

New Middleton summary review hearing 18th June 2024

List of documents for public access

MG11 Sarah Blenkhorn

MG11 Pc Crossland

MG11 Dan Ryder

Statement of Euguene Chari

OFFICIAL SENSITIVE (when complete)

WITNESS STATEMENT(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:

URN:

Statement of: Sarah Blenkhorn

Date of birth: Over 18

Occupation: Licensing Officer

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: S Blenkhorn

Date: 12th June 2024

Signature witnessed by:

Date:

Time and date statement taken:

Check box if witness evidence is visually recorded (supply witness defaults on rear)

I am a Licensing Office employed by West Yorkshire Police currently stationed at Leeds.

I am making this statement in connection with a summary review of the New Middleton Club situated at 4 Thorpe Street, Leeds LS10 4HD. The current DPS and licence holder is Tanya Clowes.

The premises has a history of trouble attached to it. In 2020 I supported a review of the premises licence brought by Leeds City Council. The licence at the time was held by Julie Jackson. The licence was revoked due to multiple and repeat breaches of the premises licence and numerous counts of crime and disorder between 2017 and 2020. Repeated breaches included failing to operate and maintain an adequate CCTV system, failing to install a drug safe, serving alcohol beyond permitted hours and opening beyond permitted hours. The premises was continuously managed in an inappropriate manner with damage, anti-social behaviour, assaults, a stabbing outside the premises, noise nuisance, many regarding class 4 (display level) fireworks and also a large-scale disorder following a boxing match where the police were pelted with missiles upon their arrival.

In June 2022, the current DPS, Tanya Clowes, applied for a licence and was granted it despite representations from West Yorkshire Police and Leeds City Council. At the time concerns were raised about Tanya's experience of running a venue of this type, her connections with the Jackson family as she has worked for Julie Jackson and their involvement with the business due to its previous history and as David Jackson owns the premises itself.

At the time of the hearing in 2022, Tanya stated that she would operate a "strict management style" and that while the former DPS, Julie Jackson, had dealt with fights by letting them continue outside, she would not tolerate this. Tanya also stated at the hearing that although she had a 6-month rent free agreement with David Jackson, there was no other relationship with the Jackson family.

On 19th May 2024 calls for service were received from members of the public at 0054 hrs in relation to the New Middleton. I can exhibit paper copies of these calls as exhibit SMB1. One caller states "police now straight away, there's knives and people being killed." A further call states about 100 people were fighting and the caller had heard someone had been stabbed. Other comments refer to heavy bleeding, barricading the doors shut and club owner, [REDACTED] driving off. Further calls report an on-going fight, someone on the floor being kicked by surrounding people about 20 -25 in number and the people involved look to be teenagers up to 35 years. Other comments relate to glass being smashed and people being injured.

Signature: S Blenkhorn

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Continuation Statement of: Sarah Blenkhorn

A deployment of around 15 police officers was sent to deal with this large-scale disorder. Upon Police arrival most of those at the scene had dispersed, the incident had calmed down and order was restored. One officer located a sledgehammer behind the door of the gents' toilets. Leeds watch captured the incident and this video footage can be produced as exhibit SMB2. A timeline of the footage is produced as exhibit SMB3. Prior to the fight, youths on bikes and scooters are seen riding up and down and stopping outside the premises and a female is seen riding around on the roof of a car waving her arms about. Pockets of fights break out in different areas and 30-40 people are involved. A woman can be seen in the crowd carrying a young child. One male strikes another person in the head with what we know now to be a gas cannister. The scene is chaotic probably very frightening for local residents at home.

I can produce images from the scene as exhibit SMB4.

As a result of this incident 2 people have broken bones according to the premises, 1 suffered a broken wrist and the other had multiple facial injuries and fractures and a bleed to the brain. Nobody would give a statement including Tanya Clowes and [REDACTED], Tanya's business partner. On 23rd May 2024, West Yorkshire Police submitted an application for a summary review due to the serious nature of the incident and serious breaches of the premises licence.

When police officers attended at the scene later in the morning to make further enquiries, an Officer seized a nitrous oxide cannister from the car park and PC Crossland noted the car park was littered with balloons used for inhaling nitrous oxide. PC Crossland spoke with Tanya who stated that "[REDACTED] and [REDACTED] more or less run it, I'm obviously the licence holder and I'm always here." She also stated that "[REDACTED] runs the place with me and [REDACTED]" and referred to the fact that the office keys were on [REDACTED] car keys and the office door was locked so she would be unable to show them the CCTV. [REDACTED] and [REDACTED] are partners. A witness spoke to PC Crossland and said that "people were nearly killing each other" and mentioned that [REDACTED] was assaulted during the incident and that he "runs the club".

At the hearing in 2022, Tanya clearly stated that she had no relationship with the Jackson family however she is clearly running the premises alongside [REDACTED] and his partner [REDACTED] and indeed she has said so herself.

Prior to this incident, there have been 5 calls for service since Tanya took over the premises: -

- 5/11/23 Nuisance fireworks 2000 hrs to 0000 hrs (occurred on 4th, report made on 5th). (No Temporary Event Notice in place). Caller refers to display type fireworks.
- 14/10/23, Saturday 0128 hrs violence against person – group fighting outside venue, cars beeping horns and blocking street. (Temporary Event notice in place).
- 28/8/23 Monday 1804 hrs violence against person- 15-year-old assaulted outside premises.
- 12/2/23 Sunday 2026 hrs violence against person – occurred inside club.
- 3/9/22 Saturday 0000hrs concern for safety – shouting and arguing outside venue, cars driving around speeding. (No Temporary Event notice in place).

On Wednesday 5th June 2024, I attended at the premises with Jane Wood from Leeds City Council Entertainment Licensing where we met with Tanya Clowes, [REDACTED] and two other members of staff. [REDACTED] introduced herself as Tanya's (business) partner.

The events on the night leading up to the incident on 19th May 2024 were discussed and the premises were asked to show the CCTV footage. The system showed the correct date but the time was out and was showing 30 minutes fast. This incorrect time had been pointed out to the venue on 21st May 2024 when officers attended to obtain the CCTV but it clearly had not been corrected. Condition 65 on the

Signature: S Blenkhorn

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Continuation Statement of: Sarah Blenkhorn

premises licence states, amongst other things, "the CCTV...will contain the correct time and date stamp information" therefore the premises are in breach of this condition.

CCTV showed the main bar was open and people dancing although at around 2300 hrs people are seen to move into the adjacent pool room where the boxing was being televised from 2300 hrs. A young child can be seen riding around on a little bike. Condition 76 on the licence states "people under 18 will not be allowed to remain on the premises or land owned or controlled by the premises beyond 2000 hrs". Therefore, the premises are in breach of this condition.

As the CCTV continues, at the far end of the pool room on the left-hand side, customers can be seen gathering around a large, illuminated hatch area which serves as a bar for the pool room. This hatch area is the end part of the bar in the main bar area. Customers can be seen reaching into this area, extending their arms as if taking hold of something. Multiple people attend at this hatch throughout the boxing match. It does point to the venue serving drinks at the hatch area and in fact bar staff can be seen moving up and down the main bar area on occasion. The premises licence states that alcohol sales are to cease at 2300 hrs.

The boxing concluded around 0035 hrs. Customers are still seen in the pool room. The premises licence states that opening hours for the venue are 1100 – 2330 hrs each day. There was no temporary event notice in place to authorise either the sale of alcohol after 2300 hrs or for the premises to be open after 2330 hrs. Condition 70 on the licence states "no boxing events of any type are to be allowed on the premises". Therefore, they are in breach of this condition.

Customers can be seen leaving the venue with glasses in their hand. Condition 17 on the licence states "drinks, open bottles and glasses will not be taken from the premises at any time". Therefore, they are in breach of this condition.

A woman holding a baby is seen in the foyer. Another breach of condition 76.

People do begin to make their way out of the premises however this is when the large-scale disorder kicks off outside which can be seen on the Leeds Watch CCTV. However, at Condition 65 on the premises licence it states that CCTV should cover "any external areas of the premises such as car parks and beer gardens". The external area to the front of the premises is not covered by the venue's CCTV system. Had it been, then this would have assisted the police in their investigation into this matter. Therefore, the premises are in breach of this condition.

Condition 60 on the premises licence refers to 2 SIA registered door staff to be on duty from 2000 hrs on a Friday, Saturday and Sunday until closing time. It was established that Tanya is registered as SIA door staff and she showed me her badge. Another lady is also SIA registered and her badge number was provided. We asked to see the door staff signing in book. Condition 68 on the licence refers to requirement for a Daily Record Register specifically to be used by door staff. Tanya produced one but no entries had been made for months and months. Therefore, the premises are in breach of this condition. Tanya reported she was on duty as door staff that night along with the other lady however Tanya can clearly be seen working behind the bar and said herself, she does a "bit of everything." This was concerning as clearly she was not committed to the role of door staff and security as she should be as door staff are employed to do one role only. There was no door staff to be seen on the CCTV on the door at the front of the premises at any point. Tanya reported that the other lady ceased her duties at around midnight and Tanya confirmed she left the premises herself around 1230 as she didn't feel well thus leaving the premises without any door staff whilst it was still open with a significant number of people on the premises, breaching the door staff condition and also putting the venue in a vulnerable position without security.

Due to these multiple serious breaches a licensing check was conducted of the premises licence in full. The following conditions on the licence were also not complied with or documentation not produced: -

Signature: S Blenkhorn

Signature witnessed by:

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Continuation Statement of: Sarah Blenkhorn

Part B of the premises licence was correctly displayed but no part A was available. (Jane Wood later informed me that Tanya had telephoned the Council on 11th June 2024 asking for a copy of the licence).

Condition no13 - No supervisor's register in place.

Condition 14 - No incident log for 2024. One was produced for 2023 that had 3 incidents logged in it, none of which tallied with the calls for service documented above.

Condition 16. Drug safe was installed in the main customer area of the bar (it should be installed where customers do not have access to it although this is not specified on licence), but no keys could be produced. Tanya stated she had never had a key.

Condition 24 – no written policy regarding procedures on entry, egress, and evacuation.

Condition 26 – no written risk assessment regarding activities which may affect health and safety of customers.

Condition 30 – no written procedure for crowd control and management.

Condition 32 – no inspection records regarding safety checks conducted.

Condition 37 – no written inspection records regarding premises structure.

Condition 42 – no safety checks recorded.

Condition 43 – no written spillage policy.

Condition 49 – no written procedure for dealing with unwell members of the public.

Condition 50 – no written health and safety policy for use of strobes, lasers and smoke machines.

Condition 51 – no notice displayed regarding the use of strobes, lasers and smoke machines.

Tanya's and [REDACTED] general comments to these breaches were "we didn't know."

On Friday 7th June 2024 I attended at the premises to collect some CCTV that had been produced at my request. The footage however only showed the pool room from approximately 8pm to 930 pm. I had requested cameras from the pool room, main room and entrance foyer from 10 pm to the end of the incident when everyone was leaving. I spoke to Tanya and asked her to re-do the footage as I had requested. She asked if I could do it as usually the police bring their own USB and download any footage themselves. I am not experienced in downloading CCTV and the CCTV condition on the licence, number 65 states "at least one member of staff will be on duty at the premise who is capable of operating the system and downloading images recorded by it". Another breach of the premises licence.

Tanya did say she would get something sorted and would call me back within half an hour however I did not hear from Tanya again that day.

When I returned to work after the weekend on Tuesday 11th June, I could see I had a missed call from Tanya on Monday at 1018 hrs. When I spoke to Tanya, she confirmed that the footage from the incident was still on the system but she had been unable to download it and believed there was a fault on the system. Officers had been able to download footage at the time of the incident however and footage had been downloaded from it on Friday, it just wasn't the correct footage.

Signature: S Blenkhorn

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Continuation Statement of: Sarah Blenkhorn

This statement details that the licensing objectives -

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The protection of children from harm -

are not being upheld by the New Middleton Club.

Signature: S Blenkhorn

Signature witnessed by:

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:	13240267702	URN:	
Statement of:	PC [REDACTED] EMILY CROSSLAND		
Date of birth:	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:	e crossland	Date:	28/5/2024
Time and date statement taken: 28/5/2024 1005hrs			

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

I am the above-named detective constable employed by West Yorkshire Police. I currently work from Elland Road Police Station, attached to Team 2 CID.

On 19/5/2024, I was asked to assist with a section 18 Assault that had occurred at THE NEW MIDDLETON, THORPE STREET, LEEDS. I was aware that a male had suffered significant injuries following a report of a fight outside the premise.

Myself and DC [REDACTED] Rall attended at LEEDSWATCH CCTV to review any available footage of the incident. [REDACTED]

The LEEDSWATCH CCTV camera was static and pointing directly at THE NEW MIDDLETON during this incident. The timing is correct on this camera as it is operated by Leeds City Council. The full clip taken is 45 minutes long and begins at 0030hrs. This shows two males outside, one on an electric bike. Several people are walking in and out of the premise and gathering with the males. It is not possible to tell the age of these males from the Leedswatch camera. These males gather outside with other people until approximately 0039hrs when a large number of individuals begin to leave the premise and gather outside. There are numerous people on foot, bikes, scooters.

At 0051hrs, a fight appears to break out between a number of the individuals, and people can be seen fighting in the street and in the doorway of the premise. The group fighting goes on for some minutes until 0055hrs where a male is hit over the head with a gas canister and the group begin to disperse. There are approximately 30-40 people involved in this disorder from the footage, with different groups fighting in different locations on the street. People can be seen grabbing, punching, hitting people. A woman is thrown to the floor.

The gas canister appears to be small and wide, with a handle. It appears that one lone male is using this cannister as a weapon.

DC RALL and I then attended at scene to see if we could access the CCTV footage from inside THE NEW MIDDLETON or surrounding residential properties. [REDACTED]

At 0905hrs, we spoke to a resident on the street. She stated that what she saw was 'people nearly killing each other' but all she was worried about was 'lad who runs the club, the poor buggar is really poorly and they ended up attacking him'. She names him as [REDACTED]. She states she doesn't know the people involved or that frequent the club as they are all 'young'uns'. The resident approached us whilst we were trying to do CCTV enquiries and insisted that the cameras were broken at the house we were knocking on.

Signature: e crossland

Signature witnessed by:

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Continuation Statement of EMILY CROSSLAND

We then spoke to Tanya CLOWES [REDACTED] who was on the phone to [REDACTED] and talking about how the victim has a bleed on the brain and 8 fractures to the face. She states that the police had missed a cannister used in the assault and that it is a helium cannister in the car park. DC RALL and I went to look in the car park and present was a cannister of Nitrous Oxide surrounded by a littering of used balloons. We seized this item as it was reported to be used, however from viewing CCTV, we do not believe it to be the weapon used on the footage.

The member of public we spoke to above and CLOWES, describe that a cannister was kept in a garden opposite the club. CLOWES states that she is the license holder and had already thrown out the people responsible, however people then cross the road and use the gas canister in the garden. She states she wasn't there on the evening but that the male responsible was whacking everyone with this cannister.

CLOWES states she went home at around 1 in the morning and they had already 'sort of got everyone out'. She states that [REDACTED] and [REDACTED] more or less run it, I'm obviously the license holder and I'm always here'. She states that [REDACTED] 'runs the place with me, and [REDACTED]', but they are away on a day trip. CLOWES states the office keys are on [REDACTED] car keys and therefore she cannot access the CCTV. Nobody was willing to tell us the name of the people responsible for this assault or provide a statement at this time.

Whilst at the scene, it was clear there had been a violent incident. There was a large amount of blood splattered up the vehicles left at scene, as well as all across the road. It was clear that cars had driven through the blood and tyre marks had spread the blood all up the street.

Signature: e crossland

Signature Witnessed by:

WITNESS STATEMENT

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

NICHE Ref. No:	<input type="text"/>	URN:	<input type="text"/>
Statement of:	Daniel RYDER		
Date of birth:	Over 18	Occupation:	Police Sergeant ██████████
This statement (consisting of: <input type="text"/> 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:	D.Ryder	Date:	13/06/2024
Time and date statement taken: 0930 hours 13/06/2024			

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

I am making this community Impact statement regarding the NEW MIDDLETON public house, THORPE STREET, MIDDLETON, LEEDS, WEST YORKSHIRE.

I am the lead Neighbourhood Policing Sergeant for the MIDDLETON and BELLE ISLE ward and one of three Sergeants who supervises the neighbourhood Policing team for the INNER LEEDS SOUTH area and have held this position for the last 12 months.

I have various roles and responsibilities in this position including ensuring the visibility of the Police is enhanced in the neighbourhoods, engagement, identifying community issues and dealing with them, managing issues of community safety and demand on the Police and working in partnership to resolve them and assisting in community resilience to crime trends and large incidents. Part of my Role also identifies the Neighbourhood Policing priorities for the area.

MIDDLETON is an area South of the LEEDS city centre area in WEST YORKSHIRE, the area has a mixture of mostly council owned properties, with some privately owned properties mostly around the Middleton Park area and is inhabited predominantly by white British families. The NEW MIDDLETON Public house is situated in a part of MIDDLETON that is densely populated with residential properties mostly council owned on THORPE STREET just situated off ACRE ROAD.

The community are traditionally a hard to reach community and not over engaging with the Police service, which makes the neighbourhood Policing role difficult in identifying the impact of incidents or properties on the community or areas of criminality in the area.

Therefore we have to take a partnership approach with a number of agencies such as housing, Leeds antisocial behaviour team, social services amongst others to identify the priorities and community impact to identify the community priorities. These are decided in quarterly run tasking meetings or correspondence following on from spontaneous incidents.

The area priorities for the Middleton and Belle have remained the same for the last year since I joined, in a hard to reach community such as Middleton and Belle Isle that suggests that for this to happen the priorities are having a significant impact on the communities way of life and that very little else has an impact on their lives. The priorities are currently Youth anti social behaviour around the Acre Road area, Antisocial social use of off Road Bikes and quad bikes and Drugs.

The youth ASB around the Acre Road is having a significant affect on that communities life. The youths behaviour towards members of the community is disrespectful, abusive and threatening and have committed violence against persons by committing assaults and Robberies. They have been linked to low level damage and thefts as well as incidents of public safety involving throwing stones at buses. The youths engagement towards officers does not differ, they shout abuse and threats then cycle off on pedal

Signature: D.Ryder

Signature witnessed by: **Error! Reference source not found.**

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Continuation Statement of

cycles. Residents in the area have reported back to both ourselves as well as housing and the antisocial behaviour team feeling targeted and been left feeling bullied and vulnerable, they have felt scared to leave the house. The youths move between the Acre Road area and down towards the St Georges Road area This is relevant as our patrols and incidents involving these youths have linked them to the New MIDDLETON public house on a number of occasions.

During carrying out our targeted patrols of the area for these youths they are often sighted in the doorway or Foyer to the NEW MIDDLETON public house, loitering around and entering in and out of the property.

During our Halloween and Firework night patrols in October 2024 a Police incident involving a large amount of these youths was generated. The youths were acting particularly disorderly and were abusing officers during their patrols and cycling and running off. Officers managed to corner some members of the group and requested their details under section 50 of the Police Reform Act. One Particular youth ran off and was detained by officers near to the New Middleton Public house. Other members of the group of youths on seeing this went into the New Middleton Public house and got parents of the youths involved who were inside. They came out to challenge the Police officers actions and surrounded the officers in a large number, once the details were obtained the crowd dispersed back into the pub.

On the 19th May 2024 a section 18 assault occurred at the New Middleton Public house, housing received complaints from residents regarding the behaviour and disruption that was caused as a result of it. Residents were left feeling unsafe in their own homes due to the scale of the disorder which they state involved a number of the usual Anti social youths being present at the time loitering around the front Foyer Area.

Since the temporary suspension of the licence at the new Middleton the residents are now reporting to housing a decrease in the antisocial behaviour and even the number of bikes being located or sighted in the area.

In summary, the day to day impact of the New Middleton Pub on the community is unknown or unreported to local agencies. However, the anti social behaviour issue that is very impactful within the area is strongly linked to the youths association with the premise.

Signature: D.Ryder

Signature Witnessed by: **Error! Reference source not found.**

Issues relating to The New Middleton, 4 Thorpe Street Middleton Leeds LS10 4HD

By Eugene Chari, Leeds City Council, EHO/Senior Technical Officer

On behalf of the Environmental Protection Team (EP Team) we received a large volume of complaints relating to the above premises. Most of the complaints date back to May 2022 to the current year.

Some of the allegations include loud music emanating from the premises, patron noise e.g. shouting or talking loudly during operating hours and when leaving the premises, fireworks being let off and people gathering outside the premises paying no regard to the needs of the local residents.

We received a report of a large amount of people leaving the premises and shouting on 11/06/2022 at 23:40pm, this was the complainant's first time complaining about the premises. However, our out of hours officers did make contact with the complainant but they did not manage to get onsite to witness the reports.

Another report came in on the 23/10/2022 at 15:35pm and this was in relation to loud music emanating from the premises and the complainant stated that they could clearly hear the music even though they had the windows and doors at their house shut. A further complaint was received on the same day at 19:37pm but the complainant did not disclose their contact details due to the fear of being confronted/targeted. However, they did state that the main issues were loud music and people gathering outside the pub.

A further report came in on the 07/05/2023 at 21:31pm alleging that there was under age drinking and youths were outside the pub screaming and shouting, also mentions of drug use and dealing. Music could also be heard in the complainant's home. Between the 7th of May 2023 and the 23rd of September, we received 12 reports relating to disturbances emanating from the pub. Some of the reports were under bogus contact details as the complainants felt too intimidated and did not want to provide their details. We do not disclose who the complainant is when dealing with issues but the fact that local residents would rather not disclose their details for contact is worrying.

On the 16th of March 2024, we received 3 reports of noise from loud music being played at the premises as well as large groups of kids gathering outside the pub.

All these allegations are concerning and the sheer volume of complaints we have received regarding the premises is worrying. Local residents feel that their needs are not being considered by the pub operators and they live in fear of not wanting to be confronted for reporting the issues to the local authority; so much so they provide details anonymously or use fake names such as 'scared neighbour or none none'. However, we do not investigate anonymous complaints hence we haven't been able to do much with the complaints.