

WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Euan Reilly

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a PC 1548 Euan Reilly employed by South Yorkshire Police attached to churchfields police station in Barnsley.

On 23/09/2022 at 23:30 I was on duty on the night time economy van, when I attended sugar club in Barnsley for licensing checks. When i attended i informed the two males who were acting as door supervisors i was there to check the licenses and they both produced valid SIA badges and were wearing body worn video.

On the table by the entrance they had a laptop and they informed me that this was the scanner they used to check whether IDs passed to them were real. At this point several of my colleagues entered the nightclub to check the other safety measures such as CCTV.

After repeated attempts at scanning my valid driving license the door supervisor informed me that the system may need to be reset and as such proceeded to reset the laptop. At this point my colleague PC2043 THOMPSON approached the front door from inside the club. As my driving license is somewhat worn i have asked to use PC THOMPSONS driving licence to check the scanner and once again it has failed to scan his driving license.

This whole incident lasted only a few minutes however it was caught on body worn video and i can exhibit the footage as ER/1.

This statement 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 of Witness:



Date: 04-11-2022

WITNESS STATEMENT

(Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9)

Statement of: Esme Wright

URN

Age (if under 18): N/A

Occupation: Police Officer

I am a Police Constable currently stationed at Barnsley Churchfields in the South Yorkshire Police.

On Saturday the 1st of October 2022 I was in full uniformed duty working a 1700X0300hrs shift.

On Sunday the 2nd of October 2022 at around 0129hrs I commenced a licencing check at Sugar Club on Pitt Street, Barnsley.

I attended in company with other colleagues under the call sign BP1. During this check I have entered Sugar Club and inside everyone appeared over the age of 25. My colleague PC 1237 SHELLARD has checked CCTV whilst I have checked the ID scanner outside.

Initially, the ID scanner was not working. Door staff has made numerous attempts to make this scanner work by unplugging the scanner and re-plugging back in. After numerous attempts I could see that the ID scanner was working as the door staff used her bank card to show me this.

This was captured on my Body Worn Video and can be viewed on DEMS under warrant number 748990.

This statement 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 of Witness:



Date: 04-10-2022

JOHN KIRKHAM

From: BarnsleyLicensing
Sent: 19 October 2022 14:10
To: Licensing: Ashley Stockton
Cc: [REDACTED]
Subject: Objection to the LATE Temporary Event Notice for 29th October - 4th November 2022 for Sugar Club, 7 Pitt Street

**Barnsley Council
PO Box 634
Barnsley
South Yorkshire
S70 9GG**

Date: 17th October 2022

Licensing Act 2003

Objection to late Temporary Event Notice

29th October – 4th November 2022 for Sugar Club, 7 Pitt Street, Barnsley

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

Please accept formal objection to this late Ten on the grounds of the prevention of **crime and disorder & public safety**.

A number of issues have arisen over the last few months, where breaches of the existing premise licence have been identified. Namely not adhering to conditions set out in their current premise licence, which include opening when the premise had CCTV problems, ID scanners not working correctly, & body cams not being worn by door staff.

We have met a number of times with the applicant, along with other authorities, and have provided extensive advice.

We therefore, have no confidence that the applicant will operate appropriately and in accordance with their existing licence under the temporary event notice.

Regrettably, I have no alternative other than to lodge an objection.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Regards
South Yorkshire Police
Liquor Licensing Department

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX

E-mail: Barnsleylicensing@southyorks.pnn.police.uk

Website address - southyorks.police.uk



Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at www.sypalerts.co.uk #SignMeUp

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I, Kirsty Green (for and on behalf of the Chief Constable, South Yorkshire Police) apply for the review of a Premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description. Sugar Club, 7 Pitt Street, Town Centre	
Post town Barnsley	Post code (if known) S70 1AL
Name of premises licence holder or club holding club premises certificate (if known) Sugar Events Ltd	
Number of premises licence or club premises certificate (if known) 069586	

Part 2 – Applicant details

I am

Please tick yes

1) an interested party (Please complete (A) or (B) below)

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises

2) a responsible authority (please complete (c) below)

3) a member of the club to which this application relates

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(For example, Rev)

Surname First names

Please tick yes

I am 18 years old or over

Current address

Post Town

Post Code

Daytime contact telephone number

Email address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address South Yorkshire Police Barnsley Police Headquarters Churchfield Barnsley S70 2DL
Telephone number (if any) 01226 736046
E-mail (optional) John.Kirkham@southyorks.pnn.police.uk / kirsty.green@southyorks.pnn.police.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes Y

- 1) the prevention of crime and disorder Y
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm Y

<p>Please state the ground(s) for the review (please read guidance note 1)</p> <p>The grounds for this review are based on the following aspects of the 2003 Licensing Act objectives:-</p> <p style="text-align: center;">Prevention of crime and disorder Protection of Children from Harm</p>

Please provide as much information as possible to support the application (please read guidance note 2)

Evidence to support this application centres around the protection of children from harm and the prevention of crime and disorder. Recent history will show that:

On the 20th April 2022, South Yorkshire Police submitted to Barnsley Metropolitan Borough Council an application to review the premise licence at Sugar Club.

On the 18th May 2022, Mr Stockton submitted a minor variation application to Barnsley Council Licensing to include the agreed licensing conditions on the premises licence.

On the 11th June 2022 at 00:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner was not working and the violent incident protocol was not displayed whilst the venue was open to the public.

On the 12th June 2022 at 00:02, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the venue was open to the public.

On the 2nd July 2022 at 00:20, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions noting that the ID scanner was not working whilst the venue was open to the public.

On the 9th July 2022 at 00:34, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard employed when at that time there should have been two.

On the 15th July 2022 at 23:45, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 17th July 2022 at 01:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not equipped or wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 29th and 30th July 2022, breaches of the conditions on the premise licence were recorded when the venue opened without employing an accredited security company.

On the 3rd August 2022, a breach of the conditions on the premise licence was recorded when officers visited to obtain CCTV and the DPS at the time was unable to supply the required footage claiming that he did not know how to download it.

On the 20th August at 00:10, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that security staff working at the venue were not wearing Body Worn Video (BWV) whilst the premise was open to the public.

On the 2nd September at 23:40, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not working whilst the premise venue was open to the public. In addition the town link radio that is used to communicate between venues and is linked to the CCTV control room was switched off and not charged.

On the 2nd October at 00:01, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that the ID scanner not initially working whilst the venue was open to the public. In addition neither of the security staff working were wearing BWV.

On the 8th October 2022 at 22:30, a visit was carried out as part of Street Safe and officers recorded a breach of the premise licence conditions, noting that there was only one security guard working at the time of the visit, when from 22:00 there should have been two.

The conditions that were added to the licence following the review application in May 2022 were agreed by all parties in order to try and promote the licensing objectives; protection of children from harm and prevention of crime and disorder. Given that there have been several breaches already of these conditions, which are listed above, it demonstrates that the management and owner of the venue is not promoting the licensing objectives, therefore failing to elevate any of our concerns.

Further information, statements and body worn footage will be submitted at a later date.

Please tick Y yes

Have you made an application for review relating to this premises before

If yes please state the date of the application Day Month Year

20th April 2022

If you have made representations before relating to these premises please state, what they were and when you made them

On the 20th April 2022, South Yorkshire Police applied to Barnsley Metropolitan Borough Council to review the premise licence of the Sugar Club. This was due to concerns in relation to the venue failing to promote the licensing objectives; protection of children from harm and prevention of crime and disorder.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities
In addition, the premises licence holder or club holding the club premises certificate,
as
Appropriate
- I understand that if it do not comply with the above requirements my application **x**
Will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

John Kirkham

Date

24.10.2022.....

Capacity

Licensing Enforcement Officer.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5) John Kirkham / Kirsty Green Licensing Enforcement Officers Barnsley Police Headquarters	
Post town Barnsley	Postcode S70 2DL
Telephone number (if any) 01226 736046	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) John.kirkham@southyorks.pnn.police.uk / Kirsty.green@southyorks.pnn.police.uk	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.

4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about the application.

JOHN KIRKHAM

From: BarnsleyLicensing
Sent: 25 October 2022 10:06
To: 'Licensing'; 'Ashley Stockton'
Cc: [REDACTED]
Subject: Objection to the Variation of the premise licence for Sugar Club, 7 Pitt Street

**Barnsley Council
PO Box 634
Barnsley
South Yorkshire
S70 9GG**

Date: 25th October

2022

Licensing Act 2003

Objection to the Variation of the premise licence for Sugar Club, 7 Pitt Street

On behalf of the Chief Constable of South Yorkshire, an objection is being made in relation to the above application.

Please accept formal objection to the variation of the premise licence on the grounds of the prevention of **crime and disorder & public safety**.

A number of issues have arisen over the last few months, where breaches of the existing premise licence have been identified. Namely not adhering to conditions set out in their current premise licence, which include opening when the premise had CCTV issues, ID scanners not working correctly, & body cams not being worn by door staff.

We have met a number of times with the applicant, along with other authorities, and have provided extensive advice to try to resolve the issues at the premise, unfortunately incidents continued, as a result of these issues, South Yorkshire Police have now submitted a review of the current premise licence.

We therefore, have no confidence that the applicant will operate appropriately and in accordance with the licensing conditions listed on the premise licence within the new area proposed.

Regrettably, I have no alternative other than to lodge an objection.

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Cc

Yours faithfully,

For and on behalf of

Chief Constable, South Yorkshire Police

Regards
South Yorkshire Police
Liquor Licensing Department

South Yorkshire Police Licensing Dept
Moss Way Police Station
Moss Way
Sheffield
S20 7XX

E-mail: Barnsleylicensing@southyorks.pnn.police.uk

Website address - southyorks.police.uk



Please be advised that the content of emails may be submitted as evidence to a Licensing hearing should issues arising not be resolved. The Local Council may post them as part of the process on their Website which has public access.

SYP Alerts offers information about local policing issues by text, email or voice message. Sign-up now at www.sypalerts.co.uk #SignMeUp

WITNESS STATEMENT

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

--	--	--	--

Statement of Christopher PHILLIPS

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Police Sergeant 576.....

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 C.PHILLIPS (witness) Date:31/10/2022.

Statement commenced at 21:40hrs, 31/10/2022.

I am a Police Sergeant in The South Yorkshire Police currently based at Barnsley Police Station, South Yorkshire. My current role is as a Duty Sergeant attached to Rota B, within a Response policing function.

At 00:38hrs on the morning of Saturday 29th October 2022, I was on duty in full Police uniform engaged on mobile public order patrol in Barnsley town centre on Wellington Street, Barnsley. Part of my duties on that evening included foot patrol and visiting licenced premises in the town centre to ensure compliance with licence conditions.

In order to manage night time economy, specifically licenced premises in Barnsley. A rolling police operation takes place each weekend, known locally as Operation Street Safe. Part of the operations function involves checking licenced premises licensing conditions contained within a briefing document, which is briefed out to Police officers engaged on patrol in the evenings over the weekend.

The premises checked are varied and change on a weekly basis and can change due to specific sporting or bank holiday events.

Signature: C.PHILLIPS Signature Witnessed by:

The briefing document used as part of operation Street Safe usually lists the licensing condition for each premises where a visit is required. Once the licensing check is complete, any breaches are documented within the operation document, which is monitored by Police Licensing Officers and uploaded to relevant licensing software, known as 'Inn Keeper'.

At the time and date specified above, I had cause to visit The Sugar Club, 7 Pitt Street, Barnsley, S70 1AL for one such licensing check.

Upon arrival at the premises, I saw and spoke initially to the door security staff working at the club, who identified themselves to me as;

[Redacted]
[Redacted]
[Redacted]

[Redacted] informed me that both members of door staff were employed by Shadow Security, whom I have since learned are not an accredited SIA security company.

Also present was the Designated Premise Supervisor, Anna Justine HARPER, BMBC badge number 094163.

I checked inside the premises and only a few customers were present within, approximately ten in total. External seating area to the left of the front door contained approximately four others. All customers appeared of age.

I went through the list of licensing conditions with the DPS and noted a breach relating to them not having access to the town centre CCTV radio scheme radio. The DPS outlined issues with the radio and claimed that during previous attempts to contact CCTV on the device, it had not functioned. As a result I requested the DPS produce the radio to me so that I could check the device with a view to conducting a test call on it

Signature: C.PHILLIPS..... Signature Witnessed by:

Continuation of Statement of: Christopher PHILLIPS

Page 3

in the hope of resolving the issue. The DPA provided the device to me which clearly had a flat battery, had not been charged and as such would not turn on.

The DPS claimed that they had discussed this with the Licensing Officer Kirsty GREEN and that she was aware.

This breach was recorded on the Operation Street Safe document and uploaded upon my return to the station.

At 01:50hrs same date, I had cause to return to The Sugar Club due to ongoing problems with groups of males inside the club. Upon arrival I noted a number of nominals within the club who I know to be linked to Organised Crime Groups mapped in Barnsley and South Yorkshire. Each of these groups contained approximately six to eight persons and it was clear that each group was attempting to provoke a reaction from the other, gesturing across the club and persons within each group being held back by friends preventing them from approaching the other groups.

I then became aware of an altercation taking place within the gents toilets inside the club as security staff had gone inside then returned outside to ask for Police support.

As a result, I located a number of males inside the gents toilets involved in a standoff. These were removed from the premises by police to prevent further incidents.

It was clear to me that the door staff present were too few in numbers and not robust enough to refuse entry or to eject nominals of note. This being compounded by the lack of town centre radio link. Resulting in any calls for police support having to be made via 999.

Signature: C.PHILLIPS Signature Witnessed by:

Continuation of Statement of: Christopher PHILLIPS

Door staff appeared too familiar with nomials and as such reluctant to challenge and refuse entry.

Statement concluded at 10:06hrs 29/09/2022.

Signature: C.PHILLIPS Signature Witnessed by:

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

--	--	--	--

Statement of **Kieran FRAIN**

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

Occupation: **Police Inspector**

This statement (consisting of 2. 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 anything which I know to be false or do not believe to be true.

Signature  Date: **17th November 2022**

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

I am a Police Inspector in the South Yorkshire Police, currently stationed at Churchfields Police Station, Barnsley.

At 0150 hours on Sunday 30th October 2022 I was on duty in full uniform in company with PS 576 PHILLIPS. At the time I was responsible for the management and deployment of police resources in to the night-time economy, within Barnsley town centre, and was undertaking both vehicle and foot based patrols of the town centre.

At that time, PS PHILLIPS and I had cause to attend at The Sugar Club, 7 Pitt Street, Barnsley when I spoke with the Designated Premise Supervisor, Anna HARPER. Ms HARPER informed me that a male who she and her door supervisors knew to be subject of a local pubwatch ban was inside the premise. It was made clear that the DPS was specifically concerned about the male, but had not communicated with him to leave.

Signature:  Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: Kieran FRAIN

Page 2

Looking in to the club from the open door I saw that the male (subject of pubwatch) was in company with between 5 or 6 others, and that together they were gesturing and attempting to provoke a reaction from a second group of a similar size who were responding in the same manner. Both groups had others within each group that was holding back seemingly attempting to prevent an escalation.

It was clear to me that the security staff and the DPS, who were both stood outside on the street, were unaware of the situation inside, and I had to inform them that they may need to make an intervention. After security entered the club, it then became apparent that there was an altercation inside, and I directed police officers to enter the club. Those entering included PS PHILLIPS.

Signature:  Signature Witnessed by: