

**Documentation to be relied upon by Wiltshire Police**

**Hearing Date 11<sup>th</sup> September 2014**

**For the Application for a premises licence 42 Manchester Road, Swindon.**

## INDEX

<b>CONTENT</b>	<b>PAGE</b>
1. Wiltshire Police Letter	3
2. Email response from CPL Training	5
3. Map of Manchester Road	6
4. Company Details	7
5. Swindon Advertiser Article	8
6. This is Wiltshire Article	10
7. Incident Logs for Manchester road from 16/03/14	12
8. Statement of PC Atkinson	15

Mr G Chipchase,  
CPL Training,  
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2 Tower Road,  
Birkenhead,

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Telephone: 101  
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DX: 132780

Date 01/08/2014

Your ref

Our ref 42 Manchester Road LA

Reply contact name is: Sian Kalyuka – Police Licensing Officer

Dear Mr Chipchase,

Application for a premises licence 42 Manchester Road, Swindon

Thank you for the above application received at this office on the 29<sup>th</sup> July 2014.

The application has been considered and the relevant Neighbourhood Policing Team has been consulted. I draw your attention to the following concerns:

The application is seeking a licence to supply alcohol for consumption off the premises between the hours of 10.00am and 01.00am 7 days a week.

The Neighbourhood Policing Team are working hard to tackle issues within this area and its immediate environs is well documented as being the regular haunt of problem drinkers, street sex workers and other anti-social elements associated with both forms of activity. It is felt that the granting of these hours for the sale of alcohol will only add to these problems. The area is currently covered by a s.30 Dispersal Order to assist in tackling the anti social behaviour issues experienced.

The area of Manchester Road is also saturated with 8 other off licence premises which all contribute to the issues described above in the area.

Wiltshire Police are concerned over the suitability of the premises licence holder. A search of the company applying for the premises licence shows a Mr Lavel King as Director who has relevant criminal convictions and a long offending history.

Wiltshire Police also understand that the DPS on the application has yet to receive her personal licence from Brent Council indicating that there is little to no experience

and understanding of licensing legislation and what is required to ensure compliance with the Licensing Act 2003.

Therefore, on behalf of Wiltshire Police I object to the application for a premises licence on the grounds that the prevention of crime and disorder objective will not be upheld.

If you would like any clarification in relation to the contents of this letter please feel free to contact this office.

I will also send a copy of this letter to the Swindon Borough Council Licensing Department.

**Yours sincerely**

**Sian Kalynka**

**Police Licensing Officer**

## Kalynka, Sian

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**From:** Gui Chipchase [Gui.Chipchase@cpltraining.co.uk]  
**Sent:** 02 August 2014 12:25  
**To:** Kalynka, Sian  
**Subject:** RE: 42 Manchester Road Premises Licence Application [NOT PROTECTIVELY MARKED/UNCLASSIFIED]

Dear Sian,

Thank you for your e-mail and attached letter.

I would very much like to discuss the contents of your letter with you and have tried to call your offices. I am available at our offices today until 3pm (0151 650 6910) but alternatively we can speak on Monday 4<sup>th</sup> upon my return.

In relation to the proposed DPS Miss Lorraine King, I see that you indicate she has *'little to no experience and understanding of Licensing legislation and what is required to ensure compliance with the licensing act 2003'* however the act itself only requires that a DPS must hold a valid personal licence and consent in writing to becoming the DPS of premises, but in order to be a personal licence holder that person must have achieved the relevant 'Award for Personal licence Holders (APLH)' qualification in order to make their application for a personal licence.

We received Miss King's personal licence to our offices on 28/07/2014 and dispatched it to her on 29/07/2014 following its grant on 01/07/2014 after successful completion of the required APLH qualification on 28/05/2014. As you know there is currently no requirement for a DPS to complete and hold a separate 'higher level' qualification, and so Miss King as a personal licence holder has complied with the relevant elements of the Licensing Act 2003 and so shouldn't be denied the position of DPS due to experience.

I look forward to speaking with you soon.  
Many Thanks

Kind regards,

GUI CHIPCHASE MLoL  
LICENSING SERVICES MANAGER

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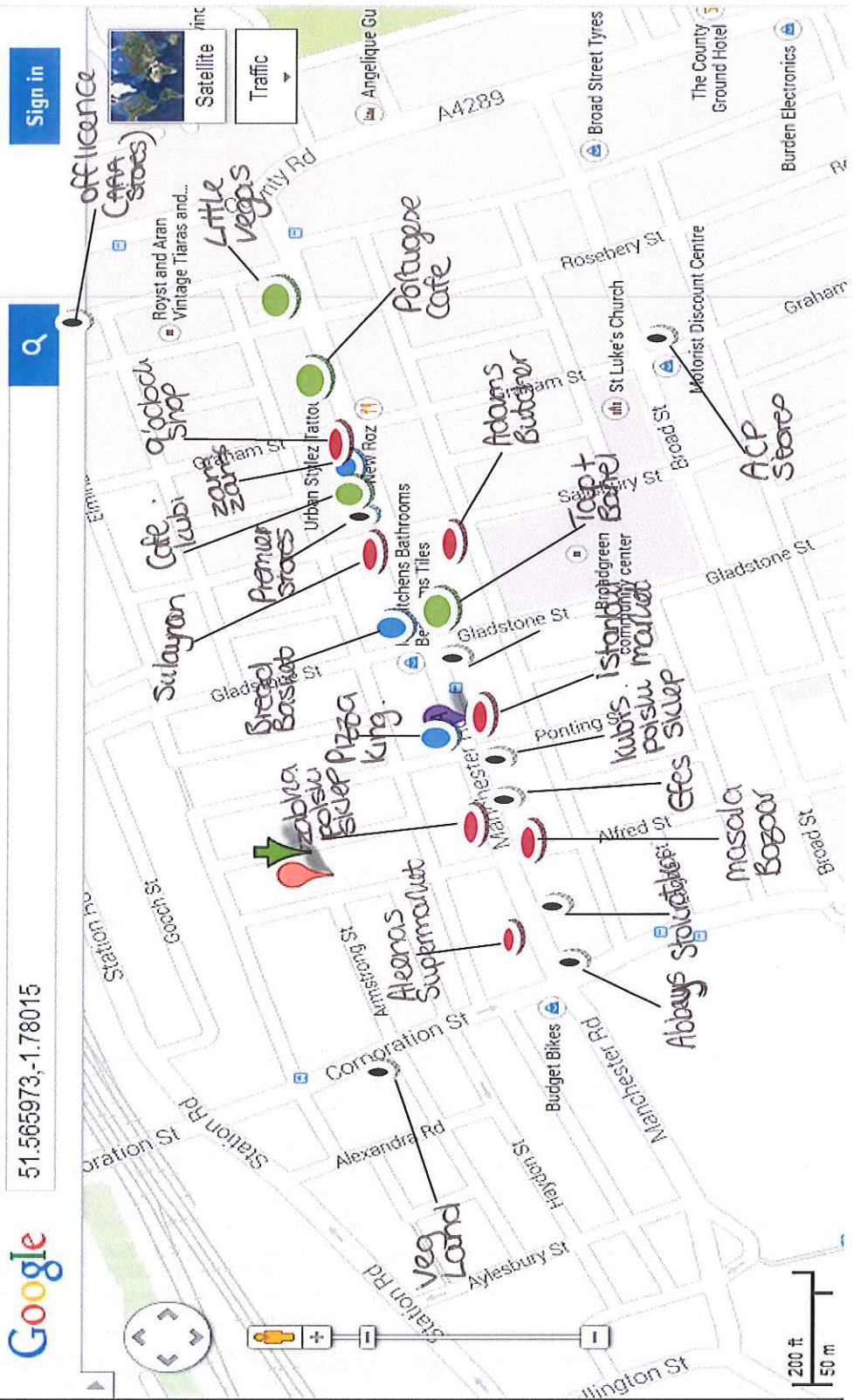
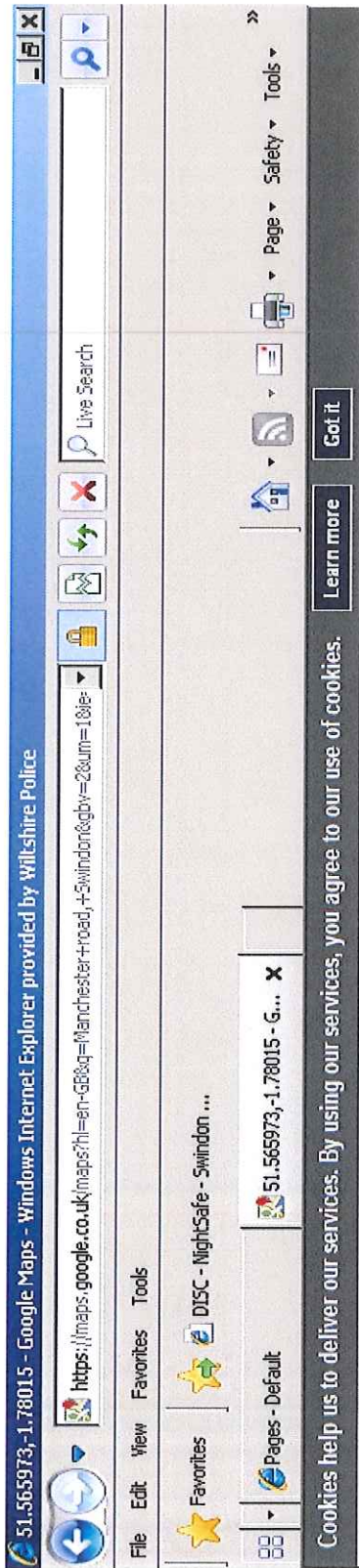
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- off licence
- shops without Alcohol
- late night refreshment
- on licence premises

## **LJ Foodnwine Ltd**

### ***Company directors and board members:***

**SHANTEL MURREY** (current)

Secretary, 2014.06.24

7 BATH ROAD , SWINDON

SN1 4AS, WILTSHIRE

ENGLAND

**LAVEL KING** (current)

Director, SHOP OWNER, 2014.06.24

7 BATH ROAD , SWINDON

SN1 4AS, WILTSHIRE

ENGLAND

# Swindon Advertiser

## Man jailed for a year possession of crack cocaine

6:11pm Sunday 9th May 2010

A MAN who threw away more than £1,000 worth of crack cocaine as he ran away from police in a Swindon street has been jailed for a year.

Lavel King hurled the package as he fled from an officer who had spotted a suspected drug deal taking place in a town centre car park.

And, after hearing that the 23-year-old was just looking after the drugs for his dealer, a judge sitting at Swindon Crown Court imposed the 12-month sentence.

Lynne Henderson, prosecuting, said a policeman was watching the Granville Street car park on Tuesday, June 30 last year when he saw the defendant pull up in a BMW.

Shortly afterwards a Ford Mondeo parked in front of the car and the driver got out to speak to King, who was standing outside his vehicle.

She said the officer thought a drug deal was taking place so identified himself to the men as a policeman.

King tried to drive away but the officer managed to grab the keys to stop him.

As the policeman spoke to the other driver, King jumped out of the BMW and ran off on to Commercial Road with the officer in pursuit.

"As the defendant ran, he was observed by a witness and she told the police that she had seen the defendant throw something," Miss Henderson said.

"She seized it and handed it to other police officers who had arrived on the scene."

The package contained three separate quantities of crack cocaine weighing a total of just over 22 grams.

When King was searched he also had a wrap containing 1.9 grams of the drugs.

All together the drugs had a street value of up to £1,500.

He also had a bag containing just under £640 in cash and three mobile telephones.

King told police all of the drugs were for his own use and denied possession with intent to supply, adding he had the money to buy some white goods for his partner.

But before a jury could be sworn in King changed his plea to admit the offence saying he was holding them for a short period for his dealer.

King, of Heronbridge, Swindon, admitted to possessing crack cocaine with intent to supply and possession of the smaller amount.

Rob Ross, defending, said his client had a history of minor offending associated with an addict with a number of convictions for possessing various drugs.

He said on the day he had been asked to look after the package for a period and was to return it to his dealer.

Mr Ross said his client worked for his father as a painter and decorator.

Jailing him, Judge Euan Ambrose said "The seriousness of this offence is that your actions, had they not been disrupted by the police would have enabled a crack cocaine dealer to avoid detection."

## Dealer must hand back just £5,000

6:00pm Monday 7th February 2011

A MAN who made more than £26,000 from dealing hard drugs has been ordered to repay just £5,000.

And most of the money Lavel King will have to repay was found on him when he was caught with crack cocaine in the Granville Street car park.

King, 23, of Heronbridge Close, Westlea, was jailed for a year in May last year after admitting possessing the class-A drug with intent to supply.

Now, under the Proceeds of Crime Act, he has been found to have benefited from his crime to the tune of £26,127.99.

But King, who has already served his time in jail, will only have to repay £5,000 within the next six months or face the prospect of a further 45 days in prison.

The court heard that the police were holding a little over £3,000 which they had seized, leaving him to find the rest.

Colin Meeke, prosecuting, said the case had taken so long to be sorted out because there had been questions over a £10,000 Mercedes car he had owned.

He said there was evidence the car had been disposed of in September 2009 and the money used for living expenses before he was jailed.

King was spotted throwing away more than £1,000 worth of crack cocaine as he ran away from police who had spotted a suspected drug deal taking place.

But a judge imposed the one-year jail term after hearing that he was just looking after the drugs for his dealer.

A policeman was watching the car park on June 30, 2009, when he saw the defendant pull up in a BMW.

Shortly afterwards a Ford Mondeo parked in front of the car and the driver got out to speak to King.

By then King was standing next to his vehicle.

The officer thought a drug deal was taking place so identified himself as a policeman to the men.

King tried to drive away from the scene but the officer managed to grab the keys from the ignition to stop him. But as he spoke to the other driver the defendant took the chance to jump out of the BMW and run off to Commercial Road with the officer in pursuit.

A passer by saw him throw an object which she retrieved and handed to officers, who found three quantities of the drug weighing a total of just over 22 grams.

When King was searched he also had a wrap containing 1.9 grams of the drugs. In total the drugs had a street value of up to £1,500.

He also had a bag containing just under £640 and three mobile telephones.

King pleaded guilty to possessing crack cocaine with intent to supply and simple possession of the smaller amount.

**Rob Ross**, defending, said his client had a history of minor offending associated with an addict with a number of convictions for possessing various drugs.

He said on the day he had been asked to look after the package for a short period and was going to return it to his dealer.

**Incident Logs for Alcohol related incidents/ASB Manchester Road Area**  
**16/03/14 – 10/08/14.**

16/03/14 13:40 hours – 4 intoxicated males drinking and urinating in alleyway off Ponting Street

16/03/14 19:39 hours – 15 year old female subject to child protection concerns found on Manchester Road heavily intoxicated.

17/03/14 14:31 hours – Group of 10 intoxicated persons drinking in alleyway behind the Mosque on Manchester Road.

17/03/14 22:40 hours – Staff member of off-license on Manchester Road viewed to serve heavily intoxicated customer.

18/03/14 22:22 hours – Heavily intoxicated male stood on Manchester Road shouting at members of the public.

19/03/14 14:20 hours – Group of street drinkers consuming alcohol on Lagos Street

23/03/14 22:44 hours – Two intoxicated street drinkers involved in disorder on Manchester Road

30/03/14 14:25 hours – Group of intoxicated youths in alleyway off Ponting Street

31/03/14 14:24 hours – Group of street drinkers consuming alcohol in alleyway off Ponting Street

02/04/14 11:14 hours – Street drinkers drinking in alleyway off Ponting Street

03/04/14 22:00 hours – Intoxicated male punched second male in the face on Manchester Road causing cut to eyebrow.

12/04/14 19:33 hours – Large disorder involving intoxicated males on Manchester Road. Males had consumed alcohol purchased from licensed premises in area.

14/04/14 22:22 hours – Female breaching ASBO by consuming alcohol in public on Manchester Road.

20/04/14 21:30 hours – Male assaulted by known male after both parties consumed alcohol purchased from licensed premises on Manchester Road.

22/04/14 22:13 hours – Intoxicated male on Alfred Street banging on random doors.

25/04/14 19:27 hours – Intoxicated male looking through resident's windows on County Road.

28/04/14 23:11 hours – Group of intoxicated street drinkers stole cigarettes from a victim on Manchester Road.

01/05/14 14:32 hours – Intoxicated male banging on doors offering to clean windows on Broad Street.

02/05/14 01:00 hours – Heavily intoxicated victim subjected to a robbery by two known offenders on Manchester Road.

03/05/14 20:28 hours – Disorder involving group of intoxicated males resulting in shop window on Manchester Road being smashed.

05/05/14 20:46 hours – Group of youths drinking in alleyway to rear of Manchester Road.

18/05/14 21:10 hours – Group of intoxicated street drinkers hanging around outside Abby's Off License, Manchester Road

20/05/14 13:48 hours – Three street drinkers drinking and searching through bins on Isambard Place.

24/05/14 14:11 hours – Intoxicated males drinking in alleyway behind Ponting Street.

26/05/14 19:30 hours – Intoxicated male assaulted victim by pushing them against a wall outside licensed premises on Manchester Road

02/06/14 16:32 hours – Males drinking alcohol outside William Hill on Manchester Road thus breaching DPPO.

03/06/14 18:55 hours – Males drinking alcohol in alleyway off Manchester Road.

06/06/14 22:12 hours – Males drinking on corner of Ponting Street and Manchester Road.

08/06/14 22:15 hours – Lone male assaulted by being pushed by intoxicated group inside licensed premises.

08/06/14 02:00 hours – Staff members of licensed premises on Manchester Road viewed serving alcohol past licensed opening hours

16/06/14 13:20 hours – Males drinking on Broad Street

22/06/14 14:30 hours – Two drunk males on Ponting Street arrested for drunk and disorderly and refusing to comply with DPPO and Section 30 Dispersal Order.

18/07/14 18:48 hours – Six males seen drinking alcohol in alleyway off Ponting Street.

19/07/14 23:36 hours – Intoxicated males outside Portuguese Cafe on Manchester Road shouting abuse at each other.

21/07/14 00:06 hours – Group of intoxicated sex workers and street drinkers causing ASB on Manchester Road.

29/07/14 17:31 hours – Street drinkers in alleyway off Manchester Road causing ASB.

30/07/14 13:45 hours – Drunk male being abusive on Broad Street.

30/07/14 02:04 hours - Group of intoxicated sex workers and street drinkers causing ASB on Manchester Road.

08/08/14 12:10-16:00 hours – 3 seperate logs of street drinkers in alleyways around Manchester Road.

**In the matter of the application for a premises license for the address of LJ FOOD N  
WINE, 42 Manchester Road, Swindon.**

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**Statement of PC 2410 Luke ATKINSON**

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I, **Luke ATKINSON**, Police Constable 2410, Divisional Police Headquarters, Gablecross Police Station, Swindon, Wiltshire SN3 4RB will state as follows:

**Introduction**

1. I am Police Constable 2410 Luke ATKINSON of Wiltshire Police. I am the Community Beat Manager for the Broadgreen area of Swindon on the Swindon Town Centre Neighbourhood Policing Team. I have been in post since November 2012. My main role is to deal with Crime, Anti-Social behaviour and a number of other Policing Objectives in the Broadgreen area which encompasses Manchester Road.
2. Within my role I have responsibility for policing the night time economy in Broadgreen as well as monitoring alcohol related incidents of disorder and Anti-social behaviour in the area.
3. Broadgreen, in particular Manchester Road has a large number of off-licenses the latest of which is currently open until midnight. Sales of high strength alcohol from these businesses directly contribute to the levels of anti-social behaviour in the area.
4. Broadgreen and Manchester Road are located within a Designated Public Place (DPPO) for the purposes of controlling alcohol related anti-social behaviour in the area. This gives a Police Constable the power to remove alcohol from the possession of persons believed to be drinking in the area. DPPOs are implemented

by local councils in order to address alcohol-related crime and disorder in public places. They are only implemented on areas which have a problem with alcohol related crime or alcohol related anti-social behaviour.

5. In the previous 6 months dated 01/03/2014 to 31/08/2014 there have been 45 separate incidents reported to the Police of alcohol related anti-social behaviour or alcohol related crime and disorder taking place in the Manchester Road area. Many of these incidents take place in the vicinity of the premises of 42 Manchester Road with numerous reports of street drinkers being abusive to local residents, urinating on private property and generally causing Anti-social behaviour in the area. Of the 45 reported incidents of alcohol related anti-social behaviour on Manchester Road many of these took place after the hour of 20:00 and have a massive impact on the lives of local residents. Perhaps more concerning is the number of alcohol related crimes which have taken place in the location. These crimes have included assaults on members of the public, incidents of large scale disorder and criminal damage to both residential and business properties in the area.
6. Wiltshire Police have as recently as August 2014 received information that known street drinkers who are subject to Anti-Social Behaviour Orders (ASBOs) banning them from consuming alcohol in public in the borough of Swindon, have purchased high strength alcohol from off-licences located in the area of Manchester Road, and consumed it within the DPPO area. This is a regular occurrence and specific actions such as Police patrol plans and partnership working with Swindon Borough Council agencies has been carried out. Some of the work that has taken place is to carry out enforcement action against those with the ASBOS, enforcement action of the DPPO and work carried out with the off licences which has included educating the shop keepers. This is an ongoing

problem of which a large number of Police resources are dedicated.

**Specific Concerns/ Objections:**

7. The granting of another premises license allowing the sale of alcohol in the Manchester Road area will exacerbate an already substantial anti-social behaviour issue and will contribute to incidents of crime and disorder in the Broadgreen area, specifically in and around Manchester Road. This will have a negative impact on the community and policing in Swindon, drawing unnecessary resources away from other key areas of Policing across the Division. Anti-Social behaviour in the Manchester Road and Broadgreen area is also a Central Sector Neighbourhood Policing Team Priority due to the current problems in the area. Adding a further off-license which remains open later than those currently in existence will have an adverse effect on our battle against alcohol related Anti-Social behaviour, and will negatively impact on the lives of local residents.
8. It is my experience as the local Police Community Beat Manager the off-licenses on Manchester Road attract street-drinkers to the area, many of whom are banned from consuming alcohol in the Borough of Swindon and are also banned from entering the Town Centre resulting in them being displaced to a) purchase alcohol in Broadgreen and b) consume it in the area. The attraction for the street drinkers is the wide availability of very cheap, high strength alcohol which can be sold in individual cans. I am very concerned that adding a further off-license to an already saturated area will reduce prices of alcohol in existing off-licenses, and as such will make alcohol easier to obtain by persons who engage in alcohol related anti-social behaviour, crime and disorder.

9. Broadgreen has numerous alleyways where street drinkers feel able to consume alcohol without attracting the attention of the Police or other enforcement agencies. Unfortunately, these alleyways back onto residential premises resulting in local residents being negatively affected. There is also a serious issue with littering in the Broadgreen area which is directly related to items purchased from existing off-licenses. Adding a further off-license to the area would again exacerbate this issue. The premises of 42 Manchester Road has an alleyway behind it which runs parallel to Manchester Road and in between Gladstone Street and Salisbury Street, both of which are almost entirely residential in their makeup.
10. Allowing a new Off-license to remain open for the purposes of serving alcohol until 01:00 hours is later than any other off-License in the Manchester Road area. This will directly contribute to increasing crime and disorder and public nuisance in the area which does not promote the licensing objectives.

#### **Additional information**

##### Statement of truth

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

Signed: 

PC 2410 Luke ATKINSON

Dated..... 01/09/2014 .