

**Birmingham City Council
REGULATORY SERVICES
STATEMENT OF WITNESS**

(Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, S. 9,
Magistrates' Courts Act 1980 s 5 (B))

Name Pardip Mohan

Age OVER 18

Occupation Environmental Health Officer

This statement, consisting of 3 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 2nd of January 2024

Signed

I, Pardip Mohan, have been qualified as an Environmental Health Officer since May 2005 and have been investigating issues of noise nuisance since December 2004. I am currently employed by Birmingham City Council as an Environmental Health Officer, and I am authorised to enforce the Environmental Protection Act 1990. Part three of that Act deals with statutory nuisance. On Sunday 23 April 2023 I was on call for Birmingham City Council's out of hour's noise nuisance witnessing service. At approximately 22:43 a person named _____ of Hylton Street, Birmingham, B18 contacted the messenger service requesting an officer to witness noise from Jewels Shisha Lounge, 19-23 Pitsford Street, Ladywood, Birmingham, B18 6LJ. As I approached the property in my car, I saw a gathering of people outside the premises known as Jewels Shisha Lounge. As I approached the property outside on Hylton Street, I could hear bass sounds. I entered the flat at approximately 23:23. Whilst I stood in the top 3rd floor bedroom, I heard intermittently amplified male voices which I

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believe belonged to a DJ or compere. The bass sounds to the music emanated from the direction of Pitsford Street. The music sounded like it originated from either possibly French speaking Africa or the West Indies. The voices of the compere were also clearly audible in the open plan kitchen diner room to the flat. The noise was loud enough for me to distinguish between male and female voices and music. At approximately 23:35 my colleague and I departed flat. The noise from the first floor flat was still being played on our departure. As I walked towards the premises known as Jewels Shisha Lounge the noise grew louder and louder. I was able to confirm as I walked closer to the premises towards and stood by the Jewellery Quarter train station that the noise, I witnessed inside the flat was the same as that was emanating from Jewels Shisha Lounge on Pitsford Street. As I stood in the walkway leading to the train station, I could

see through the windowpane multicoloured lighting like that you expect to find inside a nightclub, and it appeared to be an open-air concert from where I was standing. I started to return to my car at approx. 23:55. In my opinion the noise I witnessed inside Hylton Street did amount to a statutory nuisance. For approximately 15 minutes during our visit to the complainant's property the level of noise inside the living in the bedroom emanating from Jewells Shisha Lounge was high enough for me to clearly hear bass beats, whether it was male or female vocalist, and I was able to make an attempt at

recognising the genre of music. The noise was almost continuous and at a constant level. The level of noise was inappropriate given that it was played during

unsociable
Signed
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hours when most people would be asleep. The noise would therefore in my opinion disrupt sleep and interfere with the use and enjoyment of the complainant's property for a substantial period.

Signed

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