographs of the incident book which was not completed to a sufficient standard. I also captured photographs of the door supervisor log which was not correctly completed and evidenced the breaches of conditions in relation to the specific days on which door staff should be employed and in what number. From the log there were a number of dates on Fridays and Saturdays whereby door staff had not signed in; 26th, 27th November, 3rd, 11th December.

The clear non-compliance in relation to door staff is concerning given that the primary purpose of door staff is to ensure the safety of both staff and customers at the venue. Lincoln and, in fact, the country has seen a recent increase in reports of drink spiking. The vast majority of venues are aware of this concern and are working proactively to ensure the safety of their patrons. The very fact that Place2B can't adhere to the licence conditions and employ sufficient door staff is concerning to say the least in the current climate. If Mr Ward did not agree with the number of door staff he has to employ then he could have chosen to submit a variation to ask the committee to consider removal of the condition or a reduction from 2 to 1 door supervisor. Again, he failed to be proactive and suggest this.

During my second visit I found just one signed/written record evidencing Challenge 25 training which was referred to as a "knowledge check" Mr Ward accepted that no other staff had completed the document (including himself.) He stated that he'd asked his staff to read and sign the document but that they had failed to do so. (See Annex D – Photographs from PC Casey's Pocket Notebook.)

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Whilst at the premises, I also utilised the drugs itemiser machine with the consent of Mr Ward and found traces of cocaine within the building. *(See Annex E - Drugs Itemiser results.)*

On 14th January an incident of concern for safety was reported to Lincs Police after a female was found at approximately 7am seemingly unconscious beside a skip near to Place2B. On coming round the female could not account for the previous 3 hours of her time. There was then an allegation that her drink may have been spiked. Subsequent investigations found that there wasn't any evidence to support a spiking, however, it was established that the female was an employee at Place2B who had been drinking heavily throughout her shift behind the bar. CCTV checks inside the premises saw that Mr Ward had remained inside the premises between 03:00 (when the bar closed) and 07:00 with two female employees and another male. The group continued to drink alcohol from the bar during this period. DC Webdill documented some of his concerns from the investigation and his review of CCTV in his pocket notebook. *(See Annex F – pocket notebook entry of DC Webdill).*

From my visits at Place2B and the associated meetings with Mr Ward I do not believe that he has the capability or inclination to uphold the licensing objectives. Following my first visit in September he had ample opportunity (3 months) to rectify the identified breaches yet failed to do so. Neither did he make contact with either myself or the Council licensing team to request further guidance or advice. It is my belief that Mr Ward should not be allowed to continue operating as the PLH and DPS at the venue. Allowing him to continue in this manner not only undermines the licensing objectives but also compromises the safety of those using the night time economy.

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