

**IN THE MATTER OF AN APPLICATION TO VARY THE PREMISES LICENCE
OF PUNJAB CHICKEN, 61 BRIDGE STREET, SWINDON, SN1 1BT.**

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.
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. An application to vary the premises licence for Punjab Chicken, Bridge Street was received by Wiltshire Police on the 13th February 2014. The variation application proposed an extension in the hours of late night refreshment to 0400hours on Thurs-Sat which the premises is currently licensed until 0300hours.
5. Following consultation with the local Neighbourhood Policing Team and taking into consideration the area in which the premise is situated. Wiltshire Police have objected to the variation on the grounds that it will have a negative impact on the four licensing objectives in an area which has high levels of alcohol related disorder. In the last 8 weeks the policing levels have had to be increased with an aim of reducing the level of crime and disorder in this area that is linked to licensed premises.
6. The premise was granted a licence on 12th July 2013. The original application requested licensable activity until 0400hours. Prior to this licence application the premises had been trading illegally for many years. The applicant and I agreed that 0300hours would be an acceptable closing time for the premises that is situated in the middle of the night time economy (NTE) area. The applicant also accepted that 3 additional conditions be placed onto the licence as follows:
 - a) A minimum of 1 door supervisor shall be deployed at the premises on Friday and Saturday from 2300 hours until close of the premises and on a risk

assessed basis at any other time. A record of the name, badge number and contact details of each door supervisor should be recorded in a register at the start of each shift. The register shall be retained on the premises and made available for inspection by a police constable or authorised officer on request.

b) CCTV Equipment which is fit for purpose and which covers the entrance to the premises and all trading areas shall be provided and maintained in working condition and operational at all times that the premises are open for business. All recordings shall be retained for a minimum of 28 days and shall be provided to police constable or authorised officer on request. There shall be a person on the premises who is able to download CCTV footage at all times that the premise is trading. Notices shall be prominently displayed in the premises to advise customers that CCTV is in operation.

c) To prevent incidents of crime and disorder, the operator of the premises and their staff shall participate in the local night safe radio scheme.

7. Following the grant of the premises licence in July I was working late on the 8th September 2013. At 0319hours I witnessed the shop to be full of customers and staff were still serving food after their licensed hour. I spoke to the premises licence holder Mr Singh on the 12/09/13 regarding the selling of food after his licensable hours and that this was his only warning. I made it very clear that should this be witnessed again he would be reported for the offence. Since that occasion Police officers on the duty have been made aware of the correct closing hour for Punjab Chicken.

8. Following the conversation with Mr Singh a licence application to vary the premises licence was received on the 16th September 2013. The applicant had

previously been told of the problems Wiltshire Police face in the NTE and little had changed in those few months. In fact the anti social behaviour and crime in the town centre had risen dramatically and the licensing committee at that time agreed that the levels of crime and disorder were such that an increase in this premises hours would have an impact on the crime and disorder in the area and refused to grant additional hours at the peak times of Thurs-Sat. Our concerns then were the location of the premises and the current levels of crime in the area and these concerns still remain the same now.

9. It would appear that Mr Singh did not take any notice regarding the fact that he would be reported for any offences committed after he was warned in September 2013. On Saturday 15th March 2014 I was working in Swindon Town Centre and was informed by a Police Officer at 03.23hours that the premise was still open. I approached the premises which had a number of customers inside who were queuing for food. As I entered I was approached by the doorman at the premises who said they were closed and people were just eating their food which I could clearly see was not the case. I also asked to check the CCTV at the premises 30 minutes prior to me entering the premises and was shown the system at the premises but was told no one could operate it at that time. This is also a breach of licence condition 5 which states there shall be someone on the premises that can download CCTV footage at all times the premises is trading. A follow up visit was made the following day and the premises were still unable to turn off the CCTV footage.

10. As a result PC 1630 DIFFIN made contact with the premises licence holder Mr Chabbi SINGH. Mr SINGH admitted that they had been open and trading past

their licensable hour and PC DIFFIN arranged to caution him for the offence of carrying out unauthorised licensable activity. This highlights the premises lack of regard for the law as they are fully aware of their licensing hours and even more so since they have made this third application to vary their licensable hours.

11. The issues around the late night refreshment premises often arise following the closures of the on licensed premises and the late night refreshment venues draw crowds to stay in the town centre rather than to disperse. I have witnessed on several occasions during the course of my late night duties, incidents occurring that stem from a late night refreshment premises caused by intoxicated persons that have failed to disperse.
12. This problem is acknowledged in Swindon Borough Councils Licensing Statement at page 13 point 5 “The operation of premises close to pubs and night clubs is known to impede dispersal and in many cases generates local crowding, increasing the risk of violent exchanges. When representations have been made that a significant crime and disorder risk and practical policing difficulty would be likely to arise if a premises licence permitted such trading, the Licensing Committee will consider placing restrictions on the licence, limiting where trading can take place...” This was recognised several years ago when the late night mobile food traders were removed from the town centre due to disorder around the outlets and clashes between groups. Unfortunately we are now seeing the same problems occurring outside late night refreshment premises.
13. The NTE has become a policing priority for Swindon since November 2013 and hotspot map analysis over a 4 month period has been produced to identify the

priority crimes linked to the NTE. The analysis highlights two distinct areas where the offences of NTE crimes are committed. Page 2 clearly shows that the crimes are predominantly committed in Bridge Street, John Street, Fleet Street areas and this is the location of Punjab Chicken. Please see attached additional information.

14. Further analysis carried out at the end of 2013 indicates that the levels of incidents are greatest within the town centre around midnight when drinkers tend to move venues and again from 0300hours onwards as the licensed premises close and there are a number of people on the street. This analysis also supports the locations where the majority of the incidents take places are in close proximity to licensed premises.
15. There are already four late night refreshment premises within the area of Fleet Street and Bridge Street. One premise is licensed until 0200hours, one until 0430hours and the other two premises until 0500hours. However the two premises that are licensed without restriction generally close earlier between 0330hours and 0430hours. If another late night premises remains opens until the very early hours on Friday and Saturdays nights there is a concern that by saturating these two streets of Swindon it will act as a migration point for customers from the nightclubs to remain in the area and also from out of town.
16. The applicants premise attracts a young clientele in the early hours of the morning that have been drinking in the NTE of the town centre. The majority of these customers go out with the intention of getting drunk and dealing with drunk customers can be difficult. I would like the licensing committee to consider the customer base when coming to their decision taking into account their licensing

statement "...will pay particular attention to considering who the likely customers will be, what they will do while they are on the premises and what they are likely to do when they leave. The impact of premises where most of the clientele are young and where customers spend their time standing up in large crowds will be quite different from premises of the same size, where most of the customers are of mature years and are sat down. These differences may be even greater, where premises of the first kind are clustered together."

17. The addition of a fifth late night refreshment premises open past 0300hours at this moment in time would not help reduce crime and disorder in the town centre and in turn it would be difficult for the premises licence holder to achieve the licensing objectives of preventing crime and disorder.
18. Wiltshire Police are asking the licensing committee to consider the impact extending a late night refreshment premises hours will have on crime and disorder and how it will further impede the dispersal of customers away from the NTE. We also ask that the licensing committee do not reward blatant breaches of licensing legislation and conditions by granting longer licensing hours that the applicant is also likely to breach.

Additional information

- a) Police objection letter 13th February 2014
- b) Statement of Sian KALYNKA
- c) Statement of PS MCLAUGHLIN
- d) NTE Priority Crime Analysis November 2013 – February 2014.
- e) Street Location Analysis December 2013

Statement of Truth

I confirm that the contents of this statement are true to the best of my knowledge and belief.

Signed..........

SIAN KALYNKA

Dated.....28/3/14.....



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Date 13th February 2014

Dear Mr Singh,

APPLICATION TO VARY A PREMISES LICENCE FOR 61 BRIDGE STREET, SWINDON

Thank you for your application to vary a premises licence which was received on the 13th February 2013.

A premises licence was granted in June 2013 and we agreed a closing time for your premises of 0300hours along with some conditions. In September you then applied for a variation to extend your hours to 0400hours after you were witnessed breaching your permitted hours. That variation was objected to on the grounds of crime and disorder and this current variation is going to have to have the same response as those other applications you have made.

Wiltshire Police still have a number of concerns around late night refreshment premises remaining open late within the town centre and this remains the same since your first application. We deal on a weekly basis with the fallout from late night refreshment premises and this is due to the town centre area you operate in. The level of alcohol related crime has again recently risen and we are trying to reduce the levels of public space violence that is occurring. This cannot be achieved by allowing your premises to remain open later within this area.

Due to the current issues experienced in Swindon Town Centre Wiltshire Police make representations against this variation. The licensing objective of the prevention of crime and disorder will not be achieved by extending the closing time of your premises to 0400hours.

If you have any queries regarding the above please do not hesitate to contact me on 01793 507874. I will also send a copy of this letter to the Licensing officer at Swindon Borough Council.

Yours sincerely,

Siân Kalyinka
Police Licensing Officer



**In the matter of an application for variation of a Premises Licence for Punjab Chicken,
Bridge Street, Swindon**

Statement of Graham Edward MCLAUGHLIN

I, **Graham Edward MCLAUGHLIN**, Police Sergeant 2255, Divisional Police Headquarters, Gablecross Police Station, Swindon, Wiltshire SN3 4RB will state as follows:

Introduction

1. I am Police Sergeant 2255 Graham MCLAUGHLIN of Wiltshire Police. I am a supervisor on the Swindon Town Centre Neighbourhood Policing Team. I have been in post since November 2012. Amongst other duties my role includes the tactical management of policing within Swindon Town Centre's night time economy. I make this statement on behalf of Wiltshire Police.
2. I am aware of the detail contained within the statement provided by the Divisional Licensing Officer Sian KALYNKA in relation to this matter and where technically able I am in agreement with the information supplied and support the conclusions she makes.
3. Within my role I liaise with licensed premises within the FLEET STREET area as part of the areas Pubwatch scheme, I regularly participate in the overt policing of the area and have line management of the areas Night Time Economy Manager PC Michael DIFFIN.
4. The FLEET STREET, BRIDGE STREET and JOHNS STREET area (herein referred to as New Town) is already heavily populated with pubs, clubs and other

licensed venues. The result is a large number of people in a small area at anyone time and that a significant proportion of these will be intoxicated. This leads to an increase in crime and disorder, particularly violent crime as those intoxicated persons are both more likely to commit offences and become victims.

5. As a result on a Friday and Saturday night Wiltshire Police operate a specific night time economy operation within the New Town and Old Town areas of Swindon. This operation is from 2000-0600hrs every Friday/ Saturday evening as well as specific dates when intelligence leads the Police to believe there will be a significant increase in numbers attending the area or risk to those attending. The operation consists of a minimum one Police Sergeant and eight Constables, but can rise at time to an Inspector, Two Police Sergeants and twelve Constables, as well as specialist resources such as drugs dogs, plain clothes officers and assistance from the Special Constabulary.
6. These resources are drawn from other policing teams such as response and neighbourhood policing diverting officer attention from other areas of the Town and placing a burden on those left to continue policing other areas.
7. The aim of the NTE policing operation is to proactively police the Town Centre, Old Town and Red Route areas of Swindon in order to:
 - a. Prevent and detect incidents of Disorder
 - b. Prevent and detect incidents of Criminal Damage
 - c. Prevent and detect incidents of VAP
 - d. Gather intelligence in relation to Licensing Act offences.
 - e. To provide a visible presence to increase Public Safety and Confidence.
 - f. To support the Door staff and licensee's.

8. These objectives are achieved by conducting checks with venues and their staff at an early stage for any issues or concerns, actively patrolling the area on foot in pairs, conducting vehicle and foot patrols of routes used by those entering and leaving the NTE (herein known as Red Routes) and liaising with/ responding to calls for assistance from venues via the NightSafe radio scheme.
9. As stated by Miss KALYNKA and evidenced in the statistics she provides the majority of offences occur between 0100hours and 0300hours on the Friday and Saturday night time economy. These are the periods when the majority of venues are closing and people in the area are at their most intoxicated, thus there is a sudden influx of potential offenders and victims onto the street. As such a major consideration of the officers during this time is actively dispersing groups and individuals from the area. This is done with the assistance of door staff and Street Pastors, identifying vulnerable people and getting them into taxis/ ensuring they are with friends, proactively encouraging large groups to move on or dispersing them under section 30 Anti Social behaviour Act 2003 and where individuals are identified as a potential problem directing them to leave the area under section 27 Violent Crime Reduction Act 2006.
10. Recent operations have seen a need to continue the deployment of officers beyond 0400hours when they might normally have left the area and be conducting patrols along routes that members of the public might use to travel home. Though the last venue in the NEW TOWN area closes at 0400hours (with some variations) we continue to see numbers of people remaining in the area to attend late night refreshment venues such as takeaway food outlets on John Street and Fleet Street. These groups are at risk of becoming victims of crime due to their vulnerability from intoxication but also more likely to be involved in incidents of violence or

disorder. With the majority of venues closed and taxis widely available nearby it is the case that the majority only remain in the area to get food. Otherwise they would disperse from the area and therefore be less likely to become victims or perpetrators of crime. Other areas which have restricted or removed late night refreshment venues from their primary night time economy areas (e.g. Brighton, Sussex) have seen a corresponding reduction in crime and disorder.

Specific Concerns/ Objections:

11. The area of New Town all ready has a number of late night refreshment venues. This places a significant burden on policing. An additional venue would further add to these issues. Specifically given the late closing proposed by the applicant it would prolong the issues later into the night.
12. The location of the proposed venue is on a main thoroughfare in and out of the night time economy area. It would if an extension to the license were granted as per the application remain open later than the majority of venues within the night time economy. Thus those leaving the area would be encouraged to remain, when they might other wise have been on their way out of the area. With the aforementioned issues regarding dispersal of groups and individuals this presents a risk of increased crime and disorder.

Additional information

Statement of truth

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

Signed:.....

Graham Edward MCLAUGHLIN

Graham Edward MCLAUGHLIN

Dated.....

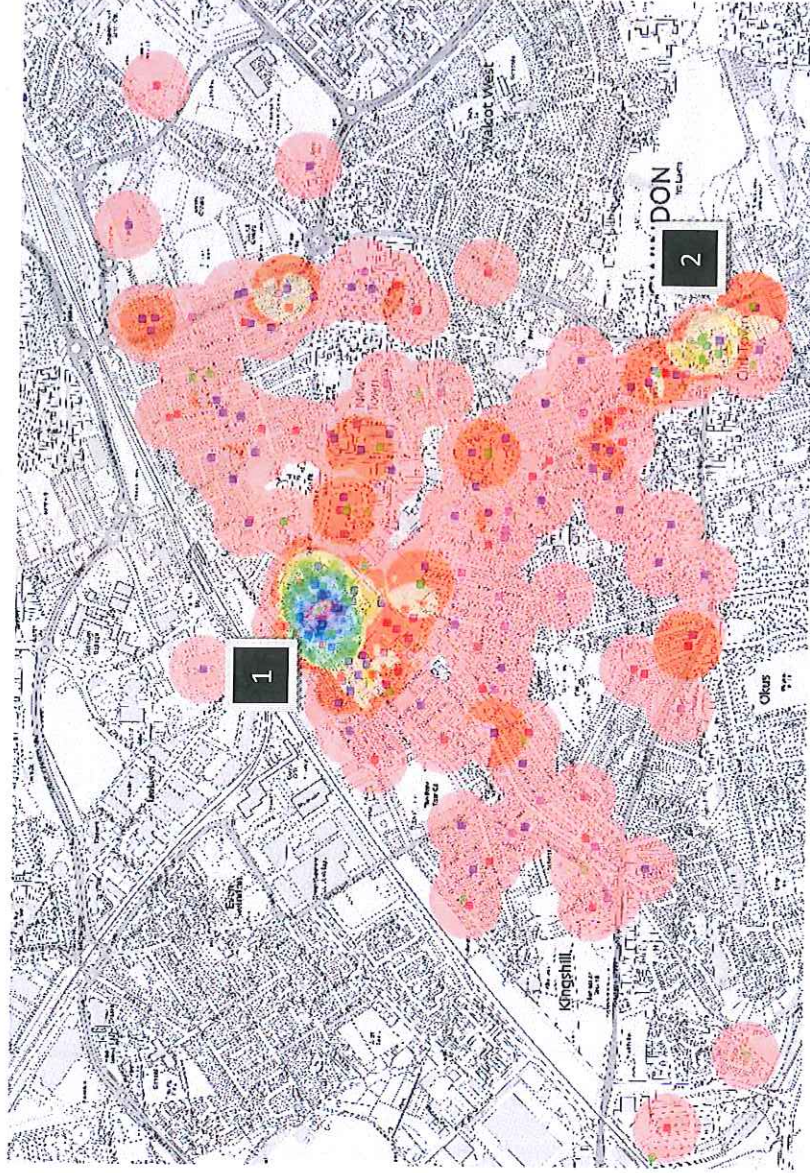
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Night time economy – Thursday to Sunday between 2100 and 0600.

Priority crimes – ASB, Criminal Damage, Theft and Violent Crime.

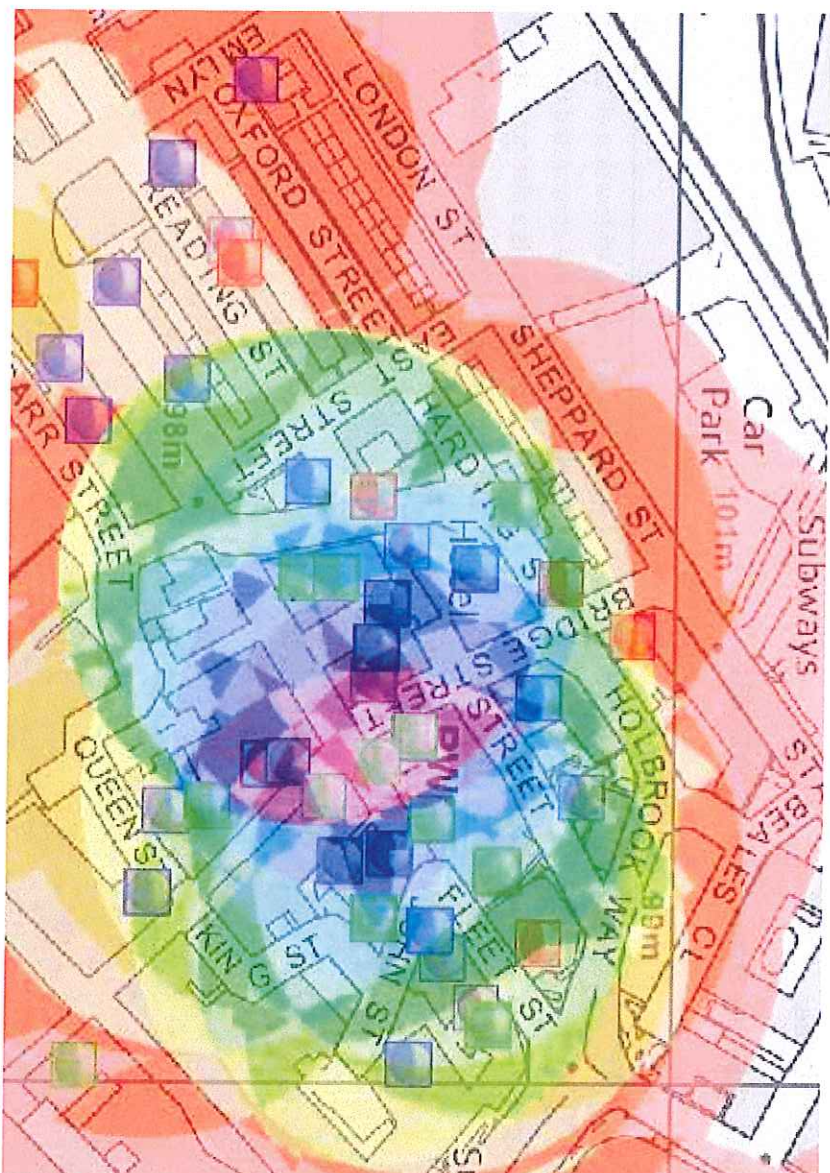
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All NTE Priority Crimes



When taking into consideration all of the priority crime types which are committed during the night time economy, there is a distinct hotspot (1) and a lesser hotspot (2). The maps below show these in more detail.

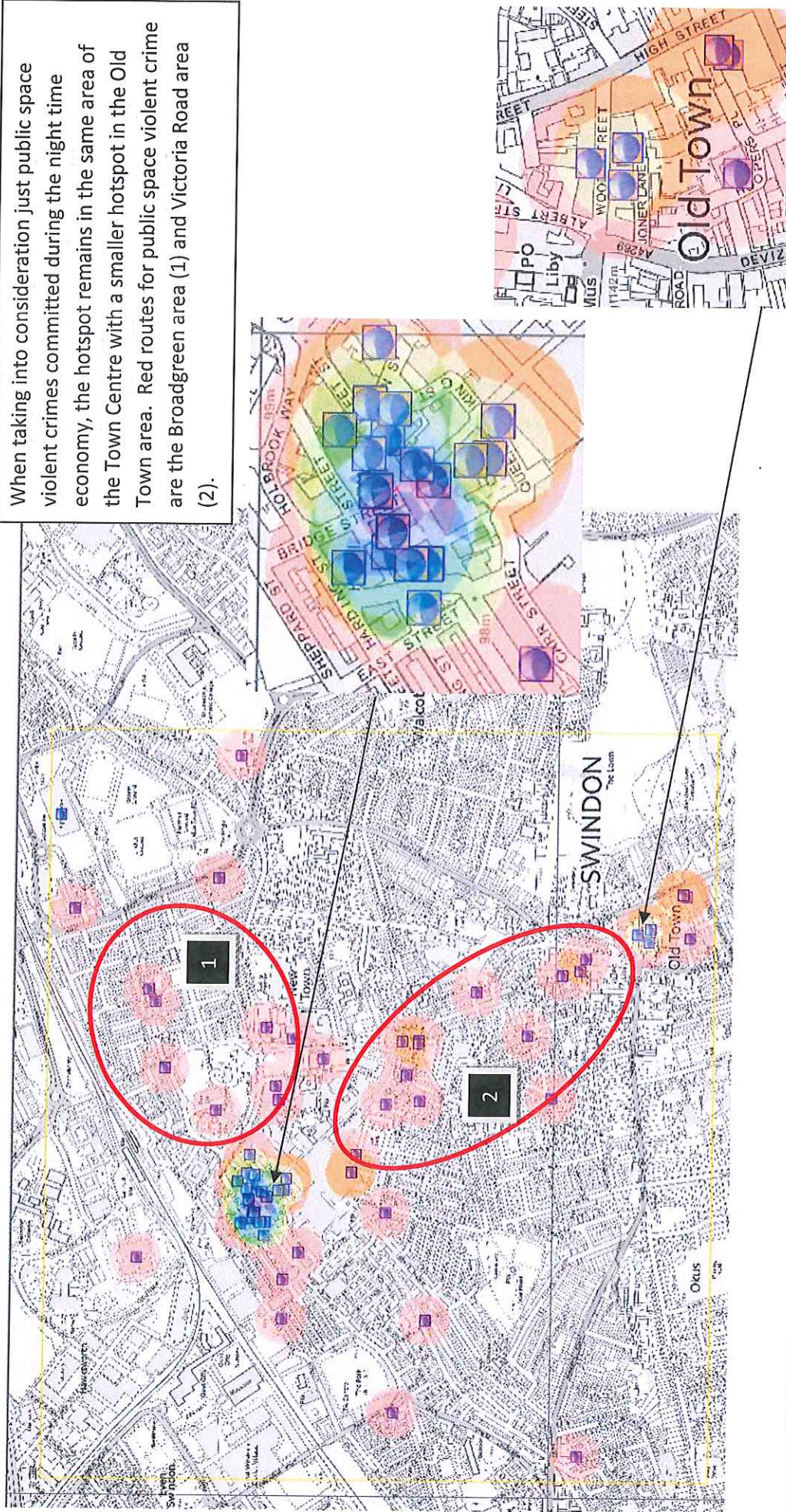
Hotspot 1



It is clear that all priority night time economy crimes are predominantly committed in the Bridge Street, John Street, Fleet Street areas which reflects the location of the majority of pubs and clubs in Swindon Town Centre.

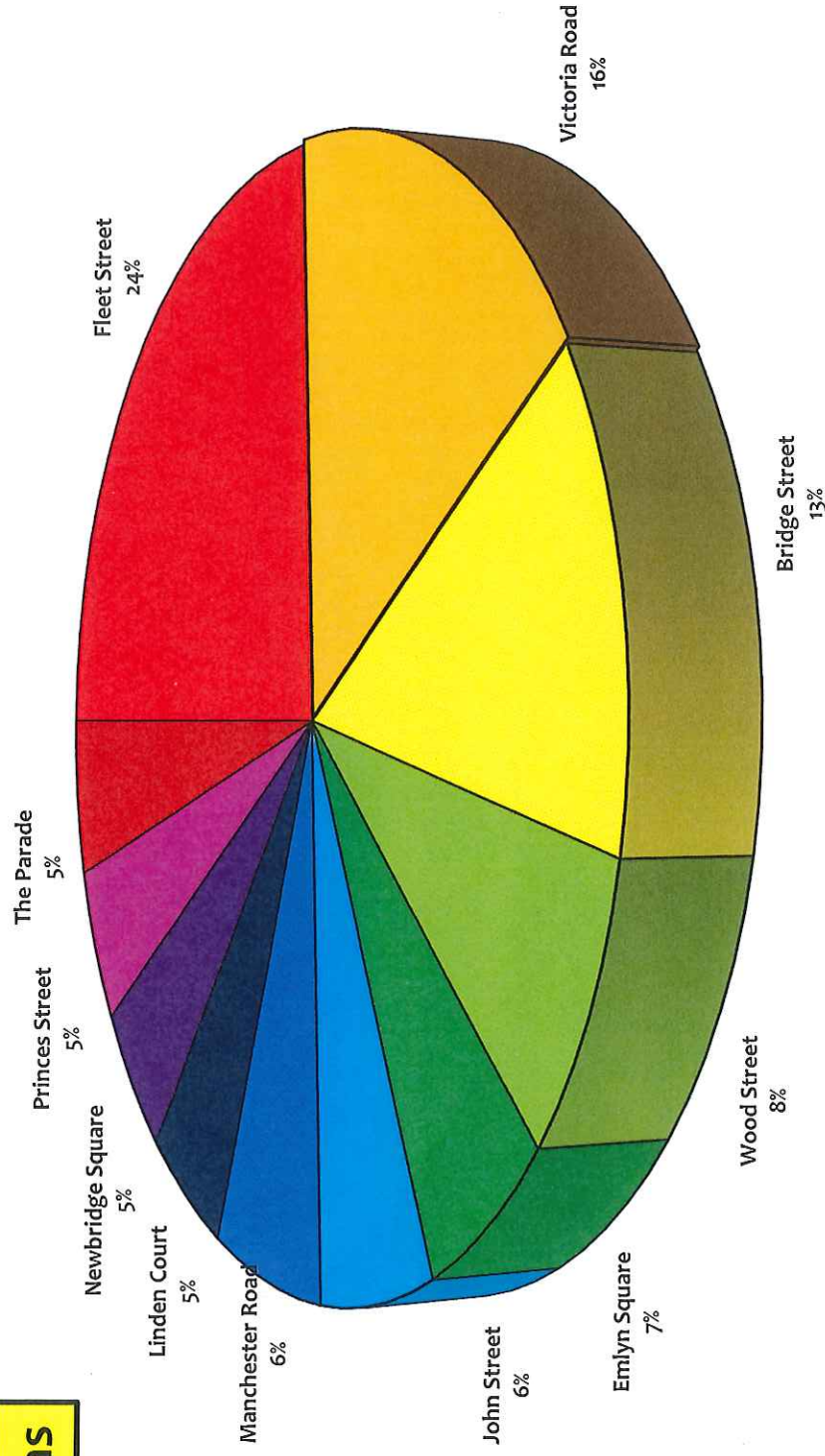
Violent Crime

The map below shows hotspots of public space Violent Crimes committed during the night time economy:



For ASB and Criminal Damage offences, Fleet Street and Clifton Street are the top locations for Criminal Damage and ASB incidents during the night time economy, no particular premises stands-out, more offences are committed on the street. Clifton Street is high because of a one night hit of Criminal Damage offences which has distorted the offence levels in this area, therefore, Fleet Street is the hotspot for ASB and Criminal Damage incidents.

Row Labels	Count of Premises
FLEET STREET	14
CLIFTON STREET	8

Street Locations

A breakdown of occurrences by the street on which they occurred during the data period for those streets on which 3 or more incidents took place indicates that the majority of NTE related disorder is taking place in close proximity to licensed premises. Many of these relate to persons being ejected from or refused entry to bars and clubs, as well as persons refusing to leave the area when requested to by officers. Street disorder is seen to be greatest around midnight when drinkers move from pubs/bars to night clubs, and then again from 03.00hrs onwards as the nightclubs close due to the volume of people on the street, a significant proportion of whom are under the influence of alcohol.

**RESTRICTED**

Criminal Intelligence Analyst Nic CRANE 7613

