[redacted]

IN THE MATTER OF:

AN APPLICATION FOR A CLOSURE ORDER IN RESPECT OF:

"ARABIAN NITES" at 54 - 68 BISSELL STREET, DIGBETH, BIRMINGHAM, B5 7HP

BIRMINGHAM MAGISTRATES' COURT

HEARING DATE: 10am on Tuesday 3 July 2018

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Application for of Closure Order (Section 80 Anti-Social Behaviour, Crime and Policing Act 2014)

Birmingham Magistrates' Court

Hearing at 10am on Friday 22 June 2018

Respondent Premises: Arabian Nites Shisha Lounge, situated at 54 - 76 Bissell Street, Highgate, Birmingham, B7 7HP ("Arabian Nites")

Applicant Authority: West Midlands Police

Relevant Authorities consulted: Birmingham City Council

Particulars:

On 29 May 2018, Birmingham Magistrates' Court dismissed an application by the Applicant (West Midlands Police, 'WMP') for a Closure Order against the Respondent Premises ('Arabian Nites').

Both this previous application and the current application concern the discharge of a firearm inside Arabian Nites at approximately 05:45 hours on Saturday 26 May 2018.

On 29 May 2018, the court found that WMP's evidence did not meet the relevant statutory threshold and that there were clear inconsistencies between WMP evidence and evidence given on behalf of Arabian Nites by its manager and co-owner, Mr Daniel Alawi.

Mr Alawi claimed in evidence that Arabian Nites closed at approximately 01:00 hours on 26 May 2018 and had remained closed when the above mentioned firearms incident occurred. In evidence, Mr Alawi relied upon CCTV, purportedly available from 76 cameras within Arabian Nites, which he had on his mobile phone. He showed multiple clips of motion activated CCTV to support his assertion that Arabian Nites was closed, and that it was impossible for the incident to have occurred inside Arabian Nites.

Since this date, WMP has investigated both the firearms discharge and the above account given by Mr Alawi in greater detail.

WMP submits that the evidence relied upon in this application shows that the firearms incident in question occurred inside Arabian Nites.

WMP goes on to submit that this incident was so serious that it creates the necessity for the making of a closure order. Mr Alawi appears to have lied under oath to distance Arabian Nites from the incident or lacks control over Arabian Nites to the point that it has operated without his knowledge or consent, and resulted in potentially fatal violence as well as causing a significant threat to members of the public.

WMP respectfully submits that: (1) people have engaged in disorderly, offensive or criminal behaviour on the premises; (2) the use of the premises has resulted in, and if an order is not made, is likely to result in serious nuisance to members of the public; and, (3) if an order is not made, there is likely to be serious disorder and criminality near those premises associated with the use of those premises.

WMP remains very concerned that the continued operation of Arabian Nites will lead to a member of the public suffering serious or fatal harm. Therefore, WMP submits that a closure order is necessary to prevent the above mentioned criminal behaviour, serious nuisance or disorder from continuing, recurring or occurring.

For completeness, WMP has applied for a closure order as opposed to an expedited licensing review because Arabian Nites does not appear to rely on having a licence to sell alcohol to attract business from members of the public. It is distinct from a pub or nightclub in this respect. Whilst Arabian Nites has a licence to sell alcohol, the provision of entertainment, food and shisha pipes appear to be equally significant factors for members of the public to attend. Accordingly, the WMP submits that a closure order is the most appropriate measure to safeguard members of the public.

The complaint of:

Name: Chief Constable of West Midlands Police

Signed: (Staffordshire and West Midlands Police Legal Services duly authorised by the Applicant to sign this application)

Dated: 20 June 2018

Address: Staffordshire and West Midlands Police Joint Legal Services, Police Headquarters, Lloyd House, Colmore Circus, Birmingham B4 6NQ.

WEST MIDLANDS POLICE
Certificate of Consultation
Application for Closure Order

Closure Order under Section 80 Anti-Social Behaviour, Crime and Policing Act 2014

Applicant: Chief Constable of West Midlands Police

Respondent Premises: "Arabian Nites" at 54 - 68 Bissell Street, Digbeth, Birmingham, B5 7HP

The following Local Authority representative and representative for the West Midlands Police have been consulted in respect of this application for a Closure Order

1. Chris Neville - A/Dir Reg Services
2. A. Lohomon - Licensing officer.

To be completed by the representative of the Local Authority

I, CHRISTOPHER NEVILLE (Print name and title)
ACTING DIRECTOR, REGULATION AND ENFORCEMENT
Certify that I am authorised to consult on behalf of Birmingham Council and have consulted the representative of the West Midlands Police on 19.6.18 (date) about the application for a Closure Order at "Arabian Nites" at 54 - 68 Bissell Street, Digbeth, Birmingham, B5 7HP

Signature ---------- Date 19.6.18.

To be completed by the representative of the West Midlands Police

I, ABDOOL LOHOMON - LICENSING OFFICER. (Print name and title)

Certify that I am authorised to consult on behalf of the Chief Constable of the West Midlands Police and have consulted the representative of Birmingham City Council on 19.6.18. (date) about the application for a Closure Order at "Arabian Nites" at 54 - 68 Bissell Street, Digbeth, Birmingham, B5 7HP

Signature ---> ---------- Date 19.6.18.

CLOSURE NOTICE SUPERINTENDENT / INSPECTOR AUTHORISATION

Sections 76 & 77 Anti-Social Behaviour, Crime and Policing Act 2014

Respondent Premises: **"Arabian Nites" at 54 - 68 Bissell Street, Digbeth, Birmingham, B5 7HP**

I am Superintendent / ~~Inspector~~ MATHEW SHAER
of BIRMINGHAM CENTRAL Police Station

I am satisfied that there are reasonable grounds for believing that:

(a) the use of the Respondent Premises has resulted or (if the notice is not issued) is likely soon to result, in nuisance to members of the public; or

(b) there has been, or (if the notice is not issued) is likely soon to be, disorder near the Respondent Premises associated with the use of those premises

I am satisfied that there are reasonable grounds for believing that the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.

I have been provided with a copy of a Consultation Certificate and am satisfied that the appropriate body/bodies and/or individual(s) have been consulted.

Reasonable efforts have been made to inform people who live on the Respondent Premises and any person who has control of or responsibility for the premises or who has an interest in them that a Closure Notice is going to be issued.

I am satisfied that it is appropriate to authorise the issue of a Closure Notice for a period of ~~24~~/ **48 hours** in respect of **"Arabian Nites" at 54 - 68 Bissell Street, Digbeth, Birmingham, B5 7HP**

Name(s) of any habitual residents and/or owners: No habitual residents.

Freehold Owner: Lehri House Limited of Saturn Business Centre of 54 - 68 Bissell Street, Birmingham, B5 7HP. Directors of this business are: Naheam Rafiq, Nassem Rafiq, Qamran Rafiq and Vaseem Rafiq.

Director of QR Holdings Limited which owns the licence is Qamran Rafiq He is believed to be the same individual who is a director of the Lehri House Limited which owns the freehold.

Name(s) of any dependants: None

Superintendent / ~~Inspector~~ [print name] M. SHAER

Signed: ...

Date & Time authorised: 1230 HRS 20/06/2018

CLOSURE NOTICE
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

We hereby give you notice that on

22 June 2018 at 10am
At Birmingham Magistrates' Court
Sitting at Victoria Law Courts, Corporation St, Birmingham, West Midlands B4 6QA

West Midlands Police intend to apply for a Closure Order under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014

From the service of this notice all persons who do not own and/ or are not habitually resident in

"Arabian Nites" situated at 54 - 68 Bissell Street, Digbeth, Birmingham, B5 7HP

are prohibited from remaining and returning and/or entering this premises

Access to this premises by any person, other than the owner and/or habitual resident, is considered a criminal offence. Persons in breach of this can be arrested.

In the event of the Closure Order being granted by the courts the premises will be sealed and no further entry will be allowed. The occupier will therefore be required to find alternative accommodation. Any persons entering the premises following the closure order, without the permission of West Midlands Police or Birmingham Magistrates' Court, commit an offence and can be arrested.

Notice issued by:-

Superintendent/~~Inspector (please~~ specify) [print name]... M. SHAER .....

Signed: .. ..

Dated:- 20/06/2018

Enquiries regarding this notice may be directed to the:

Birmingham Central Police Station, Steelhouse Lane, Birmingham
Tel: 0345 113 5000

Detailed below are telephone numbers and points of contact for housing and drug advice issued. It may be in your interest to contact these agencies for advice;

Citizens Advice Bureau: 171 Birchfield Road, Birmingham, B19 1LL
Tel: 08444 77 10 10
Housing Advice: Sanctuary Housing - 0800 131 3348 or 0300 123 3511 Email: contactus@sanctuary-housing.co.uk
Council: Birmingham City Council - Council House, Victoria Square, Birmingham, B1 1BB
Tel: 0121 216 3030
Help and advice, counselling and information for people concerned about their use of drugs or their families and friends. Talk to Frank – 0800 776600

CLOSURE ORDER
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

We hereby give you notice that on

2018
At Birmingham Magistrates' Court
Sitting at Victoria Law Courts, Corporation St, Birmingham, West Midlands B4 6QA

A Closure Order under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 was granted.

From the granting of this Order persons are prohibited from remaining, returning and/or entering the premises of

"ARABIAN NITES" at 54 - 68 BISSELL STREET, DIGBETH, BIRMINGHAM, B5 7HP

For three months until midnight on 2018

A person commits an offence if they remain on or enters this premises and can be arrested. If found guilty of an offence they are liable to imprisonment and/or a fine.

This premises has been sealed and no further entry will be allowed. The occupier will therefore be required to find alternative accommodation. Any persons entering the premises without the permission of West Midlands Police or Birmingham Magistrates' Court commits an offence and can be arrested.

Order issued by Birmingham Magistrates' Court

Print Name .....

Signed .....

Dated .....

Enquiries regarding this Order may be directed to the:
Digbeth Police Station, 113 Digbeth, Birmingham, B5 6DT
Tel: 0345 113 5000

Detailed below are telephone numbers and points of contact for housing and drug advice issued. It may be in your interest to contact these agencies for advice;

Citizens Advice Bureau: 171 Birchfield Road, Birmingham, B19 1LL
Tel: 08444 77 10 10
Housing Advice: Sanctuary Housing - 0800 131 3348 or 0300 123 3511 Email: contactus@sanctuary-housing.co.uk
Council: Birmingham City Council - Council House, Victoria Square, Birmingham, B1 1BB Tel: 0121 216 3030
Help and advice, counselling and information for people concerned about their use of drugs or their families and friends Talk to Frank – 0800 776600

IN THE BIRMINGHAM MAGISTRATES' COURT

HEARSAY NOTICE SECTION 2
CIVIL EVIDENCE ACT 1995, THE MAGISTRATES COURTS (HEARSAY EVIDENCE IN CIVIL PROCEEDINGS) RULES 1999

AN APPLICATION FOR A CLOSURE ORDER IN RESPECT OF:

"ARABIAN NITES" AT 54 - 68 BISSELL STREET, DIGBETH, BIRMINGHAM, B5 7HP

BIRMINGHAM MAGISTRATES' COURT

HEARING DATE: 10am on Tuesday 3 July 2018

HEARSAY NOTICE

The Applicant hereby gives notice that he proposes to produce the following hearsay evidence, copies of which are attached to this Notice.

Document Description	Reason for not calling Witness to give oral evidence
1. Copy of Consultation Certificate	*It is not appropriate or justified to call all of the witnesses to give evidence in person and to limit the number of witnesses who give evidence for the administrative convenience of the Court.*
2. Copy of Superintendent's Authorisation	
3. Copy of Closure Notice	
4. Witness Statements from: Crime Scene Coordinator Tebbutt (07/06/18) PC Minton (25/03/18) PC Yates (03/06/18) PS Parsons (02/06/18) PS Yates (01/06/18) DC Gilbert (14/06/18) PS Yates (03/04/18) T/DS McCullogh (31/05/18)	

The Applicant proposes to put the above documents before the Court as hearsay evidence as it is not appropriate or justified to call all of the witnesses to give evidence in person and to limit the number of witnesses to give evidence for the administrative convenience of the Court.

To: The Clerk to the Justices, Birmingham Magistrates' Court
The Respondent Premises

WITNESS STATEMENT

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

Crime No. 20BW/116709J/18

URN

Statement of Leigh Michael HARRISON

Age if under 18 over 18 *(if over 18 insert "over 18")* Occupation Detective Constable 8116

This statement (consisting of one 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 15 June 2018

I am DC 8116 Leigh HARRISON of the West Midlands Police currently based on the Force CID Complex Crime team at Bournville Police Station.

Further to my previous statements I wish to add the following:

With regard to the seized CCTV (Ref No: LMH/260518/1435)(Exh No:) I later created a viewing log which I can exhibit as (Ref No: LMH/150618/1100) (Exh No:)

From the CCTV I can describe the victim, [redacted] as a light skinned IC3 male of slim build. He was wearing a blue baseball cap, a silver coloured necklace with a hand with the middle finger extended pendant, a white t-shirt with black shoulders on the front and 'Lucky 7' printed on the front in black, light blue jeans which were ripped on the front and light trainers. DC 4040 Gilbert viewed the CCTV and confirmed that this male was the same male that she spoke to in hospital.

I identified the following OASIS command and control logs as being linked to the incident which I edited to remove personal details and can exhibit as follows:

Log 461 26/05/18 (Ref No: LMH/150618/1113a)(Exh No:)

Log 468 26/05/18 (Ref No: LMH/150618/1113b)(Exh No:)

Log 525 26/05/18 (Ref No: LMH/150618/1113c)(Exh No:)

Crime report 20BW/116709J/18 refers to the investigation into the injury to [redacted] which I edited to remove personal details and can exhibit as (Ref no: LMH/150618/1130)(Exh No:

Signature ..... Signature witnessed by .....

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT LH/1

WEST MIDLANDS POLICE

Crime Ref:
20BW/116709J/18

CCTV Viewing Log

Viewing Log Ref Number
LMH/150618/1100

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PAGES 11 TO 28

West Midlands Police have redacted the above pages from publication, due to sensitive data relating to an ongoing criminal investigation.

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT LH/2

WebOASIS

Incident 461 of 26/05/2018

URN	Date	Owner
461	26/05/2018 05:45	BVSP1
Initial Classification	**Response**	**Last Updated**
DISORDER	P1 IMMEDIATE	28/05/2018

Reported by CALL 999 [redacted]

Brief Incident Details [redacted] CALLER STATES [redacted] HAS JUST LEFT CLUB AS [redacted] HEARD GUN SHOTS IN THE CLUB . ALL CUSTOMERS ARE RUNNING OUT OF THE CLUB

Location of Incident

Feature	ARABIAN NITES SHISHA LOUNGE,54 - 76
Street	BISSELL STREET
Area	HIGHGATE,BIRMINGHAM,WEST MIDLANDS
Postcode	B5 7HP
Beat	BWHB
OSGR	407387,285679

Caller

Name	[redacted]
House	[redacted]
Street	[redacted]
Area	[redacted]
Telephone Number	[redacted] Ex-Directory

Warning Markers VIEW PREVIOUS HISTORY

Crime Number

Log updates

Date	Time	User	Terminal	Text
26/05/2018	05:48	55942	WBCHE3	Location was VIEW PREVIOUS HISTORY on 03/01/17
26/05/2018	05:48	55942	WBCHE3	CLI data: [redacted]
26/05/2018	05:48	55942	WBCHE3	[redacted]
26/05/2018	05:48	55942	WBCHE3	View Incidents Attached To A Location
26/05/2018	05:49	57223	WBCHE2	Incident Switch to Terminal YMR2,YMMSS,YMR1
26/05/2018	05:49	57223	WBCHE2	AS TEXT
26/05/2018	05:49	57223	WBCHE2	Incident Switch
26/05/2018	05:49	52224	YMR2	Incident Switch Accepted By YMR2

26/05/2018	05:49	55942	WBCHE3	Incident Routed to Radio Operators
26/05/2018	05:49	55942	WBCHE3	Route To All Operators
26/05/2018	05:49	54471	BWR1	Incident Transfer Accepted by terminal BWR1
26/05/2018	05:50	57223	WBCHE2	Incident Switch to Terminal YM3,YMI,YMIA
26/05/2018	05:50	57223	WBCHE2	AS TEXT ALLEGATION OF GUNSHOTS
26/05/2018	05:50	57223	WBCHE2	Incident Switch
26/05/2018	05:50	53668	WebOASIS	RTICYM AWARE
26/05/2018	05:50	52224	YMR2	*** STAYSTALL TG80 ***
26/05/2018	05:50	53883	BWR3	Incident Switch to Terminal YMR2,YMMSS,YMR1
26/05/2018	05:50	53883	BWR3	FOR INFO - GUN SHOTS
26/05/2018	05:50	53883	BWR3	Incident Switch
26/05/2018	05:50	55942	WBCHE3	CALLER CLAIMED THERE WERE OVER 200 PEOPLE IN THE
26/05/2018	05:50	55942	WBCHE3	CLUM
26/05/2018	05:50	55942	WBCHE3	CLUB .
26/05/2018	05:50	54471	BWR1	RCV4 Automatic STM notification generated
26/05/2018	05:50	54471	BWR1	RCV4 Allocated to Incident
26/05/2018	05:50	55259	YMMSS	Incident Switch Accepted By YMMSS
26/05/2018	05:50	50772	YM3	YMI BRIEFING ARVS
26/05/2018	05:50	50772	YM3	ZT41 Automatic STM Notification generated
26/05/2018	05:50	50772	YM3	ZT42 Automatic STM Notification generated
26/05/2018	05:50	50772	YM3	ZT44 Redeployed from Incident 154 26/05/18
26/05/2018	05:50	50772	YM3	ZT44 Automatic STM Notification generated
26/05/2018	05:50	50772	YM3	ZT41 Despatched
26/05/2018	05:50	50772	YM3	ZT42 Despatched
26/05/2018	05:50	50772	YM3	ZT44 Despatched
26/05/2018	05:50	55942	WBCHE3	ARE THEY WERE RUNNING OUT AND SCREAMING
26/05/2018	05:50	7988	YMI	Incident Switch Accepted By YMI
26/05/2018	05:50	50772	YM3	CCTV PLEASE
26/05/2018	05:51	7988	YMI	Automatic Resource Enquiry - No Action
26/05/2018	05:51	54471	BWR1	STAYSALL PASSED TG90
26/05/2018	05:51	55942	WBCHE3	View Incident 461,26/05/18
26/05/2018	05:51	50772	YM3	ZT43 Automatic STM Notification generated
26/05/2018	05:51	50772	YM3	ZT43 Despatched
26/05/2018	05:51	52224	YMR2	AMBO/FIRE UPDATED TS3
26/05/2018	05:51	2081	BWR4	R.V. DIGBETH P/S
26/05/2018	05:51	54471	BWR1	FROM :54471
26/05/2018	05:51	54471	BWR1	RV DIGBETH PS IN.
26/05/2018	05:51	50772	YM3	NO OBVIOUS CCTV ON MAPPING
26/05/2018	05:51	7988	YMI	Automatic Resource Enquiry - No Action
26/05/2018	05:51	50772	YM3	ZT45 Redeployed from Incident 154 26/05/18
26/05/2018	05:51	50772	YM3	ZT45 Automatic STM Notification generated

26/05/2018	05:51	50772	YM3	ZT45 Despatched
26/05/2018	05:52	55259	YMMSS	AD74 Automatic STM Notification generated
26/05/2018	05:52	55259	YMMSS	AD74 Despatched
26/05/2018	05:51	55942	WBCHE3	YM QUESTIONNED CALL RE THIS AS YOU WOULD ASSUME THAT
26/05/2018	05:52	55942	WBCHE3	MORE THAT 1 PERSON WOULD HAVE REPORTED THIS OUT OF A
26/05/2018	05:52	55942	WBCHE3	FULL CLUB . CALLER SAID " IF YOU DONT BELIEVE ME
26/05/2018	05:52	55942	WBCHE3	THEN FORGET IT" AND CLEARED.
26/05/2018	05:53	54471	BWR1	Resources Dealing with this Incident Enquiry
26/05/2018	05:53	50772	YM3	1ST ARV JUST ABOUT TO ARRIVE
26/05/2018	05:54	50772	YM3	Resources Dealing with this Incident Enquiry
26/05/2018	05:54	7988	YM1	FROM :YM1
26/05/2018	05:54	7988	YM1	I HAVE APPLIED THE NDM AND I AM DECLARING THIS
26/05/2018	05:54	7988	YM1	INCIDENT AS A FIREARMS INCIDENT BECAUSE I HAVE
26/05/2018	05:54	7988	YM1	REASON TO SUPPOSE OFFICERS MAY NEED TO PROTECT
26/05/2018	05:54	7988	YM1	THEMSELVES FROM A PERSON AS ABOVE IN POSSESSION OF
26/05/2018	05:54	7988	YM1	A FIREARM / PLW. I AM TFC FOR THIS INCIDENT. OFC
26/05/2018	05:54	7988	YM1	DETAILS WILL FOLLOW.
26/05/2018	05:54	7988	YM1	THREAT ASSESSMENT AND WORKING STRATEGY WILL FOLLOW.
26/05/2018	05:54	7988	YM1	OFC: PC 3724 ADDISON
26/05/2018	05:54	7988	YM1	AUTHORITY FOR ARMED ENQUIRY SUBJECT ON FOOT,
26/05/2018	05:55	7988	YM1	ENFORCED STOP WITH ARMED ENQUIRY ON VEHICLES OF
26/05/2018	05:55	7988	YM1	INTEREST
26/05/2018	05:55	58367	BWR2	..
26/05/2018	05:55	58367	BWR2	1 PREVIOUS FOR THIS CALLER [redacted]
26/05/2018	05:55	58367	BWR2	[redacted]
26/05/2018	05:55	58367	BWR2	..
26/05/2018	05:57	55259	YMMSS	ZT44 Arrived at Incident
26/05/2018	05:57	55259	YMMSS	ZT42 Arrived at Incident
26/05/2018	05:57	55259	YMMSS	ZT45 Arrived at Incident
26/05/2018	05:57	58367	BWR2	ZTS ENGAGING WITH MOPS AT THE SCENE
26/05/2018	05:58	50772	YM3	NO OBVIOUS CONCERN UPON ARRIVAL, CHECKING WITH DOOR
26/05/2018	05:58	50772	YM3	STAFF/MANAGEMENT
26/05/2018	05:56	58698	LHCHG1	CALL FROM [redacted] COMPLAINING ABOUT NOISE AT CLUB
26/05/2018	05:57	58698	LHCHG1	AGAIN - [redacted] HAS NOT MENTIONED ANY GUNSHOTS -

26/05/2018	05:57	58698	LHCHG1	[redacted]
26/05/2018	05:58	58698	LHCHG1	[redacted] NO MENTION OF ANY DISORDER.
26/05/2018	05:58	50772	YM3	ZT43 Arrived at Incident
26/05/2018	05:59	50772	YM3	View Incident 461,26/05/18
26/05/2018	05:59	55259	YMMSS	ZT46 Redeployed from Incident 154 26/05/18
26/05/2018	05:59	55259	YMMSS	ZT46 Automatic STM Notification generated
26/05/2018	05:59	55259	YMMSS	ZT46 Despatched
26/05/2018	06:00	55259	YMMSS	ZT46 Arrived at Incident
26/05/2018	06:00	58698	LHCHG1	[redacted]
26/05/2018	05:59	50772	YM3	ARVS SPOKEN TO M.O.P'S NO OBVIOUS SIGN OF DOOR STAFF
26/05/2018	06:00	50772	YM3	OR MANAGEMENT OUTSIDE THE CLUB, OR C ATTENDING
26/05/2018	06:00	50772	YM3	LOCATION
26/05/2018	06:02	54471	BWR1	Incident Transferred by terminal BWR1 to BWR4
26/05/2018	06:02	54471	BWR1	"
26/05/2018	06:02	54471	BWR1	Incident Transfer
26/05/2018	06:04	54471	BWR1	Incident Transfer Enquiry - No Action
26/05/2018	06:04	54471	BWR1	Incident Transfer Enquiry - No Action
26/05/2018	06:06	52224	YMR2	AD74 Cancelled
26/05/2018	06:07	2081	BWR4	Incident Transfer Accepted by terminal BWR4
26/05/2018	06:09	53668	WebOASIS	RTICYM - [redacted]
26/05/2018	06:09	53668	WebOASIS	[redacted]
26/05/2018	06:09	53668	WebOASIS	[redacted]
26/05/2018	06:09	53668	WebOASIS	[redacted]
26/05/2018	06:11	2081	BWR4	Incident Transfer Enquiry - No Action
26/05/2018	06:12	50772	YM3	Resources Dealing with this Incident Enquiry
26/05/2018	06:12	50772	YM3	All Resources Leave Scene/Dispatch Cancelled etc
26/05/2018	06:12	7988	YMI	YMI - ALL APPEARS TO BE IN ORDER AT LOCATION. NO
26/05/2018	06:12	7988	YMI	SIGNS OF DISORDER, INJURY OR INDEED GUNSHOTS.
26/05/2018	06:13	7988	YMI	MOTIVE FOR CALL UNKNOWN. POSSIBLY F&M OR
26/05/2018	06:13	7988	YMI	INTOXICATION AUTHORITIES RESCINDED AND ARV'S
26/05/2018	06:13	7988	YMI	RESUMING
26/05/2018	06:13	2081	BWR4	ZT STATE F/M
26/05/2018	06:13	2081	BWR4	Incident Closed By Terminal BWR4
26/05/2018	06:13	2081	BWR4	Incident End (Result / Close)
		1270	YMI	The following was entered after the Incident was
		1270	YMI	Closed

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT LH/3

WebOASIS

Incident 468 of 26/05/2018

URN	Date	Owner
468	26/05/2018 05:55	BVSP3
Initial Classification	**Response**	**Last Updated**
MISCELLANEOUS	P9 CONTACT RESOLUTION	26/05/2018

Reported by TELEPHONE CALL

Brief Incident Details REPORTS OF MORE ASB IN AND AROUND LOCATION OF ARABIAN NIGHTS CLUB

Location of Incident

Feature

Street BISSELL STREET

Area HIGHGATE,BIRMINGHAM,WEST MIDLANDS

Postcode

Beat BWHB

OSGR 407387,285679

Caller

Name [redacted] **Title**

House

Street [redacted]

Area [redacted]

Telephone Number [redacted] **Ex-Directory**

Warning Markers

Crime Number

Log updates

Date	Time	User	Terminal	Text
26/05/2018	06:00	58698	LHCHG1	NO DISORDER REPORTED.
26/05/2018	06:00	58698	LHCHG1	NO AGRESSION FROM ANYONE.
26/05/2018	06:01	58698	LHCHG1	[redacted]
26/05/2018	06:01	58698	LHCHG1	[redacted]
26/05/2018	06:01	58698	LHCHG1	[redacted] IS VERY UNHAPPY WITH THE LEVEL OF NOISE TONIGHT.

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT LH/4

WebOASIS

Incident 525 of 26/05/2018

URN	Date	Owner
525	26/05/2018 06:50	BVSP1
Initial Classification	**Response**	**Last Updated**
DISORDER	P1 IMMEDIATE	26/05/2018

Reported by	CALL 999 0121 424 2001
Brief Incident Details	CALLER IS A NURSE AT HEARTLANS HOSPITAL. SHE IS REPORTING A MALE CAME INTO THE A&E WITH A GUN SHOT WOUND [redacted] DOB [redacted] 8MINS AGO HE CAME IN. THIS MNALE WAS AT A PARTY SOMWEWHERE. HIS RIGHT KNEE AND UPPER CHEST .

Location of Incident

Feature	HEARTLANDS HOSPITAL,ACCIDENT AND EMERGENCY
Street	BORDESLEY GREEN EAST
Area	BORDESLEY GREEN,BIRMINGHAM,WEST MIDLANDS
Postcode	B9 5SS
Beat	BEFA
OSGR	411811.286674

Caller

Name	BIRMINGHAM HEARTLANDS NHS TRUST **Title**
House	*EXT* BIRMINGHAM HEARTLAND
Street	BORDESLEY GREEN EAST
Area	BIRMINGHAM, B9 5SS
Telephone Number	0121 424 2001 **Ex-Directory**

Warning Markers

Crime Number

Log updates

Date	Time	User	Terminal	Text
26/05/2018	06:54	58887	LHCHE2	AGO HE CAME IN. THIS MNALE WAS AT A PARTY SOMWEWHERE.
26/05/2018	06:54	58887	LHCHE2	HIS RIGHT KNEE
26/05/2018	06:54	58887	LHCHE2	AND UPPER CHEST .
26/05/2018	06:54	58887	LHCHE2	Routed To Radio Operator(s)
26/05/2018	06:54	58887	LHCHE2	CLI data: 01214242001

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT LH/5

WEST MIDLANDS POLICE

OFFENCE REPORT

"UNRESOLVED"

Offence No. 20BW/116709J/18

OFFENCE DETAIL

Offence Code	OF61017 Description WOU 18 CAUSE GBH W/I TO DO GBH
Offence Times	Between 05:30 hours Sat 26th May 2018 and 05:45 hours Sat 26th May 2018
Main File Incident	
Location	ARABIAN NITES SHISHA LOUNGE, 54 -, BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS B5 7HP
Grid Ref	407387285679
Neighbourhood	BWHB BW HIGHGATE Sector LADYWOOD EAST

REPORTING DETAIL

Reported Time	05:45 hours Sat 26th May 2018
How Reported	Help Desk/Contact Centre
Received By	PC 21991 COATES

VICTIM DETAILS

Nominal Ref.	[redacted] VICT
Name	[redacted]
Maiden Name	
Address	[redacted]
Home	[redacted]
Home Tel	[redacted] Work Tel.
Mobile Tel.	
Sex	Male D.O.B. [redacted] Age [redacted] Years
Place of Birth	[redacted]
Marital Status	Ethnic Appearance BLACK
Occupation	
Injury Code	NONE
Description	

MODUS OPERANDI & PROPERTY

INCIDENT 461 OF 26/05/2018
IP HAD BEEN ENJOYING A NIGHT OUT AND WAS SITTING ON THE STAIRS BY THE GRILL AREA NEAR THE ENTRANCE TO THE CLUB. HIS ATTENTION WAS DRAWN TO A BLACK MALE RUNNING AT SPEED UP THE STAIRS TOWARD THE EXIT, CLOSELY FOLLOWED BY A CROWD OF PEOPLE. THE IP STOOD UP TO SEE WHAT THE PROBLEM WAS WHEN HE HEARD A GUN SHOT. HE WAS STRUCK TO THE RIGHT KNEE BY A RICOCHETED BULLET. THE IP SUSTAINED A CUT TO HIS RIGHT KNEE THAT WILL REQUIRE STITCHES. THE BULLET WAS FOUND LODGED IN THE IP'S JEANS NEAR HIS RIGHT KNEE.

FURTHER INFORMATION

Crime Interests

CRIMES ALLOCATED TO FORCE CID

WEST MIDLANDS POLICE

OFFENCE REPORT

"UNRESOLVED"

Offence No. 20BW/116709J/18

Crime Interests

FIREARM USED
LICENSED PREMISES VIOLENCE

ALL OTHER ROLES NOT PREVIOUSLY LISTED

Type INPT Name CIV 59000 TAYLOR
Nominal Ref 5928984Y
Reason

Type SUSP Name [redacted] D.O.B [redacted]
Nominal Ref [redacted] Ethnic Appearance BLACK
Reason

Type SUSP Name [redacted] D.O.B. [redacted]
Nominal Ref [redacted] Ethnic Appearance BLACK
Reason

*** End of Report ***

INVESTIGATION LOG

"UNDETECTED"

Offence / Incident No. 20BW/116709J/18

OFFENCE / INCIDENT DETAILS

Status	VALIDATED
Offence Code	OF61017
Offence	WOU 18 CAUSE GBH W/I TO DO GBH
Address	ARABIAN NITES SHISHA LOUNGE, 54 -, BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS B5 7HP
Committed	26/05/2018 05:30:0026/05/2018 05:45:00
Neighbourhood	BW HIGHGATE

Investigation Log

CRIMES SERVICE TEAM LOG ENTERED BY TAYLOR_59000, ON 26 MAY 2018 AT 10:35:39:
UPDATE SAVED TO LOG 461 OF THE 26/05/2018

GENERAL LOG ENTERED BY COATES_21991, ON 26 MAY 2018 AT 11:08:46:
CHRONOLOGY OF EVENTS -

EARLY HOURS OF 26/05/18 IP AND WIFE IN NIGHT CLUB ENJOYING A NIGHT OUT

0530-0545 HOURS - IP WAS SAT AT THE TOP OF THE STAIRS BY THE FRONT DOORS TO THE PREMESIS, EATING SOME FOOD BY THE GRILL. HE HAS SEEN A MALE RUN UP THE STAIRS, CLEARLY FLEEING SOMETHING, CLOSELY FOLLOWED BY A PANICKED CROWD COMING UP THE STAIRS. STANDING UP TO SEE WHAT WAS GOING ON, HE HAS HEARD A SHOT RING OUT, AND HAS TAKEN A BULLET TO THE LEG. HE DROPPED HIS PHONE AND MADE HIS ESCAPE WITH HIS WIFE.

0545 HOURS - POLICE GET 999 CALL (OASIS LOG 461) STATIGN THAT GUN FIRED AT THE VENUE ARV ATTENDED BUT DEEMED F&M DUE TO LACK OF CORROBORATION OR STAFF HAVING ANY APPARANT AWARENESS.

0650 HOURS - HEARTLANDS HOSPITAL CALL US TO REPORT MALE SELF PRESENTING WITH GUNSHOT WOUND, ESTABLISHED RELATED TO LOG 461.

PCS COATES AND ALI HAVE ATTENDED HEARTLANDS AND SPOKEN WITH IP. HE HAS OFFERED THE ABOVE ACCOUNT AND EXPLAINS THAT HE DIDN'T SEE THE GUN, NOR SHOOTER, AS THEY WERE MASKED BY PEOPLE COMING UP THE STAIRS, HOWEVER HE DID SEE THE MALE FLEEING INITIALLY PAST HIM, WHO WOUDL APPEAR TO HAVE BEEN THE INTENDED TARGET.

[redacted]

INVESTIGATION LOG

VALIDATED

OF61017

[redacted] THE VENUE WAS RUNNING A DANCEHALL/REGGAE NIGHT, AND IT WASN'T A PRIVATE EVENT, ANYBODY COULD ATTEND.

THE IP IS AN IC3 MALE, SLIM BUILD AND HE WAS WEARING A WHITE TSHIRT WITH BLACK SHOULDERS/TOP CHEST AREA, WITH THE WORD 'LUCKY' WRITTEN ACCROSS THE FRONT. HE HAD A BLACK BASEBALL CAP ON AND LIGHT BLUE JEANS WITH ZIPS/RIPS ACCROSS.

AT HOSPITAL THE IP HAS LOCATED A LARGE PORTION OF THE BULLET LODGED IN ONE OF THE ZIPS ACCROSS THE KNEE OF HIS JEANS.

THE BULLET APPEARS TO BE 9MM OR SIMILAR CALIBRE, COPPER/BRASS AND APPEARS FROM FRAGMENTATION.DAMAGE/LACK OF SERIOUS INJURY, RICHOCETTED BEFORE MAKING CONTACT WITH IP. IT HAS BEEN SEIZED AND BOOKED INTO DP AT STECHFORD AS PER 2187756/C

MG11 OBTAINED FROM THE IP ENCOMPASSING THE ABOVE.

INJURY PHOTOS OBTAINED AND PRODUCED, ALONG WITH BULLET, BY PC ALI. SCANNED ON

WITH OFFENCE LOCATION CONFIRMED, SWITCHED BACK TO BW&C AND TRACKED DOWN OWNER OF THE VENUE WHO LIVES ON THE EAST, AND SCENE NOW SECURED BY OFFICERS. CCTV BEING VIEWED.

THIS MATTER IS BEING TAKEN ON BY COMPLEX AT BW&C TO FOLLOW UP/MANAGE SCENE/INVESTIGATE

RESTRICTED – (when complete)

MG11

WITNESS STATEMENT

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

Crime No. 20BW/116709J/18

URN 18/11455

Statement of Paul TEBBUTT

Age if under 18 over 18 (if over 18 insert 'over 18') Occupation Crime Scene Coordinator

This statement (consisting of 1 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 7/6/18

I am Paul TEBBUTT a Crime Scene Coordinator with the West Midlands Police, currently working from Ridgepoint House Bromford lane, Birmingham.

At approximatley 1220 hours on Saturday 26th May, 2018, I attended the Arabian Nights shisha club at 54-76 Bissell Street Birmingham. I carried out a scenes of crime examination of a ground floor party room and took a series of coloured digital images of the scene where it appeared that a twenty first birthday party had been held I observed that there were a large number of empty bottles of beer, wine, brandy whiskey and rum around the room.

These images were then copied to a secure server within the Forensic services department (item number PT1) (exhibit number) master copy of all colour digital images taken. From this server I then created a three colour photographic albums (item number PT1A) (exhibit number) refers.

In addition to this a fractured bullet head fragment was found at the entry point stairwell landing that led to the party room at a lower level. An examination of the party room revealed no further evidence of additional firearm discharges

(item number PT2) (exhibit number) bullet fragment from landing stairwell leading to/from party room.This exhibit was packaged and placed into a suitable container that was sealed and signed by myself for further forensic analysis.

Signature ..... Signature witnessed by .

07/2013

RESTRICTED – (when complete)

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

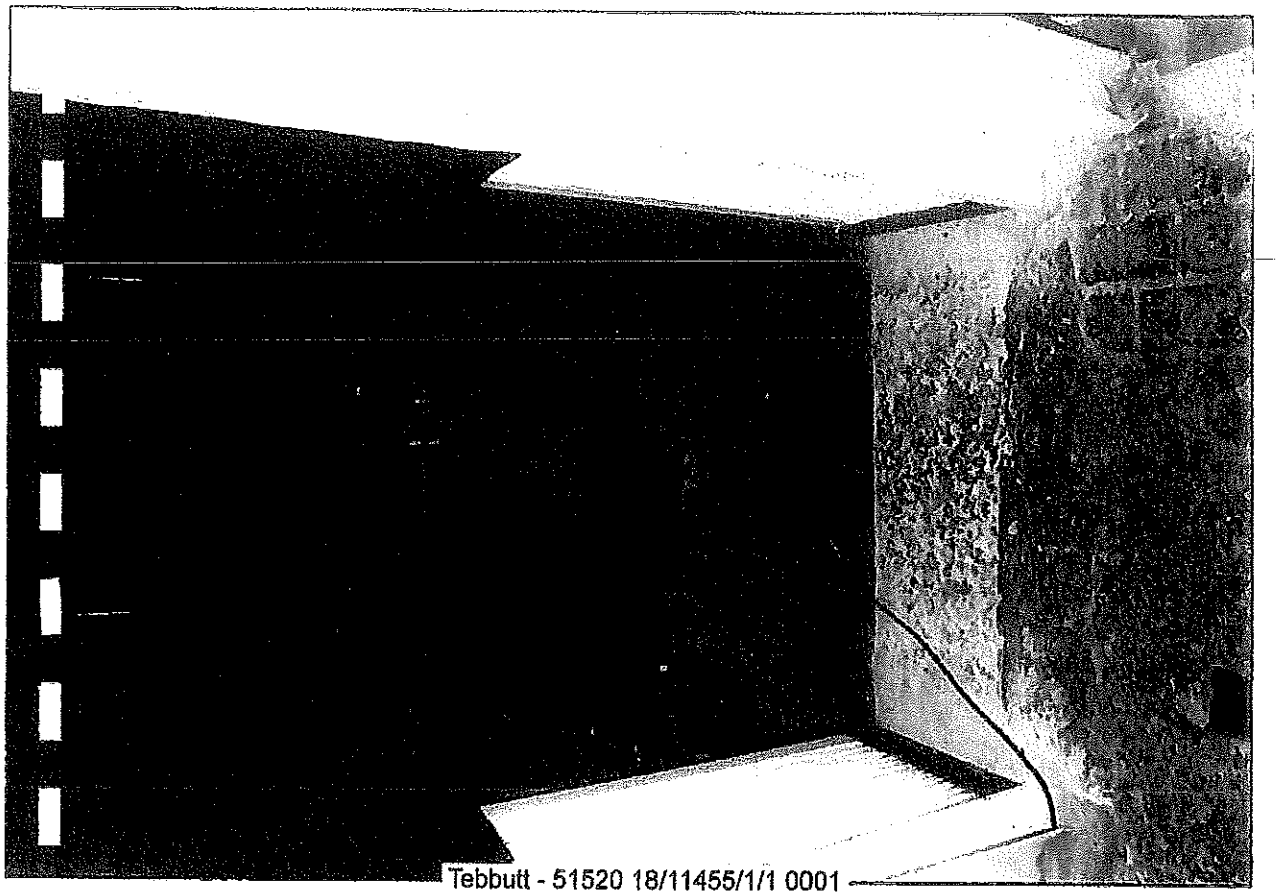
Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT DH/1



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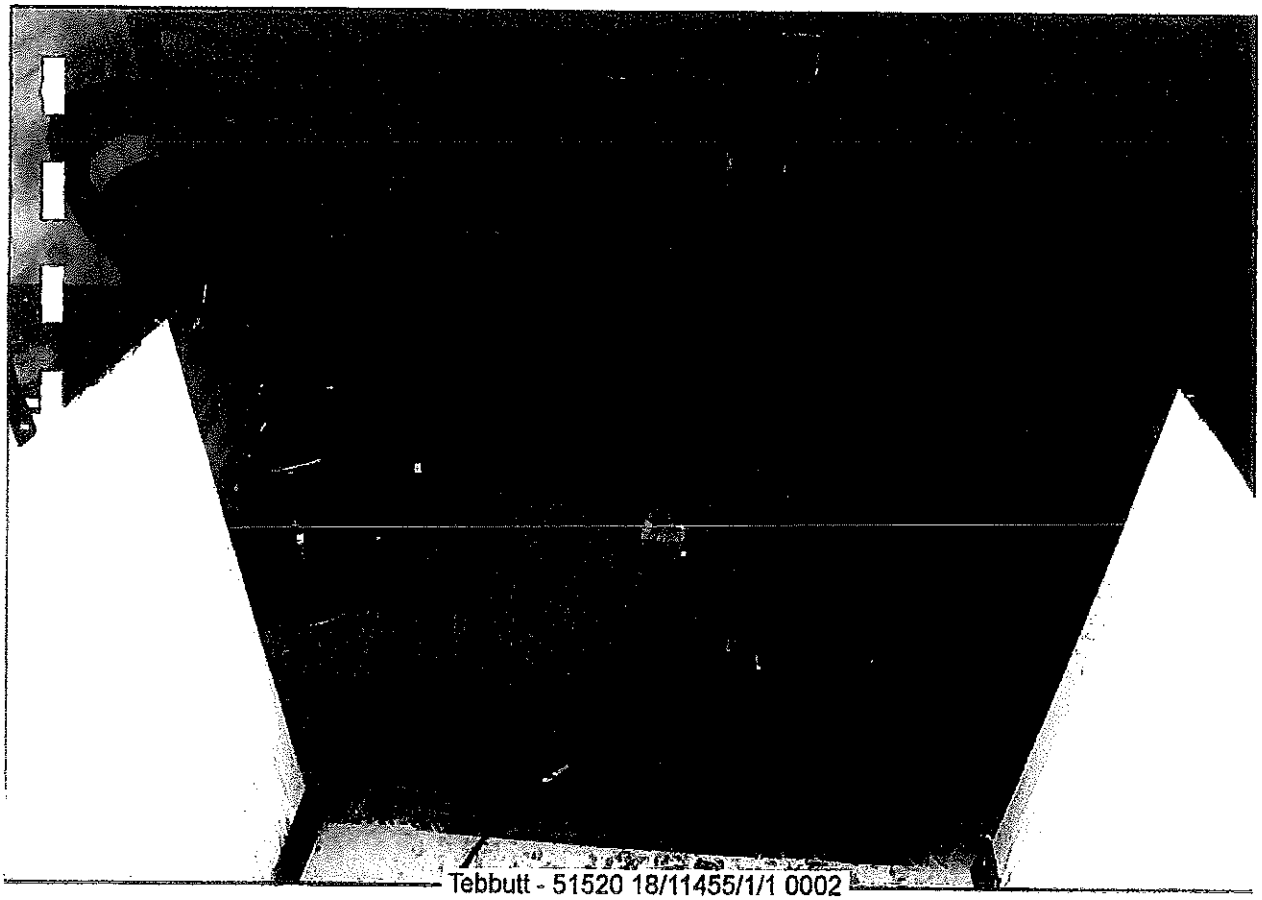

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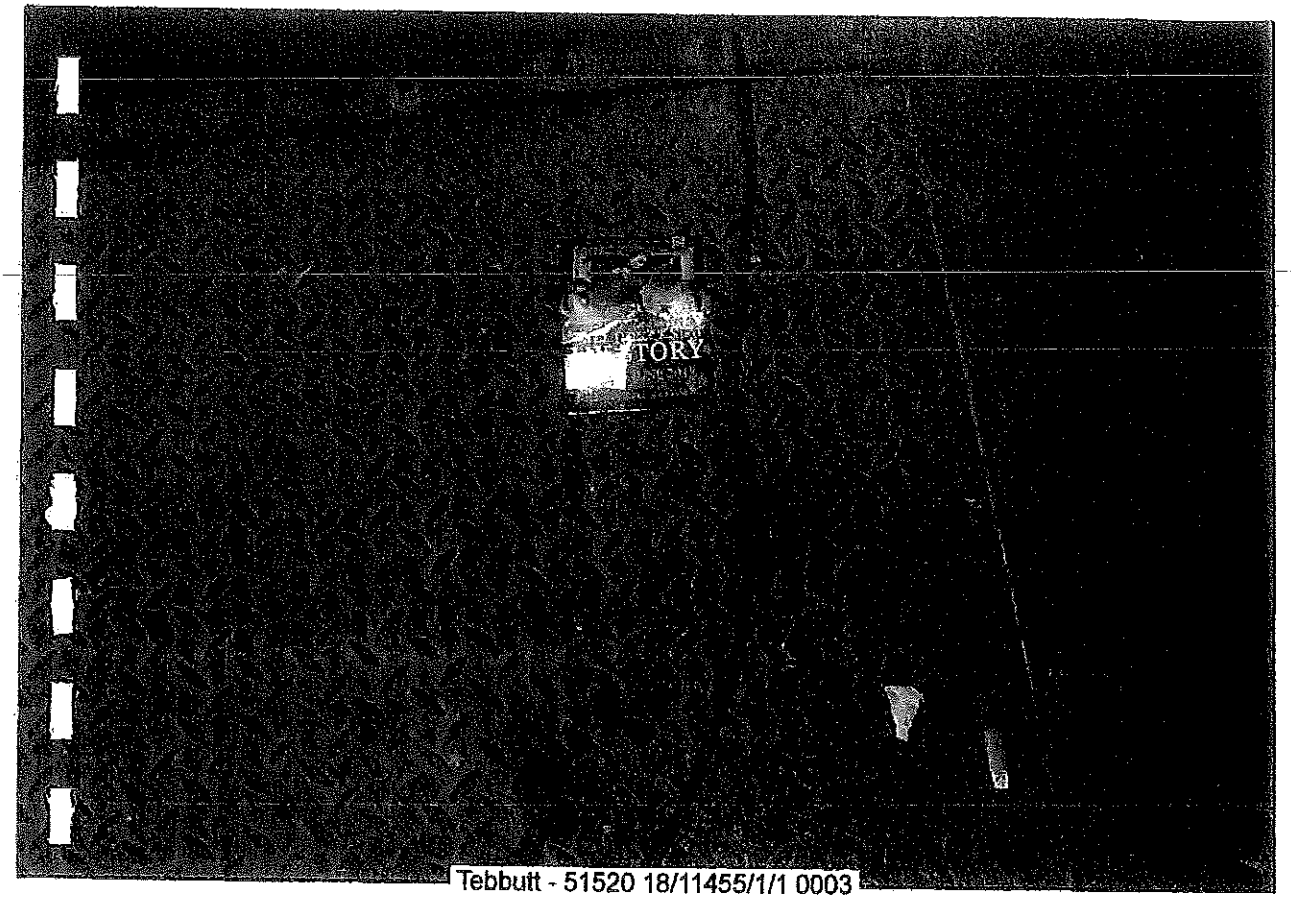

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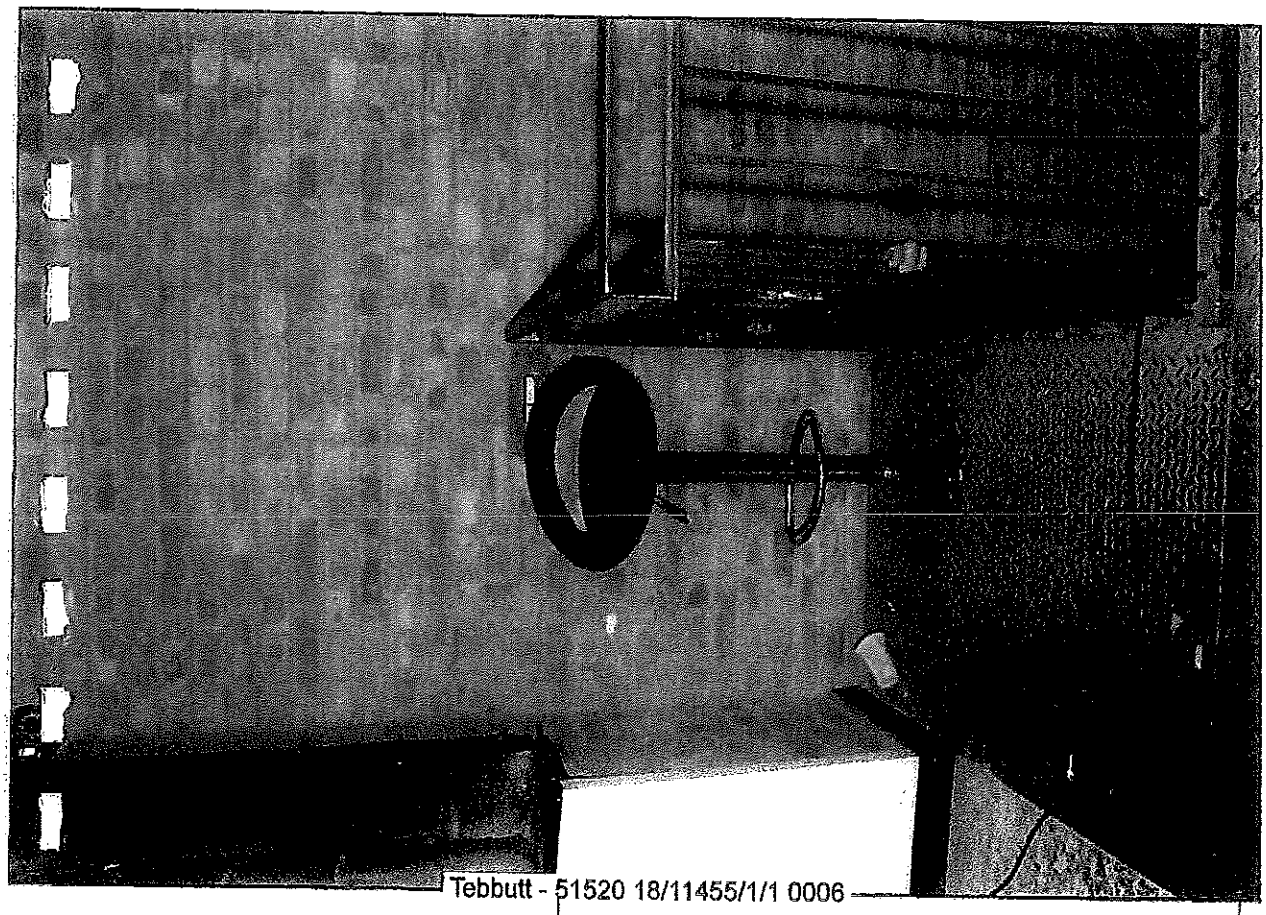
Tebbutt - 51520 18/11455/1/1 0004

Tebbutt - 51520 18/11455/1/1 0005



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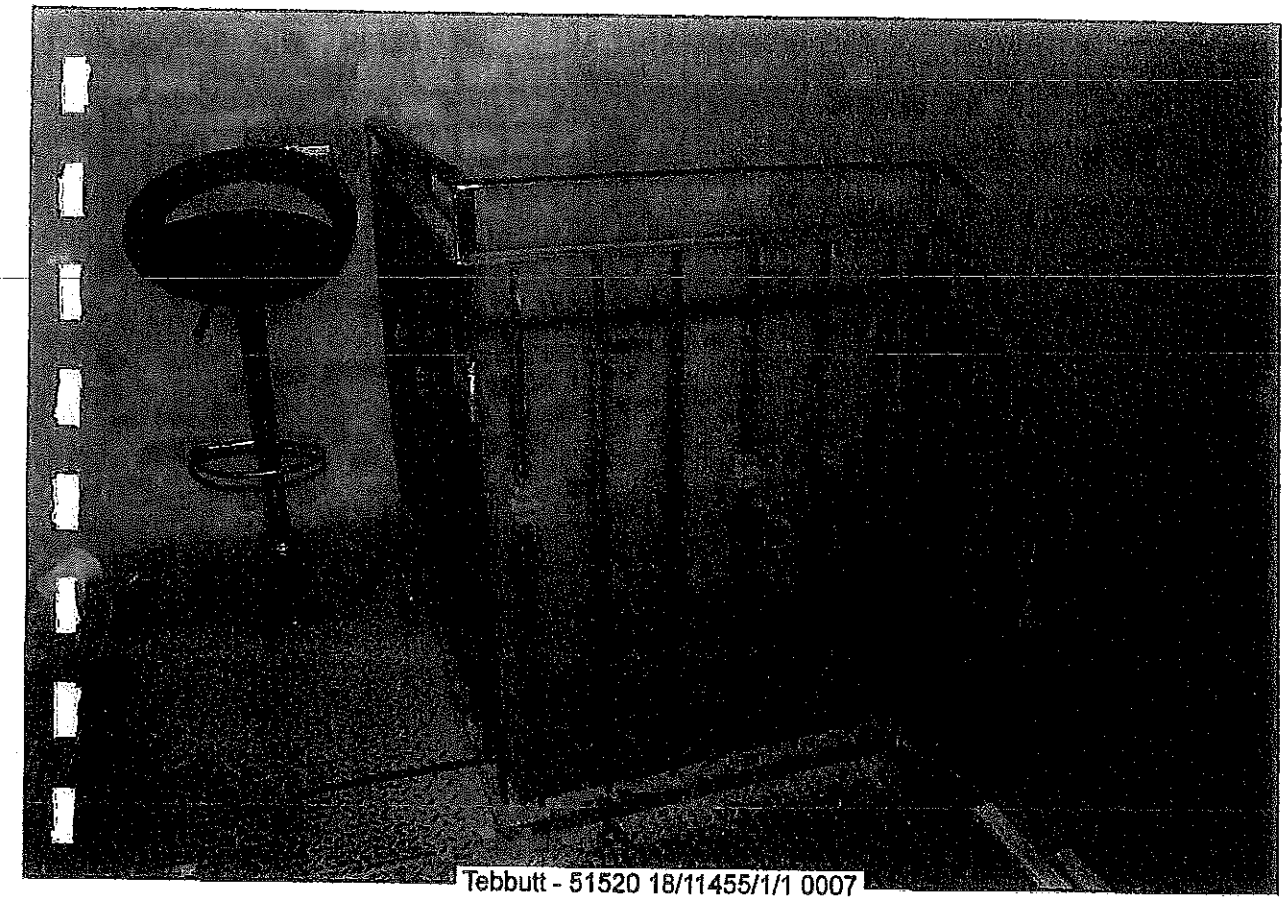
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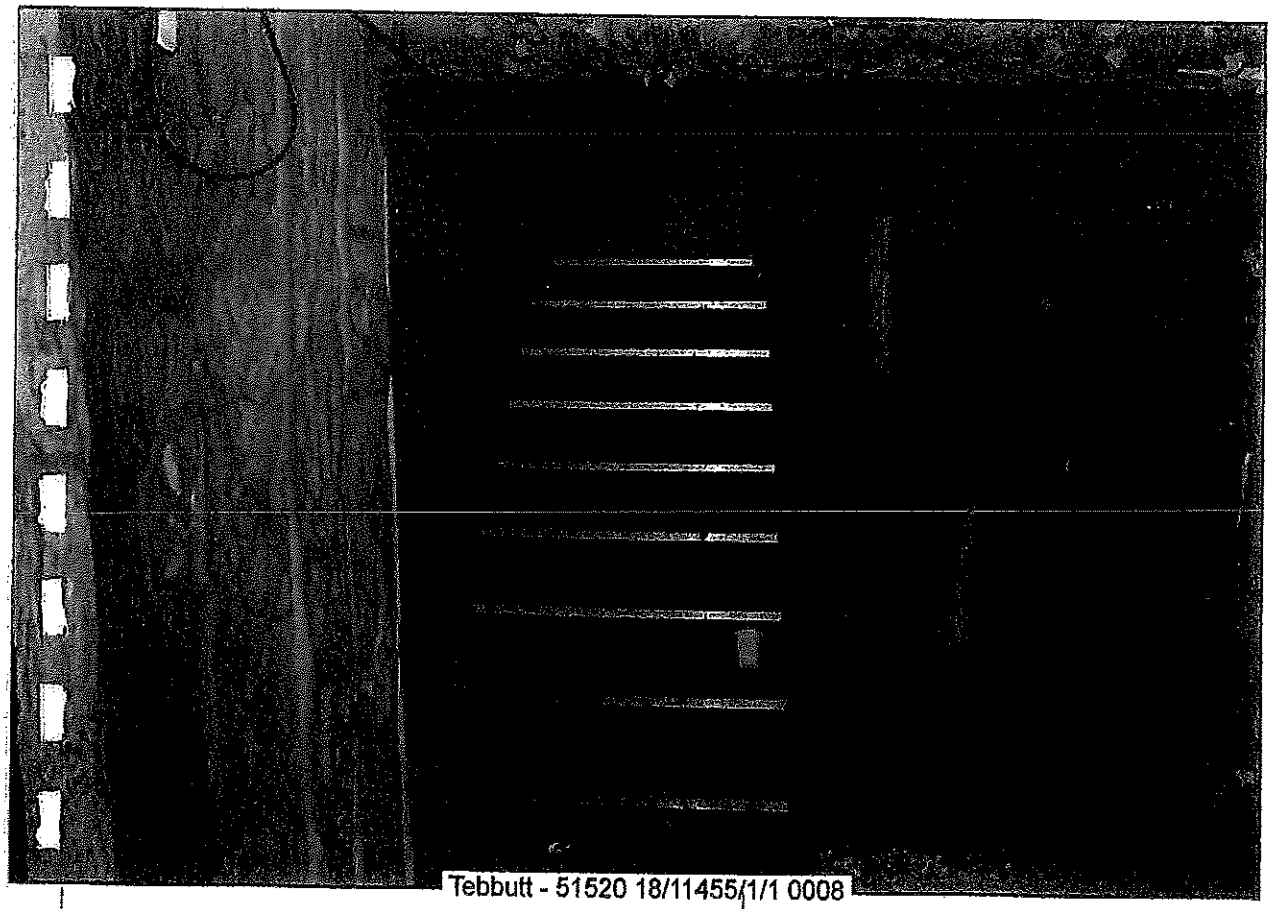
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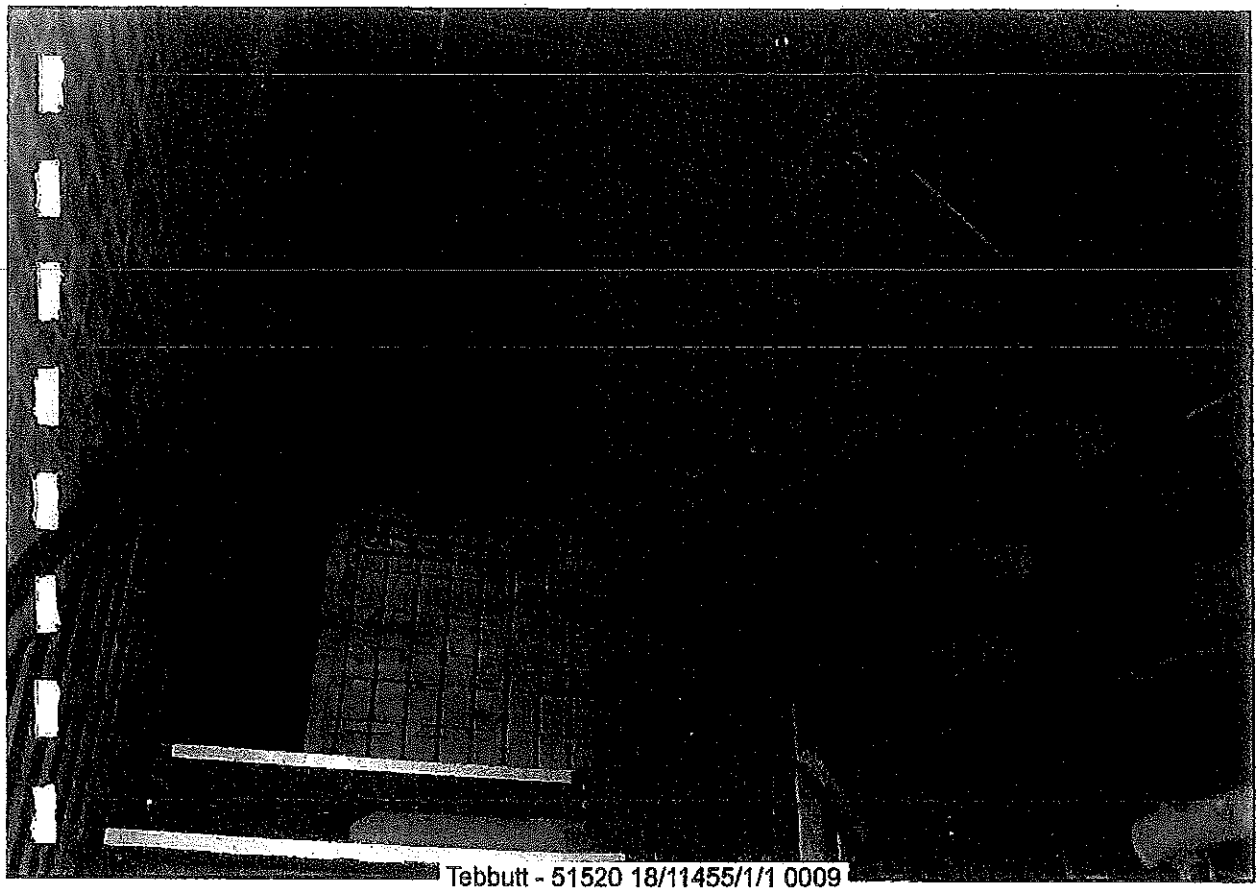

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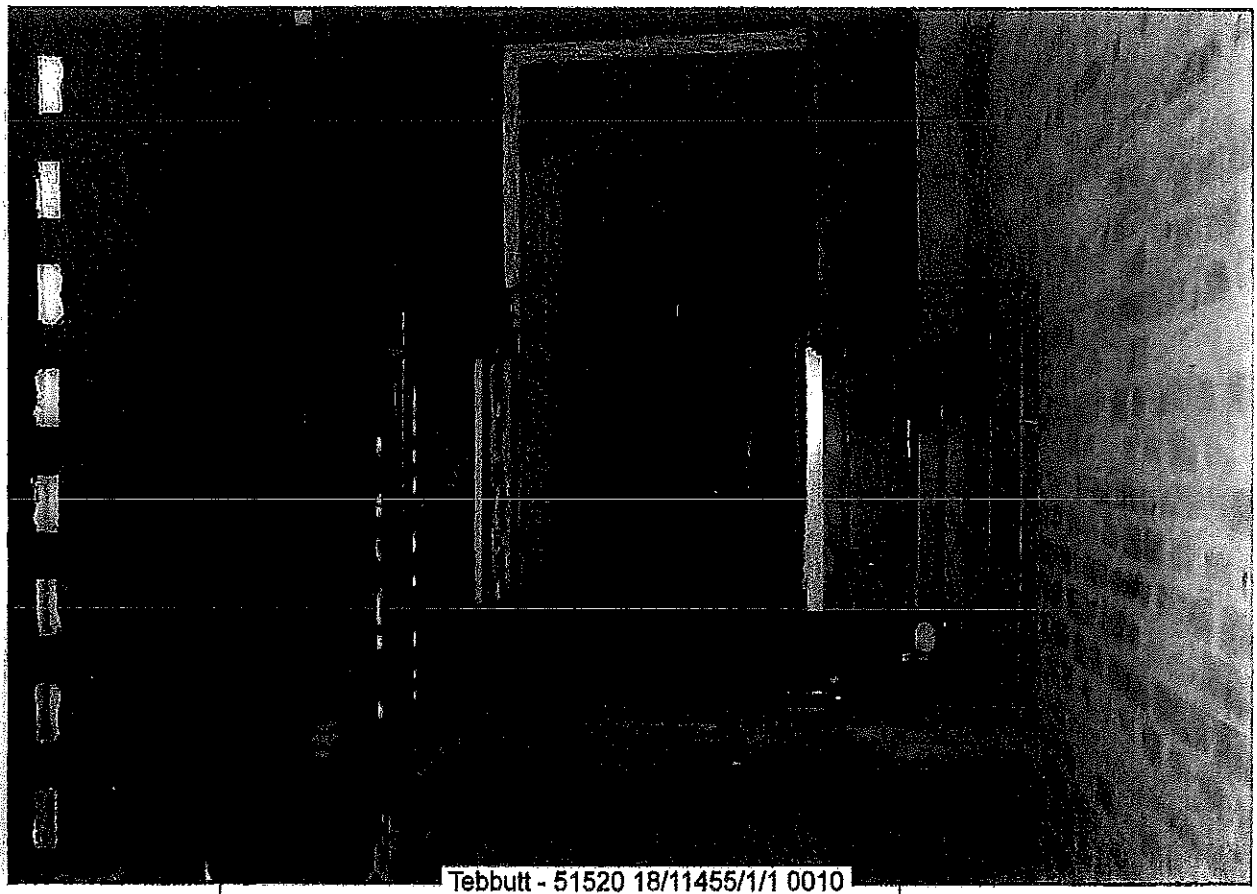

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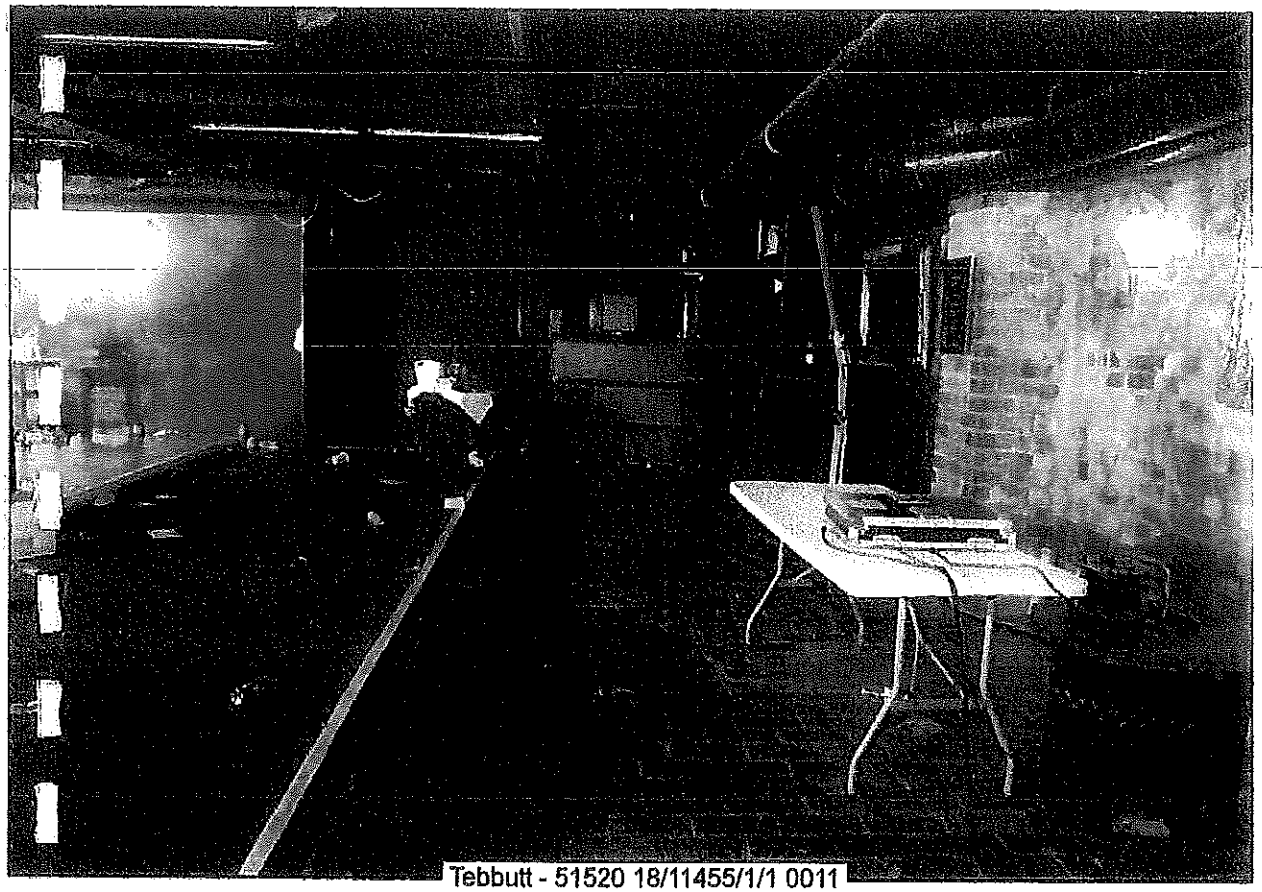

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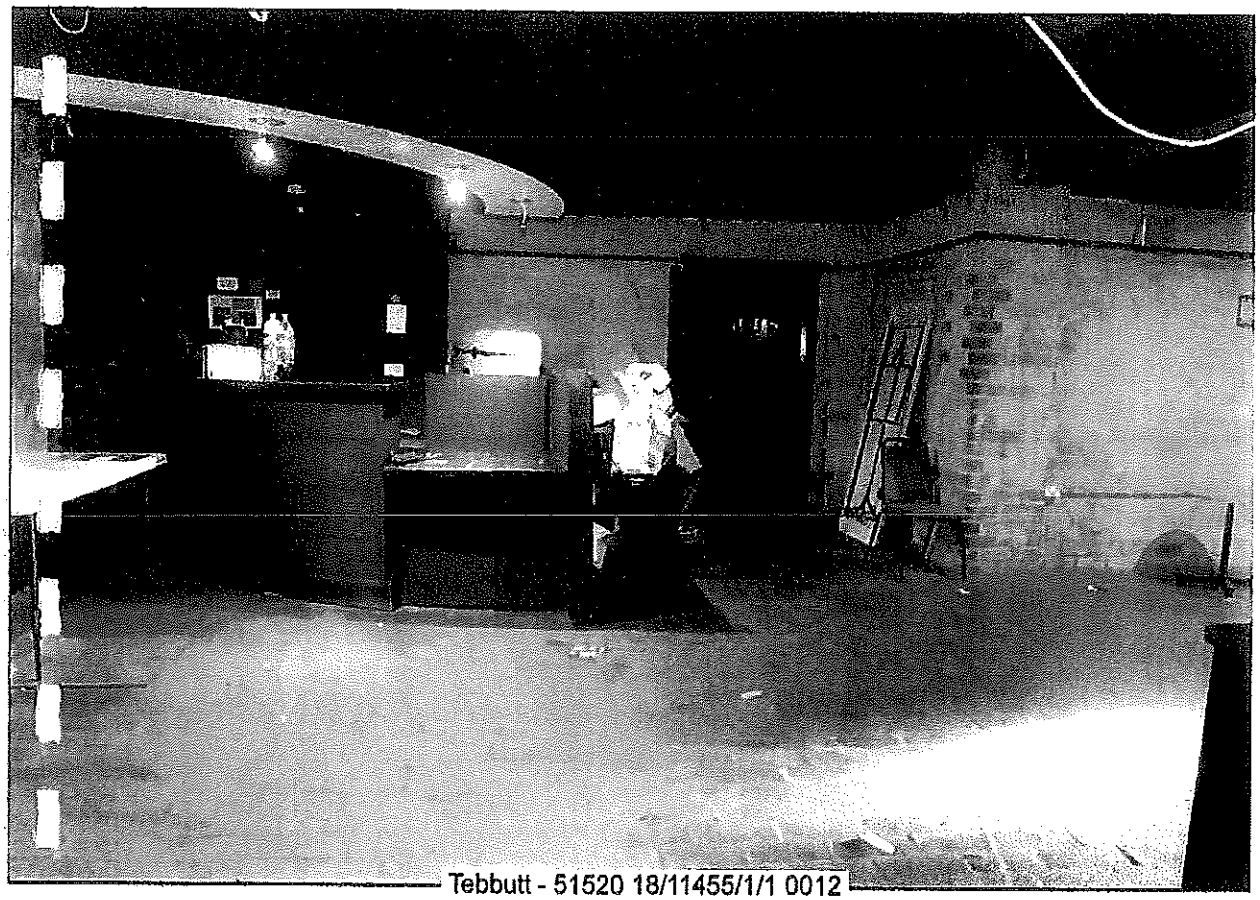

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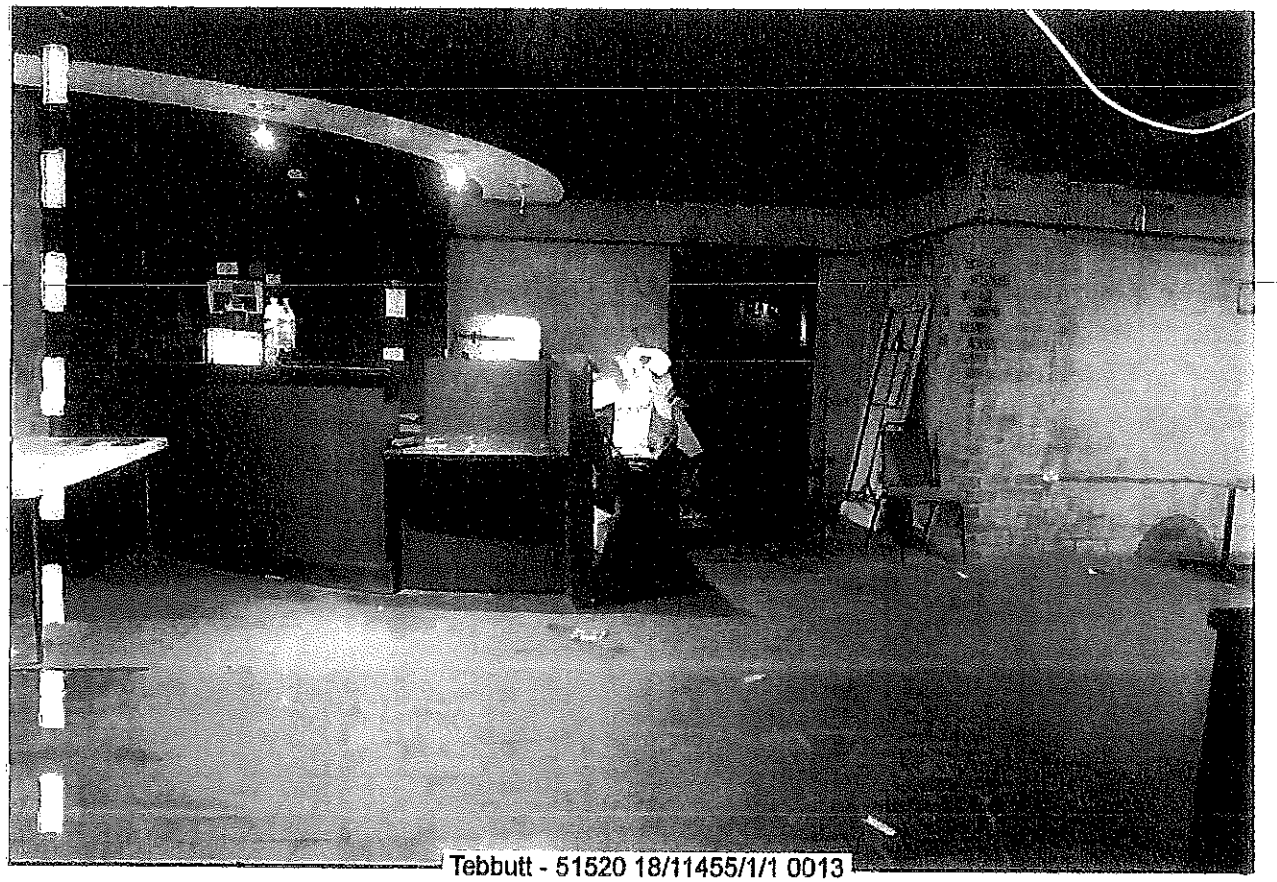

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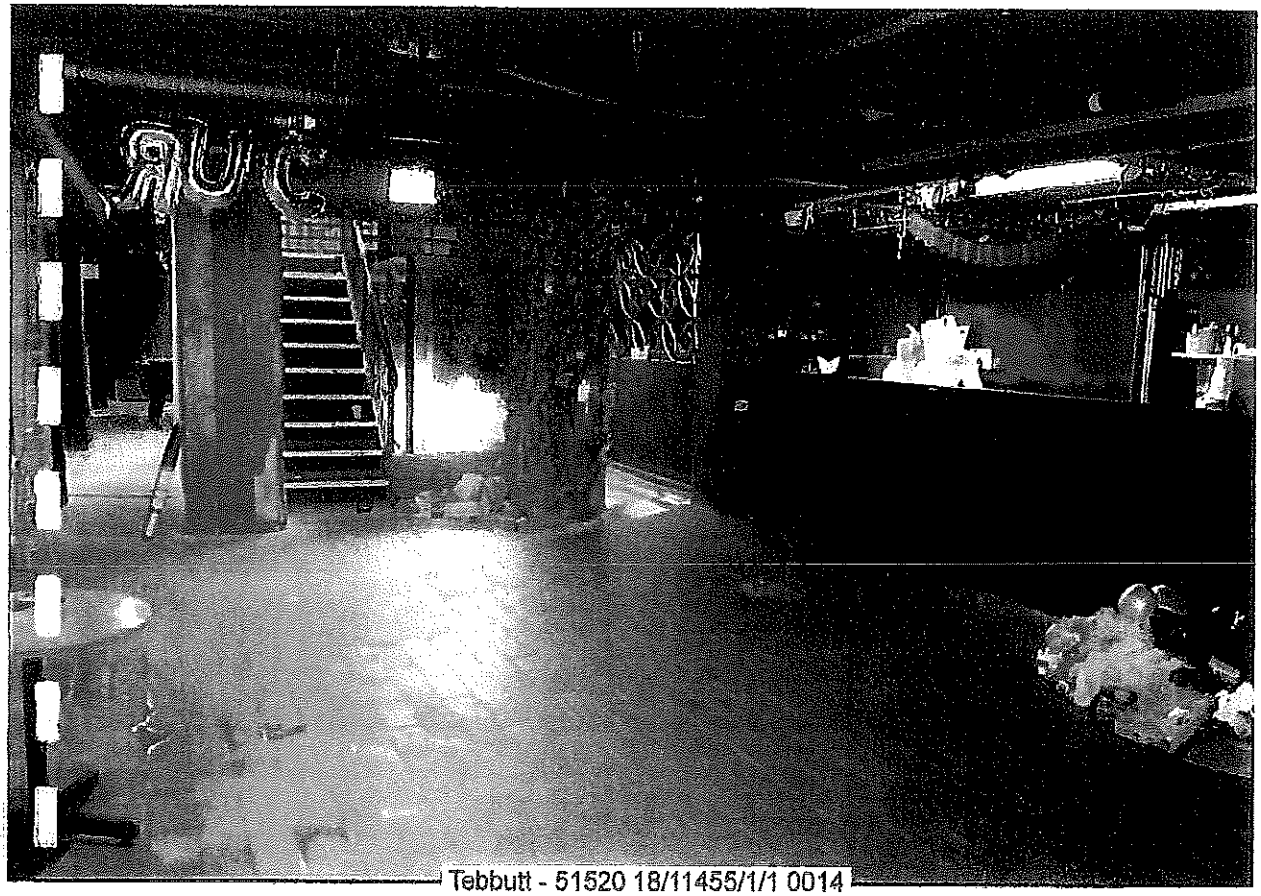

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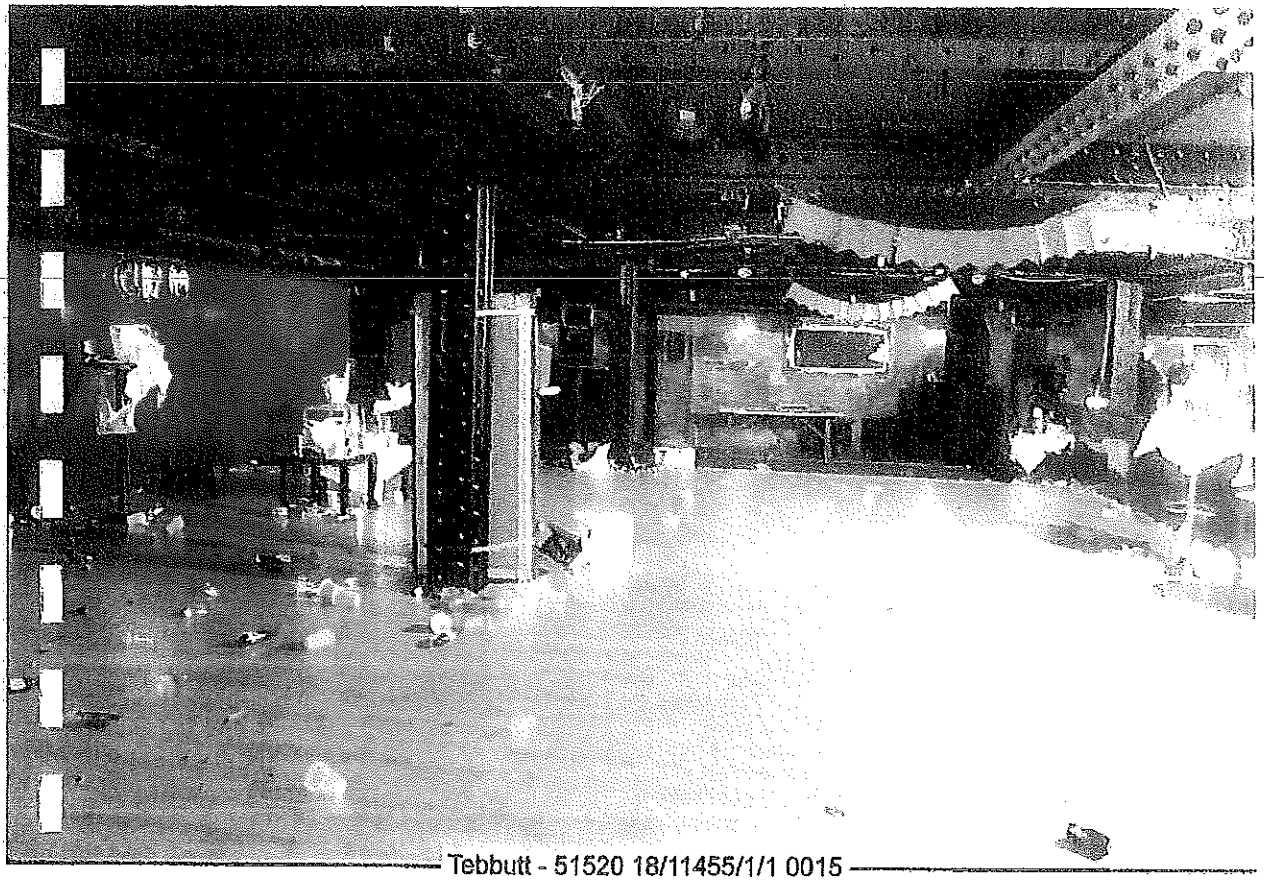

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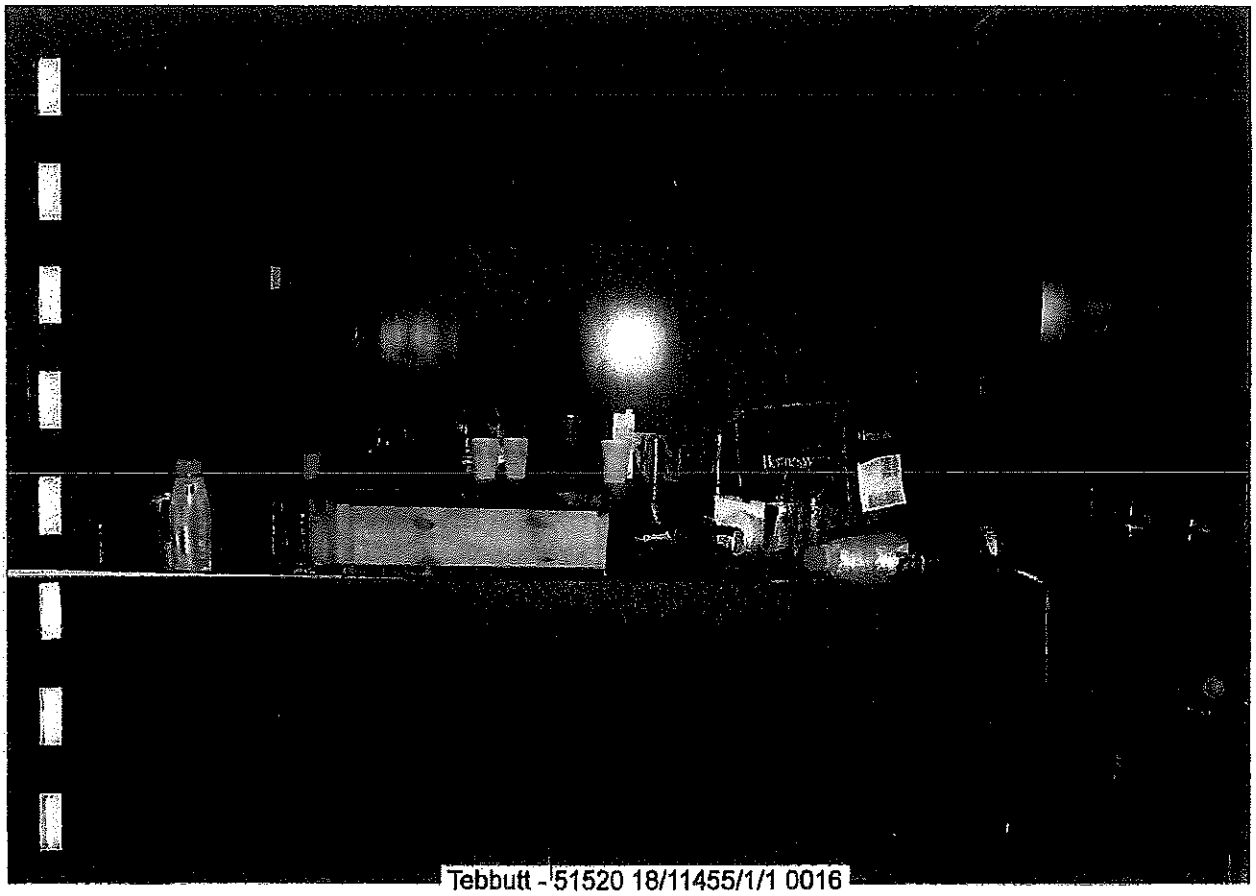

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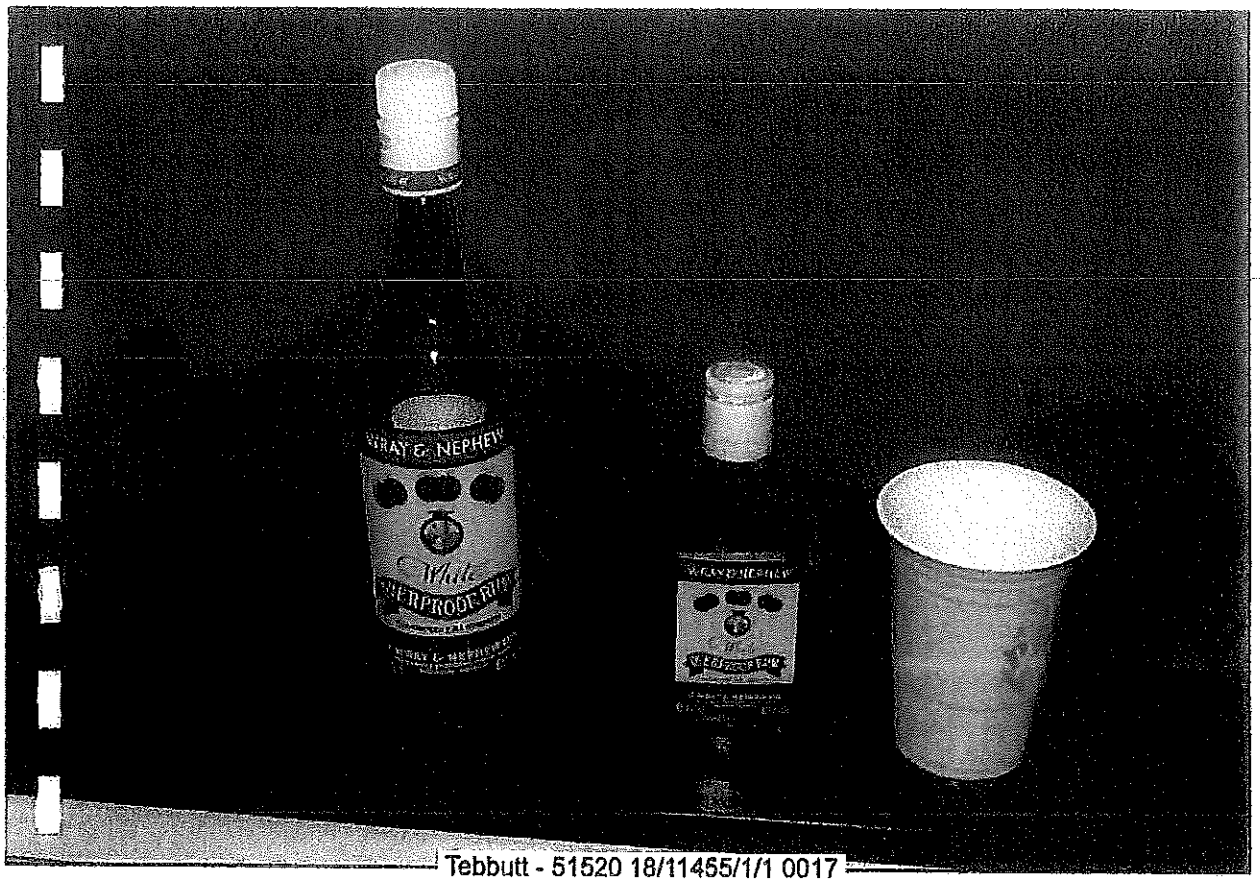

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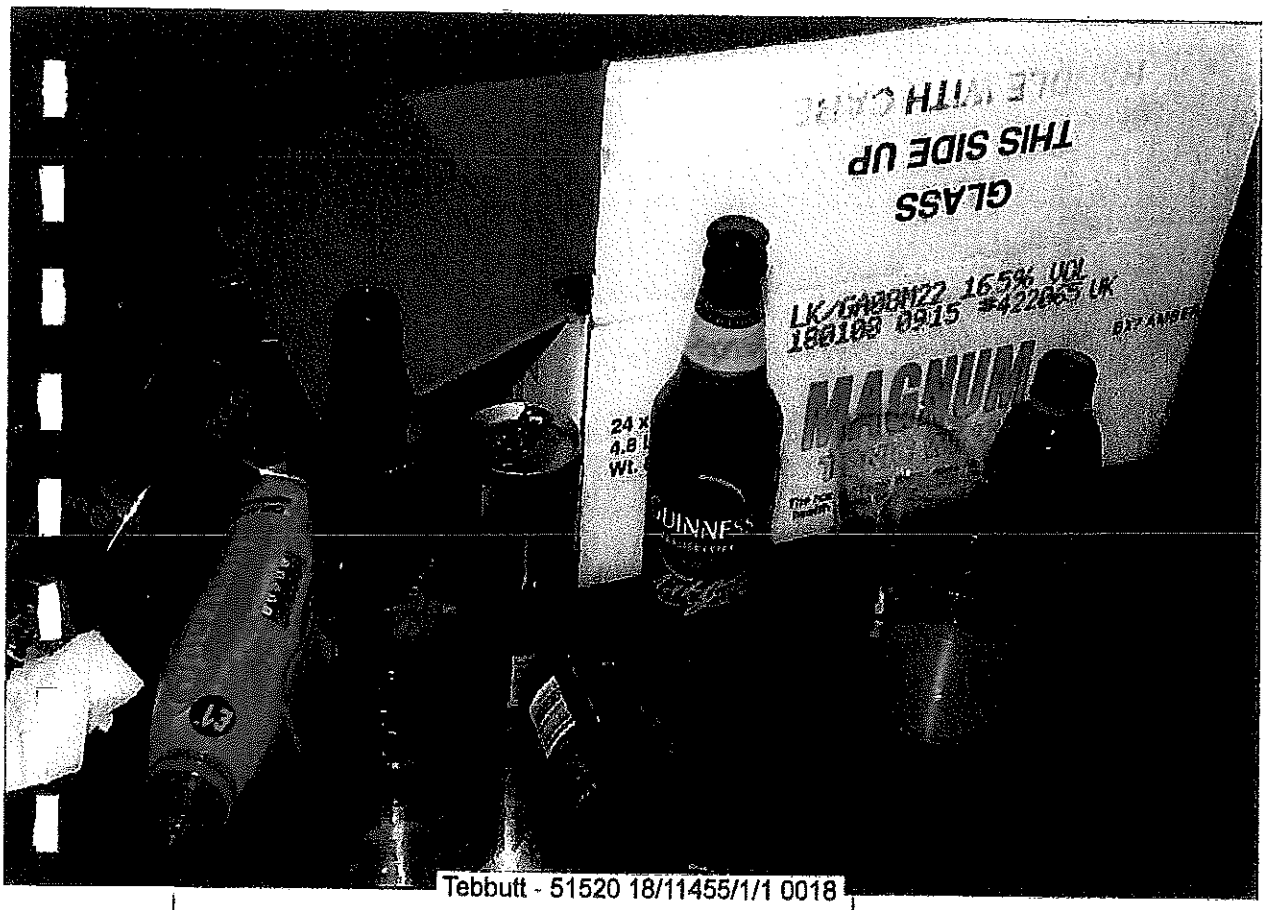

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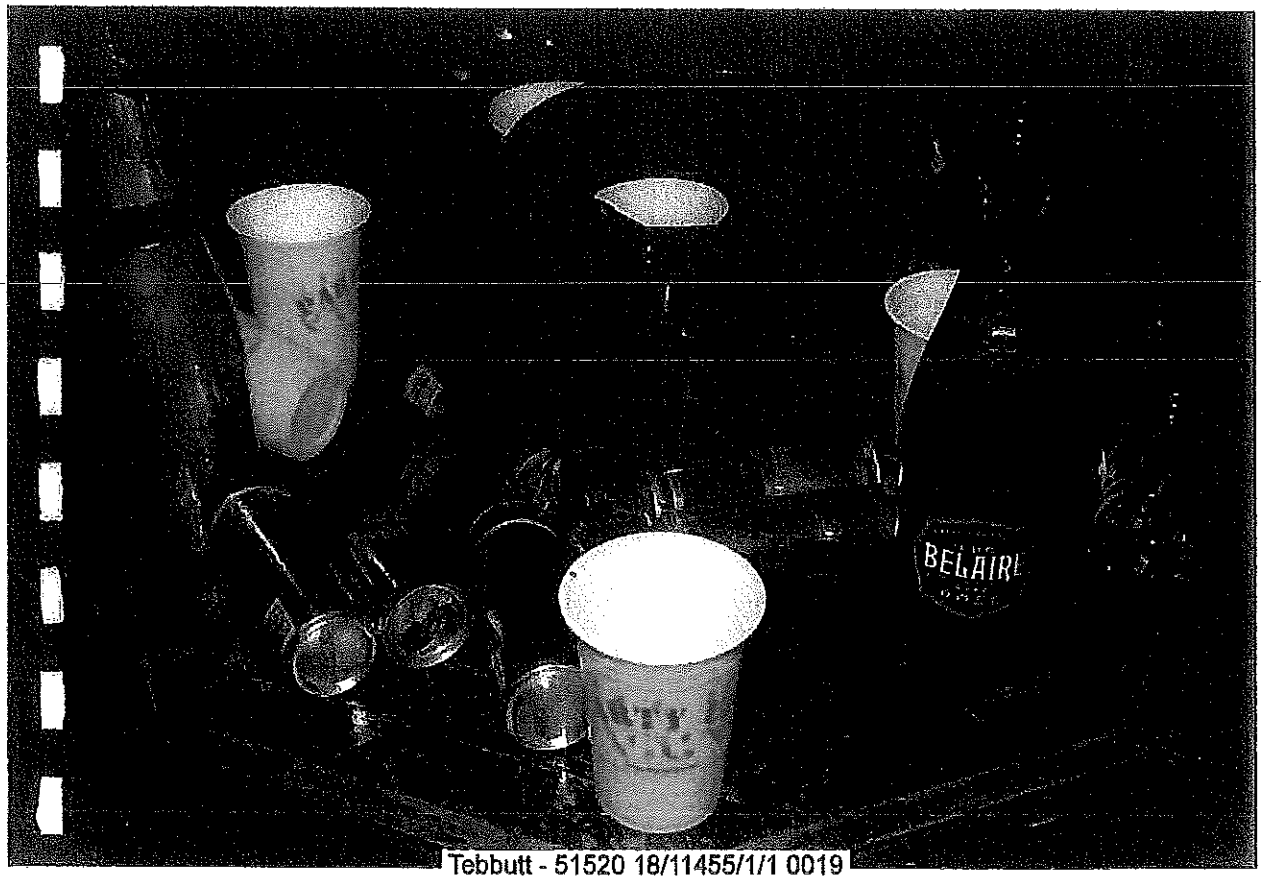

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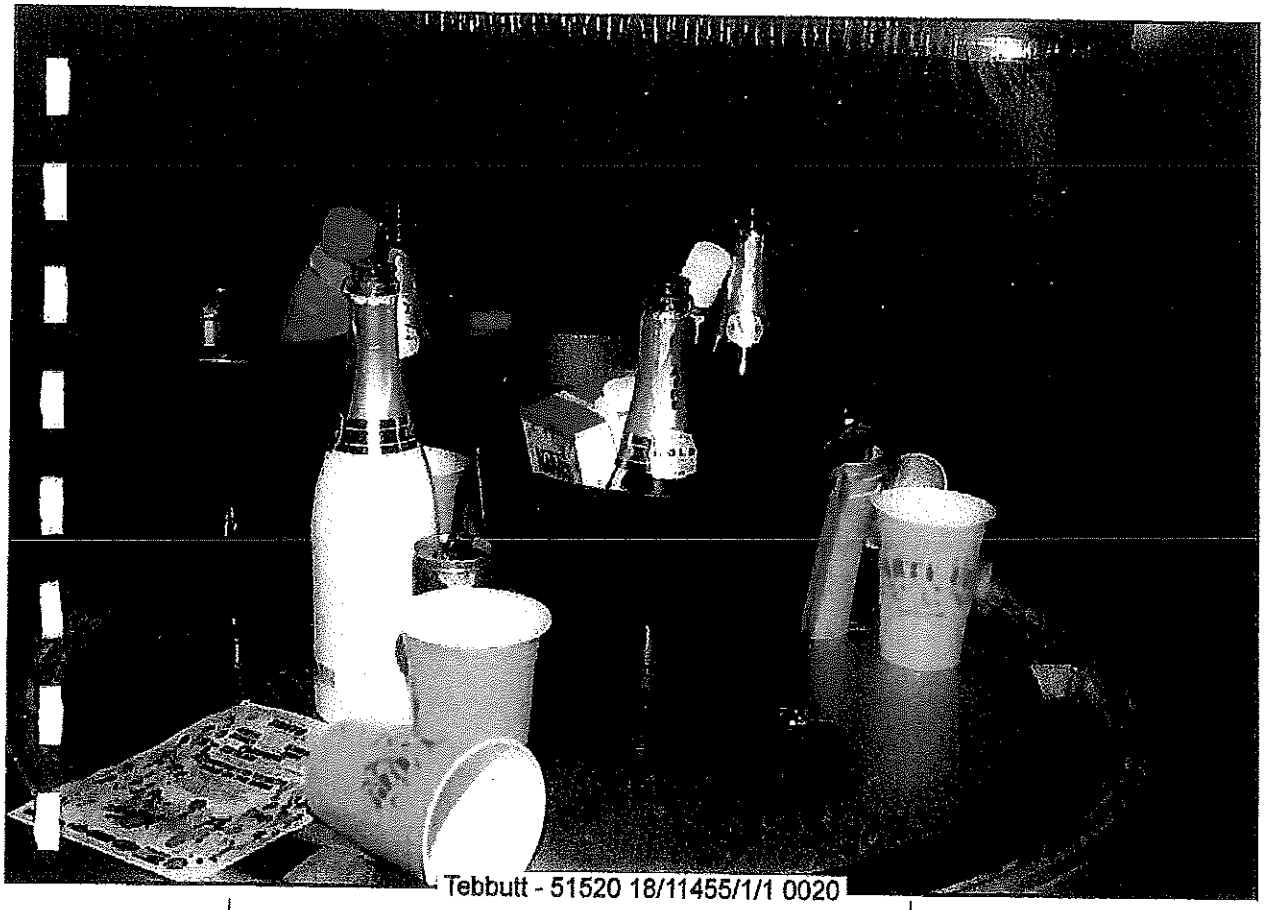

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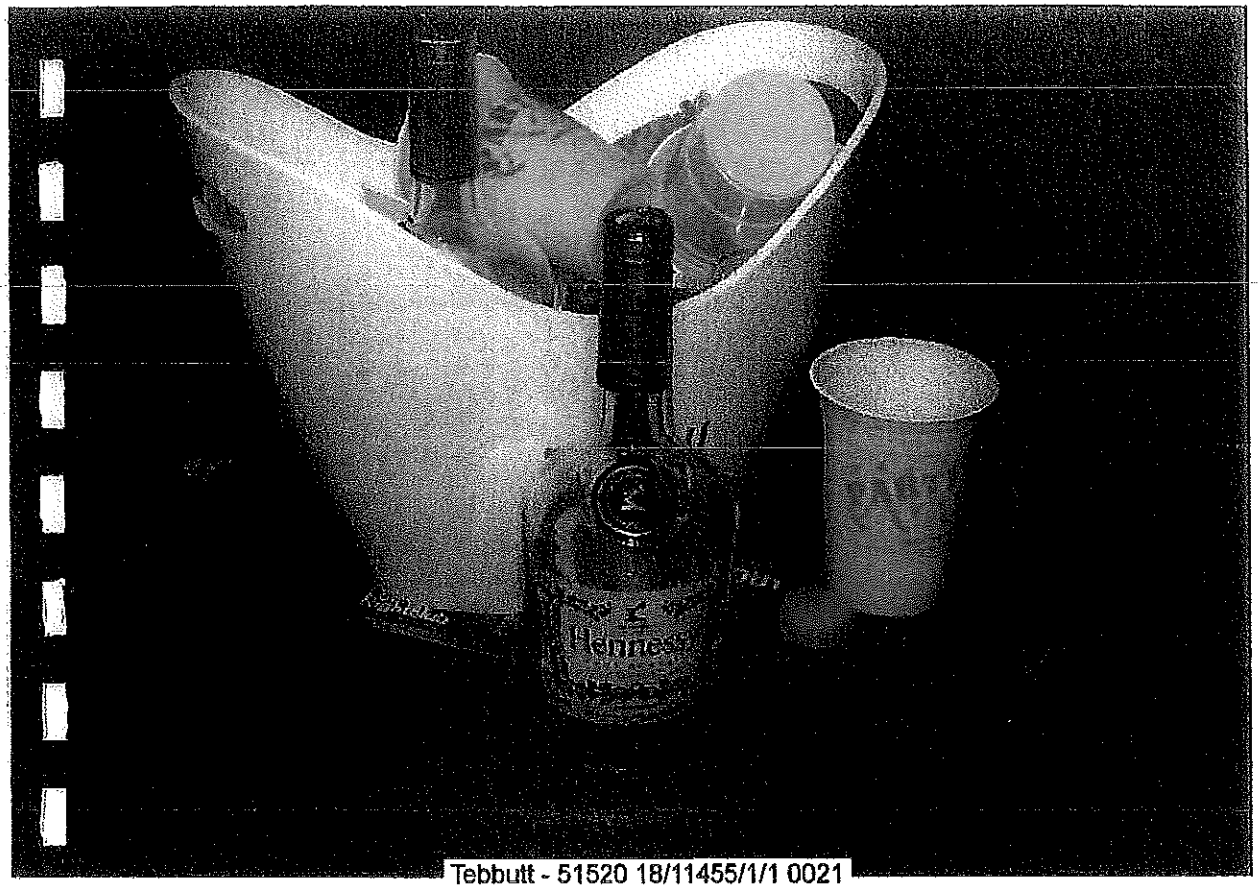

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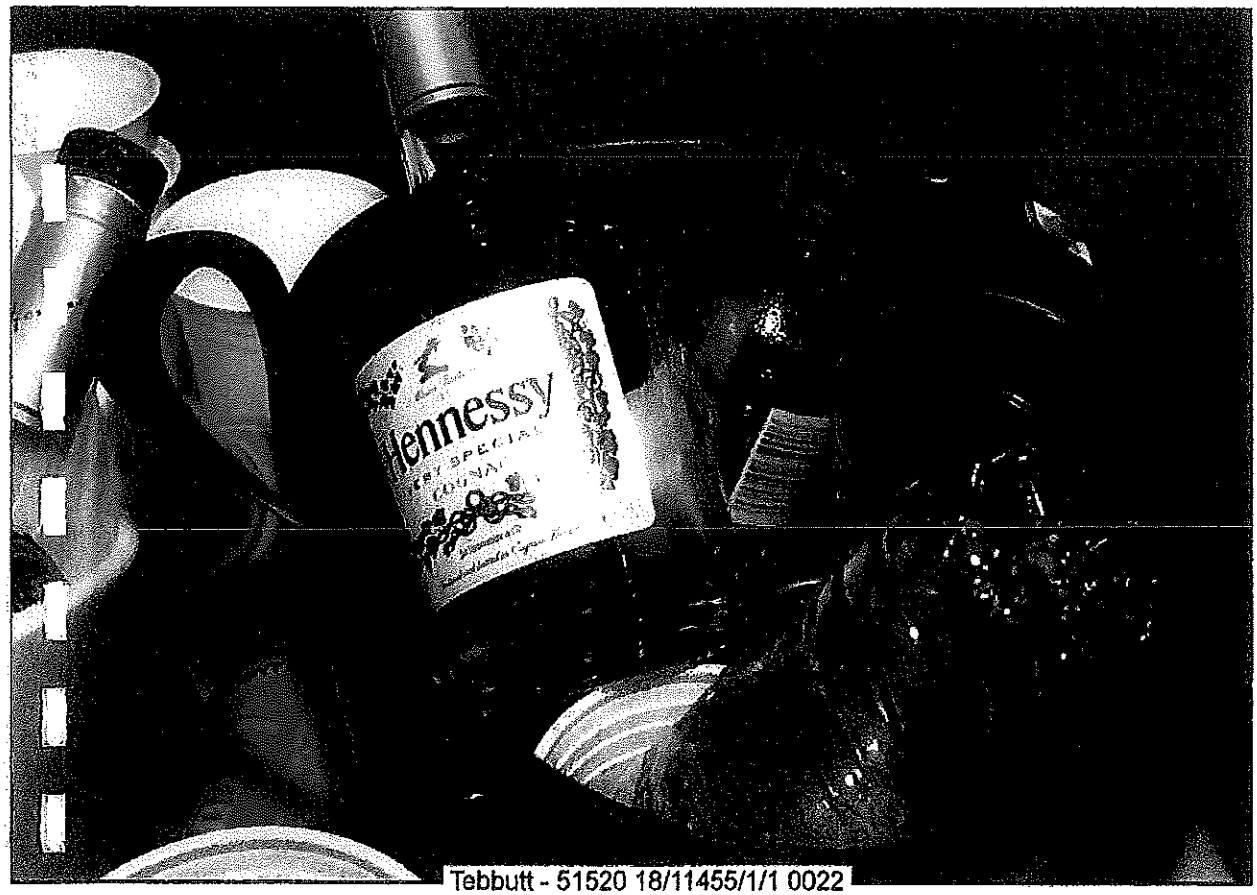

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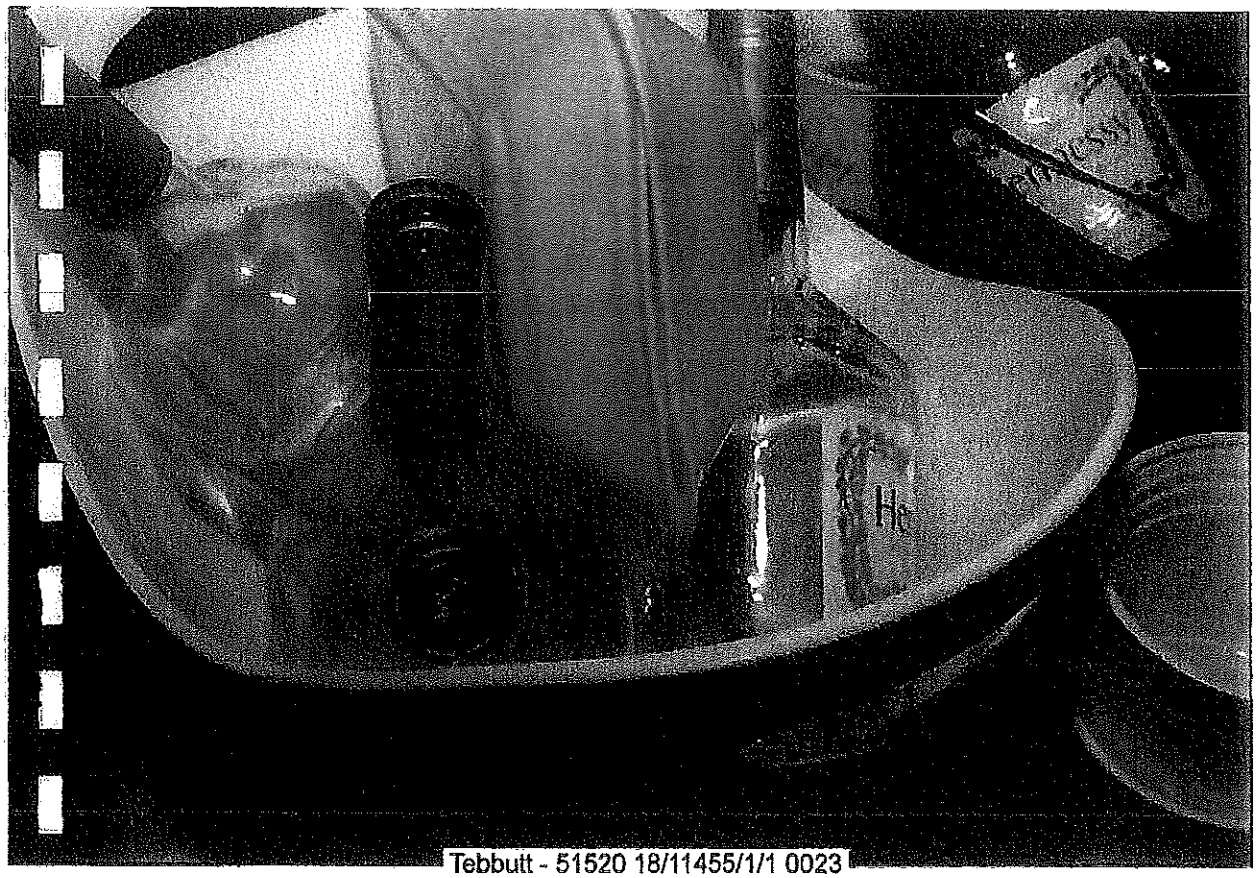

Tebbutt - 51520 18/11455/1/1 0023

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 PC 3833 James CAVALLARO

Age if under 18 Over 18 *(if over 18 insert "over 18")* Occupation Police Constable

This statement (consisting of 1 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: 3833 (witness) Date 03/06/18

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

I am PC 3833 Cavallaro of the West Midlands Police, currently attached to the Firearms Unit. This statement is in relation to an incident I attended at The Arabian Nights Shisha Lounge, Bissell Street, Highgate.

At about 0550 hours on Saturday 26th May 2018 I was on duty in full uniform in company with PC 20361 Allen, allocated call sign ZT44.

At this time we were directed to the Arabian Nights Shisha Lounge, Bissell Street, Highgate to a report of a shooting. The caller stated that there were approx. 200 people in the club and they were all running out into the street.

Upon our arrival a few minutes later, we saw that there were not many people in the street at all. I saw that the shutters on the premises were down. A side door facing out onto Bissell Street was open, and several people were coming out. No one was in distress, there was no signs of disorder or of anything being untoward. We explained why we had been called, and I asked several people outside the premises if there had been any gunshots or if any persons had been injured. They replied no. Nobody I spoke to had any knowledge of why police had been called.

Along with other armed officers, we conducted a walk-through of the premises. The premises was located in a large basement area, it was very messy, there was clearly evidence of a large number of revellers having been there. There was no sign of any blood etc or anything to suggest that any shots had been fired. We then cleared the scene. I had my body worn video recording throughout this incident. I can exhibit this footage as (Ref JC/1/26/5/18) (Exh No.). 3833

Signature ..... 3833 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.

URN

Statement of M. Yates

Age if under 18 O/18 *(if over 18 insert 'over 18')* Occupation Police Constable 20996

This statement (consisting of one 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 03/06/18

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

I am Police Constable 20996 YATES of the West Midlands Police Force, currently attached to the Operational Firearms Unit and based at Aston Police Station. On Saturday 26th May 2018 I was on duty in full uniform in company with PC 22242 ARMSTRONG answering call sign ZT42.

At 05:50 we were directed towards Arabian Nites Shisha Lounge, 54-76 Bissell Street, Highgate, Birmingham following the report of gun shots at the location.

On arrival, there was no disorder outside but the street was busy with pedestrians and parked cars, considering the time of the morning. The metal shutters to Arabian Nites were closed, however the door immediately to the left was open. I spoke to several people hanging around the door who were calm and stated that they weren't aware of anything that had happened.

I waited for more officers to arrive and a security guard for the venue was located. I went inside with PC 3724 ADDISON & PC 3833 CAVALLARO to check that there were no injured people or a scene that needed preserving. As we walked through the ground floor lobby area, there were a few people who came up the stairs and walked towards the exit who didn't appear distressd or in need of help. Downstairs was a large open area with a lit dancefloor in the middle. There was no music playing but it was evident from the litter on the floor and balloons around the dance floor that there had been a gathering there, however at the time of our attendance there were less than 10 people left.

We walked around looking for injured people or evidence of a shooting but found nothing. Once we were satisfied that there was no requirement for Police we left the location and had no further dealings.

My attendance at this incident was captured on my body worn camera and I can produce the footage if required as MY/01 (court exh).

Signature ..... Signature witnessed by .....

RESTRICTED – (when complete)

MG11

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 Benjamin Parsons

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation Police Sergeant

This statement (consisting of 1 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 02/06/2018

I am the above named person and I am on Birmingham City Centre Neighbourhood Team 2 currently based at Digbeth Police Station.

On Thursday 31st May 2018 I was on full uniformed patrol. My tour of duty was 1400hours to 2300hours At approximately 1630hours I attended Arabian Nights Shisha Lounge, 54-76 Bissell Street, Highgate, Birmingham, B5 7HP, in order to execute a Section 8 PACE warrant, in company with other officers. Entry was gained at 17:03 hours.

On entry to the premises there was no one present. Myself and other officers carried out a walkthrough of the building in order to capture the layout of the premises as requested by our Licensing department. All of the footage was captured via my personal issue body worn camera.

The search of the address concluded at 17:40 hours.

At the end of my T.O.D I downloadedthe footage from my body worn camera, to Evidence.com. This was placed on the system under ID Number, 1411,31/05/18. I can produce this item in evidence as Police Exhibit BP/01.

I had no further dealings with this matter.

Signature ..... Signature witnessed by .....

07/2013

RESTRICTED – (when complete)

RESTRICTED – (when complete)

MG11

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 Lyndsey YATES

Age if under 18 o18 (if over 18 insert 'over 18') Occupation Police Sergeant

This statement (consisting of 1 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: PS20344 (witness) Date 1st June 2018

I am Police Sergeant 20344 Lyndsey YATES of the West Midlands Police currently based at Digbeth Police Station on the Birmingham City centre Neighbourhood Team.

On Thursday 31st May 2018, I was on full uniformed patrol and when I attended Arabian Nights Shisha Lounge, 54-76 Bissell Street, Highgate, Birmingham, B5 7HP, in order to execute a Section 8 PACE warrant, in company with other officers. We arrived at the premises at 16:23 hours and entry was gained at 17:03 hours

On entry to the premises there was no one present. I completed a walkthrough of the building in order to capture the layout of the premises as requested by the Licensing department. All of the footage was captured via my personal issue body worn camera.

The search of the address concluded at 17:40 hours.

At 22:45 hours, the footage from my body worn camera was downloaded to evidence.com at Digbeth police statopm. This was placed on the system under ID Number, 1411,31/05/18. I can produce this item in evidence as (ref no LY/1)(exh no).

I had no further dealings with this matter. PS20344

Signature PS20344 Signature witnessed by

07/2013

RESTRICTED – (when complete)

Applicant: Chief Constable of West Midlands Police
Name: PC 21743 HITCHMOUGH
Statement No: 1
Exhibit: DH/1 – DH/2
Made: 04th JUNE 2018

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN:

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54 – 76, BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent

WITNESS STATEMENT OF PC 21743 DAN HITCHMOUGH

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1) I am PC 21743 HITCHMOUGH of the West Midlands Police ('WMP'), currently on Small Heath and Highgate Neighbourhood Policing Team (NPT) covering these two areas as stated.

2) My duties include both the patroling of and responding to incidents that take place within Small Heath and Highgate area of Birmingham. In addition, I work with partner agencies, such as the local Businesses and also Birmingham City Council (BCC) to assist in the prevention and detection of crime.

3) I make this witness statement in relation to ARABIAN NITES SHISHA LOUNGE, 54 – 76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP. This information is from my own knowledge and belief save where stated.

ARABIAN NITES

4) ARABIAN NITES has a licence to operate as a restaurant, show plays, films, indoor sporting events, live music, recorded music, performances of dance, anything of similar description to that falling within (live music) (recorded music) or performances of dance, late night refreshment and sale of alcohol by retail (both on and off the premises). Birmingham City Council granted the license on 18th July 2016 and the Designated Premises Holder is Mr Amandeep Uppal.

5) I am familiar with the layout and have attended ARABIAN NITES on several occasions over the last 2 years. I have been in several different rooms during this period. I am aware that ARABIAN NITES is on two floors and has a large basement. The basement has been used as a bowling alley and a nightclub. I have been shown around the premises by management on previous occasions and have attended the location for various reasons.

Attendance with Sec 8 search warrant Thursday 31st May 2018

6) At approximately 16:23hrs on Thursday 31st MAY 2018, I attended ARABIAN NITES SHISHA LOUNGE, BISSELL STREET, HIGHGATE in relation to a SECTION 8 warrant. The intention of the warrant to my understanding was to secure and preserve evidence in relation to CCTV at the location in relation to a recent shooting at the venue. I attended this premises with several of my colleagues and officers from CID.

7) On arrival at the premises it was clearly shut. The main entrance had its shutter completely down. There was no sound or movement coming from inside the venue. The rear wooden door at the far end of the premises that you can access via the car park was locked shut. This was the same for the other wooden door leading to the fire escape on BISSELL STREET. I then informed DC 8116 HARRISON (CID) that I was aware of a site manager's office and that we should try there before forcing entry. I then escorted DC HARRISON to an office on the first floor of the SATURN BUILDING that is adjoined to the ARABIAN NITES SHISHA LOUNGE.

8) DC HARRISON and I then entered the SATURN BUILDING and made our way to the first floor. Inside the manager's office was an Asian male, aged around 45 years who spoke to DC HARRISON. I heard the male confirm that he was in charge of the premises and that he would send one of his workers down to the front of ARABIAN NITES who would allow us access into the building. DC HARRISON explained to the male that he had a warrant to search the premises.

9) Around 40 minutes later PS 4012 AHMED who is MOE trained attended the location. PS AHMED forced entry into the premise via a locked door just behind the fire exit door shown on page 1 of Police Exhibit DH/1. No representative from ARABIAN NITES or the SATURN BUILDING attended to allow us entry into the building.

10) I then entered ARABIAN NITES through this door and made why way down a dark corridor and into the main seating area. I then made my way down a flight of stairs just off the main seating area that leads into the basement where I was aware that there is a bowling alley. I then made my way through a small seating area and through a set of doors into the bowling alley area. It was evident that the bowling area had been taken away and replaced with a dance floor. At the far end of the dance floor was a DJ booth where the bowling pins would normally be. As I continued to walk around and enter the area I knew as the arcade room a store cupboard was open where all of the bowling equipment and been stored away. I then made my way up a flight of stairs next to the arcade area that leads back up to the first floor. Next to these stairs is a large glass cabinet that hosts a lizard. I know this as it is a unique and memorable thing to have in a nightclub.

11) Since visiting the premises, on MONDAY 4th JUNE 2018 I have viewed several images taken by SOCO 51520 PAUL TEBBUT on the 26th MAY 2018 following the allegation in question of a shooting at ARABIAN NITES. I can say and confirm that I recognize these images to be of the basement area of ARABIAN NITES that include the area of the bowling alley mentioned above and the distinctive glass cabinet housing a lizard.

12) I have also viewed PC 0409 BENTLEY's Police issued body cam from the Sec 8 warrant he attended with me on the 31st MAY 2018. PC BENTLEY enters ARABIAN NITES though the forced entrance point and then makes his way down a short corridor. He then turns left towards a flight of stairs leading to the arcade area as described above. PC BENTLEY then makes his way through the bowling alley area

where he joins me. I can produce a document DH/1 that compares images SOCO 51520 PAUL TEBBUT took and still images from PC BENTLEY's body cam.

ARABIAN NITES comparison images Police Exhibit DH/1.

13) PAGE 1: Shows a still image taken from PC BENTLEY's body cam. This image is taken from BISSELL STREET looking at the side fire escape of ARABIAN NITES. Directly behind this door was locked door that officers forced open to gain entry into the premises.

PAGE 2: The above image is taken by SOCO 51520 PAUL TEBBUT (Image 1) This shows the stairway leading to the arcade area next to the bowling alley area.

The picture underneath is a still image taken from PC BENTLEY's body cam.

Both images are of the same location inside ARABIAN NITES.

PAGE 3: The above image is taken by SOCO 51520 PAUL TEBBUT (Image 2) This shows the top of the stairwell described above. As you can see, there is half back stool to the left of the image next to a white counter with a black surface top. This area to my knowledge is the area that officers recovered a fired bullet.

The picture underneath is a still image taken from PC BENTLEY's body cam as he is halfway down the stairwell looking back towards the top of the stairs. As you can see the half back stool is in the same place and position as in the previous photo.

PAGE 4: The above image is taken by SOCO 51520 PAUL TEBBUT (Image 3) This shows the bar area next to the bowling alley. From the picture, the bar area at the top is curved with two lights hanging from the ceiling in the middle. There is a white table to the left of the bar and a small table directly in front of the bar. To the right of the bar there is a black door leading to a storage area. There is also a table folded up that is leaning against the wall to the far right.

The picture underneath is a still image taken from PC BENTLEY's body cam. This is clearly the same location as the above mentioned items match up in every detail.

PAGE 5: The above image is taken by SOCO 51520 PAUL TEBBUT (Image 4) This shows the stairwell in the basement area next to the bowling alley area and in front of the arcade area. At the bottom of the stairwell to the left there is a distinctive mark in the wood. I have circled this is red. To the right of the stairwell you can see a glass cabinet with a bright white light inside that houses a lizard that I mentioned in point 10. There is a green and white illuminated fire escape sign directly in the middle of the stairwell hanging from the ceiling. To the left of the picture against the wall there is a small table with a black base and a wooden top. To the right of the stair well there is a red fire extinguisher attached to the wall

The picture underneath is a still image taken from PC BENTLEY's body cam. I have circled in red the same distinctive mark as you can see in Image 4. The other above mentioned items also match up exactly as described.

There is no doubt in my mind that all of these images are of the same location and are inside the ARABIAN NITES premises.

14) As I continued to walk around the ARABIAN NITES, on the ground floor in the far right hand corner of the venue towards the back was a set of stairs leading to 2 above floors. These stairs had door in front of them that was unlocked. The first floor had a large landing with 2 doors. One door was close to the top of the stairs and the one down a corridor to the left. The first door was locked as it leads into some kind of Islamic teaching centre or Mosque. The second door down the corridor lead into another corridor then ran from left to right. As I opened this door I could see that it lead back towards the SATURN CENTRE offices. I also recognised this corridor from a previous visit to the SATURN CENTRE. It is my belief that the manager at the SATURN CENTRE would have known about this entrance and could have allowed access into ARABIAN NITES via this entry immediately when we DC HARRISON informed him of the warrant.

15) I can also produce a copy of the lay out of the premises of ARABIAN NITES ground floor and basement. Police Exhibit DH/2. I can use this to talk the court through my statement if required to do so. This may allow the court a better understanding of the descriptions in my statement.

Statement of Truth

I believe that the facts contained in this my Witness statement are true.

Signed .....

Dated 4/6/18

Arabian Nites Comparison Images

Still shot from PC 409 Bentleys's body camera footage taken during a warrant execution at Arabian Nites on 31st May 18 – running time at 00:06

This image shows the point of warrant entry

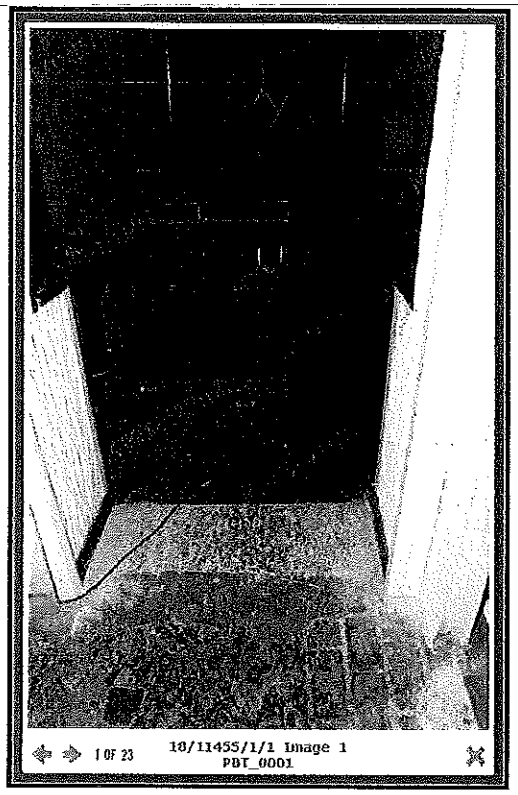
If you walk through this door and continue straight on it leads you down a corridor and directly to the top of the stairs as per image 1 taken by by SOCO 51520 Paul Tebbutt on 26th May 2018 following the allegation of a shooting at Arabian Nites

Police Exhibit – DH/1

Date – 4/6/18

Signed -

Image number 1 taken by SOCO 51520 Paul Tebbutt on 26th May 2018 following the allegation of a shooting at Arabian Nites



Still shot from PC 409 Bentleys's body camera footage taken during a warrant execution at Arabian Nites on 31st May 18 – running time at 00:48

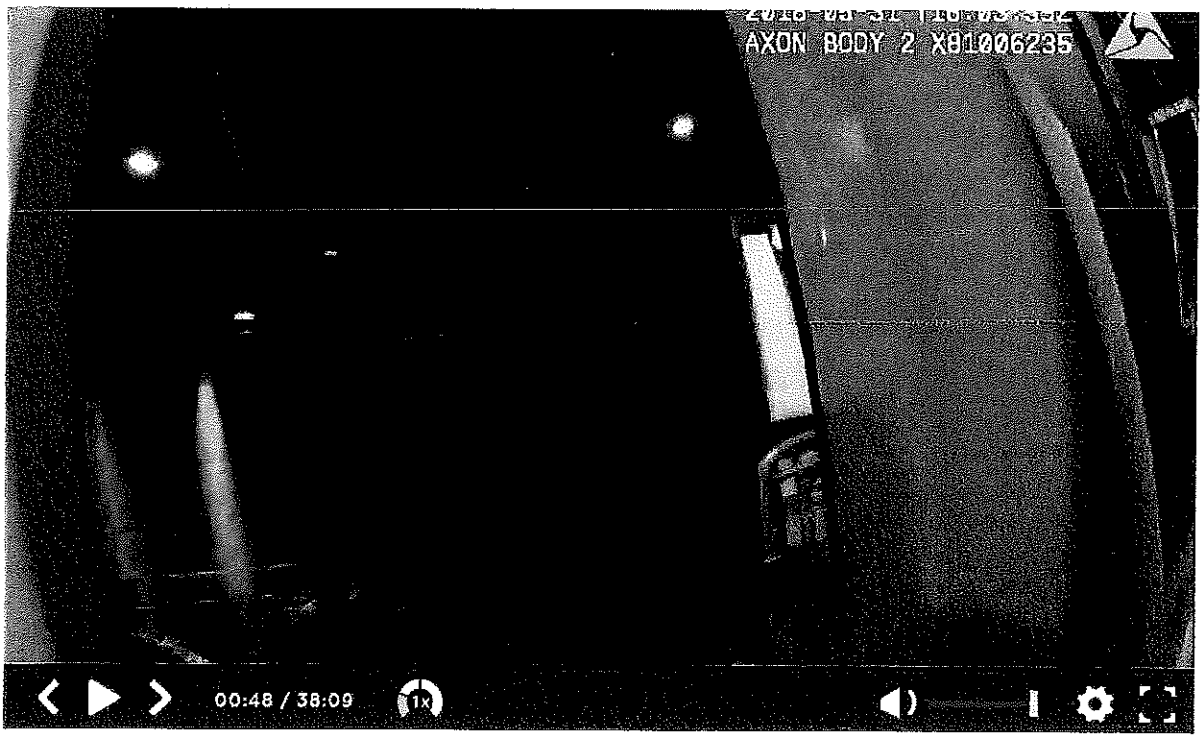
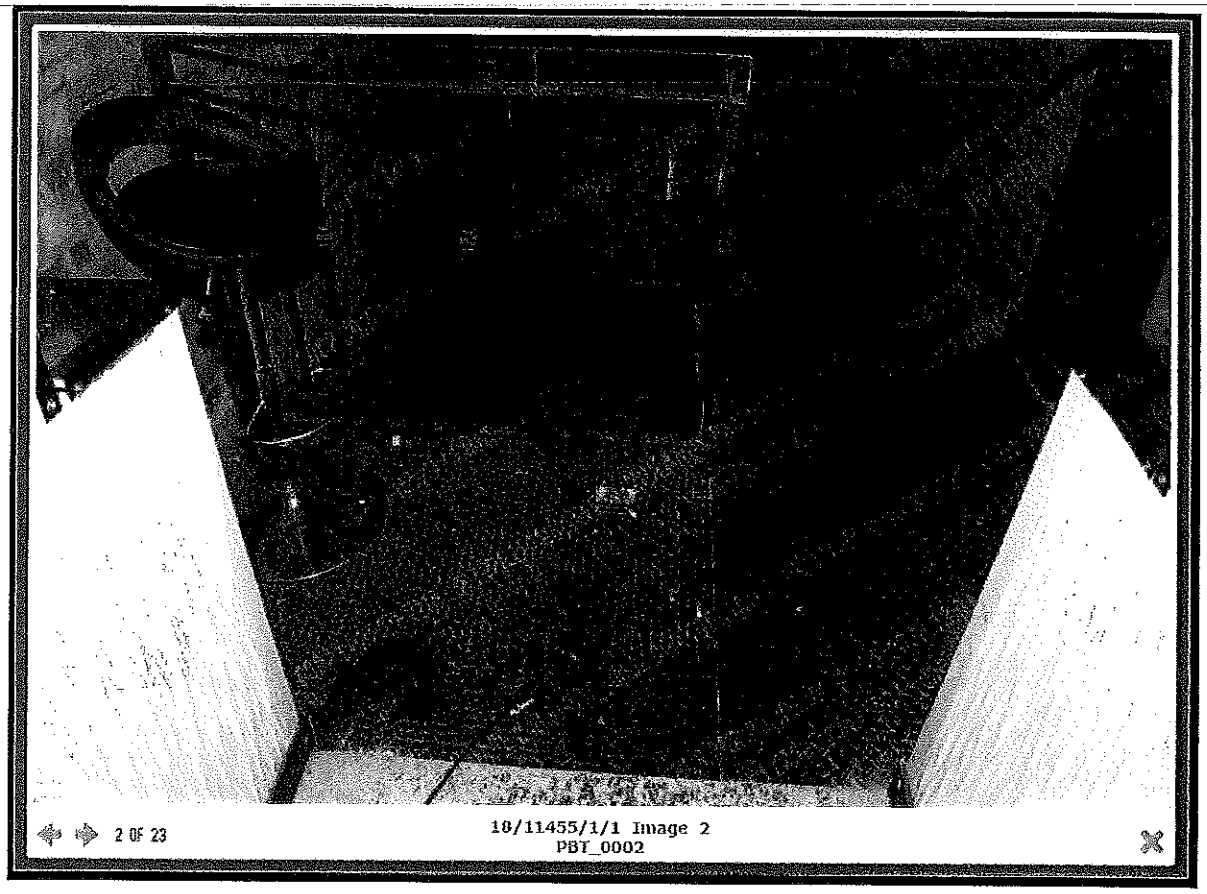


Image number 2 taken by SOCO 51520 Paul Tebbutt on 26th May 2018 following the allegation of a shooting at Arabian Nites



Still shot from PC 409 Bentleys's body camera footage taken during a warrant execution at Arabian Nites on 31st May 18 – running time at 03:55 – Looking back towards the bar stool

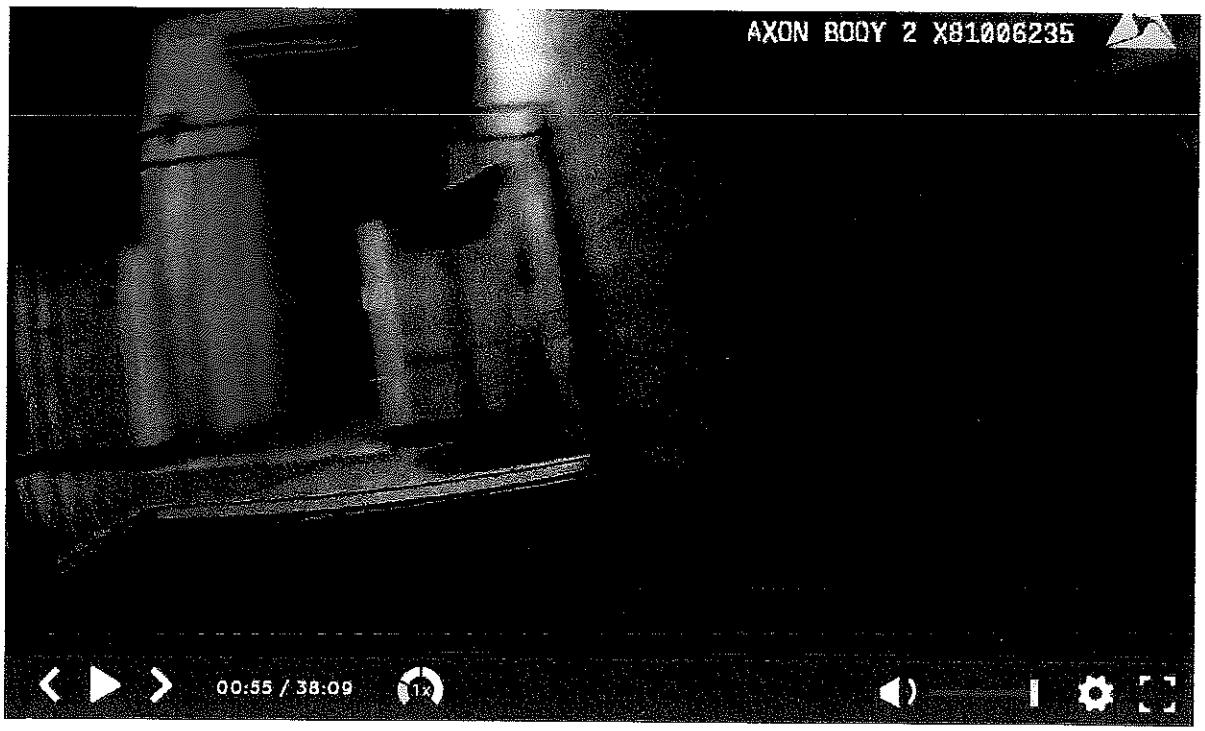
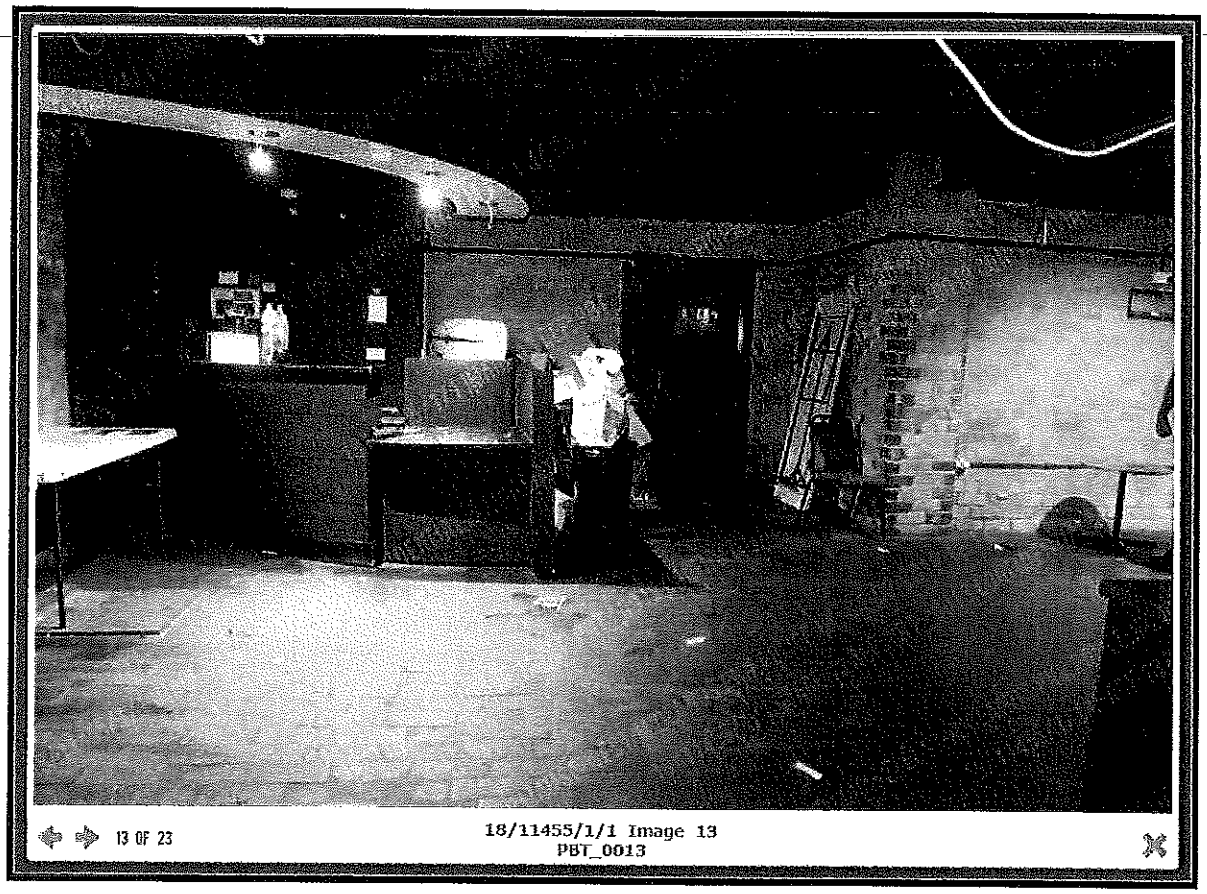


Image number 13 taken by SOCO 51520 Paul Tebbutt on 26th May 2018 following the allegation of a shooting at Arabian Nites



Still shot from PC 409 Bentleys's body camera footage taken during a warrant execution at Arabian Nites on 31st May 18 – running time at 03:55

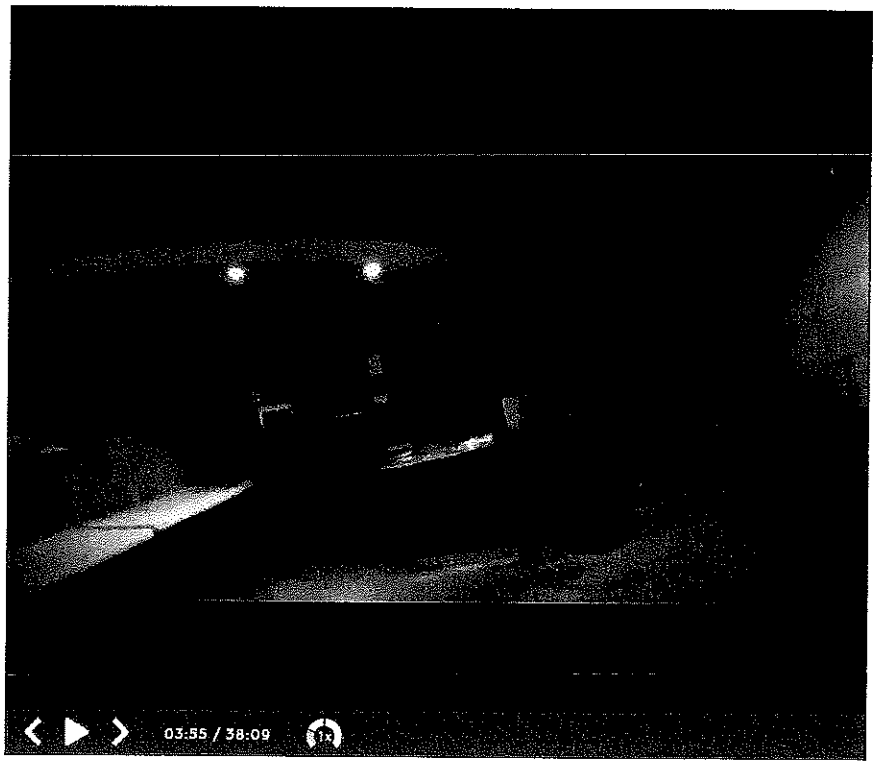
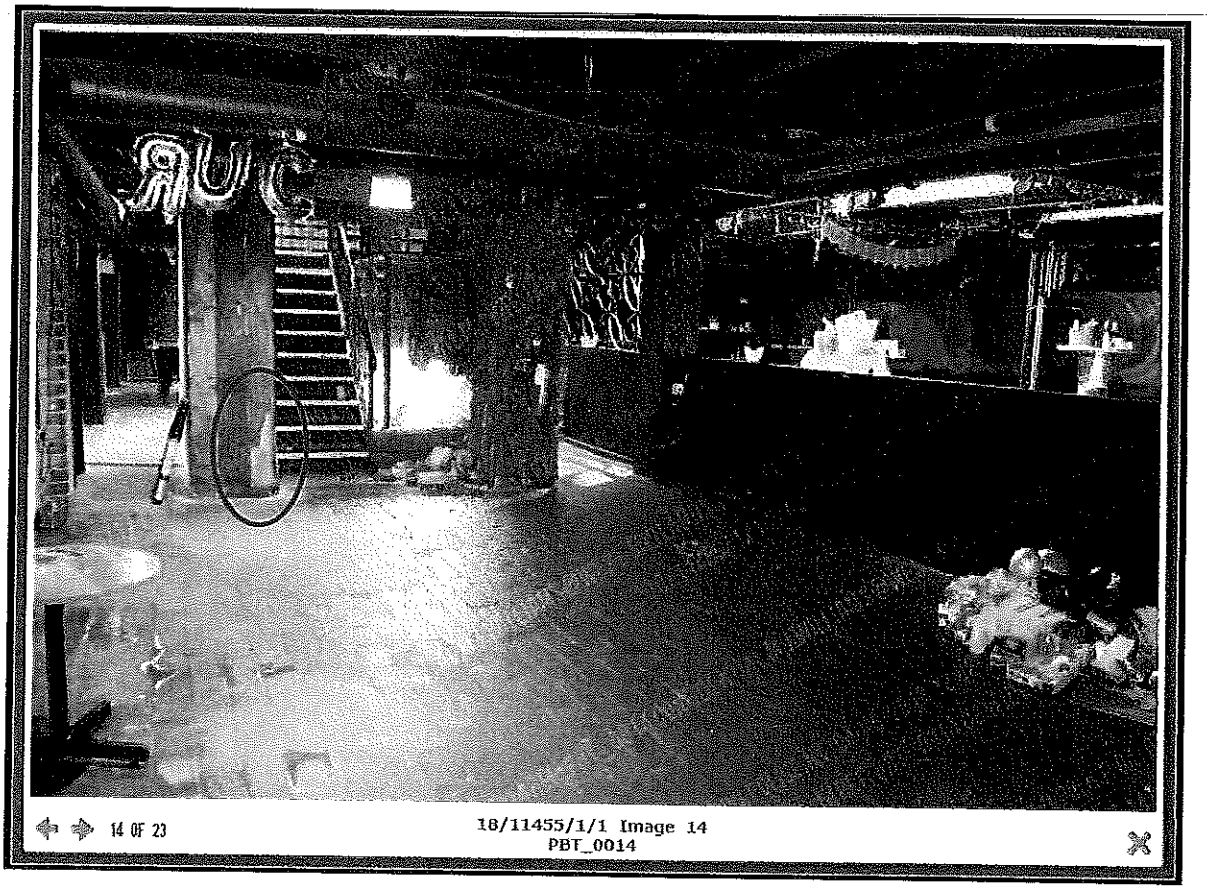
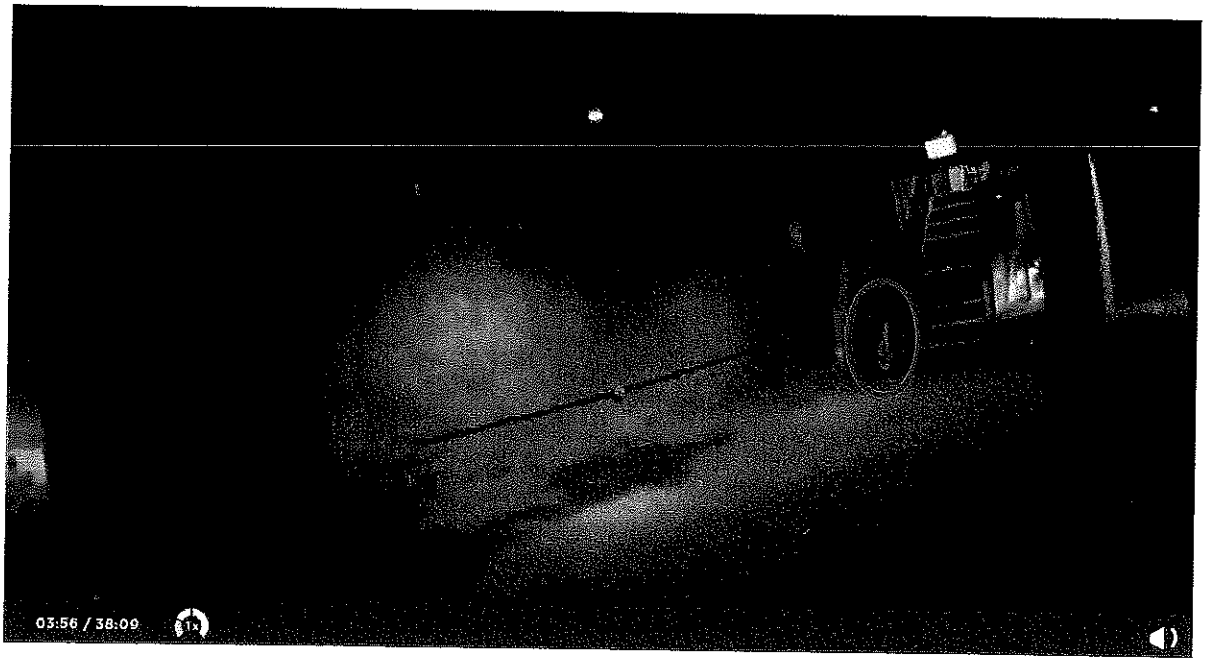


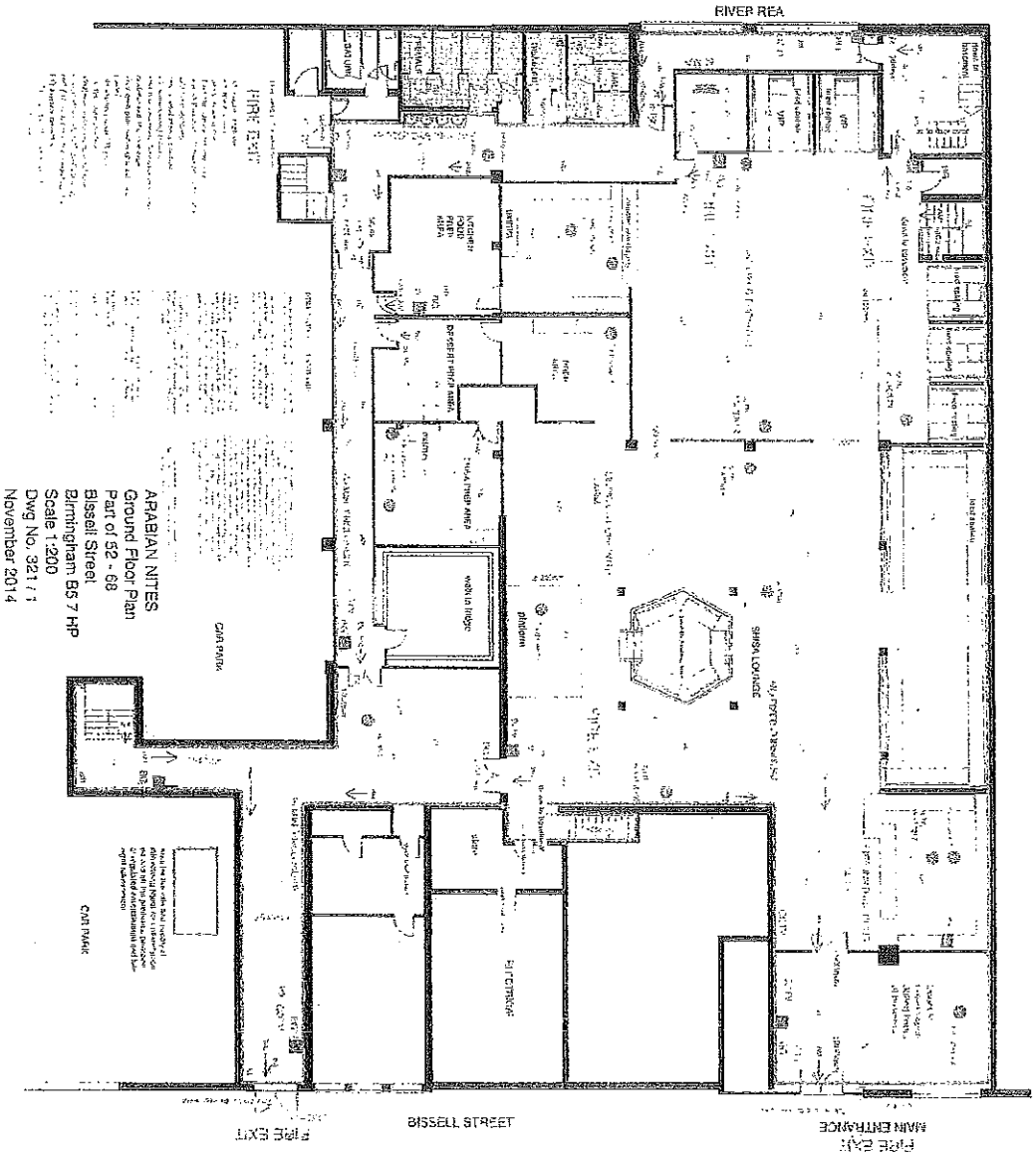
Image number 14 taken by SOCO 51520 Paul Tebbutt on 26th May 2018 following the allegation of a shooting at Arabian Nites



Still shot from PC 409 Bentleys's body camera footage taken during warrant a execution at Arabian Nites on 31st May 18 – running time at 03:56



Police Exhibit DH/2
Date : 4/6/2018
Par
PC 21743 HITCHMOUGH



WITNESS STATEMENT

Crime Number. . ..

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

URN

Statement of. Amanda Jane GILBERT. ....

Age if under 18 *(if over 18 insert 'over 18')* Occupation: Detective Constable ..

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

Signature: ..... Date 14/06/18

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

I am DC4040 GILBERT of the Complex Investigation team, Force CID, Bournville Lane, Birmingham

On 26th May 2018 I was on duty with DC8116 HARRISON and attended Arabian Nights, Bissell Street Birmingham to a report of a firearm having being discharged earlier that morning

Arabian Nights is an extensive premises and locating the exact location of the incident proved difficult, especially because no staff members were on hand to assist us This was despite me calling the relevant contact, Daniel ALIWI on numerous occasions throughout that morning

DC Harrison and I were able to view CCTV at that premises that showed [redacted], the male that was injured at the location The CCTV was located within a staff office next to the main staircase of the premises

This footage showed [redacted] sitting on bar stool with a bottle of beer in his hand then leaning over a top of a stairwell prior to being injured The footage shows the public's reaction to a loud noise and particles of a ceiling tile falling to the floor From this footage it was clear the bottom of this stairwell was the point of the firearm discharge The Operational Support Unit search team were directed to this area and a partial bullet was recovered from near to where the [redacted] had been sitting. The remainder of this bullet was recovered from [redacted] clothing and this has been submitted for forensic testing by the National Ballistic Intelligence Service and has been confirmed to be firearm ammunition

I can confirm from a visit to [redacted] in hospital later that morning, that he is the same male on the footage viewed from Arabian Nights The CCTV was of good quality and [redacted] was still wearing the same clothing at hospital shown in the footage including a distinctive "Luck 7" t-shirt [redacted] confirmed to me that he had

Signature: ..

attended a birthday party at Arabian Nights that evening/morning I can describe as a light skinned or mixed race Afro- Caribbean male with a strong Caribbean accent approx 20-25 years old slim build approximately 5'10 tall

At the bottom of the stairwell where the IP had been injured was a large room containing birthday banners, empty alcohol bottles and food containers There was a dance floor area, next to this area there was a book completed by security staff stating the commencement and end of their working hours. This contained names and security staff badge numbers I seized this book and can identify it as Police ref AJG/1, Exhibit ref ( ) I then placed it within detained property at Bournville Lane, property ref 2188061/C

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 Nicholas MCCULLOGH

Age if under 18 Over 18 *(if over 18 insert 'over 18')* Occupation Police Officer

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

Signature: NICHOLAS MCCULLOGH (witness) **Date 31/05/2018**

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

I am T/DS21500 MCCULLOGH of the WEST MIDLANDS POLICE. I am currently a supervisor on the COMPLEX INVESTIGATIONS UNIT.

On THURSDAY 31st MAY 2018 I have attended ARABIAN NITES SHISHA BAR, BISSELL STREET, BIRMINGHAM. I was in company with a number of other officers. We were attending with a view to gaining compliance to download CCTV from the location as part of an investigation into a shooting that had occurred on the evening of 26th MAY 2018.

The lead investigating officer - DC8116 HARRISON - was in possession of a Section 8 PACE Warrant which was to be executed to allow us power of entry to the premises in the event that the occupants would not allow us entry.

Upon arrival - at 1623hrs - the venue appeared to be closed. The opening times were listed as being 1700hrs. DC HARRISON went to the landlord's office upstairs, and came down having been told that the maintainance man was going to open the doors to let us in.

After 5 minutes we had still not been allowed into the building. I have gone back to the landlord - MR RAFIQ - and he has told me that he would not let us onto the premises. He has spoken to the owner who was speaking to his solicitor to get legal advice, and that he would be coming soon. I informed MR RAFIQ that I was concerned that the premises was due to open shortly, and that there were people on the premises who would be preparing for the premises to open when we had arrived, and that I was concerned as to the reason that we were not being allowed to enter the premises. I explained that we had a warrant to enter the premises and that if we were not allowed entry then we would have to force entry to prevent the loss of any evidence. He informed me that he had keys for the property but wouldn't let us enter the address as he felt that it was down to the owner. After a number of minutes talking to him, he clearly was not willing to allow us to enter the premises.

Signature ..... Signature witnessed by .....

I tried knocking loudly on the door in order to try to get the attention of anybody who may be inside, but nobody answered the door.

DC HARRISON made two attempts to call the owner, but did not get any response. He left a voicemail for him.

DC HARRISON informed me that the maintainance man who was originally going to let us into the premises was also no longer in the office. I had serious concerns that evidence was either being damaged, destroyed, or removed from the location, and that the delay in allowing us entry was to allow for this to happen.

A member of staff has arrived at the location - EBRAMA BOJANG. He told me that he did not have any keys to the venue, but had turned up to do his shift. He told me that someone would be inside, and was surpised when I told him that nobody appeared to be at the address.

The time had passed 1700hrs - when the venue was scheduled to open. I believed that this was now a deliberate attempt to frustrate the object of the search.

PS4012 AHMED - who had arrived as an MOE trained officer - forced entry through a wooden door into the premises. We entered the premises, and found nobody in there. The CCTV hard drives had been removed. The wires that previously connected it appeared damaged, and it appeared to me that the hard drives had been hastily ripped out. I believe that this happened whilst we were outside the premises.

The venue itself was vast. It was difficult to find my way around. Walking through insecure doors I was able to walk to various other exits that led to the neighbouring Arabic School - which was open to the street - and also to the office for the landlord MR RAFIQ. Had we been informed of this we could have avoided causing any damage upon entry. It also struck me that somebody could have entered the location and removed the CCTV hard drives and left through one of these other exits whilst we were being delayed.

There was a computer base unit next to the CCTV rack. I believed that this may have been used to back up some of the CCTV footage. This was therefore seized by DC HARRISON.

Whilst present at the location the owner - DANIEL ALAWI ( ) - arrived at the location. He expressed displeasure at the Police having executed a warrant at his address. He informed me that the CCTV hard drives were with a technician to allow it to be downloaded for the courts. I have asked him for details of this technician and he has told me he would not tell me and I would have to speak to his barrister.

I have shown him the damage caused by the entry, and also shown him the computer base unit that was being seized and explained my reason for doing so.

Signature ..... Signature witnessed by .....

He was left with a copy of the endorsed search warrant, and relevant sections of the search book.

The execution of the warrant was captured on bodycam footage worn by officers in attendance from the City Centre NHT.

The venue was returned to the care of the owner when officers left the location.

I am willing to attend court if required.

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 Nicholas MCCULLOGH

Age if under 18 Over 18 *(if over 18 insert "over 18")* Occupation Police Officer

This statement (consisting of 1 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: NICHOLAS MCCULLOGH (witness) Date 18/06/2018

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

I am DS21500 MCCULLOGH of the WEST MIDLANDS POLICE currently supervising the COMPLEX INVESTIGATIONS UNIT.

Further to my previous statement in regards to a warrant executed at ARABIAN NITES SHISHA LOUNGE on BISSELL STREET, HIGHGATE I have the following to add.

We entered the SHISHA LOUNGE via the entrance which is around 10 metres to the left of the main entrance - as you face ARABIAN NITES.

Upon entering I walked through a further door which led into a coridoor. There was a set of doors to the right which led into the main open area of the sisha lounge. I entered this area, and I was able to walk across this area to the office that had previously housed the CCTV.

Exiting this room I was able to turn left and walk to the end, where I turned left again and walked down the stairs which led down directly to the basement area. On this level I was able to walk all the way through to the bowling alley.

Following this I have returned to the first floor, and from there I have been able to return to the CCTV office.

I could then turn left out of the office, to the end, and then turn left and was in a stairwell. I then walked up the stairs on the next floor. I then walked through a door which was to the left of the top of stairwell which led into a coridoor. To the right-hand side there were a number of shoes laid out on the floor, and young Asian children entering a door which was to my right-hand side. An interior window on the right-hand side - before the door - opened into the section of the building that the children were going into. I could see over a dozen children who appeared to be involved in study, and it appeared to be an Arabic School.

The coridoor continued and led to the Saturn Office - which was the landlord's office.

I can confirm that other than the first door to enter the premises, the rest of the doors were insecure and I

was able to walk from the entrance through the club and around every area that I have described without there being any obstruction whatsoever.

I am willing to attend court if required.

Signature NICHOLAS MCCULLOGH..... 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.

URN

Statement of Leigh Michael HARRISON

Age if under 18 over 18 *(if over 18 insert 'over 18')* Occupation Detective Constable 8116

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

Signature: (witness) Date 01 June 2018

I am DC 8116 Leigh HARRISON of the West Midlands Police currently based on the Force CID Complex Crime team at Bournville Police Station.

Further to my previous statements I wish to add the following:

On 31 May 2018 PC 4075 ROHOMON provided me with a copy of the licensing floorplan for Arabian Nites Shisha Lounge, 54 Bissell Street, Birmingham. I produced a copy of this floorplan on which I highlighted the areas of the premises I attended when I was on the premises on 26 May 2018. Following my attendance and comparison of the premises to the floorplan I also highligted a number of structural changes on the floorplan as follows:

- Missing elements are indicated by a green box
- New walls are indicated by a green dashed line
- New doors are indicated with a green arrow which also shows the opening direction
- Open access (Archways and missing walls) are indicated with an orange arrow

I also highlighted the location of the victim of the shooting with a red star and the location of the CCTV camera which I downloaded on 26 May with a yellow star and a black arrow indicating the direction that the camera is facing. I can produce this edited floorplan as (Ref No: LMH/010618/1510)(Exh No:).

When DC GILBERT and I arrived at the premises we entered through the main entrance (1) along with PC 3643 BATES and initially searched the main open area (2). There was no one within the area and no sign of any disturbance although there was a cleaning bucket and mop near to (4). Once this area had been checked I spoke to the cleaner who was standing outside and identified herself as Sandra SOLOMON. SOLOMON showed me the area that she had cleaned which consisted of the toilets and the area marked (4). I then checked the office (3) where I saw that there was a CCTV system in a rack on the floor on the left side of the office, consisting of 3 x recorded and two large monitors. I could see a number of cameras showing various locations within the club.

Signature ..... Signature witnessed by .....

DC GILBERT, PC BATES and I then went down into the VIP area (5) via the stairs in area (4). All of the lights in this room were off and the room appeared unused. We then returned to the ground floor and went to the stairs at (6). On comparison to the floorplan the double doors next to the top of the stairs are no longer there and there is now a corridor as highlighted on the floorplan.

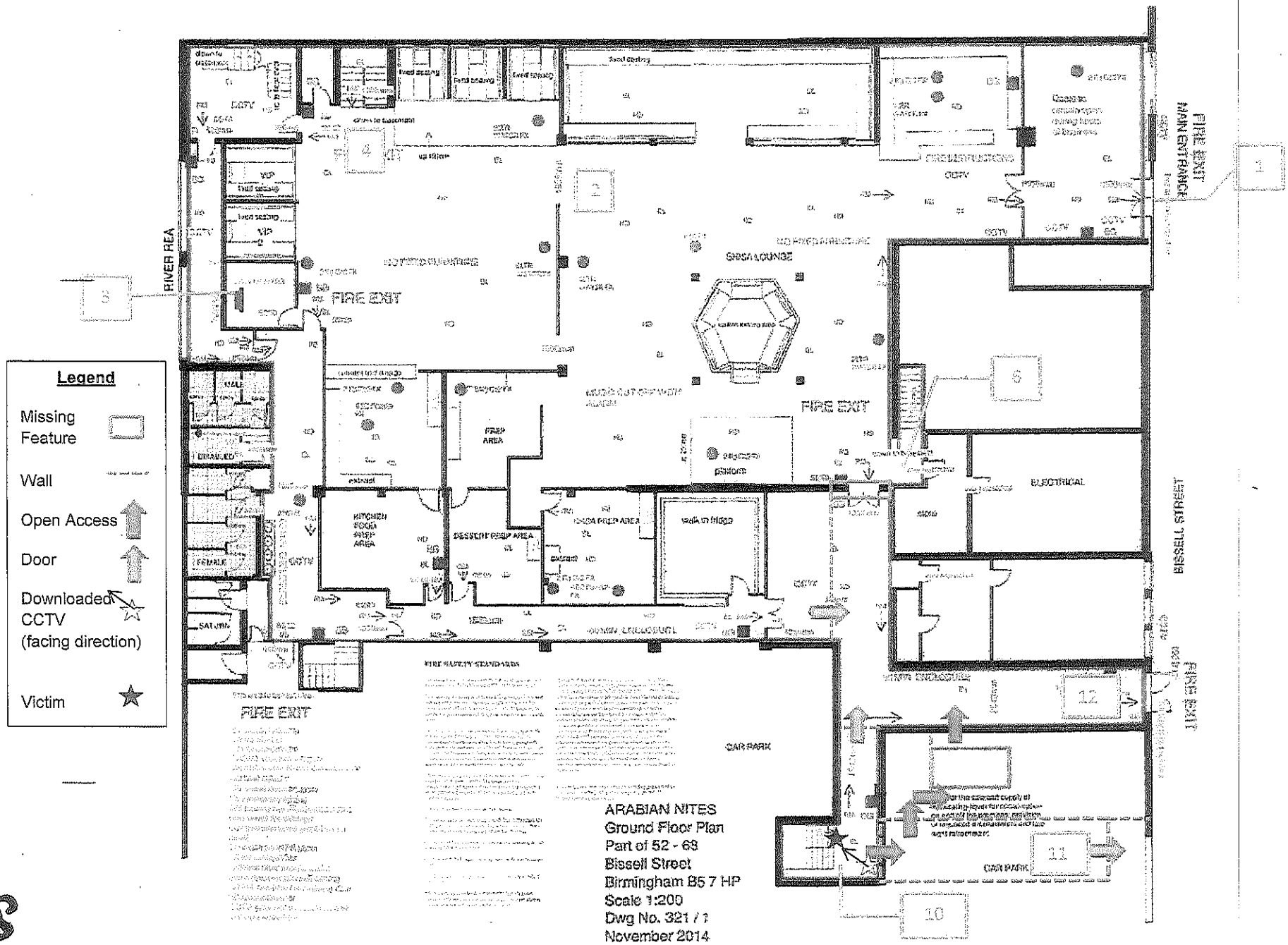
We then went down the stairs into area (7) which appeared to be games/bar area. The lights were on in this room and it and appeared tidy. We then went through a corridor to the left of the bar which led to area (8). On reaching area (8) three large boxes with padding on top were stacked on top of each other at the entrance to the corridor with a small gap at one side allowing access to (8)

On entering (8) it was immediately obvious that some sort of event had taken place within the room. There were 'Happy Birthday' banners hanging from the ceiling. The sound system was still turned on with the speakers hissing and there were many discarded plates, cups and bottles scattered around the room. In the rear far left corner of the room a table had been set up which had silver food serving trays on it with food still in them.

We then approached (9) which is a flight of metal stairs leading back up to the ground floor. The doors on the floorplan were not present and the bottom of the staircase was open. We then went up the stairs to area (10) which is where the victim was shot and I saw that the corridor to the left was blocked with traffic barriers inside the corridor and a set of double doors across the far end of the corridor. The wall ahead of me was missing and there was a room on the other side (11) with a wooden door at the far end. This was the door where entry was gained when the warrant was executed on 31/05/18. On entering that room there was an archway to my left which led to a small room and from that room an archway to my right which led to a larger room with a bar set up in it with a shisha menu displayed on the wall. There was an archway from this room leading to the corridor (12). I saw that one of the external doors in the corridor was propped open and the outside shutters were closed. I opened the shutters to allow FSI and OSU officers to enter and search the scene. Once the search was complete I closed the shutters again to secure the premises.

I then downloaded CCTV and left the premises as detailed in my previous statements.

Exhibit LMH/010618/1510



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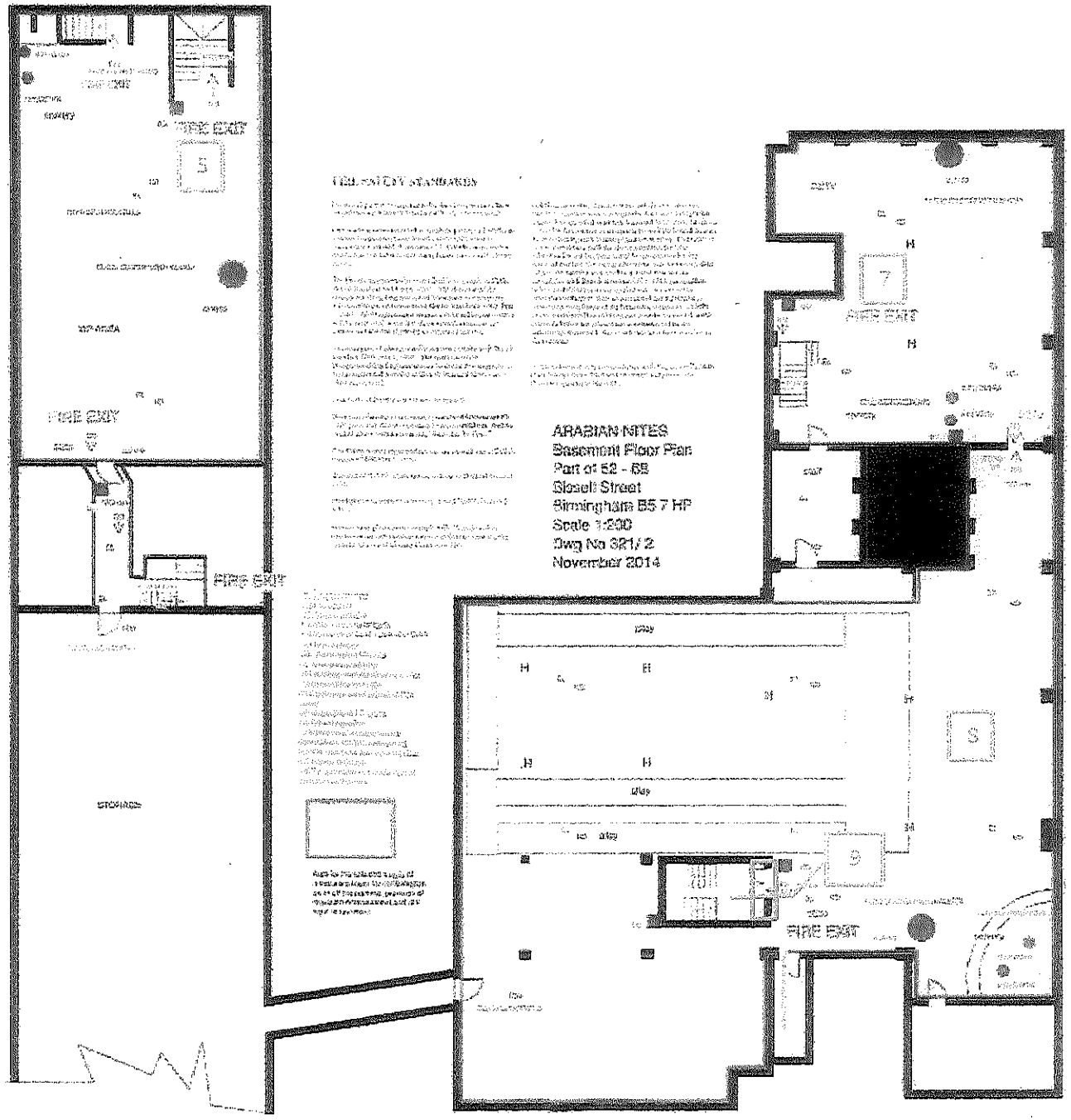

FIRE EXIT
5
FIRE EXIT
STORAGE
7
FIRE EXIT
ARABIAN NITES
Basement Floor Plan
Part of 52 - 58
Gloset Street
Birmingham B5 7 HP
Scale 1:200
Dwg No 321/ 2
November 2014
S
9
FIRE EXIT

Applicant: Chief Constable of West Midlands Police
Name: Roy Mall
Statement No: 1
Exhibit: RM/01
Made: 13th June 2018

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN:

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54 – 76, BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent

WITNESS STATEMENT OF ROY MALL

1) I am Police Sergeant 20398 Roy Mall of the West Midlands Police ('WMP'), currently on Small Heath and Highgate Neighbourhood Policing Team (NPT) covering these two areas as stated.

2) My duties include both the patroling of and responding to incidents that take place within Small Heath and Highgate area of Birmingham. In addition, I work with partner agencies, such as the local Businesses and also Birmingham City Council (BCC) to assist in the prevention and detection of crime.

3) I make this witness statement in relation to ARABIAN NITES SHISHA LOUNGE, 54 – 76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP. This information is from my own knowledge and belief save where stated.

Arabian Nites

4) Arabian Nites has a licence to operate as a restaurant, show plays, films, indoor sporting events, live music, recorded music, performances of dance, anything of similar description to that falling within (live music) (recorded music) or performances of dance, late night refreshment and sale of alcohol by retail (both on and off the presmies). Birmingham City Council granted the license on 18th July 2016 and the Designated Premises Holder is Mr Amandeep Uppal.

5) The licence allows Arabian Nites to trade between 08:00 and 04:30 hours on Monday – Sunday.

Background to ARABIAN NITES

6) ARABIAN NITES have been subject to many other offences/Crimes in the past. On Sunday 25th March 2018 there was an incident where there was disorder outside the location with a firearm being used and damage being caused to the shutter of ARABIAN NITES.

7) A blackmail crime number was also generated, as it was believed the location and its owners were being extorted.

NPT dealings regarding intervention and prevention/Initial meeting

8) I have had many meetings with the new owner Ali ALAWI DOB 1. Ali came to us initially with his licensing advisor Carl at 1400hrs on Wednesday 28th March 2018 where a meeting took place between representatives from WMP – Inspector 2352 AHMED, myself, PS 0449 HUSAIN, PS 21390 GILL and PC 2413 READER. This was to discuss recent issues and having a plan going forward and having a productive working relationship between ARABIAN NITES and the police.

9) Ali stated that he was the co-owner of ARABIAN NITES along with a male called Babs. No other details for Babs were provided.

10) Ali stated that Organised Crime Gang (OCG) were blackmailing him. He claimed that he was the victim where gangs were going round the shisha bars and demanding extortion money. When the owner refused to pay, the gangs caused issues for the

location by making phone calls and calling more people to the location committing crime and disorder, some of which involved firearms.

11) We discussed preventative measures regarding what he could do and what intervention he could have from WMP.

12) ALAWI said he was happy to work with us and provide information when necessary but wanted us all to work together and was very pro in forming positive relations with the police.

13) He said he was the victim of crime and wanted police intervention and protection in terms of protecting his property.

Actions moving forward

14) In terms of moving forward we decided on the following things –

- DS GILL would be the single point of contact for Ali
- Small Heath and Highgate NPT would pay passing attention to the location during the key times
- Ali would try and get Body Worn Videos (BWV's) for his security

15) Another meeting was arranged for Thursday 12th April 2018 where we could all meet Babs and see what he was doing in terms of the issues facing ARABIAN NITES.

16) Officers robustly patrolled the premises in the coming days, engaged positively with staff and Ali; no issues were identified. Security were searching anyone entering and challenging people prior to entry.

Second meeting

17) Another meeting took place on Thursday 12th April 2018 between Inspector 2352 AHMED, myself and PC 2413 READER along with Ali and Carl but there was no sign of Babs.

18) We asked Ali where Babs was; he said Babs could not attend due to his father being unwell however, officers were told that he had come back from a holiday abroad.

19) Ali said he was happy with the police presence over the past few weeks and believed that the problems had gone away. Officers informed him of their belief that this was most likely not the case given the premises' history and the previous incidents of violence and disorder.

20) Ali said he was still trying to sort out the BWV's for security. The meeting was productive however, it was disappointing to see that Babs had not turned up but was going abroad on holidays rather than engaging with WMP.

21) We informed Ali and Carl that Babs needed to get in touch with us and we left that with them.

Subsequent engagement

22) On Friday 13th April 2018 I emailed Ali asking him what their risk assessment was and long term planning of the people causing issues at the location.

23) Ali responded on the same date and said that they had told door staff not to let the people in and they would be aware of the issues before they came to the doors.

24) Following this the NPT continued to pay passing attention and engaging with the door staff and management from the location.

25) On Friday 04th May 2018 officers attended ARABIAN NITES and spoke to Ali. He stated that he had not had further issues and through the grapevine, they had heard that the problems had gone away and any persons responsible from before would leave them alone.

26) Ali stated he did not know when Babs would be free as he said he owned half of Birmingham and was worth half a million.

27) Ali was asked regarding the BVW's and said that he had raised this with Elite Security but had not provided anything specific apart from that they would get round to this. He said he would get a screen set up at the entrance, which captured people's faces. No timescales were provided.

28) Following this officers continued to attend, pay passing attention and liaised with Ali face to face and over email. The engagement was productive and positive and Ali has appreciated police presence.

29) To my knowledge, I have not seen any BWV's being used by the security firm and there is no screen up at the entrance to prevent crime and disorder and protect the public.

30) Due to there being a shooting in the early hours on Saturday 26th May 2018 on Sunday 27th May 2018 officers put the paperwork together and a Closure Notice under the Anti-Social Behaviour, Crime and Policing Act (2014) was served on the premises at 1630hrs. Prior to this I rang Ali on his mobile around 1220hrs but there was no response so I left him a message. I then emailed him at 1224hrs asking him to contact me. I finished my tour of duty at 1500hrs and had not had any response prior to leaving work.

Statement of Truth

I believe that the facts contained in this my Witness statement are true.

Signed R.Mace

Dated 13/06/18

Applicant: Chief Constable of
West Midlands Police.
Name: Abdool Rohomon
Statement No: 1
Made 18th June 2018

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

WITNESS STATEMENT OF ABDOOL ROHOMON

1. I am Police Constable 4075 Abdool Rohomon of the West Midlands Police ('WMP'). I am currently a Police licensing officer for Birmingham City Centre and have been in that role for 15 years.

2. My duties include dealing with issues concerning the Licensing Act 2003 and working with partner agencies such as Birmingham City Council Licensing, Public Health, West Midlands Fire Service and others to deal with applications under the Licensing Act as well as police-related issues that arise within licensed premises.

3. I make this statement in relation to ARABIAN NITES SHISHA LOUNGE ('Arabian Nites') of 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP. The information is from my own knowledge and belief safe where stated.

Arabian Nites

4. Arabian Nites is a shisha lounge with a premise licence issued to it under the Licensing Act 2003. The licence has been issued to QR Holdings and allows the premises to show plays, films, indoor sporting events, live music, recorded music, performances of dance, anything of similar description to that falling within (live music) (recorded music) or performances of dance, late night refreshment and sale of alcohol by retail (both on and off the premises). The Designated Premises Supervisor is Mr Amandeep Uppal.

5. The licence allows Arabian Nites to trade between 08:30 and 04:30 between Monday – Sunday.

Court Application 29th May 2018

6. On the 29th May 2018 I was present at Birmingham Magistrates Court to provide evidence if needed in relation to a closure notice that West Midlands Police had issued against the premises.

7. During the hearing the new owner Daniel Alawi gave evidence under oath, that the premises was not open during the time of the alleged offence, and then proceeded to produce CCTV footage via his mobile phone that they were closed.

8. On hearing this evidence I was concerned as I was convinced from reading the Incident log, investigation log, a witness statement that it had happened inside Arabian Nites.

9. During the summing up by the barrister for Arabian Nites, a male who I did recognise but was with the Respondent, the other part owner and their licensing representative went to the court door. I then saw him walk back in and hand a piece of paperwork to this barrister.

10. After reading the piece of paper, initially the barrister said nothing about it, but as she finished summing up she read what was on the piece of paper.

11. She then read out that the original injured person (IP) from the shooting had attended court, to retract his statement as it had not happened and he had been paid a lot of money to say it had happened at Arabian Nites. This note was then handed to our solicitor before being handed to the court clerk.

12. I spoke to our solicitor in court as I was shocked about this new piece of evidence. I was wondering how the IP had even known about the court date, as I had not spoken to him and I was aware from the investigating officer that he has fully co-operated with the Police and so for this to happen seemed strange.

13. As we were late and the courts had closed we had to be escorted out by Security at approximately 18:30 hours. There were only two security officers left in the building and both were with us. We were walked out by the female member of staff, who I now know to be called [redacted]. I asked [redacted] if this male was still in court but was told he had left, I asked [redacted] what he looked like and was told he was a young Asian male

14. This did not tally with what I knew about the IP, as according to his description he was an Afro Caribbean male, so I was not convinced this was our IP from the shooting.

15. On the 1st June 2018 I attended Birmingham Magistrates' court and saw the security guards that had taken us out of the building on the 29th May 2018. I was informed by [redacted] that it was her colleague [redacted] that had dealt with the male.

16. I took a statement from [redacted], which is produced as exhibit AR/1.

17. I also looked at the CCTV, the main foyer area is covered by CCTV but it was not recording, the main entrance was but due to the light imbalance, you only see a silhouette of the male walking into the court, so it did not show a full frontal.

18. Again from what [redacted] detailed in his statement I did not believe that the male that came to court was indeed our IP and that someone had just come in and said so.

19. In relation to the evidence produced at court from Arabian Nites that they were closed. On the 30th May 2018 I contact Birmingham City Council Licensing department and asked them to send to me the current licensing plan that was attached to the premise licence for Arabian Nites.

20. On the 31st May 2018 I received from Birmingham City Council licensing department the licensed plan area for Arabian Nites, which showed two levels being licensed, the basement and ground floor. I can produce this plan as exhibit AR/2.

21. This plan was sent to DC Harrison, who then produced a dot plan to show where he had been on the day after the investigation, where the bullet fragment had been found, where the stairwell was and where officers had found evidence of a party going on.

22. Having seen this plan and statement from DC Harrison is was convinced that the incident had happened inside the licensed area of Arabian Nites, and as such they had been open during that night.

23. I am aware that there is another licensed premises that adjoins Arabian Nites, called Art House.

24. I am personally aware that on the 16th May 2018 Birmingham City Licensing Authority Subcommittee C had suspended the premise licence for Art House.

25. I know this personally as I was the officer that lead on it and presented at the interim steps meeting. The suspension came into immediate effect on the 16th May 2018, which meant that the premises was closed for business.

26. I produce the subcommittee decision as exhibit AR/3 and a copy of the plan for Art House as AR/4. The plan for Art House differs from the plan for Arabian Nites. The two premises are entirely separate although they are contained within the same building.

27. I exhibit as AR/5 copies of the book completed by security staff referred to in the final paragraph of DC Gilbert's statement. These pages are titled Arthouse, however from all the evidence that has been produced, the CCTV, the licensing plans, the suspension of the premise licence for Arthouse, I am satisfied that this event happened inside the licensed area for Arabian Nites

Statement of Truth

I believe that the facts contained in this my Witness statement are true.

Signed .....

Dated ..... 18th Jun 2018

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT AR/1

WITNESS STATEMENT

Crime Number:

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

URN

Statement of: [redacted]

Age if under 18: + 18 (if over 18 insert 'over 18') Occupation: [redacted]

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: [redacted] Date 1/6/18

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

I am the above named male, I work for G4S Security contracted to Birmingham Magistrates Court. I have worked at the court for 16 years.

On Tuesday 29th May 2018, I was at work, all the courts, except court 10 had finished for the day. At approximately 17.40 hours on that day, I was on duty, at the front of the court, which opens onto Corporation Street. As the courts had finished except court 10 all the doors, bar the main ones were closed. At this time, a male came into the doors, and shouted to knock on the door. I asked him what he wanted and he said there was a case going on, and that he had new evidence. I told him that he could not come in, I initially went to the court but could not get any in, so I went back and told him I couldn't let him go to the court, but he could wait in the foyer. The male then got his phone out and said he needed to call his Dad he did make a call. The male did hand me the phone and I explained that he couldn't get to the court, he did mention a name of a prisoner but I can't recall what it was. The male in the foyer then wrote a note, ~~and asked~~ he was writing down things as he was on the phone. He gave me the note and asked if I could hand it to the court usher. I said I could. I went to court 10 with my colleague [redacted], who was also on duty, and had come to the foyer.

Signature: [redacted] Signature witnessed by:

I went to Court 10 and got the attention of someone in the court. A male came out of the court room, and I asked him if the man was about licensing, which he said it was so I handed him the note. We were outside of court 10 at this time. The male I handed the note to, then got on his phone, I could not understand what he was saying, I would say he was on the phone for a couple of minutes, and then went back into the Court. I then walked back to the foyer and the male was still there, after a couple of minutes he again went on his phone, again in a language I could not understand, and then he got up and left the building.

The first male that came to the entrance, and handed me the note, strong male, about 5'9" - 5'10" tall, Asian male, aged about 16-17 year of age. He was wearing a black sweat top, white and red in colour, and a baseball cap. When he spoke English, I didn't notice any difference in his accent. I haven't seen this male before.

The male in the court 10, handed the note to, had a grey / blue sweat stalist build, and 5'6" to 5'7" tall, Asian male aged in his mid 30's. I haven't seen this male before.

The actual note I was handed, I did not read, so I was unaware of what it said.

At the time the lighting was very good, as a mixture of both natural and artificial light. The building was virtually empty and so there weren't many people around, so I had a clear and unobstructed view of the males.

The court has CCTV, the footage of the young male NO 1 coming to the entrance, has been downloaded and handed to the Police.

Signature: [redacted] Signature witnessed by:

The CCTV had the which covers the bar and cost 10 we have found was not working, due to a fault.

Signature

Signature witnessed by:

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

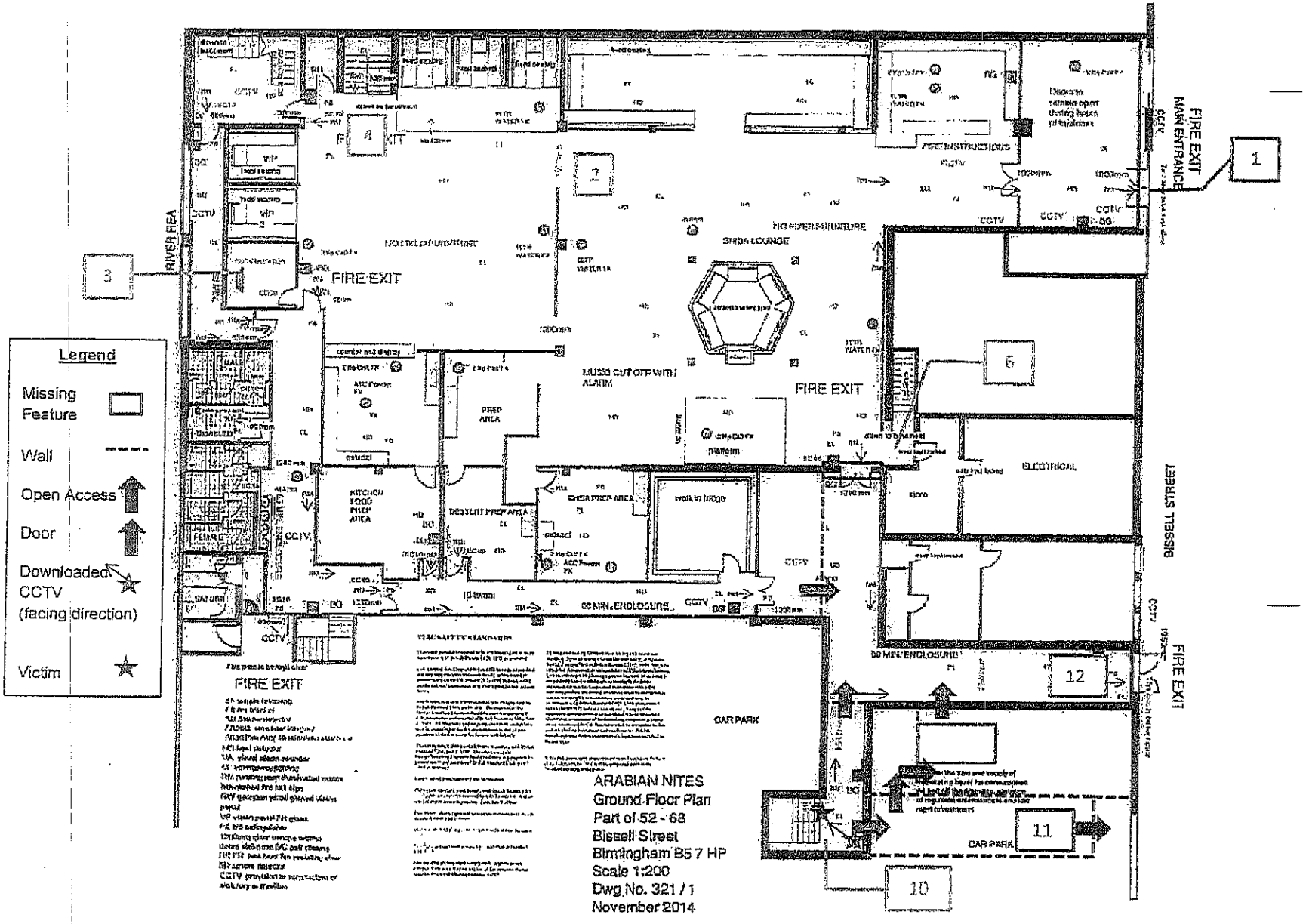
AND

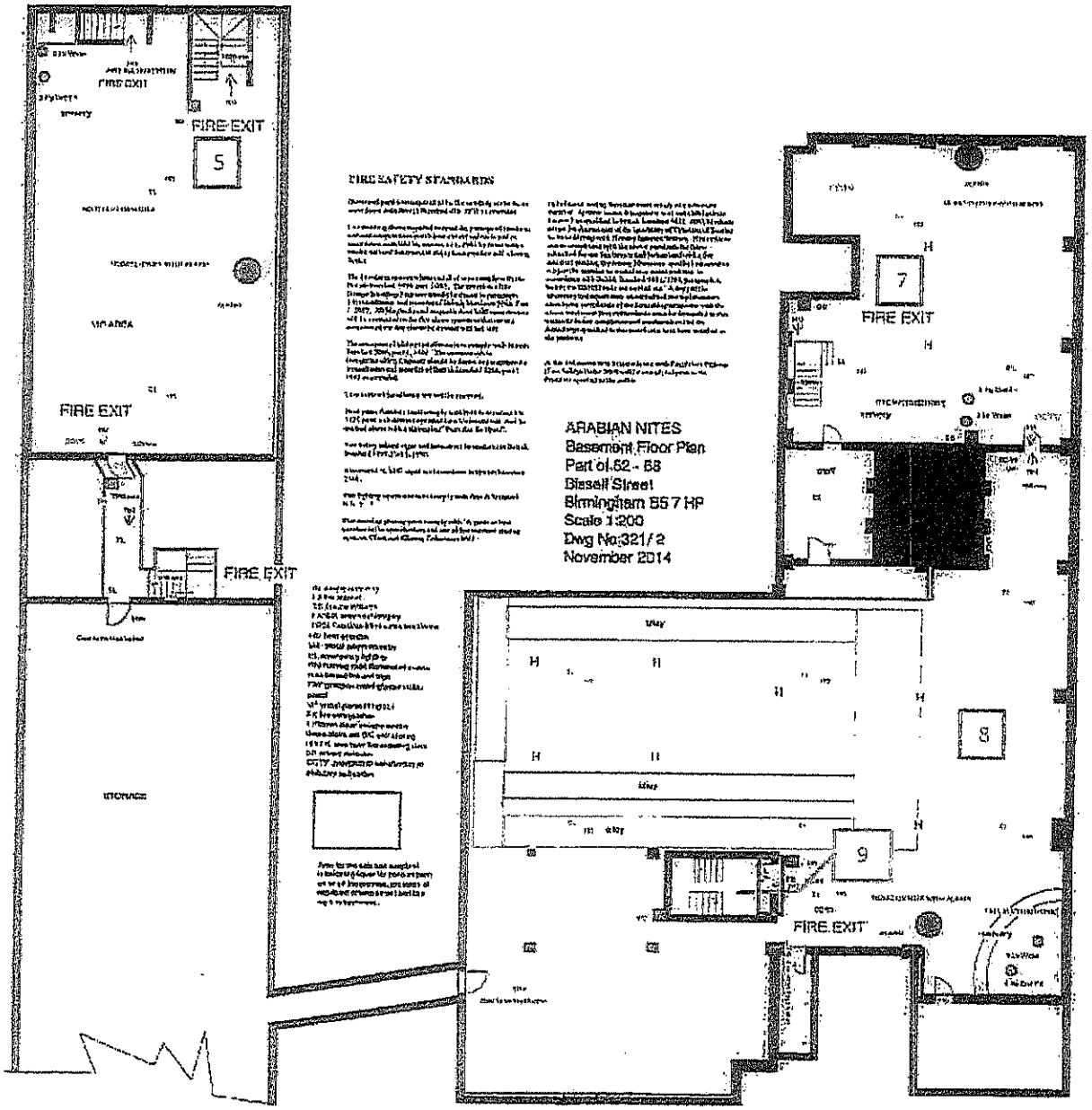
ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT AR/2

Exhibit LMH/010618/1510




FIRE EXIT
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FIRE EXIT
FIRE SAFETY STANDARDS
ARABIAN NITES
Basement Floor Plan
Part of 52 - 58
Bissell Street
Birmingham B5 7 HP
Scale 1:200
Dwg No:321/2
November 2014

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT AR/3

Appendix 2

BIRMINGHAM CITY COUNCIL

LICENSING SUB COMMITTEE - C

WEDNESDAY 16 MAY 2018

ARTHOUSE, 54 BISSELL STREET, BIRMINGHAM, B5 7HP

That having considered the application made and certificate issued by West Midlands Police under Section 53A of the Licensing Act 2003 for an expedited review of the premises licence held by Art Venue Ltd, in respect of Arthouse, 54 Bissell Street, Birmingham B5 7HP, this Sub-Committee determines that the Licence be suspended pending a review of the Licence, such a review to be held within 28 days of receiving the Chief Officer of Police's application.

The Sub-Committee's reasons for imposing this interim step are due to concerns raised by West Midlands Police in relation to matters which came to light as a result of an incident of serious crime & disorder that had occurred during an event held at the premises during the weekend of 12th May 2018, as outlined in the Chief Officer of Police's certificate and application.

The Sub-Committee heard the submissions of West Midlands Police, who confirmed that an investigation had started into the incident of serious crime and disorder. At 03:11 hours, the Police had been called to attend what was described to them as an incident in which a firearm had been discharged and thereafter a fight had broken out.

On arrival, the Police had found scenes of chaos, with patrons fleeing the location in a panicked manner; cars were observed by Police to be driving off at speed. An investigation was in its early stages. It was suspected by Police that there had indeed been a firearm crime, which was of course a serious crime, and too significant a serious risk to public safety to deal with via the ordinary licensing review regime

Bodycam footage recorded by a Firearms Officer attending the incident had been reviewed by Sergeant Williams carefully – in particular a recording of a member of security staff stating that a gun had been pointed at a man's head inside the premises. Police were already aware at this early stage that patrons had included those known to be involved in organised crime and in drugs. There were suggestions to Police that the Designated Premises Supervisor was a Mr Patel, which had caused alarm; following previous incidents at the club, the Sub-Committee had imposed a condition that he was not to have any role in management.

Following the incident, Police requested CCTV from the premises by contacting Mrs Wilcox, who is a Director of the company which holds the premises licence. However it had been Mr Patel who had responded to Police and supplied the CCTV footage. When the premises' CCTV was examined, it showed no incident at all Given the melee which had greeted the attending officers on the night, and the

chaos the Police witnessed of a 'starburst' of patrons escaping the scene either on foot or by car, this was surprising

The Sub-Committee heard submissions from the premises' legal representative, and from Mrs Wilcox, a Director of the company which holds the premises licence It was the premises' view that no serious crime incident involving a firearm had occurred at all. This was extraordinary given the account given on the Superintendent's Certificate. This, however, was their firm position, and accordingly the approach to the hearing taken by the premises was that no action should be taken; instead all decision-making should simply be deferred to the summary review hearing in 28 days' time. The premises did not propose any additional security/ searching methods which would prevent weapons being taken into the premises

The Police confirmed that the incident of serious crime and disorder was that involving the firearm, and the resulting 'starburst' of patrons fleeing the site. Yet the premises' general circumstances, and in particular the management arrangements, described by Police, also seemed highly unsatisfactory.

The DPS had had little involvement in dealing with Police enquiries; instead, that job had been taken on by a member of staff who was not meant to have any managing control. Another member of staff, thought to be acting as some kind of Events Organiser/ Events Manager or similar, was named by Police at the hearing: the Sub-Committee was taken aback on hearing this name in connection with Arthouse, as the name was well known to them as a person associated with problem premises elsewhere, and who had been shown in the past to have no concern whatsoever for the safety of night-time patrons in the city. It was noted that this person had stated to Police attending on the night that she had not seen any gun; this seemed surprising given that other staff, recorded on Police bodycam, had confirmed that a gun had been pointed at a man's head inside the club

A Venue Management Plan handed to Police showed the vast majority of events described simply as 'to be confirmed', which was completely unsatisfactory. The reason given by Mrs Wilcox for this was that the venue was often privately hired; the Sub-Committee found this unpersuasive, as such events would necessarily have to be booked in advance and details noted in order that arrangements could be made. The event on the night in question was described to the Sub-Committee as a private birthday party; West Midlands Police confirmed that this was the first time that they had heard the event referred to as such.

The premises, via their legal representative, urged the Sub-Committee not to suspend the Licence; they considered that there was no evidence that such an incident had taken place on the night. This was not persuasive. The Director stated that staff had left the premises as the event was over; yet staff had been recorded on the bodycam of the Firearms Officer. The Sub-Committee observed that the DPS named on the documents did not attend to address them, which they initially found surprising; however as the hearing progressed Members suspected that this was perhaps because the named DPS had had little involvement – either on the night or in the immediate aftermath. However the two staff members who had been identified as having a degree of involvement and/ or control did not attend to address the Sub-Committee either

The only person who did attend was a company Director who had not been present on the night and who had passed Police requests for assistance to Mr Patel to deal with The reason given by Mrs Wilcox for passing Police requests to Mr Patel was

that he was available at the time; yet the Sub-Committee heard that Mr Patel "had to leave his brother's wedding" in order to liaise with Police over the CCTV of the serious crime incident. Members considered that this explanation rather confirmed the importance of Mr Patel's role in the premises' management structure.

It was the recommendation of West Midlands Police that the licence be suspended whilst the Police investigated This was to ensure public safety. It was not accepted that the Premises Licence Holder company was running the premises through its Director Mrs Wilcox, it was suspected by Police that it was in fact Mr Patel who had managerial control Throughout, the DPS had been conspicuous in his absence – in the descriptions of the night, the dealings with the Police, and also in not attending the Sub-Committee meeting

The Sub-Committee agreed that the interim step of suspension was the correct course. On hearing submissions from both sides, the Sub-Committee was particularly concerned to hear of the management arrangements. It appeared that the arrangements were wholly unsatisfactory in terms of upholding the prevention of crime & disorder and public safety objectives The suggestion by the premises that the evidence was pure speculation was not accepted; a 'starburst' of patrons had been directly witnessed by Police officers, and some patrons were suspected to be connected to organised crime and drugs. The application had not been made based on speculation, but on the basis of first-hand accounts recorded on the night It was striking that the premises' submissions were concerned primarily with the financial loss to the business that a suspension would cause, rather than the prevention of crime & disorder, or taking any steps to ensure public safety.

Having heard the Police's account, the Sub-Committee determined that it was both necessary and reasonable to impose the interim step of suspension to address the immediate problem with the premises, in particular the likelihood of serious crime and or serious disorder, and to ensure public safety

The Sub-Committee considered whether it could impose any other interim step, including modification of licence conditions, or exclusion of the sale of alcohol by retail or the removal of the Designated Premises Supervisor. The Sub-Committee did not believe however that any of these would address the seriousness of an incident in which the Police suspected a firearm had found its way in to the premises The risks could only be addressed by the suspension of the Licence as an interim step

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued by the Home Office in relation to expedited and summary licence reviews, and the submissions made at the hearing by the Police, by the legal representative for the premises, and by a Director of the premises licence holder company

All parties are advised that the premises licence holder may make representations against the interim steps taken by the Licensing Authority. On receipt of such representations, the Licensing Authority must hold a hearing within 48 hours (excluding non-working days).

All parties are advised that there is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

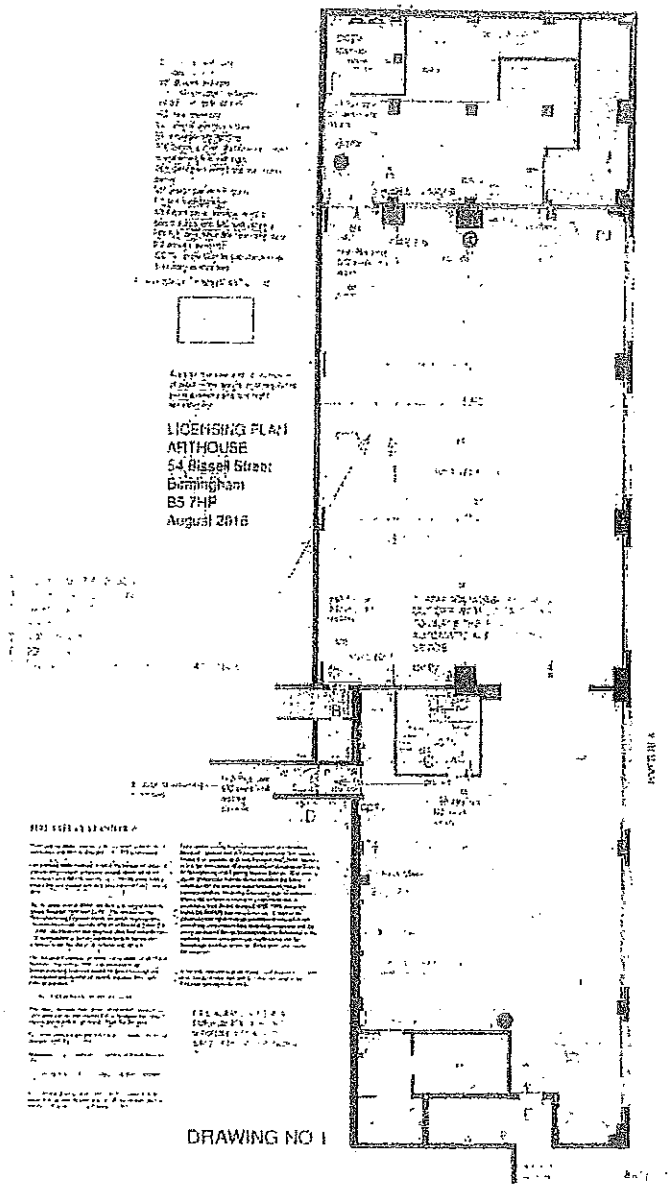
AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT AR/4

Annex 4 – Plans



IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET,
HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

EXHIBIT AR/5

[redacted]

Simplifying Life Solutions

[redacted]

TIME SHEET

Venue Name ART HOUSE

PLEASE USE BLOCK CAPITALS TO FILL IN TIME SHEET

Week Ending (Sunday) 18/05/18

BADGE No.	NAME	MON	TUES	WED	THURS	FRI	SAT	SUN	SIGNATURE	HOURS
Fill in date as required						18/05		20/05		
		Start/Finish	Start/Finish	Start/Finish	Start/Finish	Start/Finish	Start/Finish	Start/Finish		
6431	[redacted]					23:30 05:00		22:00 02:00	[redacted]	
1400	[redacted]					23:30 04:00		22:00 02:00	[redacted]	
9134	[redacted]					23:30 05:00		22:30 02:00	[redacted]	
2147	[redacted]					23:30 05:00		[redacted]	[redacted]	
7605	[redacted]							22:30 02:00	[redacted]	

PLEASE NOTE: All time sheets must be delivered or emailed to the office by the following Monday by midday. Any guards whose time sheets are not in by then may risk delayed payment. Managers, please be aware that we shall be using this information to calculate invoice amounts. By signing this sheet, you will be invoiced accordingly.

Manager's Name

Manager's Signature

Officer's Name [redacted]

Officer's Signature [redacted]

[redacted]

Simplifying Life Solutions

[redacted]

TIME SHEET

Venue Name [redacted]

PLEASE USE BLOCK CAPITALS TO FILL IN TIME SHEET

Week Ending (Sunday) 27/05/18

BADGE No.	NAME	MON	TUES	WED	THURS	FRI	SAT	SUN	SIGNATURE	HOURS
Fill in date as required						25/05		27/05		
		Start/Finish	Start/Finish	Start/Finish	Start/Finish	Start/Finish	Start/Finish	Start/Finish		
6931	[redacted]					2315 0215			[redacted]	
1400	[redacted]					2300 0500			[redacted]	
7695	[redacted]					2330 0630			[redacted]	
6251	[redacted]					2300 0500			[redacted]	

PLEASE NOTE: All time sheets must be delivered or emailed to the office by the following Monday by midday. Any guards whose time sheets are not in by then may risk delayed payment. Managers, please be aware that we shall be using this information to calculate invoice amounts. By signing this sheet, you will be invoiced accordingly.

Manager's Name

Manager's Signature

Officer's Name

Officer's Signature

Applicant: Chief Constable of
West Midlands Police.
Name: Abdool Rohomon
Statement No: 2
Made 18th June 2018

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

WITNESS STATEMENT OF ABDOOL ROHOMON

1. I am Police Constable 4075 Abdool Rohomon of the West Midlands Police ('WMP'). I am currently a Police licensing officer for Birmingham City Centre and have been in that role for 15 years.

2. My duties include dealing with issues concerning the Licensing Act 2003 and working with partner agencies such as Birmingham City Council Licensing, Public Health, West Midlands Fire Service and others to deal with applications under the Licensing Act as well as police-related issues that arise within licensed premises.

3. I make this statement in relation to ARABIAN NITES SHISHA LOUNGE ('Arabian Nites') of 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP. The information is from my own knowledge and belief safe where stated.

a. Arabian Nites

4. Arabian Nites is a shisha lounge with a premise licence issued to it under the Licensing Act 2003. The licence has been issued to QR Holdings and allows the premises to show plays, films, indoor sporting events, live music, recorded music, performances of dance, anything of similar description to that falling within (live music) (recorded music) or performances of dance, late night refreshment and sale of alcohol by retail (both on and off the premises). The Designated Premises Supervisor is Mr Amandeep Uppal.

5. The licence allows Arabian Nites to trade between 08:30 and 04:30 between Monday – Sunday.

a. Forensic photographs

6. I have examined the photographs taken by Forensic officer Tebbutt. Photo number 9, is a metal stair case from the basement of the premises where the firearm incident took place. You can see from the photo the metal stair case and on the middle step level I can clearly see metal type letter spelling out ARABIAN. Only half the stair level is viewable but it is clear what can be seen on the photo

Statement of Truth

I believe that the facts contained in this my Witness statement are true.

Signed .....

Dated .....18/6/18.....

Applicant: Chief Constable of
West Midlands Police.
Name: Abdool Rohomon
Statement No: 3
Made 20th June 2018

IN THE BIRMINGHAM MAGISTRATES' COURT

BETWEEN

CHIEF CONSTABLE OF WEST MIDLANDS POLICE

Applicant

AND

ARABIAN NITES SHISHA LOUNGE, 54-76 BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS, B7 7HP

Respondent Premises

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5. The licence allows Arabian Nites to trade between 08:30 and 04:30 between Monday – Sunday.

a. Google Search of premises

6. I have searched Google, under Arabian Nites Birmingham, there are numerous images contained within numerous hits for this search. I went through maps, which shows the location and then produces numerous photos on the left hand side.

7. I have printed several of these photographs which show a bowling alley in the premises, with the same coloured strip lighting that I have seen in the recent forensic photographs. These photos are dated stamped as May 2016 but show that there was a bowling alley inside the premises, which I believe to be the same area as photographs numbers 11,12,13,14,15 taken by Paul Tebbutt 51520.

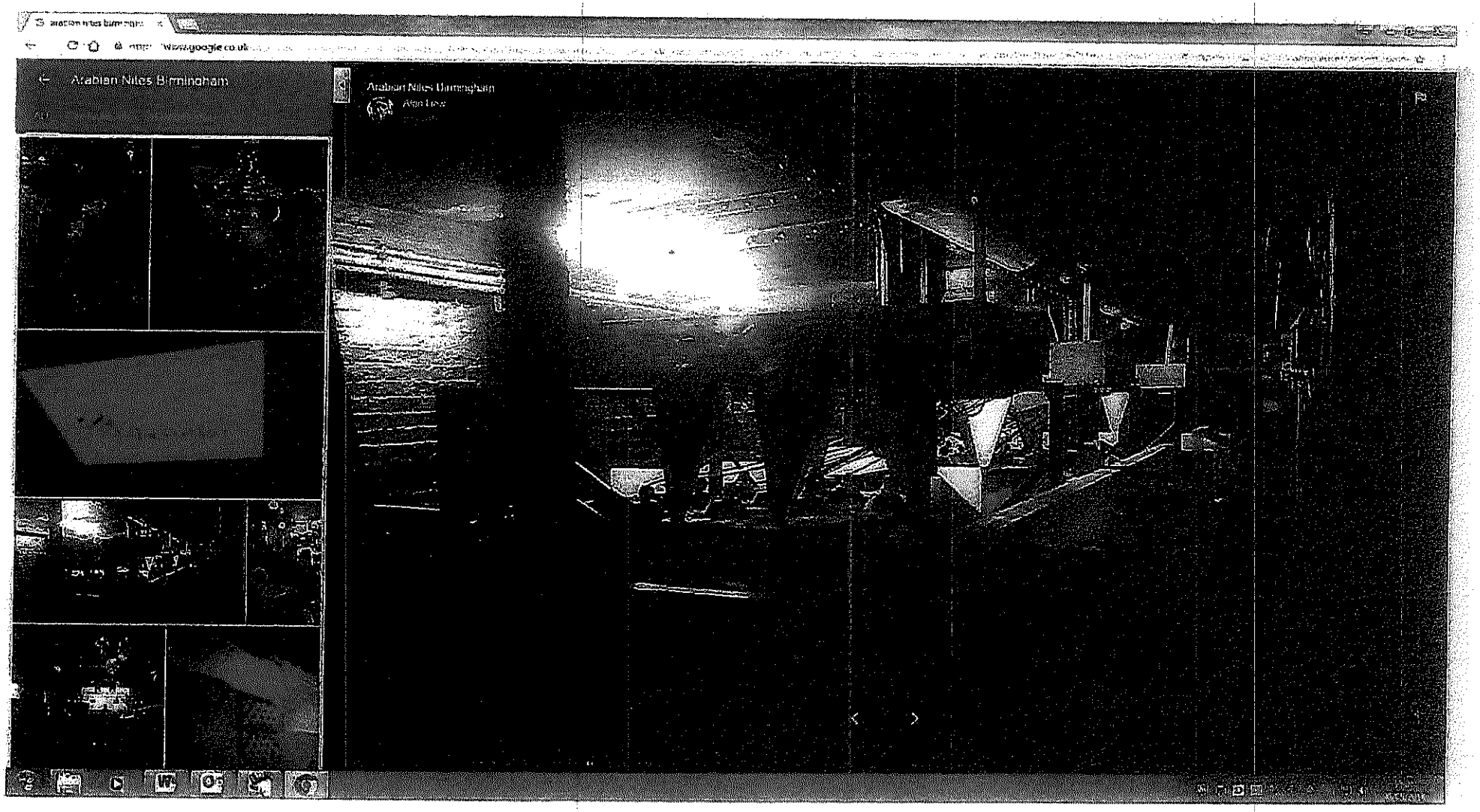
8. I can produce the pictures that were saved from the internet as (Ex no Ar6)(ref No.....)

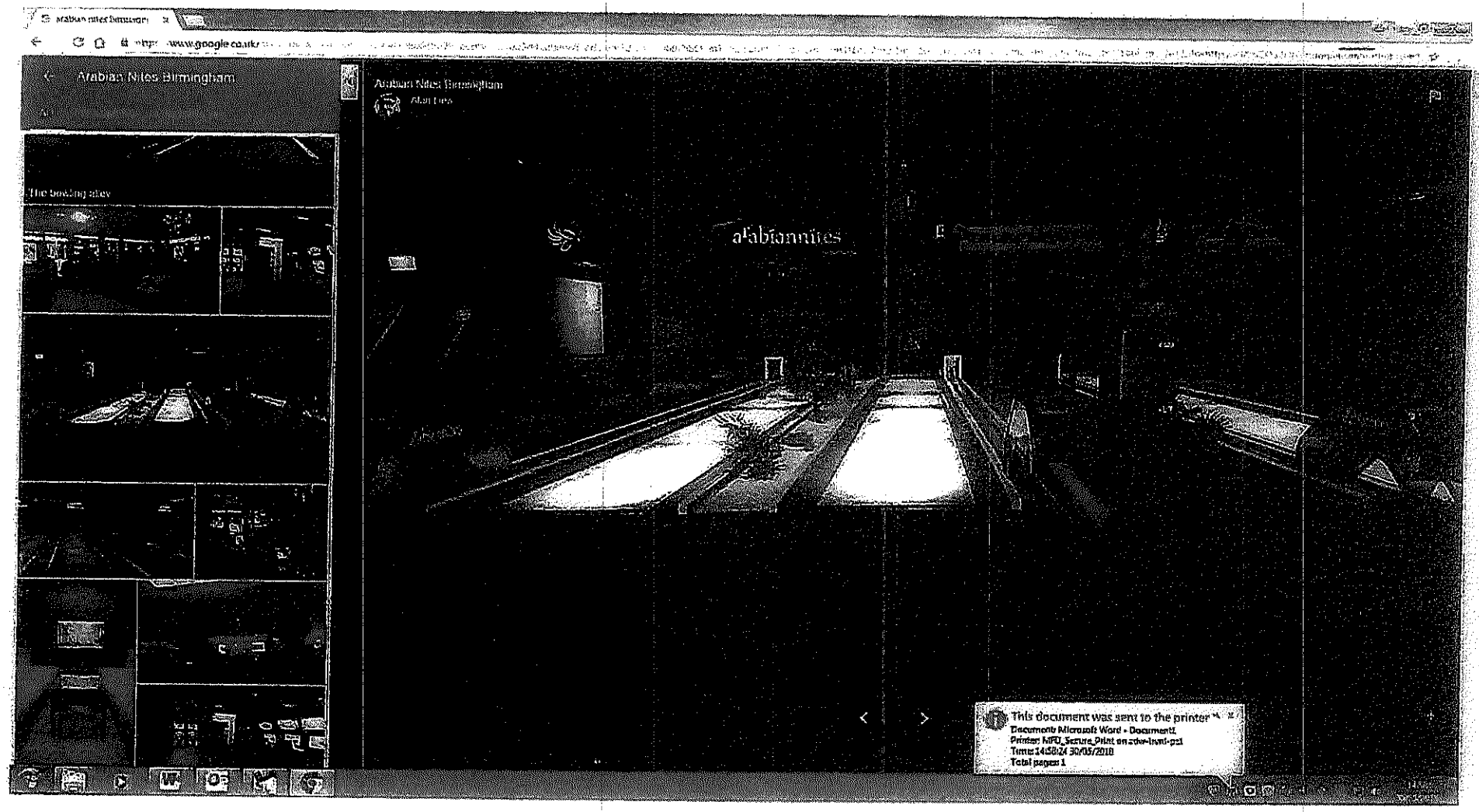
Statement of Truth

I believe that the facts contained in this my Witness statement are true.

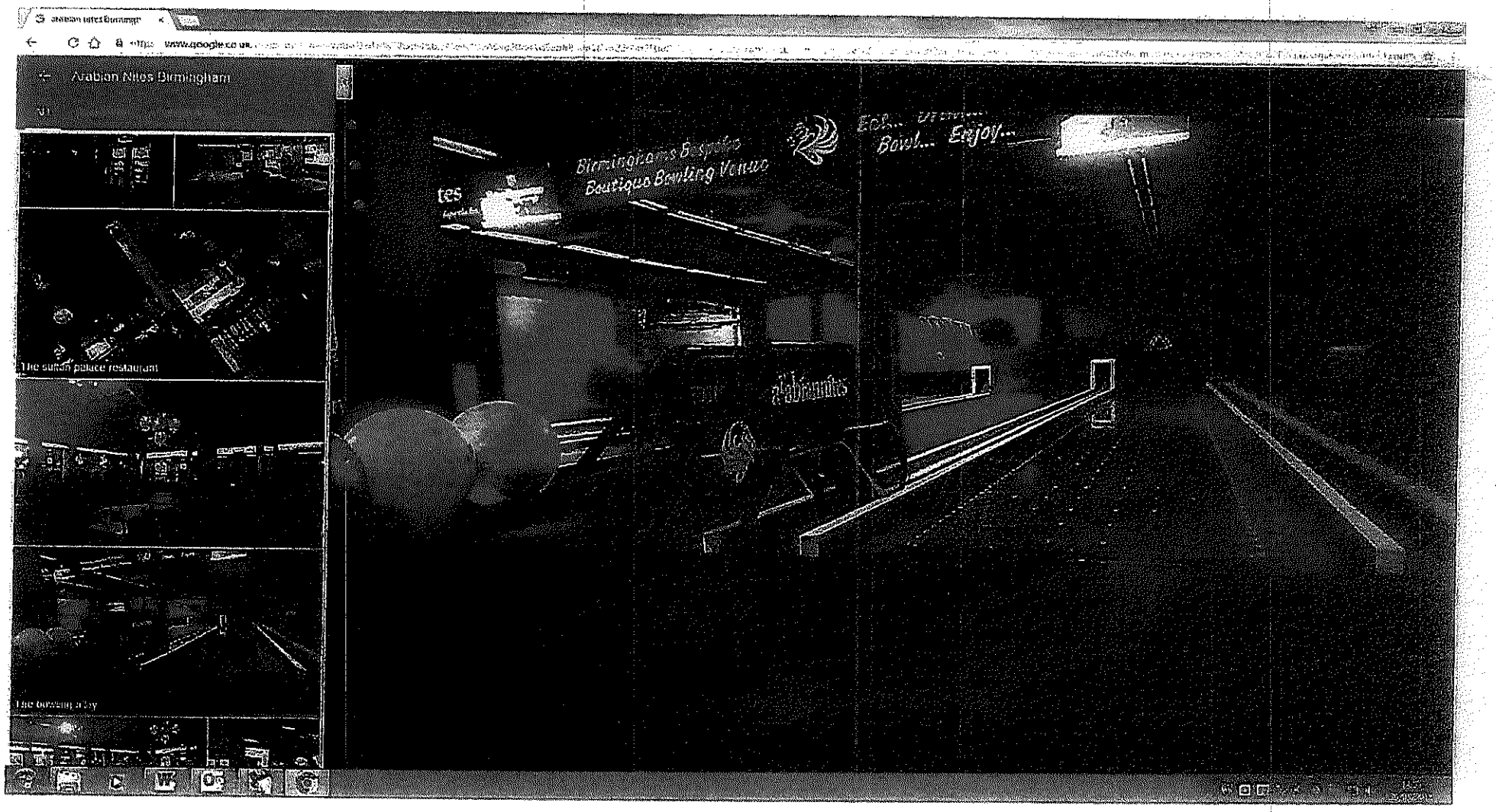
Signed .....

Dated 20/6/18 .....


Arabian Nites Birmingham
Arabian Nites Birmingham
Alan Lee


www.google.co.uk
Arabian Nites Birmingham
The booking view
Arabian Nites Birmingham
Alan Dies
arabiannites
This document was sent to the printer
Document: Microsoft Word - Document1
Printer: MFU_Secure_Print on ahw-level-ps1
Time: 14:58:24 30/05/2018
Total pages: 1

Aston Villa Birmingham
Birmingham Development at Aston Villa


Arabian Nites Birmingham
The sunna palace restaurant
Birmingham's Bespoke
Boutique Bowling Venue
Bowl... Enjoy...

OFFICIAL - (when complete)

MG11

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 Ian MINTON

Age if under 18 over 18 *(if over 18 insert 'over 18')* Occupation Police Constable 9486

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

Signature: (witness) Date 25/03/2018

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

I am Police Constable 9486 MINTON of West Midlands Police currently stationed at Newtown Police Station, Newtown, Birmingham.

On Sunday 25th March 2018 I was on full uniformed duties, armed with Taser X26 and in company with Police Constable 22117 SPREADBURY, allocated to call sign ROO66.

At 02:26 hrs on the same day and date we were directed to ARABIAN NITES, BISSELL STREET, HIGHGATE, BIRMINGHAM, to report of a firearm having been seen and discharged at the front of the premises.

On arrival at the location I spoke with the owner of the business, Daniel ALAWI, [redacted] who stated that earlier in the night the had had a group of 20-30 males turn up and attack the door staff and the front of the premises trying to gain entry. He then stated that following this a red 4x4 vehicle had driven past the front of the premises and had pointed a gun out of the open rear window and that the gun had then been fired at the front of the premises. He then stated that he thought that this was part of an extortion matter where several males were trying to get him to pay protection money for similar issues to all go away. [redacted]

I was shown CCTV covering both of these incidents whilst at the location speaking with ALAWI.

Signature: Signature witnessed by:

OFFICIAL - (when complete)

Merit

Crime No.

URN

Statement of Ian MINTON

Due to there not being anyone present at the location that was able to download the CCTV footage I used my AXON body camera to record the two incidents that had been captured on the ARABIAN NITES CCTV system.

There are two recordings the first of which cover the disorder outside of the premises, this has been saved under incident number 2820 24/03/18 on Evidence.com. The second covers the firearm discharge at the front of the premises, this has been saved under incident number 0134 25/03/18. I can produce each of these recordings for the courts as (Police Ref IM/01) (Exh No.) and (Police Ref IM/02) (Exh No.) respectively.

I then took a statement from ALAWI who at the end of the statement refused to sign it claiming that he was in fear for his life from the people that were causing him these problems and if he was to take this matter to court he would be found and killed. I can produce the unsigned statement taken from ALAWI for the courts as (Police Ref IM/03) (Exh No.).

At 08:30 hrs on the same day and date I completed my statement at Newtown Police Station. My statement is my original notes and should be treated as such.

I had no further dealings with this matter.

Signature .....

Signature witnessed by .....

03/2016

OFFICIAL - (when complete)

WEST MIDLANDS POLICE

OFFENCE REPORT

"RESOLVED"

Offence No. 20BW/66737V/18

OFFENCE DETAIL

Offence Code TH68071 Description BLAA BLACKMAIL
Offence Times Between 00:01 hours Mon 5th Feb 2018 and 23:59 hours Sat 24th Mar 2018
Main File Incident
Location ARABIAN NITES SHISHA LOUNGE, 54 , BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS B5 7HP
Grid Ref 407387285679
Neighbourhood 8WHB BW HIGHGATE Sector LADYWOOD EAST

REPORTING DETAIL

Reported Time 23:59 hours Sat 24th Mar 2018
How Reported Patrol

Received By PC 9186 HELLE-LORENTZEN

VICTIM DETAILS

Nominal Ref. [redacted] VICT
Name Mr ALAWI, Daniel
Maiden Name
Address ARABIAN NITES SHISHA LOUNGE, 54 , BISSELL STREET, HIGHGATE, BIRMINGHAM, WEST MIDLANDS B5 7HP
Business
Home Tel. NONE PROVIDED Work Tel. [redacted]
Mobile Tel. [redacted]
Sex Male D O B. [redacted] Age [redacted] Years
Place of Birth
Marital Status
Ethnic Appearance NOT KNOWN
Occupation PROPRIETOR SHOPKEEPER
Injury Code NONE
Description

MODUS OPERANDI & PROPERTY

OASIS LOG 2820 24/3/18 - SINCE PURCHASING THE BUSINESS THE IP HAS HAD TROUBLE EVERY WEEKEND WITH LARGE GROUPS OF MALES, BETWEEN 25/80 PEOPLE ATTENDING THE LOCATION CAUSING LARGE SCALE DISORDER OFFENDERS WHO APPEAR TO BE THE ELDERS OF THIS GROUP HAVE MADE THE IP AWARE THAT IF HE WAS TO PAY PROTECTION MONEY THEN ALL OF THESE PROBLEMS WOULD GO AWAY. IP HAS REFUSED & DISORDER HAS CONTINUED. X REF 20 BW/66727Q/18 - 20BW/66751J/18

FURTHER INFORMATION

Crime Interests

CRIMES ALLOCATED TO FORCE CID
GANG NOMINALS OR GANG CRIMINALITY
PUBLIC PLACE VIOLENCE

Date 25-JUN-18 16:59:45 Oracle User PORTAL_USER

WEST MIDLANDS POLICE

OFFENCE REPORT

"RESOLVED"

Offence No: 20BW/66737V/18

ALL OTHER ROLES NOT PREVIOUSLY LISTED

Type: INPT Name: CIV 51799 CRONIN

[redacted]

Reason:

*** End of Report ***

Date: 26-JUN-18 16:59:45 Oracle User: PORTAL_USER

CLOSURE NOTICE
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

We hereby give you notice that on

Tuesday 3rd July 2018 at 10am
At Birmingham Magistrates' Court
Sitting at Victoria Law Courts, Corporation St, Birmingham, West Midlands B4 6QA

West Midlands Police intend to apply for a Closure Order under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014

From the service of this notice all persons who do not own and/ or are not habitually resident in

"Arabian Nites" situated at 54 - 68 Bissell Street, Digbeth, Birmingham, B5 7HP

are prohibited from remaining and returning and/or entering this premises.

Access to this premises by any person, other than the owner and/or habitual resident, is considered a criminal offence. Persons in breach of this can be arrested.

In the event of the Closure Order being granted by the courts the premises will be sealed and no further entry will be allowed. The occupier will therefore be required to find alternative accommodation. Any persons entering the premises following the closure order, without the permission of West Midlands Police or Birmingham Magistrates' Court, commit an offence and can be arrested.

Notice issued by: Birmingham Magistrates' Court

Dated: 22nd June 2018

Enquiries regarding this notice may be directed to the:

Birmingham Central Police Station, Lloyd House, Birmingham
Tel: 0345 113 5000

Detailed below are telephone numbers and points of contact for housing and drug advice issued. It may be in your interest to contact these agencies for advice:

Citizens Advice Bureau: 171 Birchfield Road, Birmingham, B19 1LL
Tel: 08444 77 10 10
Housing Advice: Sanctuary Housing - 0800 131 3348 or 0300 123 3511 Email: contactus@sanctuary-housing.co.uk
Council: Birmingham City Council - Council House, Victoria Square, Birmingham, B1 1BB
Tel: 0121 216 3030
Help and advice, counselling and information for people concerned about their use of drugs or their families and friends. Talk to Frank – 0800 776600

CLOSURE ORDER
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

We hereby give you notice that on

2018
At Birmingham Magistrates' Court
Sitting at Victoria Law Courts, Corporation St, Birmingham, West Midlands B4 6QA

A Closure Order under section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014 was granted.

From the granting of this Order persons are prohibited from remaining, returning and/or entering the premises of:

"ARABIAN NITES" at 54 - 68 BISSELL STREET, DIGBETH, BIRMINGHAM, B5 7HP (GROUND FLOOR + BASEMENT AS HATCHED ON DEPOSITED PLAN)

For three months until midnight on 2/10/ **2018**

A person commits an offence if they remain on or enters this premises and can be arrested. If found guilty of an offence they are liable to imprisonment and/or a fine.

This premises has been sealed and no further entry will be allowed. The occupier will therefore be required to find alternative accommodation. Any persons entering the premises without the permission of West Midlands Police or Birmingham Magistrates' Court commits an offence and can be arrested.

Order issued by Birmingham Magistrates' Court

Print Name: ..... Jane Owen

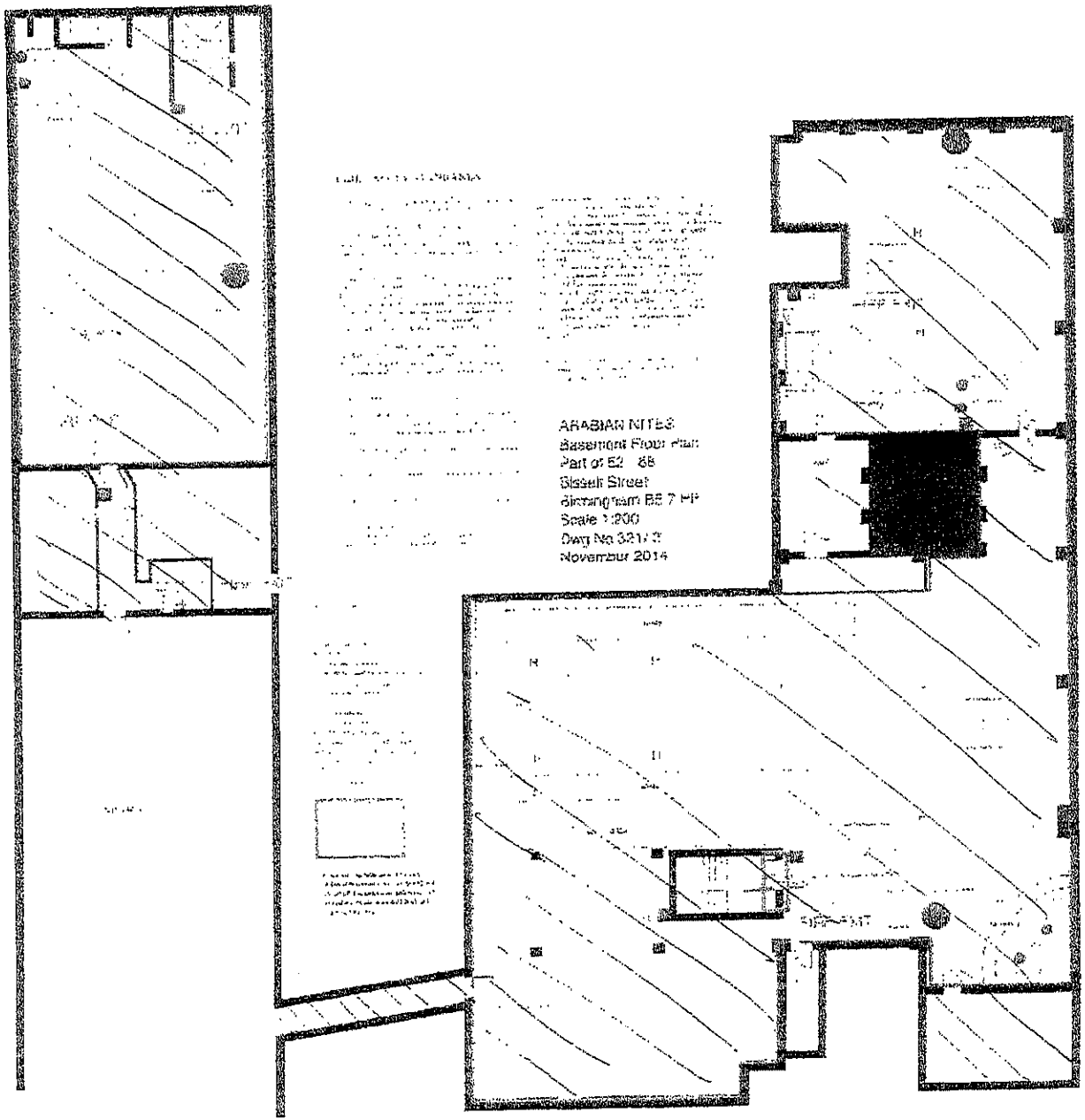
Signed .....

Dated ..... 3rd July 2018

Enquiries regarding this Order may be directed to the:
Digbeth Police Station, 113 Digbeth, Birmingham, B5 6DT
Tel: 0345 113 5000

Detailed below are telephone numbers and points of contact for housing and drug advice issued. It may be in your interest to contact these agencies for advice;

Citizens Advice Bureau: 171 Birchfield Road, Birmingham, B19 1LL
Tel: 08444 77 10 10
Housing Advice: Sanctuary Housing - 0800 131 3348 or 0300 123 3511 Email: contactus@sanctuary-housing.co.uk
Council: Birmingham City Council - Council House, Victoria Square, Birmingham, B1 1BB Tel: 0121 216 3030
Help and advice, counselling and information for people concerned about their use of drugs or their families and friends. Talk to Frank – 0800 776600


ARABIAN NITES
Basement Floor Plan
Part of 52 - 58
Sisell Street
Birmingham B5 7 HP
Scale 1:200
Dwg No 321/3
November 2014

Abdool Rohomon

From: [redacted]
Sent: 02 July 2018 22:08
To: Abdool Rohomon
Subject: Re: Contact

Hi there,

We have just seen your email and would like to make a statement that we did not attend court and retract our statement if you could call my partner on [redacted]

On Thu, 28 Jun 2018 at 13:22, Abdool Rohomon <a.rohomon@west-midlands.pnn.police.uk> wrote:

Hi [redacted]

I am Pc Rohomon from the licensing department dealing with Arabian Nites, basically we have been trying to get in touch with you, as apparently the court was told at the first hearing we went to that you had withdrawn your complaint and that you had made it up. We don't believe it was you who turned up at court as the descriptions differ so much, but we could ideally do with a statement to say as such, and also a few details about the party would be useful

Speaking to your wife she thinks you may be able to help us on Monday to give a quick statement, is this so?

If it easier for us to come to you then that can be considered just please let us know where and when otherwise if you could come to Lloyd House before 3pm it would be appreciated. If you can give a time it would be appreciated

regards

Abs Rohomon

PC 4075 Rohomon

BW Licensing

Police headquarters

Lloyd House

Colmore Circus