

WITNESS STATEMENT

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

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Statement of: Samantha Bolland

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

Occupation: Police Officer

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

Signature: SB (witness)

Date: 05/09/2022

I am PC 1520 Samantha Bolland of North Yorkshire Police currently stationed at Fulford road Police Station, York. I am a Licensing Officer and have been in this role for 6 years.

Further to my previous statement dated 9th June 2022, I would like to add the following;

On Tuesday 5th July 2022 I re-attended Sky Blue following in company with PS Jackie Booth, Force Licensing Manager, for a pre-arranged appointment, to follow up the Section 19 Notice issued by PS 133 Booth on 21st June 2022. Also in attendance was Nigel Parkin, Senior CCTV officer, Regional Scientific Support, West Yorkshire Police.

Upon arrival Mr Koay, Mr Walker, legal representative and Mr Leung were present. PS 133 Booth spoke with Mr Koay regarding the Section 19 Notice.

Mr Koay stated that he had upgraded the CCTV system to ensure that there was sufficient capacity to record footage for 28 days. Nigel Parkin examined the CCTV and stated that as it had only been installed on 1st July 2022, it would have to be rechecked in 28 days to check footage had been stored. He advised that the CCTV was checked once 28 days had lapsed, from the date of attendance. The system was recording at the time of the visit.

Whilst PS 133 Booth checked the CCTV recordings, further breaches were found

PS 133 Booth advised Mr Koay that given we were present to check compliance with a Section 19 Notice issued for previous breaches of Premise Licence conditions that to identify further breaches were taking place was extremely concerning and that as Section 136 offences of unauthorised licensable activities had taken place, PS 133 Booth stated she would arrange a formal police interview at the police station to investigate the criminal matter.

During this visit I took photos of numerous documents which I exhibit as:

- SB04 – SIA login (Nouman)
- SB05 – Staff training record dated 210622
- SB06 – 2 Staff training record dated 210622
- SB07 – 3 Staff training record dated 210622
- SB08 – 4 Staff training record dated 210622
- SB09 – Age verification poster
- SB10 – Security log dated 240622
- SB11 – Security log dated 040722 signed by 1520

PS 133 Booth continued to then check compliance with the Section 19 Notice.

PS 133 Booth advised Mr Koay that he would be formally interviewed for the Section 136 offence of unauthorised Licensable activities for failing to comply with Premise Licence conditions pertaining to the Section 19 Notice of 21st June 2022 and the two further offences which were identified from 2nd July 2022.

Upon leaving the premises via the rear carpark I saw a male I know to be Mr Zhongle Chen, who got out of a black Jaguar, Reg YE18 BDF. This was parked in the Sky Blue private carpark. Upon checking the Police National Computer is Registered to Mrs Xiulan Chen 16 Barbican Road, York YO10 5AA, and insured parties are Xiulan Chen and Mr Zhongle Chen address 27 Topcliffe Court, Selby YO8 3WB.

I know Mr Zhongle Chen from previous Licensing visits at Sky Blue, 16 Barbican Road, York. CHEN was the Premise Licence Holder and Designated Premise Supervisor in 2017, when I first visited the premises, until the Premise Licence was revoked in 2020. I have had no other dealings with him.

There was also a white BMW present, which has been present on multiple occasions when I have conducted Licensing visits. The car's registration was 8888 GC, from checking the Police National Computer is Registered B and G LTD, 21A Blake Street, York YO1 8QJ, and insured parties are Mr Zhong Le Chen and Ms Yantong Feng 27 Topcliffe Court, Selby YO8 3WB.

On 28th July myself and PS 133 Booth reattended the premises to check compliance of the CCTV and 28 day retention of footage. The white BMW described above was present again in the private car park. I took photos of the sign in books for the CCTV logs for the karaoke rooms, which I exhibit as,

SB12 – Photo of karaoke room check – room V888
SB13 - Photo of karaoke room check – room 201
SB14 – Photo of karaoke room check – room 202
SB15 – Photo of karaoke room check – room 202 continued
SB16 – Photo of karaoke room check – room 203
SB17 – Photo of karaoke room check – room 205
SB18 - Photo of karaoke room check – room 206

On Monday 8th August 2022 at 1100hrs I reattended the premise in company with PS 133 Booth. Mr Koay, Mr Leung, and Mr Walker legal representative where all present. Checks with the outstanding Section 19 Closure Notice revealed that Premise Licence Conditions were still not being complied with.

I took photos of the following items which I exhibit as,

SB19 – Security log dated 05-060822
SB20 – Security log dated 07-080822
SB21 – Karaoke room 201 30 min check sheet dated 05-060822
SB22 – SIA sign in sheet dated from 080722-060822
SB23 – Staff training sheet – Marine LABONDE dated 220722

On Wednesday 17th August 2022 at 1107hrs I attended the premises for a pre-arranged appointment, in company with PC1671 Hollis, to meet with Mr KOAY to follow up again from a section 19 Closure notice. In attendance at the premises were Mr KOAY, Mr LEUNG and John WALKER, legal representative with an associate of his.

I checked compliance with each point as detailed in PS 133 Booth's email, Appendix 24.

The staff training was now in compliance and all names detailed within the email were present and signed by the staff member and a member of management. I then spot checked the CCTV from 9th and 13th August 2022 against the staff sign in sheet. The 30 minute staff checks were completed and this condition was now in compliance with the Premise Licence condition, the timings checked are as follows;

09th August 2022 Room 201
2015hrs – Room empty
2019hrs – customers enter
2122hrs – staff member seen to enter room

13th August 2022 Room 201
2200hrs – All 4 karaoke rooms empty.

Mr LEUNG showed myself and PC Hollis a customer information document, detailing the 30 minute checks conducted in the karaoke rooms by staff, which forms part of a Premise Licence condition.

Mr LEUNG then showed myself and PC Hollis the 4 karaoke rooms which all had the customer information document displayed.

We left the premises shortly after.

Signature: S. Bolland

Signature witnessed by: n/a