

**IN THE MATTER OF AN APPLICATION BY THE CHIEF CONSTABLE OF
WILTSHIRE POLICE FOR A LICENSING REVIEW OF A PREMISES LICENCE
FOR THE BRUNEL ROOMS, 1 HAVELOCK SQUARE, SWINDON SN1 1LE.**

STATEMENT OF SIAN KALYNKA

I, **SIAN KALYNKA**, Licensing Officer, Licensing Department, Divisional Police
Headquarters, Gablecross Police Station, Swindon, Wiltshire SN3 4RB will say as follows:

1. I am a Police Licensing Officer for Wiltshire Police, having joined the Force in November 2009. I make this statement on behalf of the Appellant in these proceedings.
2. My role involves covering all licensed premises within the Borough of Swindon. I am the main point of contact within the Police for all matters related to licensed premises; I deal with applications on behalf of the Chief Constable. I work closely with Police Officers and Police Community Support Officers to identify premises which can be linked to high levels of crime, disorder and anti-social behaviour. I also provide support and guidance to licensees in relation to any issues or problems they may have at their premises.
3. In a crime prevention role I can offer advice, guidance and signposts to other organisations such as the Security Industry Authority. At enforcement level I am

responsible for submitting applications for review if, following consultation with licensed premises, the relevant legislation is not being adhered to. I also contribute to Police operations that are established to ensure compliance with licensing legislation. These include licensing visits, test purchases and drugs dog operations.

4. The Chief Constable of Wiltshire Police has made an application to review the premises licence of Brunel Rooms, 1 Havelock Square, Swindon, SN1 1LE ("the premises"). The premises licence is held by Brunel Rooms Swindon Limited, 1 Havelock Square, Swindon, SN1 1LE. Nathan Hatter is the Designated Premises Supervisor ("DPS") of the premises.
5. The Brunel Rooms is a 1500 capacity nightclub situated in Havelock Square in Swindon Town Centre. The premises provides entertainment in the form of guest DJ's and under 18 nights.
6. The premises licence was granted on the 24th July 2013 following a licensing hearing due to representations from the Chief Constable of Wiltshire Police on the grounds of Crime and Disorder and Public Safety.
7. The licence was issued with a number of conditions placed on the licence in agreement with the licence holders and Wiltshire Police. The premise has an operating time of 1000-0100hours Sunday to Wednesday and 1000-0300hours Thursdays and 1000-0400hours Friday and Saturday. The sale of alcohol on Fridays and Saturdays is permitted between 1000 – 0300hours. Six times a year the premises can hold "all night events" between the hours of 1000 – 0600hours.
8. Prior to this new application the premises operated as Liquid and Envy for 3 years

until it was closed by the operating company Luminar when it went into administration. Prior to the closure of the premises a review application had been made in 2010 on grounds of crime and disorder at the premises which resulted in a number of conditions and a reduction in operating hours.

9. Wiltshire Police raised concerns at the application hearing in July that a new premises licence in the area of Havelock Square would not and could not prevent crime and disorder and protect public safety. This was based on evidence of the previous premise that operated in this area as well policing experience.
10. Statutory Guidance under s182 of the licensing Act 2003 at 9.12 highlights the fact that the police are an essential source of information and advice on the impact and potential impact of licensable activities particularly on crime and disorder objective. It also advises that the *"police should be the licensing authority's main source of advice on matters relating to the promotion of crime and disorder(-)and should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives"*.
11. The opening night of the Brunel Rooms was the 1st August 2013 and since that date there have been a number of incidents of crime and disorder that involve the premises customers and also incidents that involve members of the management team. These incidents are evidenced in the additional information attached to the review.
12. Analysis has been carried out to show the impact the Brunel Rooms has had on crime and disorder in the Swindon Town Centre Night Time Economy. Chart 1 at

page 1 in the additional information shows that there is a noticeable peak in incidents occurring in August 2013.

13. Hotspot mapping at Page 2 also indicates that in the 4 months since the premises have opened a hotspot is emerging in the area which did not previously exist. This is further evidenced when the top 10 streets for Night Time Economy related incidents are compared pre and post opening of the premises at page 3. Havelock Square is now location number four for NTE related incidents that have occurred in the location since the 1st August 2013. In the period of the 1st April 2013 to 31st July 2013 Havelock Square was in 15th place for the number of NTE related incidents occurring in the location.
14. The analyst carrying out the research does highlight that 4 months is a short period for the real impact of the premises to be known in terms of statistics however it is clear that the premises has caused crime and disorder since they have opened due to the incidents that are included in the additional information pages 4-105.
15. A policing operation was specifically organised for the premises opening night on the 1st August 2013 due to the numbers expected to visit the premises. The early part of the evening began well with few incidents at the premises and any issues were raised immediately with the DPS.
16. I made a licensing check at 02.20hours before I was due to go off duty. It was clear on arrival that a disorder had occurred as people were shouting and tensions were running high. I remained in the area and observed a number of groups and watched as a female in one of these groups throw a barrier towards the doorstaff. At this point I was told by door staff that a family who had had use of the private

room all evening had left approximately an hour before but had remained in the area arguing. It was clear that there were a number of drunk people still arguing which is when a male punched another male to the head causing him to make contact with a bollard outside of the premises. I radioed for uniform police to attend the area as disorder had broken out following this assault. From this incident there were two arrests for drunk and disorderly although there clearly could have been more had there been more police officers available. Sergeant Anger was concerned for his staff's safety and removed the officers from the area as soon as he could due to the hostility from the crowd that had gathered. (additional information pages 4-6 and 28-38)

17. Over the course of the opening weekend a male was arrested for three separate assaults and describes himself as being very drunk and having spent the night drinking at the Brunel rooms. A male was also arrested for being drunk and disorderly. (additional information pages 39-46)
18. Since that weekend there have been regular reports of drunkenness and assaults relating to the premises. One such incident is a female who had called to report her phone stolen as she could not remember what had happened to it the night before as she could not remember much after she got to the Brunel Rooms. Once officers have investigated this incident it transpired that she matched the description of a female we received a call about at 00.25 hours of a female lying in Commercial Road on her own that was intoxicated which caused a concerned member of the public to call in and report it. It is unclear if she had consumed alcohol at the premises but she states that she had been at the premises and clearly would have been identified as being drunk and should have been refused entry. (Additional Pages 48-51)

19. The premises also held an after party on the 24th September 2013 which was the night of the Swindon Town v Chelsea football game. Most people seemed to have left the premises by 0200hours however a log was received from Brunel Security at 03.57hours that a fight was occurring on the ramp from the upstairs of the premises that leads to Commercial Road. A call was then received by a male who stated he had been beaten up and his money taken. The officer that attended sent an email that night explaining the log and that the fight had started inside the venue and was pushed out of the premises. PC Hastings also stated that all the people involved were heavily intoxicated. (Additional information Pages 66-70)
20. I reviewed the CCTV later that day which was supplied by the DPS of the premises who was surprised to hear that people had still been in the premises at that time of the morning. The CCTV shows a disorder occurring inside and the assistant manager, Jason Ranford pushing parties out to the smoking area and onto the ramp and closing the doors behind him.
- Despite it being a private party it should not be for the police to deal with the fallout of people attending the party becoming far too drunk and ending up fighting.
21. The most recent violent incident that has led Wiltshire Police to instigate the review application occurred on the 03/11/13 at 0300hours. That night an act named Wiley was due to attend the premises but he failed to do so causing a number of unhappy customers at the premises. The premises does not appear to have a contingency plan of how to respond when an act fails to appear causing customers to react in a hostile manner.
22. Officers attended the premises at 0303hours to find a male had been 'bottled' in the

VIP area causing injury and that the atmosphere was heated and hostile. All units were requested to attend the premises at this point to ensure order was kept in the area and so that they could assist door staff in dealing with the customers. This meant that all available officers within Swindon at that time were sent to this area in order to deal with the situation at this one licensed premise.

23. One male was initially arrested for being drunk and disorderly and became violent upon arrest, assaulting officers. This male caused one officer to sustain a fractured hand and another officer to have a bruised finger. Police officers had to use batons, incapacitant spray and force to gain control of this male. He was later arrested for assaulting a police officer and this is currently being investigated by CID.
24. Police Sergeant ("PS") Spargo describes in her statement the incident at the premises. PS Spargo describes how she did not get a chance to caution the male on arrest due to the male violently struggling against her and PC Winter. PS Spargo also mentions the fact that in thirteen years of policing she has never and to use her ASP baton against someone. The Additional information pages 89-105.
25. On that evening a second male was also arrested for being drunk and disorderly as he was refusing to listen to officer's directions and trying to become involved in the incidents officers were dealing with. Upon speaking to the Police Officers that were in attendance on this evening they would have made many more arrests if their capacity had allowed it.
26. After investigating the incident from the 3rd November 2013 it became apparent that it was not just crime and disorder occurring at the premises but conditions was also breached at the premises. A photograph was seen on the premises

facebook site of individuals in the main room of the premises holding champagne bottles. There is a specific condition on the licence preventing glass being used anywhere in the premises except from the VIP lounge. This condition has been breached and is made worse by the fact that the head doorman can also be seen in the picture behind the males with the glass bottles. Due to this breach and the bottling of a male inside the premises the DPS was asked to stop the service of glass in all areas of the premises to ensure that the public safety objective was met at the premises. This was agreed in the meeting that was held with the DPS on the 6th November 2013.

27. A further breach of licence has also been identified at the premises as it has been known that Jason Ranford whilst positioned on the entrance of the premises has allowed access after the last entry time to his friends and acquaintances. Several of these males are known to be banned on pubwatch but had been granted access to the premises anyway. This information was provided by way of an intelligence report submitted following a report of a disorder at Regent Circus. Additional information pages 52-54. This was highlighted at a meeting with Jason Ranford on the 11th December 2013 when he stated that he had previously allowed this to happen but stated that he would not do this again by not being present on the entrance to the premises.
28. At the original hearing for the application of the premises licence for the Brunel Rooms I raised concerns about the ability of the Directors of the company and the management and in particular the suitability of Jason Ranford as a director and assistant manager of the premises. A number of incidents have occurred over the last 4 months that have involved the management at the premises and these are contained in the additional information pages 4-27.

29. The concerns regarding Jason Ranford came to the fore on the 4th October 2013. A male was arrested at the premises for being drunk and disorderly. Upon the males arrival at custody officers noted that the male had sustained an injury to his left cheek bone with some large swelling and he was taken to GWH. PC Shanklin attended Brunel Security control room to view the CCTV of the incident. PC Shanklin identified Jason Ranford stood at the entrance to the premises and saw the arrested male being ejected. The male was restrained on the floor by doorstaff when he was ejected and Ranford was seen to become involved. During the incident Jason Ranford punches the male to the face several times, possibly stamps on the males hand when he is on the floor and also knees the male in the face. Jason Ranford is not a licensed SIA door supervisor and there were sufficient numbers of door staff at the scene to deal with the male but Ranford became involved. Upon investigating this the next day the incident log recorded by the door staff does not reflect accurately what was seen on CCTV. Jason Ranford initially stated he was protecting himself in self defence from the drunk man however when he was appearing in court two days later he pleaded guilty to the assault and received a 4 week custodial sentence that was tagged onto the 20 week sentence for other offences. (additional information 24-25)
30. I was very concerned that this had taken place as I had met with the DPS that day on Thursday the 3rd October 2013 and in the meeting raised concerns about Jason Ranford being positioned on the entrance to premises. I was disappointed as my concerns had not been listened to and a member of public had come to harm due to a member of management at the premises.
31. Shortly after this incident a meeting was arranged on the 7th October 2013 with the DPS Nathan Hatter, and the 2 owners Helene Simpkins and Paula Harris.

Wiltshire Polices concerns regarding the involvement of Jason Ranford with the business were discussed in detail. They were asked to consider the extent of Jason Ranford's involvement at the premises as they stated he was not anything formally to do with the business. They were also informed that Wiltshire Police believe that the premises cannot achieve the licensing objectives with this individual being involved in the running of the business and that there is always going to be a risk to the public and their customers should he be involved in the operational running of the premises.

32. During this meeting with the DPS and owners they stated that when Jason Ranford is drinking he does things that he should not and that they had previously asked the security not to let Jason in when he had been drinking. Doorstaff have since told me that they found it difficult with Jason Ranford being present on the door as he would pull rank over them and state that it was his business and they should do as he says. Concerns regarding Jason Ranford's presence on the door were discussed several times at meetings with the DPS. From the outside it seems very much like Jason Ranford did and does whatever he felt like and that nobody could stop that whether it put the public at risk or not.
33. This meeting concluded with Inspector Burt and I asking the three to go away and think about what was discussed and to let us know what the decision regarding Jason Ranford's involvement at the premises would be. This meetings note are detailed at page 117-118.
34. Shortly after this meeting an article appeared in the Swindon Advertiser quoting a statement on the premises face book page "...Mr Jason Ranford will have no future involvement with the operation of the Brunel Rooms..." Additional information page 123.

35. On the 6th November I met with Nathan Hatter the DPS and informed him of the decision to make an application for review of the premises licence due to the crime and disorder and concerns that Wiltshire Police have regarding the premises. Before this meeting Wiltshire Police had heard nothing from the owners of the business following the meeting in October. On the 8th November Nathan Hatter sent on an email advising on some changes at the premises and that Helene and Paula would forward on details of Jason Ranford's removal from the company as soon as the paperwork is done. Additional information page121
36. As of 12th December 2013 no paperwork has been forwarded to Wiltshire Police. A meeting took place with Jason Ranford and I on the 11th December 2013 following his release from prison where he advised me that he would still be working at the premises as he was part of the business. I expressed my concern at this and that Wiltshire Police are concerned for the public's safety at the premises whilst he is working there. It would appear that anything that had been stated previously by the directors was untrue and that Jason Ranford is very much involved in the running of the premises.
37. It is not only Jason Ranford that has come to police attention. The promotions manager Aaron Woolford received a Fixed Penalty Notice for urinating in the street on the 3rd November 2013. He informed officers at the time that he works "... for the Brunel Rooms, I can do what I fucking want". Mr Woolford received an automatic 3 month pubwatch ban for this offence as it was committed in the night time economy. Additional information 26-27.
38. It has also come to my attention that the premises have been using a former DPS

of Longs Bar as a consultant. The DPS was removed by the licensing committee at the review of Longs Bar in October 2013 due to evidence of poor management and lack of confidence in the DPS that he would be able to prevent future failures of the licensing objectives.

39. The addition of this consultant at the Brunel Rooms together with the other management failures mentioned above highlight the lack of ability at the premises to ensure the licensing objectives are upheld.
40. Since the premises opened in August 2013 I have regularly engaged with the premises management in an effort to reduce the levels of crime and disorder associated with the premises and reduce the risk of harm to those frequenting and leaving the premises who are intoxicated. These meeting notes and emails are contained within the additional information at pages 107-121.
41. Wiltshire Police believe that the premises have not only breached licence conditions but have also increased crime and disorder in Swindon Town Centre which is evidenced by the levels of drunkenness and incidents contained within the additional information. There has been disregard by the premises management and owners for public safety and they have been in part to blame for members of the public and police officers becoming victims of crime resulting in physical injury. Although efforts to control this premises through conditioning the licence has been tried it has had little effect and no ability to control the owners and management of premises to ensure they uphold the licensing objectives. In fact the owners of the premises have shown complete disregard for the licensing objectives.
42. Wiltshire Police feel that they have been left with no option other than to request

the licensing committee consider revocation of the premises licence in order to protect the public and prevent further crime and disorder at the premises.

43. Should the committee consider revocation inappropriate then Wiltshire Police would ask that a period of suspension to the premises licence be made to allow the premises to reorganise their management structure and for the management team to undertake a qualification that will provide them with knowledge and understanding in relation to their duties as operators of a licensed premise. As well as a period of suspension the committee are asked for further conditions be imposed onto the premises licence – 1) To prevent Jason Ranford from being present and having an operational role at the premises when it is open to members of the public and 2) that only polycarbonate/plastic receptacles be used throughout the entire premises.

Additional information

The additional information pack referred to in this statement consists of -

Page 1 - Chart 1 of incidents in the night time economy.

Page 2 - Hot Spot Mapping of Swindon Town Centre

Page 3 - Havelock Square Incidents

Page 4-27 - Management and Staffing issues/incidents at the premises

Page 28-105 - Incidents and Evidence of Crime and Disorder at the premises

Page 106 - Face book photo

Page 107 – 121 - Meeting emails and correspondence.

Page 123-124 – Swindon Advertiser Article

Statement of truth

The facts stated in this witness statement are true to the best of my knowledge and belief.

Signed:.....

SIAN KALYNKA

Dated..13th December 2013.....

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Wiltshire Police's concerns regarding the involvement of Jason Ranford with the business were discussed in detail. They were asked to consider the extent of Jason Ranford's involvement at the premises as they stated he was not anything formally to do with the business. They were also informed that Wiltshire Police believe that the premises cannot achieve the licensing objectives with this individual being involved in the running of the business and that there is always going to be a risk to the public and their customers should he be involved in the operational running of the premises.

32. During this meeting with the DPS and owners they stated that when Jason Ranford is drinking he does things that he should not and that they had previously asked the security not to let Jason in when he had been drinking. Doorstaff have since told me that they found it difficult with Jason Ranford being present on the door as he would pull rank over them and state that it was his business and they should do as he says. Concerns regarding Jason Ranford's presence on the door were discussed several times at meetings with the DPS. From the outside it seems very much like Jason Ranford did and does whatever he felt like and that nobody could stop that whether it put the public at risk or not.
33. This meeting concluded with Inspector Burt and I asking the three to go away and think about what was discussed and to let us know what the decision regarding Jason Ranford's involvement at the premises would be. This meeting's notes are detailed at page 117-118.
34. Shortly after this meeting an article appeared in the Swindon Advertiser quoting a statement on the premises Facebook page "...Mr Jason Ranford will have no future involvement with the operation of the Brunel Rooms..." Additional information page 123.

35. On the 6th November I met with Nathan Hatter the DPS and informed him of the decision to make an application for review of the premises licence due to the crime and disorder and concerns that Wiltshire Police have regarding the premises. Before this meeting Wiltshire Police had heard nothing from the owners of the business following the meeting in October. On the 8th November Nathan Hatter sent on an email advising on some changes at the premises and that Helene and Paula would forward on details of Jason Ranford's removal from the company as soon as the paperwork is done. Additional information page121
36. As of 12th December 2013 no paperwork has been forwarded to Wiltshire Police. A meeting took place with Jason Ranford and I on the 11th December 2013 following his release from prison where he advised me that he would still be working at the premises as he was part of the business. I expressed my concern at this and that Wiltshire Police are concerned for the public's safety at the premises whilst he is working there. It would appear that anything that had been stated previously by the directors was untrue and that Jason Ranford is very much involved in the running of the premises.
37. It is not only Jason Ranford that has come to police attention. The promotions manager Aaron Woolford received a Fixed Penalty Notice for urinating in the street on the 3rd November 2013. He informed officers at the time that he works "... for the Brunel Rooms, I can do what I fucking want". Mr Woolford received an automatic 3 month pubwatch ban for this offence as it was committed in the night time economy. Additional information 26-27.
38. It has also come to my attention that the premises have been using a former DPS

of Longs Bar as a consultant. The DPS was removed by the licensing committee at the review of Longs Bar in October 2013 due to evidence of poor management and lack of confidence in the DPS that he would be able to prevent future failures of the licensing objectives.

39. The addition of this consultant at the Brunel Rooms together with the other management failures mentioned above highlight the lack of ability at the premises to ensure the licensing objectives are upheld.
40. Since the premises opened in August 2013 I have regularly engaged with the premises management in an effort to reduce the levels of crime and disorder associated with the premises and reduce the risk of harm to those frequenting and leaving the premises who are intoxicated. These meeting notes and emails are contained within the additional information at pages 107-121.
41. Wiltshire Police believe that the premises have not only breached licence conditions but have also increased crime and disorder in Swindon Town Centre which is evidenced by the levels of drunkenness and incidents contained within the additional information. There has been disregard by the premises management and owners for public safety and they have been in part to blame for members of the public and police officers becoming victims of crime resulting in physical injury. Although efforts to control this premises through conditioning the licence has been tried it has had little effect and no ability to control the owners and management of premises to ensure they uphold the licensing objectives. In fact the owners of the premises have shown complete disregard for the licensing objectives.
42. Wiltshire Police feel that they have been left with no option other than to request

the licensing committee consider revocation of the premises licence in order to protect the public and prevent further crime and disorder at the premises.

43. Should the committee consider revocation inappropriate then Wiltshire Police would ask that a period of suspension to the premises licence be made to allow the premises to reorganise their management structure and for the management team to undertake a qualification that will provide them with knowledge and understanding in relation to their duties as operators of a licensed premise. As well as a period of suspension the committee are asked for further conditions be imposed onto the premises licence – 1) To prevent Jason Ranford from being present and having an operational role at the premises when it is open to members of the public and 2) that only polycarbonate/plastic receptacles be used throughout the entire premises.

Additional information

The additional information pack referred to in this statement consists of -

Page 1 - Chart 1 of incidents in the night time economy.

Page 2 - Hot Spot Mapping of Swindon Town Centre

Page 3 - Havelock Square Incidents

Page 4-27 - Management and Staffing issues/incidents at the premises

Page 28-105 - Incidents and Evidence of Crime and Disorder at the premises

Page 106 - Face book photo

Page 107 – 121 - Meeting emails and correspondence.

Page 123-124 – Swindon Advertiser Article

Statement of truth

The facts stated in this witness statement are true to the best of my knowledge and belief.

Signed:  6154

SIAN KALYNKA

Dated..13th December 2013.....