

WITNESS STATEMENT

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

URN


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Statement of: Aaron Bell

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Constable

This statement (consisting of 3 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: 


Date: 18/11/2013

I am Police Constable 3035 Bell of the Leicestershire Constabulary currently based at Coalville Police station. On 18th November 2013 at 13:00 hours I received a bundle of evidence sent electronically by Sgt Thornley to me. The document was some 70 pages in length and had been served on behalf of the DPS Sarah Booth from the Engine Public house concerning a forthcoming review of her license.

In regard to this bundle I was specifically asked by Sgt Thornley to respond to page 8 of this document as I have been mentioned in the bottom of the first paragraph on this page.

The incident involved large public disorder occurring at the Engine on the 31st of August into the 1st of October when I was on duty and I can add the following. On Saturday 31st August 2013 I was on duty in full uniform in a marked police vehicle with Police Sergeant 1296 Tugby. At around 23:45 hours we received radio communication to attend The Engine public house, Belvoir Road, Coalville in relation to a male with a knife.

On arrival at the location a male was located after fleeing the scene discarding his personal effects including a hat and a bag as he ran. I pursued this male on foot eventually detaining him by the taxi rank on Marlborough Square. The result of this incident was that this male had been named along with two other males as being suspected and involved in an altercation at The Engine PH. Threats had been made mentioning a knife. The male I detained was intoxicated and / or under the influence of drugs and a third male had left the scene. The male I had stopped was searched whilst other officers dealt with a second male. No knives were found and both parties were given advice and allowed to leave. The male I had detained left the Town centre.

Signature:  Signature witnessed by:

Continuation of Statement of: Aaron Bell,

At approximately 01:30 hours on Sunday 1st September I received radio communication from TV06 the North West Leicestershire District council CCTV operator regarding a domestic incident in the Street on Belvoir Road near to the Engine PH.

PS Tugby and I returned to the area but found no trace of such an incident. We remained to patrol the Town centre and after a short time we noticed a large group congregating outside the entrance to the Engine PH. As we drove towards the location along Belvoir Road we could see the group contained around 30 people both males and females who were clearly agitated pushing and shoving each other and it was apparent a large fight was about to start. As we got out of our vehicle we were both instantly bombarded by allegations and counter allegations and were both required to break up several skirmishes between group members. The altercations appeared to have centred on an allegation of theft between two groups of females however several acquaintances of each group joined in and were increasing the intensity of the incident by shouting encouragement and inciting further violence.

In the early stages of this incident a male who appeared to be the partner of one of the females involved was detained and was placed in the rear of a police van. This male had been highly obstructive and was detained in an attempt to defuse the situation. The atmosphere was one of extreme tension with the majority of the large group all heavily intoxicated and in the mood for further disorder. I felt our presence was not well received and we were severely understaffed and ineffective against so many pockets of disorder. We requested further assistance although only 4 other officers were available. By this stage the majority of the customers from the Engine PH had emptied into the street and were milling around on the street and in the road. Our presence at this time clearly aggravated the situation and we did not have sufficient staff to be able to manage the disorder. Most of the people involved were drunk and excited and revelled in the excitement of the night. I saw several people filming the incident on mobile phones.

Whilst making my way through the crowds picking out pockets of disorder I encountered a female. As I walked towards her I was aware she had just been speaking with PS Tugby, she turned to me and said "I DON'T THINK HE LIKES ME". Having not heard the conversation she had had with Sgt Tugby I simply replied "Don't worry about it, it's not personal". I was unaware at this stage that the female was the licensee or indeed even staff of the Engine PH. I commented "It's always The Engine", to the female who reacted immediately by saying "NO ITS NOT". I am now aware that this female was Sarah Booth, the licensee of the Engine

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Signature witnessed by:

Continuation of Statement of: Aaron Bell,
public house.

At this stage a further allegation of assault had been made and my attention turned to assisting other officers who were struggling with a person. The nature of the entire incident meant that policing methods were ineffective with so few officers available. There were too many pockets of disorder among such a large group of heavily intoxicated and excitable young adults which meant that we could only pay short periods of attention to each individual incident before rushing on to the next. In my opinion the only way of dealing effectively with that particular group would have been to make several early arrests for public order offences which would have required more than double the staffing we had available. Eventually some time later once a public order van had become available from Ashby and two arrests had been made the group began to disperse.

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Crime Ref:

Custody Ref

Not Disclosable

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URN

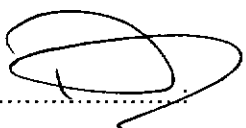
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Statement of: Patrick John TUGBY

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Sergeant

This statement (consisting of 4 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: 


Date: 18/11/13

I am Police Sergeant 1296 Tugby of the Leicestershire Police currently stationed at Coalville Police station. On 18th November 2013 at 13:00 hours I received a bundle of evidence sent electronically by Sgt Thornley to me. The document was some 70 pages in length and had been served on behalf of the DPS Sarah Booth from the Engine Public house concerning a forthcoming review of her license.

In regard to this bundle I was specifically asked by Sgt Thornley to respond to page 8 in this document and I can add the following. I have already submitted a statement to the licensing committee and a report that was dated the 1/9/2013 detailing my account of this large scale public order incident.

On Saturday 21st August 2013 I was on uniformed mobile patrol in the company of Pc 3035 Bell. About 23:45 hours we received radio communication to attend The Engine public house, Belvoir Road, Coalville in relation to three males arguing. One of the males was believed to be possession of a knife. On arrival at the location I saw a male who I know standing outside the main door of the Engine. I saw this male throw his rucksack and hat into the alleyway next to the public house and run off into Marlborough Square. Other officers detained the male while I recovered the discarded items and joined them. The male who had run was searched and remained with the officers whilst I and another officer attended the Engine PH. I spoke to the door staff who informed me that there had been an argument involving the male who had discarded his property and another male who was still inside the Engine. During this argument it was alleged that one of the males had a knife.

I asked the doorman to locate the male inside. He returned a short moment later with a male I

Signature:  Signature witnessed by:

Continuation of Statement of: ,

am familiar with. This male was drunk and was also searched by another officer with me.

The male was searched in the street about six feet from the main door of the pub.

No weapon was located so this male was released and he walked straight back inside the premises. At no time did I this male have any conversation with anyone before re-entering the pub nor did I see any police officer approach this male with handcuffs.

In my experience I have very rarely seen anyone handcuffed before or during a search and even after arrest handcuffs are used at the discretion of the officer. The male who had been brought out of the pub and searched was compliant throughout this process so restraints would have been unnecessary given any circumstances.

About approximately 01:30 hours on Sunday 1st September I monitored a radio communication from TV06 the North West Leicestershire District council CCTV operator regarding a domestic incident in the Street on Belvoir Road near to the Engine PH. At this time the only marked vehicle available on the area was me.

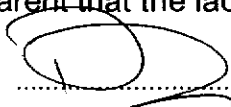
The night shift were policing Ashby town centre and Sgt Gosling was dealing with other operational matters at Coalville Police station. Two other officers (Pc 2083 and Pc 786) were patrolling Ibstock in a plain vehicle and were in plain clothes.

When we arrived at the location we could not locate any couple. However while driving along Belvoir Rd I noticed a large crowd in the street outside the Engine Public House. The crowd of approximately 30 people appeared to be fighting and as we got out of our vehicle I saw a number of arguments involving pushing and shoving between individuals in the main body of the crowd.

The majority of the crowd appeared to be heavily intoxicated. I made a radio communication for further assistance and was joined at some point by Ps 758 Gosling, Pc 1445 Watson (in a van) and Pc 2083 Smith and Pc 786 Hayes who were both plain clothes and in an unmarked vehicle.

These were the only officers in attendance for at least the first 30 minutes of the incident. Ps Gosling was the officer who parked outside the Engine and dropped his keys. At this point I became aware of two females fighting with each other. As I intervened I was immediately pulled away by one of the female's boyfriend and members of the larger crowd began to congregate around me. The male was detained by me and placed in the rear of the police van. This appeared to incite the remainder of the group and I became aware that a number of males were filming our actions on mobile phones and questioning the legality of our actions. It quickly became apparent that the lack of police resources and the extremely agitated nature

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Continuation of Statement of: ,

of the crowd made it almost completely impossible to manage the disorder effectively. It was an extremely frustrating time and one of the most frightening experience of my career.

I was fearful for my safety and that of my staff and our inadequacy to deal effectively with the situation which in my opinion had the potential to escalate further risking serious injury to officers at the scene.

At one point whilst near to the entrance of the Engine Public House I noticed a female who I know to be Sarah Booth standing outside the doorway of the premises. Booth appeared to be a spectator to the events and as I approached the door staff she said "ITS YOUR FAULT WHY THIS HAS HAPPENED.ITS BECAUSE THE POLICE ARE HERE, WHICH CAUSES THIS EVEN THE LICENSING SERGEANT TOLD ME THAT.

I established that Booth was the licensee of the pub and made a comment similar to, "IT WOULDN'T HAVE ANYTHING TO DO WITH THE AMOUNT OF DRINK YOU HAVE SERVED THEM?" Booth made no comment.

I mentioned the incident earlier to Booth who tried to imply that incident had nothing to do with the Engine and one of the males involved had been banned. I explained that one of the males involved in that same incident (the banned male) had been located inside her premise and been allowed to return inside the pub, unchallenged by door staff shortly after he had been searched. I told Booth that I would speak to the licensing Sgt myself.

About 02:00hrs we withdrew from the area keeping view hoping the situation would diffuse. However after a short time period we received a radio communication regarding another disturbance on Belvoir Road near to Jackson Street. I made a request for further assistance and officers began to make their way from Ashby town centre and Hinckley which is some 13 miles away. Whilst dealing with a group of about ten people who were extremely rowdy I became aware of Sgt Gosling approaching a male who was standing within the group in front of a Restaurant at the entrance to Jackson Street. I followed Sgt Gosling as he approached this male and noted that the male was staring directly in front of this officer with head back, his chest protruding and was clenching and unclenching his fists which I interpreted as warning signals. Ps Gosling took hold of the males arm and informed him that he was being arrested on suspicion of assault. At this point the male lunged forward taking hold of Sgt Gosling's upper body while at the same time the group around us became very aggressive towards us and all moved in unison surrounding us.

I was fearful for my own safety and that of Sgt Gosling and I was aware that he Gosling had drawn his ASP (baton). I heard Sgt Gosling give a warning several times to the male he had

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Continuation of Statement of: ,

detained and the group as he continued to attempt to hold the male.

At this point I removed my Captor and shouted "SPRAY" and discharged the Captor towards the male who had been detained by Sgt Gosling. This male bent forward clutching his face but the remainder of the group were still coming towards us.

Sgt Gosling shouted "BACK" and administered a baton strike to the lower limb area of the approaching crowd and at the same time I pointed my Captor towards the group who began to retreat slightly.

During this I was aware of Pc Bell and other officers approaching and the male I had sprayed was detained. Other officers joined us and we managed to disperse the crowd.

I have spent the past 16years as a front line operational officer and am well used to dealing with public order situations not only in this area but also at Loughborough and in Leicester city centre.

I would describe this incident as a large group of extremely intoxicated males and females mixed with sporadic pockets of disorder within the crowd. I have no doubt that any attempt to have robustly policed this incident of disorder would have resulted in serious injury to officers at the time. The fact that the incident lasted for approximately one hour speaks volumes about the disorder associated to licensed premises. I have never come across such behaviour in all of my service.

This initial incident was attended by two officers and involved 30 people. Only x4 other officers could be called to assist and I find it appalling that anyone namely Sarah Booth would have the audacity to blame police presence for causing this disorder and to criticise policing methods.

I fully recognise my responsibilities and attempt to conduct them in a professional manner. On the night in question the safety of officers dealing with this disorder was paramount and my manner may not have been as polite as I would have liked. However this incident was a drink binge fuelled public order incident of the greatest magnitude I have faced in 16years and was not helped by the actions of the licensee Sarah Booth.

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Signature witnessed by:

The recommendations from the Police without prejudice are the following:

1. ~~A Closed Hearing~~ due to "Sub Judice" of an on-going police investigation into a serious assault,
2. Removal of DPS
3. Revocation of the Premises licence

We believe that the licence should be revoked or the DPS removed. Without wishing to fetter or influence the committee's decision, should neither action be successful, we ask that the following conditions be considered

4. The terminal hour for all licensable activity to be 12 midnight for Thursday / Friday and Saturdays nights.
5. Last entry to the premises to be 23.30 on Thursday/Friday and Saturday
6. All SIA door staff working at this premise to be approved with consultation with the police.
7. The DPS will ensure CCTV installed is maintained in accordance with Information commissioners Code of Practise. The system will record images at all times the premises is open for licensable activities and these images will be retained for a minimum of 30 days and made available to the Licensing Authority or Police immediately or within 24hours of a request being made.

Consideration to suspend the current premise licence for a period agreed by the committee for the implementation of any new conditions as agreed.

Inspector 915 Rixon

Date 14.10.2013

Summary of x17 STORM incidents relating to The Engine Public House

1. **STORM INC. LEP220213-0525 18:09**
Male becoming aggressive.

Complainant – TV06

TV06 Spots a male on Belvoir Road and reports that he has been exposing himself. CCTV follows him and states that he has gone back into the Engine Public Hse. Police attend and identify the male. The male is given notice and direction to leave the area and update that this is not indecency but void urine. Incident closed.

2. **STORM INC. LEP220213-0795 23:39**
Theft Just

Complainant – TV06

TV06 receive a report that a purse has been stolen at the location and the victim is awaiting Police. On Police arrival they find that the female is now in the Engine Public Hse and she was in there when she had a domestic altercation with her partner over her ex partner being in there at the same time. The purse contained the keys to a jointly owned property so the partner took it to get in. Details taken for a Domestic report (verbal only) LN00887/13-6 refers.

3. **STORM INC. LEP240213-0058 02:12**
Under age drinkers

Complainant – Anon male

Anon male calls police stating that a male known to him is drinking in the Engine Public Hse and is concerned as the boy is only 16yrs old. Caller was not clear to call taker and admitted he had been drinking. Closed as 'telephone resolution.'

4. **STORM INC. LEP170313-0019 00:40**
Aggressive Male

Complainant – TV06

TV06 reporting that there is an aggressive male, outside the Engine Public Hse. Would appear line cleared before the full question set could be completed but incident states 'male becoming aggressive to staff outside the location – took a couple of punches' This is not clear whether it is the male who took the punches or the staff. Male had gone prior to Police arrival. Incident close

Cont.

5. **STORM INC. LEP280313-0637 20:56**
Poss DIC

Complainant – Sarah Booth DPS

Caller states that a male identified by her has just driven off in a gold coloured Ford Focus VRM unknown, having consumed 5 pints in the Engine and states he was also drinking in the pub opposite prior to coming into the Engine. Vehicle put out for obs but nothing further reported.

6. **STORM INC. LEP310313-0563 20:53**
Underage Drinking

Complainant – Identified male with Tel No.

Caller rings Police to state that a he saw a girl he knows, drinking in the Engine Public Hse last night. Concerned as he knows she is only 17yrs and she was also with a group of friends who are the same age. Telephone resolution and incident closed.

7. **STORM INC. LEP130413-0501 17:13**
Detained male/Assault

Complainant – L1251 – PCSO Cane

Officer informed by CCTV that an assault has taken place and the suspect was located by Police outside the Engine Public Hse. Male admits assault to Police on the basis of self defence and is taken to Coalville FEO for further enquiries. A supervisor was contacted and as there was no complainant the male was released with no further action.

8. **STORM INC. LEP040513-0059 01:25**
Violence against person/Aggressive male

Complainant – TV06

TV06 reporting that an aggressive male has been ejected from the Engine Public Hse. Believed that he has already been ejected from the Ashby area. Male has got into a car travelling toward London Road. Staff at location wish to speak with Police. Local SNT officer updates that there are no offences and this is supported by SNT Sgt who puts an entry on INNWEB.

9. **STORM INC. LEP050513-0803 23:57**
Will be DIC LC60VHR

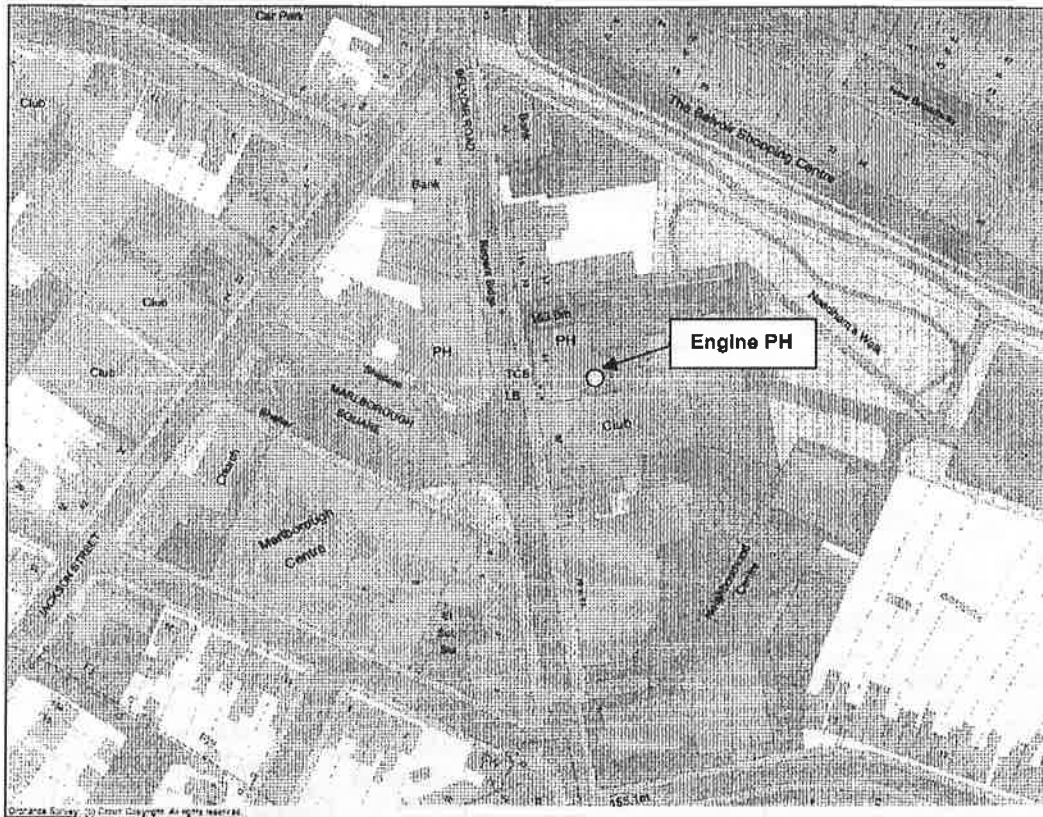
Complainant – Sarah Booth DPS

Caller states that she has seen a man get out of an Enterprise Rental Van and go into the Kashmere Indian takeaway. States he is very drunk. No further reports.

THE ENGINE PUBLIC HOUSE, 61 BELVOIR ROAD COALVILLE

- o Crime and incidents were considered that occurred in or just outside the premises of The Engine PH in Coalville.
- o The period 09/01/13→09/09/13 was compared to the same period the previous year.
- o CIS and STORM incidents were considered.
- o Incidents also recorded onto INNWEB were also looked at for additional incidents of note.

The map below highlights the location of the Engine PH, in Coalville town:



CRIME in and around the Engine PH

	2012 (% of total offences on Belvoir Rd)	2013 (% of total offences on Belvoir Rd)	% change
Assaults	5 (31%)	6 (30%)	20%
Damage	1 (11%)	1 (12.5%)	/
Indecency		2 (100%)	/
Theft/theft person	6 (31.6%)	2 (28.6%)	-33.3%
Theft cycle	/	1 (33.3%)	/
TOTAL	12	12	/

Although recorded crimes in 2013 are not increasing, the trend for violent crime is still occurring. Crime recorded for 2013, violent offences highlighted:

- o ~~LN00447132~~ – 01:15hrs 26/01/13 – **ABH Sec 47** – glassing
- o LN00432133 – 22:00→23:55hrs 26/01/13 – theft – theft from bag
- o ~~LN01026139~~ – 00:01hrs 03/03/13 – **indecenty** – sexual assault on female – NB cocaine use talking place in toilets at time of assault
- o LN01351137 – 03:30→04:00hrs 24/03/13 – theft – occurred o/s pub – theft by finding???
- o LN01638131 – 01:10hrs 07/04/13 – damage – occurred during argument in pub.

- LN01906134 – 23:00hrs 26/04/13 – section 5 POA – smoke bomb released in pub
- LN02675134 – 09/06/13 – GBH with intent Sec 18 – disagreement with door staff
- LN03192134 – 00:05hrs 22/06/13 – common assault
- LN03764130 – 01:30hrs 20/07/13 – rape
- LN03862131 – 18:30hrs 24/07/13 – cycle theft – left at side of pub
- LN04207136 – 01:25hrs 11/08/13 – GBH inflict sec 20 – fight outside the pub – suspect had been drinking in Engine and had been earlier ejected.
- LN04626139 – 01:45hrs 25/08/13 – section 5 POA – sus ejected from Engine

Incidents in and around the Engine PH

STORM incidents not recorded as a crime or on INNWEB:

2012	2013	% Change
7	17	142.9%

Details of current year incidents not already covered by a crime report:

Priority/Source	URN	Misc	Event Date	Info
21/STORM	LEP-220213-0525	MALE BECOMING AGGRESSIVE	22/02/2013 18:09	Male becoming aggressive/exposure
21/STORM	LEP-220213-0795	THEFT JUST	22/02/2013 23:39	Initially reported as theft – transpired to be domestic
21/STORM	LEP-240213-0058	UNDERAGE DRINKERS	24/02/2013 02:12	Noted – caller also appeared to be inebriated
21/STORM	LEP-170313-0019	AGGRESSIVE MALE	17/03/2013 00:40	Male being aggressive to staff – left premises
21/STORM	LEP-280313-0637	POSS DIC	28/03/2013 20:56	Drinker from pub driving
21/STORM	LEP-310313-0563	UNDERAGE DRINKING	31/03/2013 20:53	Report of underage female drinking in pub
21/STORM	LEP-130413-0501	DETAINED MALE/ASSAULT?	13/04/2013 17:13	Detained near pub – involved in assault? No complaint
21/STORM	LEP-040513-0059	VIOLENCE AGAINST PERSON	04/05/2013 01:25	Aggressive male - ejected
21/STORM	LEP-050513-0803	WILL BE DIC LC60VHR	05/05/2013 23:57	Report of drunk driver
21/STORM	LEP-070513-0589	ASSULT	07/05/2013 17:06	Assault occurring NR pub – agg does not want to pursue claim
21/STORM	LEP-110513-0054	FIGHT	11/05/2013 02:03	Fight spotted on CCTV – males disperse
21/STORM	LEP-240513-0648	MALE EXPOSING	24/05/2013 18:10	Male removed from pub – exposed to staff
21/STORM	LEP-160613-0048	KICKING DOOR	16/06/2013 01:00	Couple kicking door to pub as refused entry
21/STORM	LEP-300613-0128	UNCONS MALE	30/06/2013 02:23	Male unconscious and inebriated o/s pub
21/STORM	LEP-070713-0902	MALES REFUSING TO LEAVE	07/07/2013 21:42	Male refusing to leave premises, bit of a scuffle in the premises
21/STORM	LEP-070713-0922	CALLER ASSAULTED BY LANDLADY	07/07/2013 22:05	Linked to above – male claiming landlady of pub assaulted him
21/STORM	LEP-090813-0892	THREATS RE CAR	09/08/2013 23:48	Caller in pub – states someone o/s threatening to smash his car

INNWEB

- o No visits in the last 12 months input
- o Incidents: 23 in the last year

Since 09/01/13:

- o 26/01/13 – LN/447/13-2 – glassing (*crime report*)
- o 09/02/13 – ejection – male [REDACTED] consumes so much alcohol in premises that was ejected – progressed to cause damage in the street.
- o 04/05/13 – disorder – LEP-040513-0059 – ejection, no offences (*incident*)
- o 24/05/13 – CCTV operator notes argument with door staff – no retail radio contact is made by door staff until operator contacts them (*incident*)
- o 25/05/13 – ASB - CCTV operator notes drunken couple leaving premises, arguments/aggressive – section 27 dispersal notice issued
- o 25/05/13 – retail radio – male ejected from Monkey Walk and notifies Engine – door staff let this male in.
- o 22/06/13 – Assault – police attended report of assault – male suspect given 3 month PubWatch ban by licensee (*crime report*)
- o 11/08/13 – Disorder – report of fighting, persons had been drinking in Engine prior.
- o 11/08/13 – Assault – report to CCTV operator – persons involved had been drinking in Engine (*crime report*)
- o 25/08/13 – public order – door staff report abusive male (*crime report*)
- o 31/08/13 – violence – trouble inside premise – rumours of knife – not found – later door staff let one of males back in.
- o 01/09/13 – disorder – crowd of around 40 people fighting outside premises – intoxicated – were dispersed, but were very anti-police
- o 04/09/13 – licensee invited to attend meeting to discuss escalation of incidents linked to premises.
- o 06/09/13 – compliance visit – no issues.

Helen Dawson

Counties Intelligence Analyst

Part of the Tasking Directorate

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