

RESTRICTED (when complete)**WITNESS STATEMENT**

(Criminal Justice Act 1967, s9; Magistrates' Courts Act 1980, s5B; Criminal Procedure Rules, r 27.2)

URN

Statement of: Police staff 6454 SIAN KALYNKAAge over 18: 'O' 18 (if over 18 insert 'over 18') Occupation: Police service civilian employee

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

Signature:



Date:

☐ X if witness evidence is visually recorded (Supply witness details on rear)

I am a Police Licensing Officer for Wiltshire Police and I cover the Swindon Area of Wiltshire. One of my roles is to monitor licensed premises for compliance of the four licensing objectives of the Licensing Act 2003 and to ensure they are operating in line with their licence. All licensed premises have a duty to take steps to ensure they meet each of the four licensing objectives at all times. To make sure licensed premises comply with the Licensing Act and their premises licences I regularly patrol the Night Time Economy areas of Swindon.

On Saturday 15th March I was on duty in Swindon Town Centre. At approx 03.23 hours I was approached by PC 2451 SOWDEN in Fleet Street who stated that she thought the takeaway shop on Bridge Street was supposed to be closed at 0300hours.

I made my way to the premises Punjab Grilled Chicken, 61 Bridge Street and noticed that the OPEN shop lights around the front door had been turned off but the door was wide open and the premises had approx 8 people stood in front of the food counter who appeared to be queuing for food and a number of people sat down in chairs eating food from packaging I recognise as being sold from the premises.

As I entered the shop a male who I know to be the Door Supervisor at the premises approached me saying "They were closed and he was just letting people eat their food". I noticed that the staff behind the counter was serving people hot food to those that were stood in the queue. I stated that it was now 03.26hours and the premises should stop providing food at 0300hours as that is all they are currently licensed until and that they are currently committing an offence by continuing to operate.

Due to the Door Supervisors insistence that they weren't serving any more I asked to check the CCTV from 30mins prior to me entering the shop. The Door Supervisor took me through the kitchen area where I could see food being served, to the upstairs of the premises where the CCTV system was shown to me. I asked him to review the CCTV footage from 30 minutes ago particularly of Camera 1 which was focused on the serving area of the premises. Whilst looking at the screens I could see the premises had a number of customers within it and that staff were working and serving. At this point the door supervisor clicked the screen a few times and stated that he wasn't sure how to operate the CCTV and he wasn't sure if anyone could that evening. Due to this I requested a copy of the CCTV from camera 1 from 02.30hours to

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03.30hours be copied to disc to be collected the next day. I also said that someone would be in touch with the premises licence holder in the next few days.

I then made my way back down to the shop floor which was beginning to clear of customers and I asked the door supervisor to make sure the shop was empty and the premises closed up within the next few minutes. It was apparent that not only was the premises carrying out an unauthorised licensable activity but they were breaching a licence condition requiring the premises to have a person on the premises who is able to download CCTV footage at all times that the premises is trading.

Signature: _____



Sian Kalyuka

Date: 27/03/14


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(Criminal Justice Act 1967, s9; Magistrates' Courts Act 1980, s5B; Criminal Procedure Rules, r 27.2)

URN

Statement of: Constable 1630 MICHAEL SEAN DIFFINAge over 18: 'O' 18 (if over 18 insert 'over 18') Occupation: _____

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

Signature:  #1630 DIFFIN, M.Date: 21/03/2014 19:17☐ X if witness evidence is visually recorded (Supply witness details on rear)

On Tuesday 18 March 2014 at 1114hrs I spoke with Chhabbi SINGH born 7/3/77 the DPS of PUNJAB CHICKEN BRIDGE STREET.

I advised SINGH that I needed to view his CCTV re sales in the early hours of 16 March 2014.

At this SINGH said, "I'M NOT GOING TO LIE I HAD A NEW MANAGER AND HE SOLD AFTER HOURS IT WAS A MISTAKE I AM SORRY IT WONT HAPPEN AGAIN AND I FULLY ADMIT IT."

At this point I cautioned SINGH and said, "After what you have said, "I am reporting you for the offence of allowing activity outside of conditions of a premises license contrary to Section 136 of the Licensing Act 2003 in that on 16 march 2014 after 0300hrs did allow the sale of hot food at Punjab Chicken." Caution"

SINGH replied, "I UNDERSTAND WHAT HAPPENS NEXT."

Signature:  #1630 DIFFIN, M.Date: 21/03/2014 19:17**RESTRICTED** (when complete)

