

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ

**This meeting
may be filmed.***



**Central
Bedfordshire**

please ask for Leslie Manning
direct line 0300 300 5132
date 20 July 2017

NOTICE OF MEETING

LICENSING SUB-COMMITTEE

Date & Time

Friday, 28 July 2017 at 10.00 a.m.

Venue at

**Council Chamber, Leighton-Linslade Town Council, The
White House, Hockliffe Street, Leighton Buzzard, LU7 1HD**

Richard Carr
Chief Executive

To: The Members of the LICENSING SUB-COMMITTEE:

Cllrs K M Collins, T Nicols and T Swain

[Named Substitutes:

Cllrs R D Berry, D Bowater, J Chatterley, I Dalgarno, Mrs A L Dodwell,
K Janes, P Smith, N Warren and R D Wenham]

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING***

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AGENDA

1. **Election of Chairman**

To elect a Chairman for the hearing.

2. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

3. **Members' Interests**

To receive apologies for absence and notification of substitute Members.

4. **Procedure for the Hearing of Applications under the Licensing Act 2003**

To note the procedure for hearing applications under the Licensing Act 2003 (copy attached).

5. **The Four Licensing Objectives**

To note the four Licensing Objectives (copy attached).

6. **Reviews**

To note chapter 11 of the revised guidance (dated March 2015) issued under Section 182 of the Licensing Act 2003 which provides Members with advice relating to applications for the review of a premises licence (copy attached).

Report

| Item | Subject | Page Nos. |
|-------------|--|------------------|
| 7. | Application for the Review of a Premises Licence under the Licensing Act 2003 at Buzz Wine, 17 North Street, Leighton Buzzard, Bedfordshire | * 31 - 162 |

To consider an application by Trading Standards for the review of the premises licence for Buzz Wine, 17 North Street, Leighton Buzzard, Beds.

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Procedure for the hearing of applications The Licensing Act 2003

The Licensing Act 2003 (Hearings) Regulations 2005

**Public Protection
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ**

0300 300 8000

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**Licensing Sub-Committee Procedure for
Determining applications under the Licensing Act 2003**

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Introduction

- 1.1. The Licensing Act 2003 has placed local authorities at the centre of the decision making process for regulating the sale and supply of alcohol, provision of regulated entertainment and late night refreshment.
- 1.2. This document and the procedures detailed herein are based upon the guidance issued by the Local Government Regulation Service and with regards to the provisions of:
 - the Licensing Act 2003;
 - the Guidance issued by the Secretary of State for Culture, Media and Sport on 7 July 2004 under section 182 of the Licensing Act 2003; and
 - The Licensing Act 2003 (Hearings) Regulations 2005 (as amended).
- 1.3. This guidance is intended for all concerned in any way whatsoever with a hearing before a licensing panel (Licensing Sub-committee, the Licensing Committee or Council, as may be the case) in relation to the determination of applications under the Licensing Act 2003.

2. General Principles

- 2.1. All Members sitting on the determination of an application will always:
 - promote the right of all parties to have a fair hearing;
 - only have regard to such of the four licensing objectives that are subject to a relevant representation, namely:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm;
 - have regard to the Licensing Act 2003 and any relevant secondary legislation;
 - have regard to the Council's Statement of Licensing Policy;
 - have regard to the Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Licensing Act 2003;
 - treat each application on its own merits; and
 - undertake its decision-making responsibilities honestly and fairly, in an open, transparent and accountable way.

PRE-HEARING

3. Licensing Panels

- 3.1. Generally, hearings will take place before a Licensing Sub-committee consisting of three Members of the Licensing Committee, although, to avoid unnecessary adjournments, a fourth Member may attend as a substitute Member.
- 3.2. If, for any reason whatsoever, it is not possible to have a matter determined by a Licensing Sub-Committee, the matter would be heard by the Licensing Committee. A Licensing Committee must consist of between ten and fifteen Members and at least one half of those Members must attend for a hearing to proceed before the Licensing Committee.
- 3.3. In the highly unlikely event of it not being possible, for any reason whatsoever, to have a matter determined by either a Licensing Sub-committee or the Licensing Committee, the matter would be heard by Council.

4. Timescales for Convening a Hearing

- 4.1. Most hearings under the Licensing Act 2003 must normally take place within 20 working days from the last date in which representations can be made. There are exceptions to this rule.
- 4.2. Exceptions:
 - 4.2.1. A hearing must take place within 10 working days of the Authority receiving notification of a review of the premises following a closure order;
 - 4.2.2. A hearing must take place within 7 working days from the day after the end of the period within which the police can object to a temporary event notice;
 - 4.2.3. A hearing must take place within 5 working days beginning the day after the end of the last day for the police to object to an interim authority notice.
- 4.3. Hearings may be dispensed with where all relevant persons agree a hearing is unnecessary.

5. Notice of Hearing

- 5.1. Generally 10 clear days notice will be given of a hearing. There are exceptions to this rule.
- 5.2. Exceptions:
 - 5.2.1. 5 days notice will be given of a hearing for a review of a premises licence following a closure order;
 - 5.2.2. 2 days notice will be given of a hearing following police objection to an interim authority notice;
 - 5.2.3. 2 days notice will be given of a hearing following police objection to temporary events notice.

6. Persons to be Notified of a Hearing

- 6.1. The following persons must be notified of a hearing:
 - 6.1.1. Any applicant for any licence, provisional statement or review;
 - 6.1.2. Premises user who submitted a temporary event notice;
 - 6.1.3. Any person who has made relevant representations;
 - 6.1.4. Any Responsible Authority; and
 - 6.1.5. Where an application is made for a review, the holder of a premises licence or club premises certificate.

7. Contents of Notice

- 7.1. The notice of a hearing must contain:
 - 7.1.1. The date, time and place of the hearing;
 - 7.1.2. The procedure to be followed at the hearing;
 - 7.1.3. The right of a party to attend and to be assisted or represented by any person whether legally qualified or not;
 - 7.1.4. Any points upon which the authority considers that it will want clarification from a party at the hearing;
 - 7.1.5. The right of the party to provide additional information to provide any clarification sought by the Authority;
 - 7.1.6. The consequences of failing to attend the hearing or not being represented at the hearing;
 - 7.1.7. Any information the Licensing Authority has received in support or opposition of the application.

8. Hearings to be open to the public

- 8.1. Hearings will generally be open to the public as the Licensing Authority is committed to taking decisions in an honest, accountable and transparent way, but on occasions a licensing panel may find it necessary to exclude a party or parties, the public and press from all or any part of a hearing.
- 8.2. A panel will only pass an exclusion resolution where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public. Such decisions will be made on an individual basis.
- 8.3. The panel's deliberations, which do not form part of the hearing, will be conducted in private. The announcement of the panel's decision is part of the hearing and will generally be open to the public, subject to any exclusion resolution.

9. Failure to attend the hearing

- 9.1. No party is obliged to attend a hearing, although the Licensing Authority encourages all parties to attend hearings to make their application or representation, as may be the case.
- 9.2. Regardless of whether a party attends a hearing or not, the matter will generally be heard and determined by the licensing panel (the Council, the Licensing Committee or a Licensing Sub-committee). At the hearing, the panel will consider any application, representation or notice made by an absent party in the same way as it will of any application, representation or notice made by a party that attends the hearing.
- 9.3. If, however, the hearing is adjourned to a specified date, all parties will forthwith be notified of the date, time and place to which the hearing has been adjourned.

10. Disruptive behaviour

- 10.1. Any person who disrupts a hearing by the Council, the Licensing Committee or a Licensing Sub-committee of a matter under the Licensing Act 2003 may be required to leave the hearing.
- 10.2. It is for the panel hearing the matter to decide whether such person will be permitted to return to the hearing, but should they be allowed to do so, this may be on such conditions as the panel may specify.
- 10.3. If a disruptive person is a person who has a right to address the panel, then that person may, before the end of the hearing (i.e. before Stage 25 of the following procedure), put in writing any information they would have been entitled to give orally, had they not been required to leave the hearing.

SUB - COMMITTEE AGENDA

11. Licensing Sub-Committee agenda

- 11.1. The Licensing Sub-Committee Hearing shall be commenced in accordance with the Licensing Sub-Committee agenda. Any Committee matters shall be addressed at this stage.
- 11.2. The Licensing Sub-Committee Hearing procedure shall take over at the point at which the agenda item is called to be heard.
- 11.3. The Sub-Committee agenda shall deal with the issue of exclusion of press and public for the Licensing Sub-Committee Hearing.

HEARING PROCEDURE

12. Opening the Hearing

- 12.1. The Licensing Sub-Committee Hearing shall be formally opened by the Chair.
- 12.2. The Chair shall introduce Members of the licensing panel (a Licensing Sub-committee, the Licensing Committee or Council), officers present and all other parties present.
- 12.3. The Chair shall explain the procedure to be followed at the meeting and the nature of the decision to be taken by the panel.

13. Licensing Officer's Report

- 13.1. The Licensing Officer presents his / her Report, including an outline of the application, the representation(s) and any points upon which the Licensing Authority has given notice that it required clarification; and identifies anything relevant in the legislation, the Council's Statement of Licensing Policy and the statutory guidance issued by the Secretary of State for Culture, Media and Sport.
- 13.2. Members of the panel may ask questions of the Licensing Officer with regards to the Report.

14. Licensing Authority's request(s) for clarification

- 14.1. If points of clarification have been asked for, the Chair invites the Licensing Officer or relevant party to provide necessary information.
- 14.2. Members of the panel may ask questions with regards to the further information provided.

15. Presentation of Case / Submissions from Parties

- 15.1. In the order of Applicant, Responsible Authority and Interested Party (or in the case of a review the relevant person), each party shall be invited to undertake the following:
 - 15.1.1. Set out their case;
 - 15.1.2. Call Witnesses in support of their case (provided notification of the witnesses has previously been given to the Council);
 - 15.1.3. Introduce documentary evidence in support of their case (provided notification of the documentary evidence has previously been given to the Council); and
 - 15.1.4. Respond to any questions asked of them by Members of the Licensing Panel.
- 15.2. At the Sub-Committee and Chair's discretion each party may ask questions of other parties by directing them through the Chair.

- 15.3. The Sub-Committee shall have the absolute discretion to restrict the number of witnesses and documents that any party can introduce, or the time spent on submissions or oral evidence, to ensure the proper running of the hearing.
- 15.4. Any witnesses that any party is seeking to call that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any witnesses to be heard, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.
- 15.5. Any documents that any party is seeking to adduce that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any documents to be adduced, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.

16. Modification or Withdrawal of Application or Representation

- 16.1. The Chair shall ask the applicant whether the applicant wishes to modify the application (e.g. by way of withdrawing a licensable activity and / or reducing the times asked for and / or volunteering additional steps to promote the licensing objectives).
- 16.2. The Chair shall ask each party making a representation whether such party would like to withdraw their representation.

17. Closing Submissions

- 17.1. The Chair shall invite each of the parties to present a closing submission to the Sub-Committee.
- 17.2. The Chair shall invite the Licensing Officer to make any final representations.
- 17.3. At the end of the Closing Submissions the Chairman may ask the Legal Advisor if there is any clarification or points they wish to make.

18. Legal Advice

- 18.1. The role of the Legal Advisor is to provide Members with advice on:
 - Questions of law;
 - Matters of practice and procedure;
 - The options available to the sub-committee in making their decision;
 - Whether information or evidence is relevant to the licensing objectives;
 - Any relevant case law or guidelines.

18.2. The hearing shall be directed by the Chair and assisted by the Legal Advisor as appropriate and necessary.

19. Committee Decision in Relation to Procedure

19.1. The Sub-Committee shall be entitled to vary the order and procedure for the hearing, at its absolute discretion.

20. Determination of the Application

20.1. After all representations have been heard, the Chair will inform all parties that the panel will retire in private to determine the matter.

20.2. Either the panel will retire alone to a private room or all parties, officers and members of the public will be required to leave the room, although the panel may invite their legal adviser to join them for the purpose of providing only legal advice - the details of which will be disclosed upon the hearing reconvening.

20.3. Should the sub-committee need to ask any further questions of any party, all parties shall be invited to return for the purposes of asking and answering questions.

20.4. Where the hearing is for:

- a review of a premises licence following a closure order;
- a personal licence by holder of a justices licence; or
- a counter notice following police objection to a temporary event notice.

The Sub-Committee must make its determination at the conclusion of the meeting.

20.5. For all other hearings the determination must be made within 5 working days of the hearing. The Sub-Committee will generally announce the determination at the end of the hearing.

20.6. The Sub-Committee may consider adding any conditions necessary in order to promote one or more of the four licensing objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

20.7. All decisions shall be made in line with the general principles as detailed in Appendix A, the range of options available for determining each type of application.

20.8. The Sub-Committee shall complete the decision notice as shown at Appendix B.

20.9. The hearing will reconvene and the Chair will either:

- announce the Sub-Committee determination including reasons for the determination; or
- advise those persons present that the Sub-Committee has not reached a decision, but will make a determination as soon as it can and, in any event, within five working days. All parties will then be notified forthwith of the decision.

POST HEARING

21. Record of Proceedings

- 21.1. The authority shall ensure that a record is taken of the hearing.
- 21.2. The record shall be kept for a period of six years from the date of the final action on the matter.

22. Irregularities

- 22.1. Proceedings shall be rendered void due to a failure to comply with the procedures set out in this document.
- 22.2. Any failure to comply with the Hearing Regulations shall not render the process or the decision void.
- 22.3. Where the Authority considers any person to have been prejudiced from the irregularity it shall take such steps as it considers fit to remedy the irregularity, before reaching its determination.
- 22.4. Clerical mistakes may be corrected by the Authority.

23. Decision Notices

- 23.1. The Authority shall provide a written notice of its determination as soon as practicable after the hearing and within 5 working days.

24. Appeals

- 24.1. An appeal against the determination of the Authority must be made to the appropriate Magistrates Court within 21 days of the date of delivery of the decision.

25. Closing the Hearing

- 25.1. The Chair shall thank all parties for attending and draw the hearing to a close.
- 25.2. Should there be another hearing to be heard the Sub-Committee shall begin the procedure again.

Licensing Sub-Committee Checklist
Procedure for determining applications under the Licensing Act 2003

| | | | | |
|---|--|---|----|-----------|
| Item | | | | |
| 1. | Chair to introduce Sub-Committee, Committee Administrator, other Officers and all Parties present. | | | |
| 2. | Chair to explain procedure for hearing to all parties. | | | |
| 3. | Licensing Officer to introduce application, including details of the premises, application, objections, references to the Licensing Objectives and Policy and Statutory Obligations. | | | |
| 4. | Chair to invite Sub-Committee to ask any questions of the Licensing Officer, in relation to the report provided. | | | |
| 5. | Chair to ask Licensing Officer whether there are any points requiring Clarification. | | | |
| Steps 6 to 9 to be completed for each party in the order of Applicant (A), Responsible Authority (RA) and Interested Party (IP) or Relevant Person (RP). The chair will invite each party to: | | A | RA | IP/ RP |
| 6. | Set out their case | | | |
| 7. | Call Witnesses in support of their case (provided notification of the witnesses has previously been given to the Council); | | | |
| 8. | Introduce documentary evidence in support of their case (provided notification of the documentary evidence has previously been given to the Council); and | | | |
| 9. | Respond to any questions asked of them by Members of the Licensing Panel. | | | |
| Repeat steps 6 to 9 for each party | | | | |
| 10. | At the Sub-Committee and Chair's discretion each party may ask questions of other parties by directing them through the Chair. | | | |
| 11. | Chair asks Applicant if they wish to modify or withdraw their application in any way. | | | |
| 12. | Chair to invite closing submissions from applicant, responsible authorities and interested parties. | | | |
| 13. | The Sub-Committee will retire into private to consider its decision. | | | |
| 14. | Chair will announce the decision of the Sub-Committee and the reasons for the decision. The Chair will advise all parties of their right of appeal. | | | |

Appendix 'A'

Options for determining applications

Determination of application for premises licence

- To grant the licence
- To grant with the addition of conditions necessary to promote any of the licensing objectives
- To exclude from the scope of the licence any of the licensable activities to which the application relates
- To refuse to specify a person in the licence as the premises supervisor
- To reject the application

Determination of application for variation of a premises licence

- To grant the variation
- To modify the conditions of the licence – this includes altering or omitting any existing condition or adding any new conditions
- To reject the whole or part of the application

Determination of application for review of a premises licence

- To modify the conditions of the licence – this includes altering or omitting any existing condition or adding any new conditions
- To exclude a licensable activity from the scope of the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence

Appendix 'B'



CENTRAL BEDFORDSHIRE COUNCIL

DECISION NOTICE

LICENSING ACT 2003

DECISION OF THE LICENSING SUB – COMMITTEE

| | |
|-----------------|--|
| Date of Hearing | |
|-----------------|--|

| | |
|-------------------|--|
| Applicant's Name: | |
| Premises Address: | |

| | |
|------------------|--|
| Application for: | |
|------------------|--|

| | |
|----------------------|--|
| Reasons for Hearing: | |
|----------------------|--|

| | |
|---|--|
| Members of the Licensing Sub-Committee: | |
|---|--|

| | |
|---|--|
| Applicant: | |
| Person(s) Appearing on Behalf of the Applicant: | |

| | |
|---|--|
| Objector(s): | |
| Person(s) Appearing on Behalf of Objector(s): | |

| | |
|------------------------|--|
| Other Persons Present: | |
|------------------------|--|

If appropriate:

| |
|--|
| COMMENCEMENT DATE |
| This licence will come into effect from: <input type="checkbox"/> The date of this decision <input type="checkbox"/> The end of the period for appeal. |

FINDINGS OF FACT
The Sub-Committee made the following findings of fact:

DECISION
The Sub-Committee have decided that the application should be:

Granted (as set out in the application)

Refused

Amended to include the following conditions:

1.

2.

- The Sub- Committee considers the additional conditions necessary for the promotion of the licensing objectives.
- All Licences are granted subject to the mandatory conditions imposed by the Licensing Act, 2003.
- In coming to its decision, the Sub-Committee has taken into account:
 - The Licensing Act Section 18, which states that it must take such steps it considers necessary for the promotion of the licensing objectives;
 - The Secretary of State’s Guidance issued under section 182 of the Licensing Act 2003; and
 - Central Bedfordshire Council’s Licensing Policy
 - The merits of the application and the representations (including supporting information) presented by all parties.

REASONS FOR DECISION
The reasons for the Committee’s decision are as follows:

Prevention of Crime and Disorder

Public Safety

Prevention of Public Nuisance

Protection of Children from Harm

General – all four licensing objectives

| <u>Irrelevant Representations</u> | |
|--|--|
| The Sub-Committee determined that the following representations were irrelevant: Not applicable. | |
| <u>Representation</u> | <u>Reason Representation was Considered Irrelevant</u> |
| 1. | |
| 2. | |

| <u>Right of Review</u> |
|--|
| At any stage, following the grant of a premises licence, a responsible authority, such as the Police or an interested party, such as a resident living in the vicinity of the premises may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003. |

| <u>Effect of Failing to Comply with Conditions (Explained to Applicant)</u> |
|--|
| The Sub-Committee has explained to the applicant the effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result in a fine of up to £20,000 or up to six months imprisonment or both. |

| <u>Right of Appeal</u> |
|--|
| Applicants or any person who has made a relevant representation who is dissatisfied with this decision or the imposition of any condition or restriction has the right of appeal to the Magistrates Court within 21 days of the date on which they are notified of the decision. |

Signed: _____
 [Name]
 Chair of Licensing Sub-Committee

Date: _____

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The Four Licensing Objectives

To promote the following Licensing Objectives:

- 1. Prevention of crime and disorder**
- 2. Public safety**
- 3. Prevention of public nuisance**
- 4. Protection of children from harm**

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11. Reviews

The review process

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided that the licensing authority agrees and the applicant submits a subsequent hard copy of the application, if the licensing authority requires one. The licensing authority may also agree in advance that the application need not be given in hard copy. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 13 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

Repetitious grounds of review

- 11.12 A repetitious ground is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
 - representations considered by the licensing authority when the premises licence or certificate was granted; or

- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.
- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, it is recommended that more than one review originating from a person other than a responsible authority in relation to a particular premises should not be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 11.15 When a licensing authority receives an application for a review from a responsible authority or any other person, or in accordance with the closure procedures described in Part 8 of the 2003 Act (for example, closure orders), it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website (www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

Powers of a licensing authority on the determination of a review

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;

- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)¹⁰;
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

Reviews arising in connection with crime

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

¹⁰ See chapter 15 in relation to the licensing of live and recorded music.

- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for prostitution or the sale of unlawful pornography;
 - by organised groups of paedophiles to groom children;
 - as the base for the organisation of criminal activity, particularly by gangs;
 - for the organisation of racist activity or the promotion of racist attacks;
 - for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
 - for unlawful gambling; and
 - for the sale or storage of smuggled tobacco and alcohol.
- 11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Review of a premises licence following closure order

- 11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order. The relevant time periods run concurrently and are as follows:
- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
 - the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
 - notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

Review of a premises licence following persistent sales of alcohol to children

- 11.30 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

Meeting: Licensing Sub-Committee
Date: 28 July 2017
Subject: Application for Review of a Premises Licence under The Licensing Act 2003 at Buzz Wine, 17 North Street, Leighton Buzzard, Beds
Report of: Head of Public Protection
Summary: The report provides information so that the Licensing Sub Committee can determine what action to take with regard to the review application.

Advising Officer: Marcel Coiffait, Director of Community Services
Contact Officer: Guy Quint/Margaret James, Principal Public Protection Officers (Licensing)
Function of: Licensing Committee of a licensing authority
Public/Exempt: Public
Wards Affected: Leighton Buzzard South
Ward Councillors Cllr R Berry, Cllr D Bowater, Cllr A Dodwell
Location Buzz Wine, 17 North Street, Leighton Buzzard, Beds
Applicant Imogen Best, Senior Enforcement Officer – Trading Standards
Applicant's agent N/A
Reason for consideration by Sub-Committee The applicant requests the revocation of the premises licence
Recommended decisions: **The sub-committee determines the application in accordance with the Statutory Guidance issued under s182 of the Licensing Act 2003, our Licensing Policy and the information contained within this report.**
That, having regard to the application and relevant representations, the sub-committee takes such of the steps mentioned below as it considers necessary for the promotion of the licensing objectives.
That the sub-committee provides the reasons for its decision

CORPORATE IMPLICATIONS

Council Priorities:

- Promote health and wellbeing and protecting the vulnerable.

Financial:

1. There are no direct financial implications for the Council.

Legal:

2. Licensing applications are considered pursuant to specific legislation, explained within the report.
3. Any decision made by the Sub-Committee could be the subject of an appeal to the Magistrates Court by the license applicant or by an objector to the application.

Risk Management:

4. All Council members are aware that any licensing matter decision which is unreasonable or unlawful could be open to challenge and could result in reputational damage and potential financial penalty.
5. The report details the options available to the Sub-Committee in determining the application/s and recommends a decision/s which could be reached. Any decision taken by the Sub-Committee could be the subject of an appeal to the Magistrates Court.

Staffing (including Trades Unions):

6. Not Applicable.

Equalities/Human Rights:

7. To ensure that any decision does not unfairly discriminate, public authorities must be rigorous in reporting to Members the outcome of an equality impact assessment and the legal duties.
8. Public Authorities must ensure that decisions are made in a way which minimises unfairness and without a disproportionately negative effect on people from different ethnic groups, disabled people, women and men. It is important that Councillors are aware of this duty before they take a decision.

Public Health

9. All licensing applications are sent to Health as a Responsible Authority they have the opportunity to make representations in relation to the four licensing objectives.

Community Safety

10. The Sub-Committee is required under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and is reminded of the Council's responsibility to co-operate in the reduction of crime and disorder in Central Bedfordshire.

Sustainability:

11. Not applicable.

Procurement:

12. Not applicable.

Location of the Premises

13. Situated in the town centre with both commercial and residential premises in the near vicinity.

The Current Licence

14. The premises licence was first granted on 24 November 2005, and was transferred to the current licence holder on 31 August 2010. (See Appendix 1 of the review application for details of the current licence) *Please note that on 12/07/2017 an application to transfer the premises licence to Mrs Kiresantiny Naykunam was received and is being processed. An application to vary the Designated Premises Supervisor is also expected.*
15. The licence is held by Ali Iraj Azhir, who is also the Designated Premises Supervisor

Details of the present application

16. This is an application for review of the premises licence by Imogen Best, Senior Enforcement Officer – Trading Standards. (See Appendix A, and supporting evidence at Appendices 1 to 25)

Representations

17

18. Other Responsible authorities have made 2 representations concerning the application

| Responsible authority | Comment |
|------------------------------|-------------------------------------|
| Police | See Appendix B |
| Fire | None |
| Environmental Health | None |
| Health and Safety | None |
| Planning | None |
| Child Protection | Support for review – see Appendix C |
| Public Health | None |
| Trading Standards | Review submitted see Appendix A |

Application Guidance

19. In accordance with the provisions of the Licensing Act 2003 and the Councils scheme of delegation, all applications for review of a licence must be determined by a sub-committee.
20. When determining the application, Members should only consider issues, which relate to the relevant licensing objectives, which in this case are:

The Prevention of Public Nuisance/The Protection of Children From Harm

21. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 (Sections 2.15-2.21 and 2.22-2.32 refer to the relevant objectives) and the Council's Statement of Licensing Policy (Sections 7.3 and 7.4 refer to the relevant licensing objectives).
22. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the review and shall only determine the application having had an opportunity to consider all relevant facts.

Options

23. **To modify the conditions of the premises licence**
24. **To exclude a licensable activity from the scope of the licence**
25. **To remove the DPS**
26. **To suspend the licence for a period not exceeding three months**
27. **To revoke the licence**

Appendices:

Appendix A – Review application
Appendix A (1-8) – supporting evidence
Appendix A (9-14) – supporting evidence
Appendix A (15 & 16) – supporting evidence
Appendix A (17-21) – supporting evidence
Appendix A (22-25) – supporting evidence
Appendix B – Police support for review
Appendix C – Child protection support for review

Background Papers: (open to public inspection)

The Licensing Act 2003
Central Bedfordshire Council Licensing Policy
(on website)

05 JUN 2017

Public Protection

CENTRAL BEDFORDSHIRE COUNCIL

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
 You may wish to keep a copy of the completed form for your records.

I Imogen BEST of Central Bedfordshire Council Trading Standards Service
 (Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below:-

Part 1 – Premises or club premises details

| | |
|---|------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description Buzz Wines Limited, 17 North Street | |
| Post town Leighton Buzzard | Post code (if known) LU7 1EF |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) Mr Ali Iraj Azhhr |
|---|

| |
|--|
| Number of premises licence or club premises certificate (if known) 013955 |
|--|

Part 2 - Applicant details

I am

Please tick yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title (for example, Rev)

| | |
|----------------------|----------------------|
| Surname | First names |
| <input type="text"/> | <input type="text"/> |

I am 18 years old or over

Please tick ✓ yes

| | |
|--|----------------------|
| Current postal address if different from premises address | <input type="text"/> |
|--|----------------------|

| | | | |
|------------------|----------------------|------------------|----------------------|
| Post town | <input type="text"/> | Post Code | <input type="text"/> |
|------------------|----------------------|------------------|----------------------|

| | |
|---|----------------------|
| Daytime contact telephone number | <input type="text"/> |
|---|----------------------|

| | |
|----------------------------------|----------------------|
| E-mail address (optional) | <input type="text"/> |
|----------------------------------|----------------------|

(B) DETAILS OF OTHER APPLICANT

| |
|----------------------------------|
| Name and address |
| <input type="text"/> |
| Telephone number (if any) |
| <input type="text"/> |
| E-mail address (optional) |
| <input type="text"/> |

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| <p>Name and address</p> <p>Imogen Best Public Protection – Trading Standards Central Bedfordshire Council Priory House Monks Walk Chicksands Shefford Bedfordshire SG17 5TQ</p> |
| <p>Telephone number (if any)</p> <p>0300 300 6017</p> |
| <p>E-mail address (optional)</p> <p><u>Imogen.best@centralbedfordshire.gov.uk</u></p> |
| |

This application to review relates to the following licensing objective(s)

- | | |
|---|--|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

This application is submitted following increased incidents of antisocial behaviour in Leighton Buzzard and persistent selling of alcohol to children under the age of 18.

The protection of children from harm:-

In my professional opinion this licencing objective is not being upheld by the Premise Licence holder as on the 28th March 2016 he was found guilty at Luton Magistrates' Court of persistently selling alcohol to children under the age of 18.

The prevention of public nuisance:-

It is a well know fact that Leighton Buzzard has a problem with street drinking. In my opinion this problem is being exacerbated by the Premise Licence holder as he continues in selling strong alcohol to street drinkers, whilst they are drunk, Mr Azhir also offers the facility of selling on to them on 'tick'. There have been numerous recorded incidents of anti-social behaviour and nuisance relating to the street drinkers in Leighton Buzzard, to the extent that an Action Group has been set up to address the problem. Further evidence of this is provided below.

**Please provide as much information as possible to support the application
(please read guidance note 3)**

Central Bedfordshire Council Trading Standards are requesting a review of the premises licence of Buzz Wines and are requesting that the premises licence is revoked, copy of current licence in Appendix 1

I do not feel that the above licencing objectives are being upheld and that the premises are not being managed sufficiently by the Premise Licence holder.

Protection of children from harm

This is a premises that we have had an ongoing problem with the sale of age restricted goods, namely alcohol, cigarettes and nicotine inhaling products, dating back to the formation of Central Bedfordshire Council, see Appendix 2 for historical data (sales of age restricted products are highlighted in yellow, advisory visits are highlighted in blue and the clear boxes are where a test purchase has taken place and no sale has been made).

As a result of these problems a review was requested, however this did not go ahead as the following voluntary conditions were applied to the licence on the 14th August 2012, had these conditions been implemented properly by Mr Azhir they may have prevented subsequent breaches in the legislation:-

1. A 'Challenge 25' policy to be implemented.
2. The 'Challenge 25' posters and signage to be displayed in the areas alcohol is exposed for sale and at point of sale.
3. Within a 4 month period all staff to have achieved the TSI – Fair Trading Award – 'Do You Pass' qualification (or equivalent). After the 4 month period staff must complete the qualification before they are permitted to sell alcohol (allowing for re-takes of the test, and incorporating new staff). Then subsequent 6 monthly refresher training carried out for all staff. This must be documented with all training records to be signed by staff and the deliverer of the training.
4. All sales of alcohol after 5pm can only be made by production of valid identification by All purchasers regardless of age. This should be for a 3 month period. This is to re-establish the stores reputation for not selling to underage people and in turn will reduce the number of attempts to purchase underage alcohol.
5. A documented refusals book or electronic log must be maintained. The log should be of all refusals. The book or log must be checked and signed weekly by the DPS or premises licence holder. The check should include making sure staff are using the system and identifying any issues or training needs through lack of entries.
6. The store will implement and maintain cash registers with electronic 'till prompts' when selling alcohol.

On 17th February 2016 I visited Buzz Wines with 2 volunteers (aged 16 and 17) to test the premises in relation to sales of nicotine inhaling products (NIP's) to children under 18. On this occasion a sale of One Life Blueberry E-Liquid was made. On the

9th March 2016 I sent a warning letter to Buzz Wines, which I produce as Appendix 3. Within this letter I gave advice on setting up procedures for preventing the sales of age restricted products to children under the age of 18.

On 25th July 2016 I visited the premises and provided them with general advice in relation to the sales of NIP's, I also provided them with guidance material and point of sale prompts. Although this guidance related specifically to NIP's, the advice provided can be applied to all age restricted products, as it forms part of a due diligence defence. I produce this guidance as Appendix 4 and 5.

On the 25th August 2016 I carried out a joint alcohol under age sales operation with Bedfordshire Police. The volunteers used on this occasion were two 15 year old girls. On this occasion a sale of 4 x Cans of Kronenbourg 1664 Larger (5% AVB) was made by Mr [REDACTED]. Mr [REDACTED] was issued with a fixed penalty notice. A warning letter was sent to Buzz Wines, again detailing procedures to set up in order to avoid the occurrence of further offences, I produce this as Appendix 6.

On the 12th September 2016 I visited Buzz Wines with two volunteers (aged 17) to test the premises in relation to the sales of NIP's and alcohol. On this occasion a sale of One Lite Banana cake E-Liquid (high nicotine 18mg/ml) and a bottle of Gallo Chardonnay Wine (12.5% ABV) was made by Mr Azhir.

On the 21st October 2016 I conducted a PACE interview with Mr Azhir, during the interview the following point of note were raised by him:-

- 6 part time members of staff – 4 have the Fair Trading award – the others were given some training by Mr Azhir – Mr Azhir forgot to record that this training had been given; nothing was signed by the staff.
- Weekly turnover of the business is £10,000 – 25 – 30% of this relates to alcohol.
- Mr Azhir said he was going to ID the girls (September sale) ... "the moment I saw them I was going to ID them. Three times in my head I was going to ID them".
- There are business policies, but these are verbal only – nothing written down.
- Mr Azhir said that he received my warning letter, point of sales poster and guidance notes.

Mr Azhir is recorded on Companies House to be the Secretary and sole Director of Buzz Wines.

See Appendix 7 - my section 9 statement that was produced in the criminal proceedings as full account of my actions above.

On the 28th March 2016 at Luton Magistrates' Court Mr Azhir pleaded guilty to one offence of persistently selling alcohol to persons under 18 years of age (s.147A(1) Licensing Act 2003) and one offence of selling a nicotine inhaling product to a person under the age of 18 (Reg 3 of the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 and s.92(2) Children and Families Act 2014).

Mr Azhir was fined £380 (plus £38 victim surcharge) for the sale of alcohol and £250 for the sale of the nicotine inhaling product and ordered to pay £250 towards costs.

The prevention of public nuisance

The problem with street drinking in Leighton Buzzard town centre is one that has been ongoing for some time, with drunks hanging around the streets, urinating, defecating and vomiting in public spaces and shop doorways, harassing shoppers and causing aggravation to local businesses, residents and members of the public.

These issues have been reported to Central Bedfordshire Council Anti-Social Behaviour team (Alan May) and in repose Mr May has been gathering statements dating back to 2015, this case is still ongoing. The following statements show that this is a historical problem:-

| Name | Date | Capacity | Appendix |
|---------------|------------|------------------------------------|----------|
| [REDACTED] | 10/11/2015 | Leighton Linslade Town Clerk | 8 |
| [REDACTED] | 10/11/2015 | Clarins Beauty Consultant | 9 |
| Elliot Weedon | 12/11/2015 | PCSO | 10* |
| [REDACTED] | 20/11/2015 | Leighton Linslade Councilor | 11 |
| David Dodkins | 09/03/2016 | PCSO | 12 |
| [REDACTED] | 02/06/2016 | Beauty Therapist (Jo Alexandra) | 13 |
| Alan May | 18/04/2016 | CBC ASB Officer | 14 |

*Please note – this statement consists of 1 page not 2.

Most recently PCSO Weedon (Bedfordshire Police PCSO Anti-Social Behaviour Team) has been dealing with the male and female street drinkers in the town centre and the issues caused by these people whilst drunk.

In statements dated 21/01/2017, 02/03/2017, 09/03/2017, 21/03/2017, 24/03/2017 and 27/03/2017 PCSO Weedon details incidents of anti-social behaviour he has encountered with the street drinkers, see Appendix 15.

In a statement dated 24/04/2017 PCSO Weedon gives detailed descriptions of the individuals concerned and refers to a visit he made to Buzz Wines whereby he advised them in relation to selling to the street drinkers, especially whilst drunk, see Appendix 16.

I have received a complaint from [REDACTED], Director of a company that owns a number of retail and office premises in Leighton Buzzard town centre. One of the tenants, Jo Alexandra (beauty salon) moved premises in December 2016 from 13 North Street to Friday Street, as a direct result of the anti-social behaviour of the street drinkers, as their customers were put off by the "drunks" hanging around outside her premises and in her doorway. The following is an extract from an email from [REDACTED] to Mr [REDACTED] (20th January 2017), "we also had a few issues with the drunks today, they were sniffing glue against our side window at the front of the shop, unfortunately the glue (or whatever they were sniffing) has been smeared over the window, I'm really sorry but we couldn't face trying to clean it as its rather disgusting." This premise remains unlet, its felt that prospective tenants are aware of

the problems caused by the street drinkers.

The following recent statements taken from local businesses and residents detail the issues that they are still facing on a daily basis:-

| Name | Date | Capacity | Appendix |
|------------|------------|--|----------|
| [REDACTED] | 20/03/2017 | Employee at Taylors Estate Agents | 17 |
| [REDACTED] | 24/03/2017 | Manager Mill Stream Estate | 18 |
| [REDACTED] | 28/03/2017 | Manager Lloyds Pharmacy | 19 |
| [REDACTED] | 19/04/2017 | Technical Officer Leighton Buzzard Library | 20 |
| [REDACTED] | 20/04/2017 | Owner Rubies Shoes | 21 |
| [REDACTED] | 05/05/2017 | Owner Jo Alexander | 22 |
| [REDACTED] | 12/05/2017 | Owner Natures Harvest | 23 |
| [REDACTED] | 11/04/2017 | Resident of Bossard Court | 24 |
| [REDACTED] | 12/04/2017 | Resident of Bossard Court | 25 |

In March this year I attended a working group set up to discuss community engagement and enforcement of the problem. This meeting was attended by Beds Police, Central Bedfordshire Council Anti Social Behaviour, Leighton Town Council, Noah Enterprise, local churches, homeless charities and representatives from the Black Horse. The general consensus was that funding is required to provide support to the street drinkers, however in the current climate this is very hard to come by. However, the underlying problem stems from the supply of super strength alcohol which we know to be sold by Buzz Wines, it was agreed that if the source of the alcohol could be stopped the problem may improve.

In my opinion Mr Azhir is exacerbating the problems with the street drinkers. Despite warnings he continues to sell strong, cheap alcohol to the street drinkers, he also sells to them when they are drunk. Mr Azhir also offers facility of selling to the street drinkers on 'tick', accepting payment when they receive their benefits (see Appendix 15 Statement of Elliot Weedon (page 5))

Actions taken to remedy this situation and prevent the need for a review

Following the conviction for the persistent selling of alcohol and consultation between Trading Standards and Bedfordshire Police Licencing, an appointment was made with Mr Azhir to discuss a set of proposed voluntarily additional conditions to be applied to the Premises Licence. This joint meeting took place on the 5th April 2017, at the time of the meeting Mr Azhir agreed to the following conditions:-

1. Alcohol will not be supplied to any person on a credit, or 'tick' basis
2. No sales of single cans or bottles of beer, lager or cider will take place at the premises

3. No super-strength beer lager or ciders 6.5% ABV (alcohol by volume) or above shall be sold at the premises.
4. A refusals log to be kept and maintained and to be produced to police on request
5. CCTV to be installed and maintained to an acceptable standard with the footage to be retained for a minimum of 30 days and made available to police on request.

It was felt that these conditions were reasonable and proportionate response in relation to the concerns around issues at the premises and supports the objectives of protection of public nuisance and the protection of children from harm, as defined by the Licensing Act 2003. It was explained to Mr Azhir that if these conditions were not accepted a full review of the premise license would be taken. Since this meeting Mr Azhir has decided that he does not want to accept these conditions and he is apparently in the process of selling the premises.

I feel that the evidence provided in this application is overwhelming in showing that Mr Azhir, despite numerous written warnings, business support and advice over the past 8 years, is not upholding the licencing conditions. In addition to this, he has recently been successfully prosecuted for persistently selling alcohol to children under age of 18 and I would therefore suggest that his licence be revoked.

If the Committee are not in agreement with this course of action, I would suggest that a number of additional conditions are applied to the conditions already in place, namely those mentioned above

Appendices

1. Premises Licence
2. Historical data showing visits to Buzz Wines from 2009
3. Warning letter to Buzz Wines dated 9th March 2016
4. Guidance titled 'It is illegal to sell E-cigarettes and nicotine liquids to anyone under the age of 18'
5. Guidance titled 'Nicotine Inhaling Products Prevention of sales to the under 18's'
6. Warning letter sent to Buzz Wines dated 25th August 2016
7. Section 9 Statement – Imogen Best
8. Section 9 Statement – [REDACTED] (Leighton Linlade Town Clerk)
9. Section 9 Statement – [REDACTED] (Clarins Beauty Consultant)
10. Section 9 Statement – Elliot Weedon (Bedfordshire Police – PCSO) (dated 12/11/2015)
11. Section 9 Statement – Councillor [REDACTED]

12. Section 9 Statement – David Dodkins (Bedfordshire Police PCSO)
13. Section 9 Statement – [REDACTED] (Beauty Therapist – Jo Alexandra)
14. Section 9 Statement – Alan May (CBC ASB Officer)
15. Section 9 Statement – Elliot Weedon (Bedfordshire Police – PCSO) (dated 21/01/2017, 02/03/2017, 09/03/2017, 21/03/2017, 24/03/2017 and 27/03/2017)
16. Section 9 Statement – Elliot Weedon (Bedfordshire Police – PCSO) (dated 24/04/2017)
17. Section 9 Statement – [REDACTED] - Employee at Taylors Estate Agents
18. Section 9 Statement – [REDACTED] - Manager Mill Stream Estate
19. Section 9 Statement – [REDACTED] - Manager Lloyds Pharmacy
20. Section 9 Statement – [REDACTED] - Technical Officer Leighton Buzzard Library
21. Section 9 Statement – [REDACTED] - Owner Rubies Shoes
22. Section 9 Statement – [REDACTED] - Owner Jo Alexander
23. Section 9 Statement – [REDACTED] - Owner Natures Harvest
24. Section 9 Statement – [REDACTED] – Resident of Bossard Court
25. Section 9 Statement – [REDACTED] – Resident of Bossard Court

Please tick ✓ yes
Have you made an application for review relating to the premises before

If yes please state the date of that application

| Day | | Month | | Year | |
|-----|---|-------|---|------|---|
| 1 | 1 | 1 | 1 | 1 | 1 |

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date

25th May 2017

Capacity

Responsible Authority

| | |
|---|------------------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) | |
| As Above | |
| Post town | Post Code |
| Telephone number (if any) | |
| If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) | |

Notes for Guidance

- 1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.**
- 2. The ground(s) for review must be based on one of the licensing objectives.**
- 3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.**
- 4. The application form must be signed.**
- 5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.**
- 6. This is the address which we shall use to correspond with you about this application.**

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Appendix A

APPENDIX 1

Premise License -- Buzz Wines Limited (number 013955)

000001



THE LICENSING ACT 2003
CENTRAL BEDFORDSHIRE COUNCIL
PREMISES LICENCE
PART A

Premises licence number

013955

Part 1 – Premises details

| | |
|--|-----------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description Buzz Wines Limited 17 North Street | |
| Post town Leighton Buzzard | Post code LU7 1EF |
| Telephone number 01525 854497 | |

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

The times the licence authorises the carrying out of licensable activities

Supply of alcohol

Monday to Saturday 08.00hrs to 23.00hrs

Sunday 10.00hrs to 22.30hrs

Non standard timings – Good Friday 08.00hrs to 22.30hrs and Christmas Day 12.00hrs to 15.00hrs and 19.00hrs to 22.30hrs.

The opening hours of the premises

Not known

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Ali Iraj Azhir
[REDACTED]
[REDACTED]
Bedfordshire
[REDACTED]

01525 [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Ali Iraj Azhir
[REDACTED]
[REDACTED]
Bedfordshire
[REDACTED]

01525 [REDACTED]

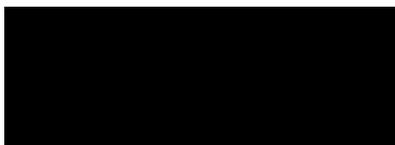
Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

014227

Issued by South Bedfordshire District Council

This licence is effective from 11th August 2012.

Dated the 14th August 2012.



Susan Childerhouse
Head of Public Protection

Annex 1 - Mandatory conditions

a) MANDATORY CONDITIONS WHERE A LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

1. No supply of alcohol may be made under the premises licence -

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

NEW MANDATORY CONDITION

4.

1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

EMBEDDED RESTRICTIONS UNDER THE LICENSING ACT 1964

Off-licences and off-sales departments of on-licensed premises

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a) On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b) On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c) On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d) On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Off-licence

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating schedule

a) General – all four licensing objectives (b, c, d, e)

See below

b) The prevention of crime and disorder

No additional measures identified

c) Public safety

No additional measures identified

d) The prevention of public nuisance

No additional measures identified

e) The protection of children from harm

1. A 'Challenge 25' policy to be implemented.
2. The 'Challenge 25' posters and signage to be displayed in the areas alcohol is exposed for sale and at point of sale.
3. Within a 4 month period all staff to have achieved the TSI – Fair Trading Award – 'Do You Pass' qualification (or equivalent). After the 4 month period staff must complete the qualification before they are permitted to sell alcohol (allowing for re-takes of the test, and incorporating new staff). Then subsequent 6 monthly refresher training carried out for all staff. This must be documented with all training records to be signed by staff and the deliverer of the training.
4. All sales of alcohol after 5pm can only be made by production of valid identification by All purchasers regardless of age. This should be for a 3 month period. This is to re-establish the stores reputation for not selling to underage people and in turn will reduce the number of attempts to purchase underage alcohol.
5. A documented refusals book or electronic log must be maintained. The log should be of all refusals. The book or log must be checked and signed weekly by the DPS or premises licence holder. The check should include making sure staff are using the system and identifying any issues or training needs through lack of entries.
6. The store will implement and maintain cash registers with electronic 'till prompts' when selling alcohol.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 – Plans

Attached

APPENDIX 2

Historical data showing visits to Buzz Wines from 2009

| TradingName | Date | Details |
|-------------|----------|---|
| Buzz Wine | 1/7/09 | Counterfeit toaccco checks - no problems found |
| Buzz Wine | 30/10/09 | Underage sales of alcohol operation - Sold 1 Bottle Red Wine. Copy of Written Warning Letter on file. |
| Buzz Wine | 20/11/09 | Underage sale of alcohol operation - no sale |
| Buzz Wine | 15/11/10 | Underage sale of alcohol operation - no sale |
| Buzz Wine | 28/6/11 | 10x lambert and butlet cigarettes sold to [redacted] aged 16 |
| Buzz Wine | 31/1/12 | Underage Sales Of Tobacco operation - no sale |
| Buzz Wine | 27/3/12 | underage sale of alcohol operation 2x bottle of blossom hill - rose wine - 75cl 12% vol thought girls were 18 |
| Buzz Wine | 30/5/12 | under age sales operation on alcohol and tobacco 1x 1.70cl of smirnoff |
| Buzz Wine | 31/5/12 | Underage sale of alcohol operation - no sale |
| Buzz Wine | 25/6/12 | LICENCE REVIEW - continued supply of age-restricted products to children |
| Buzz Wine | 25/6/12 | Review of premises licence - review date 14/8/12 |
| Buzz Wine | 25/6/12 | Underage sale operation of alcohol and tobacco - no sale |
| Buzz Wine | 25/6/12 | LICENCE REVIEW of premises licence - continued supply of age-restricted products to children |
| Buzz Wine | 18/7/12 | Underage sales operation of alcohol - no sale |
| Buzz Wine | 19/11/12 | Underage sales operation - no sale |
| Buzz Wine | 17/10/13 | Underage sales operation - no sale |
| Buzz Wine | 21/7/14 | Underage sales operation of alcohol - no sale |

| | | |
|-----------|---------|---|
| Buzz Wine | 3/2/15 | <p>Contacted via tele-marketing campaign. Wine, beer and spirits retailer established five years ago. Interested in getting some fish specialist advice to improve his business, particularly around marketing and social media activities.</p> |
| Buzz Wine | 17/2/16 | <p>EETSA UAS TP of nicotine inhaling products - sold to a 16 and 17 year old girl - One Lite Blueberry e-liquid - warning letter sent to trader</p> |
| Buzz Wine | 4/4/16 | <p>UAS cigarettes with 2 15 year olds () - no sale. Advised re Kick Ash Charter</p> |
| Buzz Wine | 24/6/16 | <p>Underage sales operation alcohol - no sale</p> |
| Buzz Wine | 29/6/16 | <p>Underage sales operation tobacco - no sale</p> |
| Buzz Wine | 26/7/16 | <p>Advisory visit failed out as a result of project funded by Public Health NIP's 1. Whereby we visited a number of traders doing an under age sales TP. This shop failed the test in February 2016 therefore asked as part of NIP's 2 that advisory visits are carried out at the premises that failed before being re-tested in the next 6-8 weeks.</p> |
| Buzz Wine | 25/8/16 | <p>Alcohol under age test purchase operation with police - (15) and (15) and (15) DOB</p> |
| Buzz Wine | 12/9/16 | <p>Under age sales test purchase exercise of Nicotine Inhaling Products (EETSA funded project) volunteers (15) DOB (15) and (15) DOB (15) (both 17) - this is a re-visit following ales made in February of these products - see results</p> |

000003

APPENDIX 3

Warning letter to Buzz Wines dated 9th March 2016



Buzz Wines
19 North Street
Leighton Buzzard
Bedfordshire
LU7 1EF

Tel no: 0300 300 6017
Our ref:
Date: 9th March 2016

Dear Mr Azhir

WRITTEN WARNING
Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015

I write following the sale of a nicotine inhaling product to a person under the age of 18. The sale of 'One Lite Blueberry e-liquid', took place during an underage sales test purchase operation conducted by this Service on the 17th February 2016. The seller was a Mrs [REDACTED].

The above Regulations came into force on the 1st October 2015 and create a new offence for the supply of a nicotine inhaling products (including E cigarettes and associated products such as refills that contain nicotine) to a young person under the age of 18.

On this occasion it has been decided by this service to issue the store with a written warning. This incident will be recorded against your premises and may influence our course of action if a similar contravention of the above legislation occurs again.

I would advise you to ensure that you can show (for all age restricted products) that they have taken all reasonable steps and exercised all due diligence to avoid the commission of the offence. In order to establish this we strongly recommend that the following systems be implemented if they are not already operational:

- Implement a documented refusals or challenge system
- Display signage indicating the appropriate age restriction at the point of sale
- Accept only photographic identification such as a driving licence or passport as proof of age
- Implement & maintain up to date documented training records for all staff
- Implement a 'challenge 25' policy in relation to the sale of all products with an age restriction of 18 years. *(It is advised that all employees are trained on this concept, and again that this training is documented. You are able to obtain Challenge 25 posters from <http://www.challenge25.org> or by calling 01483 634996).*

Central Bedfordshire Council
Public Protection – Trading Standard
Priory House
Monks Walk
Chicksands SG17 5TQ

Customer Service 0300 300 8000
Email info@centralbedfordshire.gov.uk
www.centralbedfordshire.gov.uk

000010



Please be advised that this service will be carrying out another test purchase operation in your area in the near future.

If you would like to discuss this matter further, please contact me via the contact details given below.

Yours sincerely



Imogen Best
Senior Enforcement Officer – Trading Standards
Email imogen.best@centralbedfordshire.gov.uk

Central Bedfordshire Council
Public Protection – Trading Standard
Priory House
Monks Walk
Chicksands SG17 5TQ

Customer Service 0300 300 8000
Email info@centralbedfordshire.gov.uk
www.centralbedfordshire.gov.uk

000011

APPENDIX 4

Guidance titled 'It is illegal to sell E-cigarettes and nicotine liquids to anyone under the age of 18'

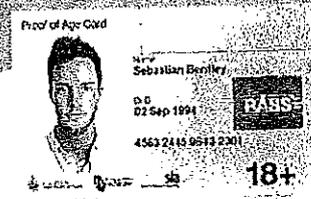
000012



It is illegal to sell E-cigarettes and nicotine liquids to anyone under the age of 18

Acceptable forms of ID:

- Cards bearing the PASS hologram
- Photocard Driving Licence
- Passport



APPENDIX 5

Guidance titled 'Nicotine Inhaling Products Prevention of sales to the under 18's'

000014



Nicotine Inhaling Products

Prevention of sales to the under 18's

Guidance note issued by the CTSI

The Law
Children and Families Act 2014
The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015

What does the law say and do?

It prohibits the sale and supply of nicotine inhaling products including E-cigarettes, nicotine cartridges and nicotine refill substances to young people under the age of 18 years.

The law also prohibits the purchase of nicotine inhaling products by an adult for supply to a young person under 18 years. This is known as proxy purchasing.

The regulations exempt **licensed** nicotine replacement therapy (NRT) including electronic cigarette devices that are **licensed as medicines or medical devices**. These may be identified by a product licence (PL) number marked on the product or packaging.

You must be clear whether the products you intend to sell are exempt or not.

Who can commit an offence?

Any person who sells an E-cigarette, refill or cartridge containing nicotine to a person under the age of eighteen years - it does not matter if the sale is said to be for someone else or for their own use.

Any adult who (proxy) purchases a nicotine inhaling product for supply to a young person under 18 years commits an offence.

Penalties

If found guilty of selling nicotine inhaling products to a young person under 18 years an individual may be fined up to £2,500 in the Magistrates' Court.

In addition, a person or a business found to be **repeatedly** selling nicotine inhaling products to young people under the age of 18 could receive a Restricted Sales Order or a Restricted Premises Order from the court.

These orders prohibit a named individual, or a named retail outlet, from selling nicotine inhaling products to anyone for a period of up to one year. Failure to comply with an order can result in an unlimited financial penalty being imposed by the court.

For the offence of proxy purchasing; an individual may be issued with a Fixed Penalty Notice of £90 (reduced to £60 if paid within 15 days). Failure to pay the fine may result in the matter being pursued in court. The court may then issue a fine of up to £2,500.



What you can do to prevent illegal sales to young people

It is a criminal offence to sell nicotine inhaling products to young people under the age of 18. You may have a defence to this offence if it can be shown that you have done all that is reasonable to avoid committing the offence.

A responsible retailer should consider the following practices*:

Provide staff training: Ensure that ALL relevant employees are aware of the legal requirements relating to the sale of nicotine inhaling products. Train your staff on a regular basis and keep a record of the training received and the date. Ensure your employees sign a declaration to say that they have received training and understand the legal requirements imposed upon them and your business.

Implement a policy for the sale of ALL age restricted products including nicotine inhaling products: This could include the circumstances in which a customer will or will not be served. For example, only on production of acceptable photo ID that is a Passport, Photocard Driving Licence or a PASS accredited proof of age card. It might also include a requirement for staff to refer to other senior staff before making a sale. "Challenge 25" is an example of an age verification policy that requires customers to be challenged if they appear to be under 25 years and asked to produce suitable ID for checking to ensure that they are over the age of 18. This should be undertaken before a sale can be considered.

Notices: Although there is NO legal requirement to display a notice as there is for tobacco, these can act as a useful deterrent to potential under age purchasers and act as a reminder to employees. Challenge 25 posters may also be useful. Referring to a poster, may help deflect and diffuse any negative reaction from a refused customer.

Refusals log: Keeping a written record of occasions when a sale has been refused will demonstrate to any enforcement body that refusals to sell nicotine inhaling products do occur. It also helps you to monitor the refusals made by individual employees. If an employee rarely refuses a sale this MAY indicate that they require additional training. A history of refusals acts as evidence that your business is attempting to comply with the law..

Till stickers/prompts: These help to remind employees that these products are age-restricted and encourages them to consider what they need to do when a young person attempts to purchase such.

Sample Declaration

As employees of _____, we have received training relating to the sale of Nicotine Inhaling Products to persons under the age of 18 years.

| | | |
|------------------|------------------|-----------------------|
| Name of employee | Date of training | Signature of employee |
|------------------|------------------|-----------------------|

Further advice available from the Business Companion website: www.businesscompanion.info
Search for nicotine inhaling products.

*This list is not exhaustive. Each business must consider what best suits their particular business needs.



APPENDIX 6

Warning letter sent to Buzz Wines dated 25th August 2016



Proprietor/DPD
Buzz Wines
19 North Street
Leighton Buzzard
Bedfordshire
LU7 1EF

Tel no: 0300 300 6017
Our ref:
Date: 25th August 2016

Dear Sir/Madam

Licensing Act 2003, section 146 (1)
Licensing Act 2003, section 147a
Violent Crime Reduction Act 2006, section 23

I write following an underage sales test purchase operation conducted at your premise on the 25th August 2016, run in conjunction with Bedfordshire Police. It was during this operation that 4 x cans of 1664 Lager was sold to persons under the age of 18 years. The seller identified himself as Mr [REDACTED].

I must advise you that it is a criminal offence to sell alcohol to a person under the age of 18, contrary to Section 147(1) of the Licensing Act 2003.

Furthermore, Section 147a of the licensing Act 2003 (under the provisions of section 23 of the Violent Crime Reduction Act 2006) creates an offence of *persistent selling* of alcohol to under 18's, the penalty of which could be a fine up to £10,000 and/or either revocation or a 3 months suspension of your alcohol licence.

It is a defence for a person charged with an offence under section 146 of the Licensing Act 2003 to show that they have taken all reasonable steps and exercised all due diligence to avoid the commission of the offence. These steps could include:

- Implement a documented refusals or challenge system
- Display signage indicating the appropriate age restriction at the point of sale
- Accept only photographic identification such as a driving licence or passport as proof of age
- Implement & maintain up to date documented training records for all staff
- Implement a 'think 25' policy in relation to the sale of all products with an age restriction of 18 years. (It is advised that all employees are trained on this concept, and again that this training is documented. You are able to obtain Think 25 posters from <http://www.challenge25.co.uk> or by calling 0871 246 2750).

Central Bedfordshire Council
Public Protection – Trading Standard
Priory House
Monks Walk
Chicksands SG17 5TQ

Customer Service 0300 300 8000
Email info@centralbedfordshire.gov.uk
www.centralbedfordshire.gov.uk

000018



Following consideration into the above matters, it has been decided on this occasion to issue you with a written warning. This incident will be recorded against your premises and may influence our course of action if a similar contravention of the above legislation occurs again.

Please be advised that we will be carrying out another test purchase operation in your area in the future, and you are likely to be tested again.

If you require any further guidance or assistance on setting up and implementing an adequate diligence system or would like to discuss this matter further, please do not hesitate in contacting me.

Yours faithfully

Imogen Best
Senior Enforcement Officer

Central Bedfordshire Council
Public Protection – Trading Standard
Priory House
Monks Walk
Chicksands SG17 5TQ

Customer Service 0300 300 8000
Email info@centralbedfordshire.gov.uk
www.centralbedfordshire.gov.uk

000019

APPENDIX 7

Section 9 Statement – Imogen Best



**COMMUNITY SAFETY AND PUBLIC PROTECTION
STATEMENT OF WITNESS**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (A) and 5B; Criminal Procedure Rules 2010, Rule 27.1)

Statement of:- Imogen Lee BEST

Age of Witness If under 18:- Over 18

Occupation:- Senior Enforcement Officer

This statement (consisting of 4 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:

Date:

I am employed by Central Bedfordshire Council Public Protection Trading Standards as a Senior Enforcement Officer, a position I have held for over 25 years. I am duly authorised to enforce the provisions of the Licensing Act 2003 and the Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015.

On the 17th February 2016, in the course of my duties I took part in a regional project, the aim of which was to ascertain compliance with the new Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015. This consisted of sending volunteers under the age of 18 into premises to attempt to buy nicotine inhaling liquids (age restricted 18). On this occasion two volunteers, aged sixteen (16) and seventeen (17) entered Buzz Wines, 17 North Street, Leighton Buzzard, LU7 1EF. I explained that they were not to lie about their age, if there were asked for ID to say that they didn't have any and in no way persuade any shop attendant to sell to them; I watched from outside of the shop. Approximately five (5) minutes later the volunteers exited the store carrying a box of One Lite Blueberry E-Liquid. I asked the volunteers if the seller had spoken to them, they said that they hadn't been asked any questions. As a result of this sale on the 9th March 2016 I sent a written warning letter to the owner of the business Mr AZHIR, this letter contained advice on how to set up and maintain due diligence procedures. I produce a copy of this letter dated 9th March 2016 as exhibit IB/BW/6.

Signature:

Date:



Continuation of Statement of: Imogen BEST

Page No:2

On the 25th July 2016, as a follow up to the regional project, I visited Buzz Wine to advise on setting up due diligence procedures in order to avoid sales of age restricted products to children under age. I advised the person who was in charge of the store at the time on measures that should be implemented within the store to prevent further sales such as a 'Think 25' age check policy, documented staff training, till prompts and the need to maintain the refusals log kept behind the counter. I also provided a point of sale poster advising that its illegal to sell e-cigarettes and nicotine liquids to anyone under the age of 18, which I produce a copy of as exhibit IB/BW/7 and guidance notes produced by the Chartered Institute of Trading Standards providing advice on the law relating to the sales of nicotine inhaling products, which I produce a copy of as exhibit IB/BW/8. I advised the seller that these should be given to the owner of the business.

On the 25th August 2016, a visit was carried out at Buzz Wine as part of an underage sales test-purchase operation. This was a joint operation carried out in partnership with Bedfordshire Police. Assisting in the operation were volunteers [REDACTED] and [REDACTED], both girls being fifteen (15) years old. [REDACTED] and [REDACTED] were briefed that they were to attempt to purchase alcohol, that they were not to lie about their age, if there were asked for ID to say that they didn't have any and in no way persuade any shop attendant to sell to them. At approximately 8.15pm [REDACTED] and [REDACTED] entered Buzz Wine; I watched from outside of the shop. Approximately five (5) minutes later [REDACTED] and [REDACTED] exited the store carrying a bag which they explained contained the alcohol. The bag contained 4 x Cans Kronenbourg 1664 Larger (5% alcohol by volume (abv)). I asked [REDACTED] and [REDACTED] if the seller of the alcohol, a man I later knew to be Mr [REDACTED] had spoken to them. [REDACTED] and [REDACTED] said that he didn't ask any questions about their age or ID. At approximately 8.30pm I entered the store accompanied by PS GURR and PC READ and approached [REDACTED] who was behind the till and advised him of the purpose of our visit. [REDACTED] was cautioned by PS GURR 'you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say will be given as evidence'. [REDACTED] gave his date of birth as [REDACTED] and his home address as [REDACTED]. No Premise Licence was displayed. [REDACTED] said that he had not been given any training as "he had worked in retail before".

Signature:

Date:



Continuation of Statement of: Imogen BEST

Page No:3

On my return to the office I took a photocopy of the cans of larger and then placed them into a uniquely numbered tamper-proof evidence bag, I produce these as exhibit IB/BW/1 4 x Kronenbourg 1664 (sealed P02914481).

On the 12th September 2016, a re-visit was carried out at Buzz Wine as part of an underage sales test-purchase operation. Assisting me in the operation were volunteers [REDACTED] and [REDACTED]. Prior to the operation I had ascertained the age of both volunteers, confirming that on the date of the operation [REDACTED] was sixteen (17) years old and that [REDACTED] was seventeen (17) years old. I collected both volunteers on the day of the operation and took a digital photograph. I produce as evidence an unaltered printout of the photograph as exhibit IB/BW/5. I instructed [REDACTED] and [REDACTED] before entering any shops that they were to attempt to buy alcohol and nicotine inhaling liquid. I also explained that they were not to lie about their age, if there were asked for ID to say that they didn't have any and in no way persuade any shop attendant to sell to them. At approximately 4.45pm [REDACTED] and [REDACTED] I entered Buzz Wine; I watched from outside the shop. Approximately three (3) minutes later [REDACTED] and [REDACTED] exited the store carrying a bag which they explained contained alcohol and the nicotine inhaling liquid they had purchased. The bag contained a 750ml bottle of Gallo Chardonnay Wine (12.5% alcohol by volume (abv)) and One Life Banana Cake E-Liquid (High Nicotine 18mg/ml). I asked [REDACTED] and [REDACTED] if the seller of the alcohol, a man I later knew to be Mr Ali Iraj AZHIR, had spoken to them. [REDACTED] and [REDACTED] said that the seller didn't ask any questions about their age or ID. I entered the store at around 4.55pm and approached AZHIR who was behind the till and advised him of the purpose of my visit, I then cautioned him 'you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say will be given as evidence'. AZHIR gave his date of birth as [REDACTED] and his home address as [REDACTED]. AZHIR said that he was the owner of the business. I asked where the Premise Licence was and AZHIR said it was "out back somewhere". AZHIR said he didn't ask for age or ID as he thought they were 25 and said that it was "my mistake totally". AZHIR said that he was fully aware of challenge 25. I asked if there was anything else that he wanted to add and AZHIR said "my mistake don't know why I didn't ask for ID". I inspected the refusals book and the last recorded entry was 10th September.

Signature:

Date:

000023



Continuation of Statement of: Imogen BEST

Page No:4

On my return to the office I took a photocopy of the bottle of wine and the One Lite E-Liquid and then placed them into a uniquely numbered tamper-proof evidence bag, I produce as exhibit **IB/BW/2** bottle of Gallo Chardonnay Wine (sealed N01382104) and as exhibit **IB/BW/3** One Lite Banana Cake E-Liquid (sealed M02547818).

On the 15th September 2016 I received an email from AZHIR explaining the steps that he had implemented as a result of the sales. On the 5th October 2016 I sent an email to AZHIR inviting him to attend a formal tape recorded interview to be held at our offices in Dunstable on the 21st October 2016, I produce a copy of these email as exhibit **IB/BW/9**.

On the 21st October 2016 I conducted a formal tape recorded interview with AZHIR at our offices at Watling House, Dunstable. I produce as evidence a transcript of the interview as exhibit **IB/BW/10** and the sealed Master CD recording of the interview as exhibit **IB/BW/11**. I produce as exhibit **IB/BW/4** a copy of the Premise Licence number 013955 for Buzz Wines Limited 17 North Street Leighton Buzzard LU7 1EF.

Signature:

Date:

000024

APPENDIX 8

Section 9 Statement – [REDACTED] (Leighton Linlade Town Clerk)

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70)

STATEMENT OF [REDACTED]

Age of Witness: Over 18 Occupation: Town Clerk

This statement, (consisting of 1 page 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.

Dated: 10/11/2015 Signature

I am the above named person and I am employed as the Town clerk by Leighton/Linslade Town Council, where I have been employed for 3 years.

My role and that of the Town Council is to improve the environment for the Town and to deal with local issues relating to the Town itself.

For most of my tenure in Leighton Buzzard, we have experienced problems with a small group of street drinkers around Market Cross. I have got a lot of feedback from Councillors and members of the public about this group and the effect they have on people.

It seems that they cause a lot of annoyance and distress among some sections of the population of the Town and those people who visit to shop.

I do not know, personally, any of this group but I know that this same group is involved and they cause problems. I have received complaints about members of this group overtly drinking, in what is already an alcohol exclusion zone, and generally being rowdy and argumentative.

I am also aware, from feedback from Councillors and the public that they are aggressive and use abusive language between themselves and members of the public.

I have, on occasions, witnessed this group misbehaving myself and I have received a photograph from Councillor [REDACTED] and have been able to identify the individuals in that photograph as being the ones responsible for the rowdy and abusive conduct.

A market is held on a Tuesday and Saturday of each week and a large number of people attend these days. The antics and behaviour of this group does not give the Town a good image and affects a larger number of people on these days. However, in saying that, they are in the Town on most days when the weather is reasonable and their behaviour is always the same.

I would support any initiative that helps to remove these problematic individuals from the Town centre so that they cannot intimidate anyone else.

I would be willing to attend Court and give evidence.

Signed.....

Taken by.....

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102; Magistrates Courts Rules 1981, r70)

STATEMENT OF

Age of Witness over 18 Occupation TOWN CLERK

This statement, (consisting of one page 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.

Dated 10/11/2015 Signature

I am the above named person and I am employed as the Town Clerk by Leighton/Linslade Town Council where I have been employed for 3 years. My role and that of the Town Council is to improve the environment for the Town and to deal with local issues relating to the Town itself. For most of my tenure in Leighton Buzzard we have experienced problems with a small group of street traders that often congregates around Market Cross.

I have got a lot of feedback from Councillors and members of the public about the group and the effect they have on people. It seems that they cause a lot of annoyance and distract a large number of the population of the Town and their people who wish to shop.

I do not personally know any of the group but I know that this same group is involved and they cause problems. I have received complaints about members of

Signed

by

[Signature]

Continuation statement of.....

the group mostly drinking in what is already an alcohol exclusion zone and generally being noisy and argumentative. I am also aware from feedback from councillors and the public that they are aggressive and use a business language between the needs and members of the public.

I have on occasions witnessed this group not behaving myself and I have received a photograph from councillor [redacted] and have been able to identify the individual in that photograph as being the one responsible for this noisy and abusive conduct.

A market is held on a Tuesday and Saturday of each week and a large number of people attend these days. The noise and behavior of this group does not give the Town a good image and affects a larger number of people on these days. However, on being told they are in the Town on work days when the weather is reasonable and their behavior is always the same.

I would support any initiative that helps to remove these problematic individuals from the Town Centre so that they cannot intimidate anyone else.

I would be willing to attend court and give evidence. [redacted]

Signed

Taken by

Alan [redacted]

Appendix A

APPENDIX 9

Section 9 Statement – [REDACTED] (Clarins Beauty Consultant)

000029

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70)

STATEMENT OF [REDACTED]

Age of Witness: Over 18

Occupation: Clarins Beauty Consultant

This statement, (consisting of 1 page 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.

Dated: 10/11/2015

Signature

I am the above named person and I work as a beauty consultant in Lloyds pharmacy, 3-5 Market Square, Leighton Buzzard from Tuesday to Saturday. I have worked here for 9 years. From the position I occupy in the shop, I can look out of the window onto the street and Market Cross itself.

I am aware that for the last four years there have been problems with street drinkers in the Town centre. Although over that time, the group has changed, it has been a hard core of 5 people for the last few months. Because they come into the shop from time to time, I know some of them by name. There is a girl called [REDACTED] and her boyfriend. In the group there is a person called [REDACTED] and a young girl.

I regularly see them outside drinking from cans and the language they use is disgusting. In the summer, I couldn't have the door open because they were shouting, using abusive language and often seemed drunk. Customers have come in and discussed it with me. I find their behaviour draining and my customers are not happy about it either. They cause a constant nuisance especially in the good weather and they are also here on Market days. On a Saturday they are particularly vocal. I would support any initiative to stop this behaviour and although they have been quiet recently, I have no doubt that they will come back.

000030

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102; Magistrates Courts Rules 1981, r70)

STATEMENT OF

Age of Witness over 18

Occupation CLARK'S BATTERY CONSULTANT

This statement, (consisting of 2 page 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.

Dated 10/11/2015 Signature

I am the above named person and I work as a beauty consultant in Lloyd's pharmacy, 3-5 Market Square, Leighton Buzzard from Tuesday to Saturday. I have worked here for 9 years.

From the position I occupy in the shop, I can look out of the window onto the street and Market Cross itself.

I am aware that for the last few years there has been problems with street drinkers outside in the Town Centre.

Although over that time the group has changed, it has been a hard core of 5 people for the last few months.

Because they come into the shop from time to time, I know some of them by name. There is a girl called [redacted] and her boyfriend. In the group there is a person called [redacted] and a young girl.

I regularly see them and see drinking from cans and the language they use is disgusting.

In the summer, I would not have the door open because they were shouting using abusive language and often seen drunk. Customers have come in and discussed it with me.

Signed

Taken by

000031

Continuation statement of.....

..... I find their behaviour drawing and my activities
..... are not happy about it either.
..... They cause a constant nuisance especially in the ground
..... between and they are also here on Festival days on
..... a Saturday they are particularly vocal.
..... I would support any initiative to stop their behaviour
..... and although they have been quiet recently, I have no
..... doubt that they will come back. ~~.....~~ ~~.....~~

Signed.....

Taken by.....

000032

APPENDIX 10

Section 9 Statement – Elliot Weedon (Bedfordshire Police – PCSO) (dated
12/11/2015)

000033

RESTRICTED (when complete)

MG11
Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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Statement of: Elliot WEEDON

Age if under 18: 0"18" (if over 18 insert 'over 18') Occupation Police Community Support 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 willfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:  4846 Date 12/11/2015

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

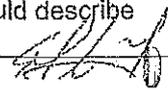
I am making this statement in relation to a group of people that congregate in LEIGHTON BUZZARD town centre at various times of the day drinking strong beer and cider.

I am a Police Community Support Officer and have been in this role for almost 8 years. I am currently attached to the Priority Anti-Social Behaviour Team based at DUNSTABLE Police station. Prior to that I was a patrol officer in LEIGHTON BUZZARD primarily based in the town centre.

LEIGHTON BUZZARD is an old market town with a population of around 45,000 people which is ever growing due to the continued building that is going on within the town. The town centre is a busy area which consists of shops on either side of the road that is around 250 meters in length. Various big retail outlets are situated here and also in WATERBOURNE WALK which is just at the back of the HIGH STREET. At the top of the HIGH STREET is what is called the Market Cross which is a large monument which stands alone with steps leading up to it from all directions. To the right of the Market Cross there are 2 benches for people to sit on.

Over the past few month's, shopkeepers, market stall holders that attend on a Tuesday and Saturday and members of the public have been complaining about a group of people who have been given the name of street drinkers. These people often turn up and sit on the Market Cross steps or on the benches to the side of it and drink strong alcoholic beverages which in turn causes them to argue and swear loudly in public, urinate in front of other people and be sick.

I know one of the street drinkers to be a male called  I would describe

 000034

APPENDIX 11

Section 9 Statement – Councilor 

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70)

STATEMENT OF Councillor [REDACTED]

Age of Witness: Over 18

Occupation: Retired

This statement, (consisting of 1 page 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.

Dated: 20/11/2015

Signature

I am the above named person and I am an elected Councillor for Leighton, Linslade Town Council. I was elected in May 2015, however, I have lived in Leighton Buzzard, with my family, for 42 years so I know the area well and its problems.

Since I have been a Councillor, I have been made aware, at meetings and from other elected members about a problem with street drinkers in Leighton Buzzard Town centre. I serve on the Police liaison committee and the committee that deals with the street traders, who hold a market on a Tuesday and Saturday of each week.

I am aware that a group of street drinkers are causing problems in the Town Centre particularly on the market days. I have not witnessed the events myself but on 22nd October 2015, at approximately 13.30 hours, I was in the Town Centre and took a picture of the particular group who were drinking in the Town Centre and I sent the picture to the Town clerk. I also sent the picture to the Police liaison chairman and the Police and Crime panel.

Mr Alan May, an employee of Central Bedfordshire Council, came to my home today to show me a copy of the picture and I can confirm that this is the picture on my mobile phone, which I took on that day of the street drinkers.

Signed.....

Taken by.....

000037

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules.1981, r70

STATEMENT OF Councillor [Redacted]

Age of Witness OVER 18 Occupation RETIRED

This statement, (consisting of 2 page 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.

Dated 20/11/15 Signature [Redacted]

I am the above named person and I am an elected councillor for Lighten Linslade Town Council. I was elected in May 2015. However I have lived in Lighten Buzzard with my family for 42 years so I know the area well and it's problems. Since I have been a councillor, I have been made aware at meetings and from other elected members about a problem with street drinkers in Lighten Buzzard Town Centre.

I serve on the Police Liaison Committee and the committee that deals with the street traders who hold a market on a Tuesday and Saturday of each week.

I am aware that a group of street drinkers are causing problems in the Town Centre particularly on the Market days.

I have not witnessed the events myself but on 23rd October 2015 at approximately 12.30 hours, I was in the Town Centre and took a picture of the particular group who were drinking in the Town

Signed [Redacted] Taken by [Redacted]

000038

Continuation statement of..... Carolee 
..... Centre and I sent the picture to the Town Clerk.
..... I also sent the picture to the Police Liaison Chairman
..... and the Police and Crime panel.
..... Mr Alan King, an employee of Central Bedfordshire
..... Council came to my home today to show me a
..... copy of the picture and I can confirm that this
..... is the picture on my mobile phone which I took
..... on that day of the street dramas.

Signed.....  Taken by..... 

APPENDIX 12

Section 9 Statement – David Dodkins (Bedfordshire Police PCSO)

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Statement of: PCSO 8151 DODKINS

Age if under 18: O/V18 (if over 18 insert 'over 18')

Occupation: PCSO

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.

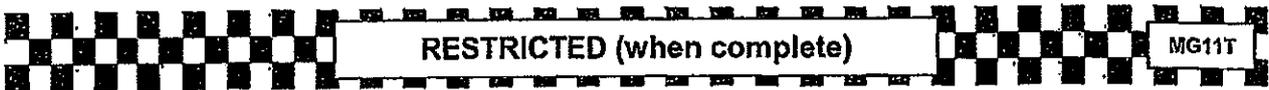
Signature: [REDACTED] (witness) Date: 09/03/2016

I am PCSO working for Bedfordshire Police based at LEIGHTON BUZZARD POLICE STATION. This statement is in relation to breach of Community Protection Notice conditions by [REDACTED]

[REDACTED]. I would describe [REDACTED]

[REDACTED] black beanje hat, black tracksuit trousers, black tracksuit top with red, yellow and green stripes on the arms and chest. Beneath the top he was wearing a button up blue shirt which appeared to be cover in old blood. At the time he was in possession of a yellow plastic carrier bag, a very large bottle of Cider and a can of lighter fluid which he was reportedly was inhaling before we arrived. At 1400hrs on the 03/03/2016 I was on patrol with PCSO 4829 WALKER when we responded to a call from the control room CAD 161 refers. BEDFORDSHIRE police had received several calls reporting a male standing outside of BOOTS being rude and aggressive towards members of public and customers. I recognised both [REDACTED] immediately due to fact he is prolific priority offenders and are well known to the police in relation to Anti-social behaviour and street drinking and I have had several dealings with them while working as a PCSO in the local area. On our arrival several members of public approached and complained about [REDACTED] behaviour. When we approached [REDACTED] he appeared to be under the influence of an unknown substance and he claimed that he was waiting for his friend who had been staying with him called [REDACTED]. Apparently [REDACTED] was in BOOTS, PCSO 4829 WALKER went into the store but there was no trace of another male. We advised [REDACTED] again that he was not allowed in the town and advised him to left the area which he did. The whole incident was captured on my Body Worn Video. These are my original notes and were made at 1700rs on the 09/03/2016 which was as soon as practicable and while events were fresh in my memory and I am willing to attend court if necessary.

Signature: [REDACTED] Signature witnessed by:



Not Disclosable

Witness contact details

Home address: C/O LEIGHTON BUZZARD POLICE STATION Postcode:

Home telephone No: Work telephone No: [REDACTED]

Mobile: E-mail address: [REDACTED]

Preferred means of contact (specify details): e-mail

Best time to contact (specify details): any

Gender: M Date and place of birth: [REDACTED]

Former name: N/A Ethnicity Code (16 + 1): W1

DATES OF WITNESS NON-AVAILABILITY:

Witness care

- a) Is the witness willing to attend court? Yes If 'No', include reason(s) on form MG6.
- b) What can be done to ensure attendance? N/A
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case) NO If 'Yes' submit MG2 with file in anticipated not guilty, contested or indictable only cases.
- d) Does the witness have any particular needs? No If 'Yes' what are they? (Disability, healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?).

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me Yes No X
- b) I have been given the Victim Personal Statement leaflet Yes No X
- c) I have been given the leaflet "Giving a witness statement to the police..." Yes No X
- d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) Yes No N/A X
- e) I consent to my medical record in relation to this matter being disclosed to the defence Yes No N/A X
- f) I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA Yes No N/A X
- g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services

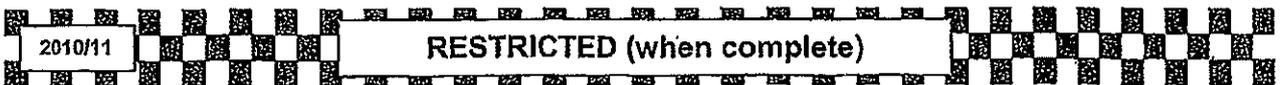
Signature of witness: [REDACTED] PRINT NAME: David DODKINS

Signature of parent/guardian/appropriate adult: PRINT NAME:

Address and telephone number (of parent etc.), if different from above:

Statement taken by: PCSO 8151 DODKINS Station: LEIGHTON BUZZARD

Time and place statement taken: 1700hrs LEIGHTON BUZZARD



APPENDIX 13

Section 9 Statement – [REDACTED] (Beauty Therapist – Jo Alexandra)

RESTRICTED (when complete)

MG11w

WITNESS STATEMENT

(CJ Act 1987, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2010, Rule 27.2)

[] [] [] []

Statement of:

[Redacted Name]

Age if under 18: "018" (if over 18 insert 'over 18')

Occupation Beauty Therapist

This statement (consisting of 3 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:

[Redacted Signature]

Date 02/06/2016

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

I am making this statement in relation to a male street drinker who is constantly drinking alcohol and being anti-social outside of my place of work, I do not know what the males name is but I always see him about.

I would describe this male as white, about early 30's and of a slight build. He is around 5 foot 11 in height. When I saw him yesterday he was wearing navy blue parachute style trousers, brown lace up boots and a navy blue hoodie with the hood up. He was wearing a dark puffer jacket over the top. He was also wearing glasses. He has very dark hair which is short. [Redacted] on his face. I think one is of a [Redacted].

I work as a beauty therapist manager at Jo Alexandra Beauty in North Street, Highton, Nizard. I have worked here for 10 years... The shop is a small glass fronted shop where members of the

Signature:

[Redacted Signature]

Signature witnessed by:

Continuation of Statement of: [REDACTED]

Public come in for treatment.
On Wednesday 1st June 2016 I started my shift at work at 10.00AM. I came in and began my usual work routine. The male I have described was sitting on the wall outside of Buzz Wines. At around 11.00AM I looked outside the shop window and saw the male squatting down by some green gates by our entrance/exit door. A few people walked past and said hello to him. Over the next hour or so more people stopped to speak to him. A group of young school age lads spoke to him while standing on our doorstep stopping our customers getting in or out. I opened the door and politely asked them to move. They did move and huddled in closer to the male who was still squatted down. I looked at him and he looked to me like he had taken hard drugs. He could hardly keep his eyes open. I then decided to call 101 to try and get the group removed because they are intimidating to our customers and members of staff. You can also hear everything they say which includes swearing and cursing. At about 1.15pm I noticed police outside the shop moving the male and his associates away. They left.
On the same day and at about 5.00pm I noticed the male had come back and was sitting in the same place. My work colleague [REDACTED] came over to me and said that she thought she could

Signature: [REDACTED]

Signature witnessed by _____

Form MG 11a

Page No 3 of 3

Continuation of Statement of: 

Saw the male smoking something. The shop began to start smelling of what I thought could have been Cannabis. At the time we had clients with children in the shop and it was very unpleasant for them.

He was with a man with a white beard and a long green padded jacket. I opened the door and said "YOU'RE MAKING IT STINK IN HERE". He looked at me and said "MY APOLOGIES, I DID THINK IT SMELT A BIT 'FUNKY'". He then threw what he was smoking on the floor. The other male left and the male was still there when we all left at 7.00pm.

This male has been seen by myself and my staff outside the shop for a few months now. My colleagues feel intimidated when he is around and customers have commented on how they feel scared to pass the male or his group. I think the male gets his alcohol from the new agents next door or Buzz Wines. The male hasn't ever been threatening to any of my staff but have said sexual things to some of my clients.

I am willing to attend court if needed.

Signature: 

Signature witnessed by: _____

APPENDIX 14

Section 9 Statement – Alan May (CBC ASB Officer)

CENTRAL BEDFORDSHIRE COUNCIL

**STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70**

STATEMENT OF Alan May

Age of Witness: Over 18 Occupation: ASB Officer

This statement, (consisting of 2 pages 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.

Dated: 18/4/2016 Signature



I am the above named person and I am employed as an Anti-Social Behaviour officer for Central Bedfordshire Council where I have occupied a post generally since 2007. Before that I was employed in a similar role in Luton Borough Council and prior to that as an officer in Bedfordshire Police. My role is to investigate cases of anti-social behaviour and to assist partner agencies in this process.

In October 2015, I was made aware of a problem with street drinkers in Leighton Buzzard town centre. Apparently their behaviour was causing a nuisance to local people including members of the public, shop staff and market stall holders and had been for some time. I then began an investigation in partnership with Bedfordshire Police and as part of this case assisted in the preparation of a Police operation to monitor the activities of this group of drinkers.

On the 10th November 2015, I commenced taking witness statements from a variety of local people who had either been affected by the problem or were aware of it professionally. As part of this process, I was given a photograph by [REDACTED] of some street drinkers which I produce in evidence labelled as Exhibit AM-1.

On Monday 14th December 2015, having identified the core group members of the street drinkers, I and Police Community Support Officer Elliott Weedon visited their addresses to serve them Community Protection Notice warnings (CPN) under the Anti-Social Behaviour, Crime and Policing Act 2014.

At 10.37 hours on that day, in company with PCSO Weedon we went to [REDACTED]

Signed..... [REDACTED]

Taken by.....

Continuation statement of.....Alan May.....

As there was no reply, I put the papers through his front door. I received a telephone call later that day from [REDACTED] and explained what the warning meant and that it was best if he stayed away from Leighton Buzzard town centre. I produce the CPN warning paperwork in evidence labelled as Exhibit AM-2

I was subsequently made aware by PCSO Dodkins on Thursday 3rd March 2016 that following complaints from members of the public about a male being rude and aggressive to members of the public in the town centre, he approached a person who he recognised as being [REDACTED]. This was a clear breach of [REDACTED]'s CPN warning. I received PCSO Dodkins statement of evidence on 9th March 2016 and on the Thursday 10th March 2016, I wrote to [REDACTED] and thereby served him with a full Community Protection Notice (CPN) banning him from the Town centre and banning him from being abusive or threatening to members of the public. I produce the CPN paperwork in evidence labelled as Exhibit AM-3

I have subsequently been made aware by PCSO Elliott Weedon that on Sunday 10th April 2016 he and another officer had seen [REDACTED] in an alleyway in the High Street of Leighton Buzzard. This is clearly within the area he is excluded from and therefore is a clear breach of the Community Protection Notice.

The Notice was put in place to prevent [REDACTED] and his friends getting drunk in a public place, shouting and being aggressive to other people and being a general nuisance to passers-by and workers in the area.

[REDACTED] is only the second person to have breached the Notice and the effectiveness of the other CPN warnings has made a real difference to the atmosphere of the Town Centre and made it a much more pleasant and safe place to be.

If [REDACTED] and his friends are allowed to enter the area and stay there, the situation will soon deteriorate into that which we had before with members of the public being subjected to unreasonable and distressing behaviour. [REDACTED]

Signed..... [REDACTED] Taken by.....

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Appendix A

APPENDIX 15

Section 9 Statement – Elliot Weedon (Bedfordshire Police – PCSO) (dated 21/01/2017, 02/03/2017, 09/03/2017, 21/03/2017, 24/03/2017 and 27/03/2017)

000050

RESTRICTED (when complete)

MG11
Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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Statement of: Elliot WEEDON

Age if under 18: 0"18" (if over 18 insert 'over 18') Occupation PCSO 4846

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: Elliot Weedon 4846 Date 21/01/2017

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

I am employed by BEDFORDSHIRE Police as a Police Community Support Officer currently based at DUNSTABLE Police station as part of the Priority Anti-Social Behaviour team. I have been in this team for just over 4 years and prior to that I was a patrol officer in LEIGHTON BUZZARD for 5 years.

I am making this statement in relation to a male known to me to be called [REDACTED]

[REDACTED] would describe [REDACTED]

[REDACTED] on the day had short style platts at the ends.

On Saturday 21st January 2017 I was on duty in full uniform crewed along side PCSO 4874 TREATTO-REYNOLDS in a marked Police car. At approximately 15:00 hours we were driving up LESTON ROAD towards NORTH STREET. One of my PCSO colleagues, 8151 DODKINS, was on foot patrol in the town centre. He contacted me on my Police radio to say that [REDACTED] was seen in NORTH STREET, LEIGHTON BUZZARD

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outside Cornish News agents. I had about my person a signed Community Protection Notice that needed to be served on [REDACTED] breaching his original warning. As I drove into NORTH STREET I instantly recognised [REDACTED] standing in the street. I parked up and alighted the vehicle and walked over to him. I engaged him in conversation for a short time. Then at 15:10 hours I handed over to him the Community Protection Notice personally. I explained that this notice was now fully back in order and that he was no longer permitted to enter the town centre area anymore. He protested this but explained that due to his continuous drinking it had to be set back up.

We left [REDACTED] a short time later.

Signature: Elliot WEEDON 4846 Signature witnessed by: _____

MG11
Revised April 2007

RESTRICTED - FOR POLICE AND PROSECUTION ONLY
(when complete)

Witness contact details

Home address: C/O DUNSTABLE Police station
 Postcode: LU61SJ
 Home telephone No: _____ Work telephone No:
 Mobile/Pager No: E-mail address: _____
 Preferred means of contact: Either
 Best time of contact (specify details): _____
 Male / Female (tick as appropriate) Date and place of birth:
 Former name: N/A Ethnicity Code (16+1) W1 Religion/Belief (specify) N/A
DATE OF WITNESS NON-AVAILABILITY: None

Witness care

a) Is the witness willing and likely to attend court? Yes No If 'No', include reason(s) on Form MG6.
 b) What can be done to ensure attendance? N/A
 c) Does the witness require special measures as a vulnerable or intimidated witness? Yes No
 If 'Yes' submit MG2 with file.
 d) Does the witness have any particular needs? Yes No . If 'Yes' what are they? (Healthcare, childcare, transport, disability, language, difficulties, visually impaired, restricted mobility or other concerns?)
N/A

| <u>Witness Consent (for witness completion)</u> | Yes | No | N/A |
|---|--------------------------|-------------------------------------|-------------------------------------|
| a) The criminal justice process and Victim Personal Statement Scheme (victims only) has been explained to me | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b) I have been given the Victim Personal Statement Leaflet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c) I have been given the leaflet 'Giving a witness statement to the police - what happens next? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| d) I consent to the police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) I consent to my medical record in relation to this matter being disclosed to the defence | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services <input type="checkbox"/> | | | |
| Signature of witness: _____ | | PRINT NAME: <u>E.WEEDON</u> | |
| Signature of parent/guardian/appropriate adult: _____ | | PRINT NAME: _____ | |
| Address and telephone number if different from above: _____ | | | |

Statement taken by (print name): Elliot WEEDON Station: Dunstable
 Time and place statement taken: 18:15 hours DUNSTABLE Police station

RESTRICTED (when complete)

MG11
Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.8; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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Statement of: Elliot WEEDON

Age if under 18: 0"18" (if over 18 insert 'over 18') Occupation PCSO 4846

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: Elliot Weedon 4846 Date 02/03/2017

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

I am employed by BEDFORDSHIRE Police as a Police Community Support Officer currently based at DUNSTABLE Police station as part of the Priority Anti-Social Behaviour team. I have been in this team for just over 4 years and prior to that I was a patrol officer in LEIGHTON BUZZARD for 5 years.

I am making this statement in relation to a male I know to be called [REDACTED]
I would describe [REDACTED] He is

When I saw [REDACTED] today he was wearing a black Woolley hat, a heavy green coat, blue jeans and black shoes.

This incident happened in NORTH STREET, LEIGHTON BUZZARD, which I would describe as a busy shopping area of the town just off the HIGH STREET which is accessible from a roundabout. Shops and business premises are located on either side of the street.

On Friday 24th February 2017 I was on mobile patrol in a marked Police vehicle crewed alongside PSCO 8151 DODKINS, PCSO 8298 WATERS and PCSO 8297 GEAREY. PSCO DODKINS was driving the van and I was in the front passenger seat. At around 19:15 hours we drove down NORTH STREET in LEIGHTON BUZZARD to check to see if there were any street drinkers around

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Revised April 2007

as there have been lots of complaints about them recently. As we drove into NORTH STREET I immediately recognised [REDACTED] standing in the corner of 2 shops, 1 on the left being vacant and Cornish News on the right. [REDACTED] was in the company of another male I know to be called [REDACTED] is also another well-known street drinker. As we passed by them they did not appear to see the van but just stood there talking. We passed by them and drove to the end of the street before having to turn round. On the way back we passed by them and as I looked I could clearly see [REDACTED] still in the same corner but with his back turned. I had my suspicions that he was stood there urinating. I requested that PCSO DODKINS stop the van in order for me to get out and speak to him. PCSO's WATERS and GEAREY came with me. As I approached [REDACTED] was now turned back the other way and facing me. I asked him how he was and he said "I'M OK COCK" back. I could instantly tell [REDACTED] was intoxicated due to the smell of intoxicating liquor on his breath, his eyes looked glazed and his speech was slurred. I asked him directly if he had just urinated in the corner and he said "NO NOT ME". I asked him if he was sure and he said "YES". I then took out a torch and shone it in the corner as it was quite dark and I could not see properly. As I shone the torch down I could see a large puddle on the floor. I once again asked [REDACTED] if he had done this and he replied "NO". I then shone the torch down onto his shoes and could clearly see wet splashes on them. I said once again [REDACTED] BELIEVE YOU HAVE JUST URINATED ON THE FLOOR IN CLEAR VIEW OF OTHER MEMBERS OF THE PUBLIC". He once again said he hadn't. It was quite clear to me and my colleagues that he had. I then warned him that I would be breaching him for being in the area to which he replied "YOU WON'T GET ME COCK, DO WHAT YOU WANT". I took down a description of what he was wearing and moved them both away from the area.

I was talking to [REDACTED] for around 5 minutes and at the furthest I was about 10 metres away and at the closest in touching distance. Visibility was good due to street lighting but dark where the offence took place until I used my torch. I know [REDACTED] as I have dealt with him many times before and know he has a Community Protection Notice warning in place and he was in the exclusion zone. I am willing to attend court if required.

000055

RESTRICTED – FOR POLICE AND PROSECUTION ONLY
(when complete)

Witness contact details

Home address: C/O DUNSTABLE Police station
 Postcode: LU61SJ
 Home telephone No: _____ Work telephone No: [REDACTED]
 Mobile/Pager No: [REDACTED] E-mail address: _____
 Preferred means of contact: Either
 Best time of contact (specify details): _____
 Male / Female (tick as appropriate) Date and place of birth: [REDACTED]
 Former name: N/A Ethnicity Code (16+1) W1 Religion/Belief (specify) N/A
DATE OF WITNESS NON-AVAILABILITY: None

Witness care

a) Is the witness willing and likely to attend court? Yes No If 'No', include reason(s) on Form MG6.
 b) What can be done to ensure attendance? N/A
 c) Does the witness require special measures as a vulnerable or intimidated witness? Yes No
 If 'Yes' submit MG2 with file.
 d) Does the witness have any particular needs? Yes No . If 'Yes' what are they? (Healthcare, childcare, transport, disability, language, difficulties, visually impaired, restricted mobility or other concerns?)
N/A

Witness Consent (for witness completion)

| | Yes | No | N/A |
|---|--------------------------|-------------------------------------|-------------------------------------|
| a) The criminal justice process and Victim Personal Statement Scheme (victims only) has been explained to me | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b) I have been given the Victim Personal Statement Leaflet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c) I have been given the leaflet 'Giving a witness statement to the police – what happens next?' | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| d) I consent to the police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) I consent to my medical record in relation to this matter being disclosed to the defence | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services <input type="checkbox"/> | | | |

Signature of witness: _____ PRINT NAME: E.WEEDON
 Signature of parent/guardian/appropriate adult: _____ PRINT NAME: _____
 Address and telephone number if different from above: _____

Statement taken by (print name): Elliot WEEDON Station: Dunstable
 Time and place statement taken: 16:30 hours DUNSTABLE Police station

RESTRICTED (when complete)

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Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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Statement of: Elliot WEEDON

Age if under 18: 0"18" (if over 18 insert 'over 18') . Occupation PCSO 4846

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: Elliot Weedon 4846 Date 09/03/2017

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

I am employed by BEDFORDSHIRE Police as a Police Community Support Officer currently based at DUNSTABLE Police station as part of the Priority Anti-Social Behaviour team. I have been in this team for just over 4 years and prior to that I was a patrol officer in LEIGHTON BUZZARD for 5 years.

I am making this statement in relation to a male I know to be called [REDACTED].

I would describe [REDACTED]. He is [REDACTED].

When I saw [REDACTED] today he was wearing a black Woolley hat, a heavy green coat, blue jeans and black shoes. He was holding a black carrier bag but I could not see what was inside.

On Thursday 9th March 2017 I was on duty in full uniform crewed alongside PCSO 8298 WATERS in a marked Police car patrolling around LEIGHTON BUZZARD. At about 15:15 hours we were driving down the HIGH STREET when I looked to my right and noticed [REDACTED] who is a well-known street drinker in the town. I also know that he has a Community Protection Notice against him not to enter certain parts of the town. Where [REDACTED] was walking was in the exclusion zone. When I first saw him he was standing outside of Wilkinsons which is at the bottom of the HIGH STREET. I observed him walk all the way up the HIGH STREET and eventually

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Revised April 2007

disappear through the alleyway between Alders Opticians and Lloyds Pharmacy.

I observed [REDACTED] for about 2 minutes as he made his way up the HIGH STREET. I was at the furthest about 15 meters away from him and at the closest about 10 meters. The only obstructions were when he walked behind other members of the public in the HIGH STREET.

Lighting was good due to the time of day.

I am willing to attend court if required.

Signature: Elliot WEEDON 4846 Signature witnessed by: _____

RESTRICTED – FOR POLICE AND PROSECUTION ONLY
(when complete)

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Revised April 2007

Witness contact details

Home address: C/O DUNSTABLE Police station
 Postcode: LU61SJ
 Home telephone No: _____ Work telephone No: [REDACTED]
 Mobile/Pager No: [REDACTED] E-mail address: _____
 Preferred means of contact: Either
 Best time of contact (specify details): _____
 Male / Female (tick as appropriate) Date and place of birth: [REDACTED]
 Former name: N/A Ethnicity Code (16+1) W1 Religion/Belief (specify) N/A
DATE OF WITNESS NON-AVAILABILITY: None

Witness care

- a) Is the witness willing and likely to attend court? Yes No If 'No', include reason(s) on Form MG6.
 b) What can be done to ensure attendance? N/A
 c) Does the witness require special measures as a vulnerable or intimidated witness? Yes No
 If 'Yes' submit MG2 with file.
 d) Does the witness have any particular needs? Yes No . If 'Yes' what are they? (Healthcare, childcare, transport, disability, language, difficulties, visually impaired, restricted mobility or other concerns?)

N/A

Witness Consent (for witness completion)

| | Yes | No | N/A |
|---|--------------------------|-------------------------------------|-------------------------------------|
| a) The criminal justice process and Victim Personal Statement Scheme (victims only) has been explained to me | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b) I have been given the Victim Personal Statement Leaflet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c) I have been given the leaflet 'Giving a witness statement to the police – what happens next?' | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| d) I consent to the police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) I consent to my medical record in relation to this matter being disclosed to the defence | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services <input type="checkbox"/> | | | |

Signature of witness: _____ PRINT NAME: E.WEEDON
 Signature of parent/guardian/appropriate adult: _____ PRINT NAME: _____
 Address and telephone number if different from above: _____

Statement taken by (print name): Elliot WEEDON Station: Dunstable
 Time and place statement taken: 17:30 hours DUNSTABLE Police station

RESTRICTED (when complete)

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Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2006, Rule 27.1)

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Statement of: Elliot WEEDON

Age if under 18: 0"18" (if over 18 insert 'over 18') Occupation PCSO 4846

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: Elliot Weedon 4846 Date 21/03/2017

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

I am employed by BEDFORDSHIRE Police as a Police Community Support Officer currently based at DUNSTABLE Police station as part of the Priority Anti-Social Behaviour team. I have been in this team for just over 4 years and prior to that I was a patrol officer in LEIGHTON BUZZARD for 5 years.

I am making this statement in relation to a male I know to be called [REDACTED]
[REDACTED] is
[REDACTED]

On Tuesday 21st March 2017 I was on duty in full uniform sat at my desk in DUNSTABLE Police station, room 19. At 10:00 hours Alan MAY from the Anti-Social Behaviour Team at Central BEDFORDSHIRE Council arrived for the fortnightly meeting.

Alan MAY showed me four photographs taken from the councils CCTV system which were labelled as exhibits SK3. I viewed these photographs and instantly recognised a male known to me as [REDACTED] who was present in the pictures.

I have known [REDACTED] for over a year and am aware he has a Community Protection Notice against him not to enter certain parts of LEIGHTON BUZZARD. In these photographs [REDACTED] is clearly seen in NORTH STREET, LEIGHTON BUZZARD which is part of the exclusion zone.

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Revised April 2007

I am willing to attend court if required.

Signature: Elliot WEEDON 4846 Signature witnessed by: _____

RESTRICTED (when complete)

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Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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Statement of: Elliot WEEDON

Age if under 18: 0"18" (if over 18 insert 'over 18') Occupation PCSO 4846

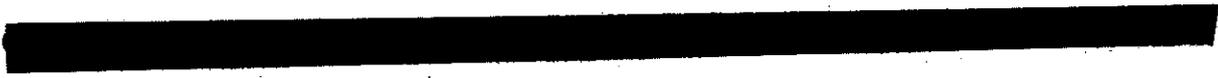
This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: Elliot Weedon 4846  Date 24/03/2017

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

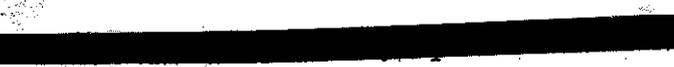
I am employed by BEDFORDSHIRE Police as a Police Community Support Officer currently based at DUNSTABLE Police station as part of the Priority Anti-Social Behaviour team. I have been in this team for just over 5 years and prior to that I was a patrol officer in LEIGHTON BUZZARD for 5 years.

I am making this statement in relation to 2 males known to me to be called 



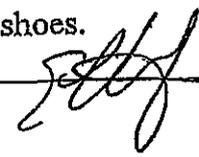
would describe 

 he

 When I saw  today he was wearing a blue jacket , black jogging bottoms and white trainers. He had a woolly green coloured hat on. He was carrying a a blue fold away tent.

I would describe 

i.  hair. He was wearing a black hat, a green jacket, blue jeans and black shoes.

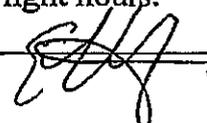


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On Wednesday 15th March 2017 I was on duty in full uniform crewed alongside PCSO 8298 WATERS in a marked Police vehicle conducting patrols around the HIGH STREET and NORTH STREET areas of LEIGHTON BUZZARD. At 16:00 hours we entered NORTH STREET where Cornish News and Buzz Wines are situated. As we both looked to our left we could see a group of males and females standing outside Cornish News. I instantly recognised 2 of the males there to be [REDACTED]. I could also clearly see a female I know to be called [REDACTED] standing with the group and she was drinking from a large bottle of cider. I turned the car around and parked it up. We alighted the vehicle and walked over to the group. At the time [REDACTED] had hidden the bottle of cider in her handbag but it was open so could see that it was a bottle of strong strength cider.

[REDACTED] saw us and started to walk away. I called him back but he ignored me and continued to make his way towards the junction of NORTH STREET and WEST STREET. [REDACTED] is well aware that he should not be in that part of the town as he has a full Community Protection Notice. I turned back to the group and started to engage with [REDACTED] was very red faced and his breath smelt of intoxicating liquor. His speech was extremely slurred and his eyes were glazed. He was talking loud and aggressively. I reminded him that he should not be in the area but he just kept repeating "YOU WON'T GET ME, YOU WON'T GET ME". When talking to [REDACTED] is was very apparent also that she was intoxicated and her speech was also slurred and her breath smelt of intoxicating liquor. After about 5 minutes of talking I asked them to move away from the area which they did.

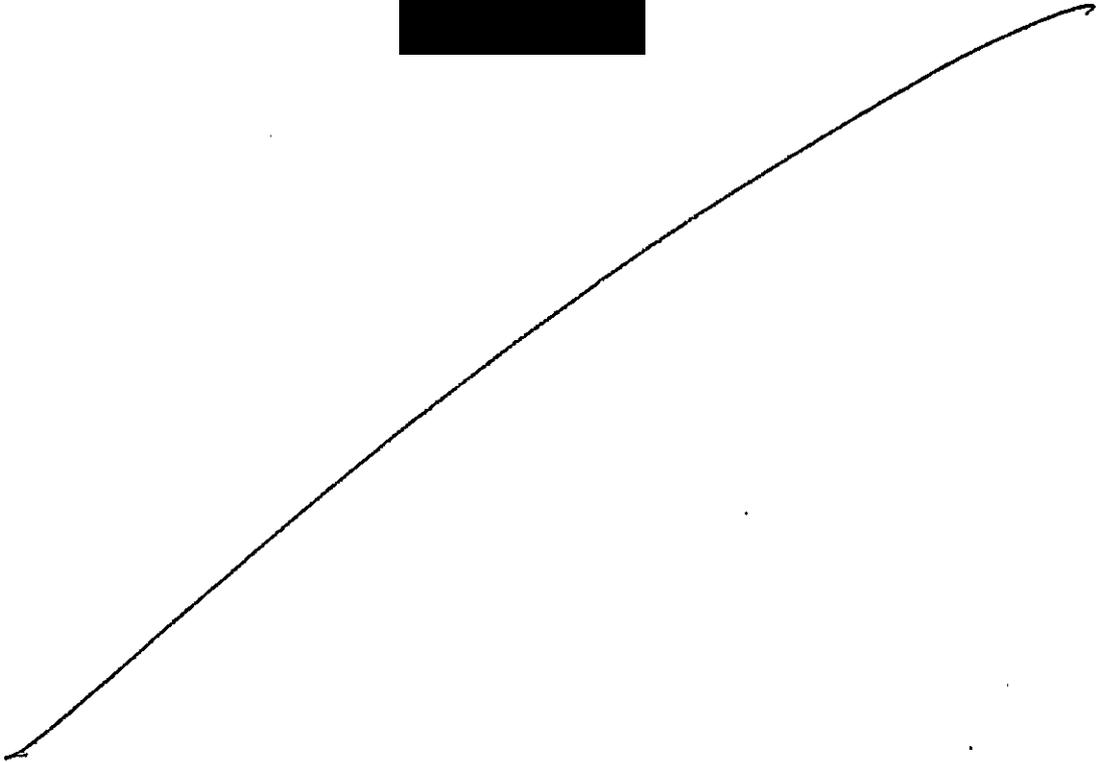
This whole incident lasted just over 5 minutes and I had a good view of all persons involved at all times. There were no obstructions and visibility was good being daylight hours.



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I am willing to attend court if require 



Signature: Elliot WEEDON 484



Signature witnessed by: _____

MG11
Revised April 2007

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(when complete)

Witness contact details

Home address: C/O DUNSTABLE Police station
 Postcode: LU61SJ
 Home telephone No: _____ Work telephone No: [REDACTED]
 Mobile/Pager No: [REDACTED] E-mail address: _____
 Preferred means of contact: Either
 Best time of contact (specify details): _____
 Male / Female (tick as appropriate) Date and place of birth: [REDACTED]
 Former name: N/A Ethnicity Code (16+1) W1 Religion/Belief (specify) N/A
 DATE OF WITNESS **NON-AVAILABILITY**: None

Witness care

a) Is the witness willing and likely to attend court? Yes No If 'No', include reason(s) on Form MG6.
 b) What can be done to ensure attendance? N/A
 c) Does the witness require special measures as a vulnerable or intimidated witness? Yes No
 If 'Yes' submit MG2 with file.
 d) Does the witness have any particular needs? Yes No . If 'Yes' what are they? (Healthcare, childcare, transport, disability, language, difficulties, visually impaired, restricted mobility or other concerns?)

N/A

| Witness Consent (for witness completion) | Yes | No | N/A |
|--|--------------------------|-------------------------------------|-------------------------------------|
| a) The criminal justice process and Victim Personal Statement Scheme (victims only) has been explained to me | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b) I have been given the Victim Personal Statement Leaflet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c) I have been given the leaflet 'Giving a witness statement to the police – what happens next? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| d) I consent to the police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) I consent to my medical record in relation to this matter being disclosed to the defence | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to decline their services <input type="checkbox"/> | | | |

Signature of witness: [REDACTED] E.WEEDON PRINT NAME: E.WEEDON
 Signature of parent/guardian: [REDACTED] PRINT NAME: _____
 Address and telephone number if different from above: _____

Statement taken by (print name): Elliot WEEDON Station: Dunstable
 Time and place statement taken: 10:00 hours DUNSTABLE Police station

RESTRICTED (when complete)

MG11
Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.8; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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| | | | |
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Statement of: Elliot WEEDON

Age if under 18: 0"18" (if over 18 insert 'over 18') Occupation PCSO 4846

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: Elliot Weedon 4846 Date 27/03/2017

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

I am employed by BEDFORDSHIRE Police as a Police Community Support Officer currently based at DUNSTABLE Police station as part of the Priority Anti-Social Behaviour team. I have been in this team for just over 4 years and prior to that I was a patrol officer in LEIGHTON BUZZARD for 5 years.

I am making this statement in relation to a male I know to be called [REDACTED]
[REDACTED]
[REDACTED]

When I saw [REDACTED] today he was wearing a black Woolley hat, a heavy green coat, light blue jeans and black shoes.

On Saturday 25th March 2017 at approximately 16:20 hours I was on duty in full uniform crewed alongside PCSO 8442 SETTERFIELD in a marked Police car patrolling around the LEIGHTON BUZZARD area. We turned into the HIGH STREET and were stopped by one of the market managers as they had found a lost 4 year old boy that had been separated from his grandparents. The grand parents had called the incident in and PCSO SETTERFIELD informed them that we had the boy and they told us to wait at the Market Cross in the HIGH STREET for them to come and collect him from us. After a short time the grandparents picked up the lad and took him on his way.

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While we were waiting for them to arrive I noticed that [REDACTED] was sat on one of the benches near us by the Market Cross. I know for a fact that [REDACTED] should not be in this area as he has a Community Protection Notice against him which he has already breached on a number of occasions. We walked over towards him to ask why he was sat there. When we got in front of him I could see that his face was bright red and he looked as if he had been drinking but he had no alcohol on him at this time. I began to engage him in conversation and asked him why he was here. He immediately and quite aggressively replied that I had got him banned from entering the library and that it was my fault he was no longer allowed in there. His face began to get even redder as he started shouting and swearing at me and his demeanour was by this point to the point I thought he might get up and assault me. He kept on saying "YOU WON'T EVER GET ME". At this point PCSO SETTERFIELD intervened and warned [REDACTED] that if he continued swearing and acting aggressively that he could be arrested. After a few minutes of trying to calm him down I turned to my right to see a female that I know to be called [REDACTED] standing next to me. She started to talk to [REDACTED] in an attempt to calm him down which it did. After a few minutes she managed to convince him to move away from the area and they both headed towards NORTH STREET and out of sight. We left the scene and walked back to the car.

At 16:45 hours on the same day we were both in the Police car and turned left into NORTH STREET from LESTON ROAD. As I turned to my right I could see [REDACTED] and [REDACTED] both standing outside Cornish News. As we got closer I could see that [REDACTED] was holding a can of lager. I could tell it was lager that he had because it was the same coloured can that he usually drinks from. It is a Polish lager that is 9% alcohol. He clearly saw us and made no attempt to hide the fact that he had it. Once again [REDACTED] was in an area that he was not supposed to be in plus the fact that he was drinking alcohol there too.

Both incidents together lasted for about 10 minutes and my view was clear at all times. Visibility was good due to it being daylight hours. I have dealt with [REDACTED] many times before so instantly recognised him.

I am willing to attend court if required.

000067

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Revised April 2007

RESTRICTED – FOR POLICE AND PROSECUTION ONLY
(when complete)

Witness contact details

Home address: C/O DUNSTABLE Police station
 Postcode: LU61SJ
 Home telephone No: _____ Work telephone No: [REDACTED]
 Mobile/Pager No: [REDACTED] E-mail address: _____
 Preferred means of contact: Either
 Best time of contact (specify details): _____
 Male / Female (tick as appropriate) Date and place of birth: [REDACTED]
 Former name: N/A Ethnicity Code (16+1) W1 Religion/Belief (specify) N/A
DATE OF WITNESS NON-AVAILABILITY: None

Witness care

- a) Is the witness willing and likely to attend court? Yes No If 'No', include reason(s) on Form MG6.
 b) What can be done to ensure attendance? N/A
 c) Does the witness require special measures as a vulnerable or intimidated witness? Yes No
 If 'Yes' submit MG2 with file.
 d) Does the witness have any particular needs? Yes No . If 'Yes' what are they? (Healthcare, childcare, transport, disability, language, difficulties, visually impaired, restricted mobility or other concerns?)

N/A

| <u>Witness Consent (for witness completion)</u> | Yes | No | N/A |
|---|-----------------------------|-------------------------------------|-------------------------------------|
| a) The criminal justice process and Victim Personal Statement Scheme (victims only) has been explained to me | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b) I have been given the Victim Personal Statement Leaflet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| c) I have been given the leaflet 'Giving a witness statement to the police – what happens next? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| d) I consent to the police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) I consent to my medical record in relation to this matter being disclosed to the defence | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services <input type="checkbox"/> | | | |
| Signature of witness: _____ | PRINT NAME: <u>E.WEEDON</u> | | |
| Signature of parent/guardian/appropriate adult: _____ | PRINT NAME: _____ | | |
| Address and telephone number if different from above: _____ | | | |

Statement taken by (print name): Elliot WEEDON Station: Dunstable
 Time and place statement taken: 17:10 hours DUNSTABLE Police station



APPENDIX 16

Section 9 Statement - Elliot Weedon (Bedfordshire Police – PCSO) (dated 24/04/2017)

RESTRICTED (when complete)

MG11
Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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Statement of: Elliot WEEDON
Age if under 18: 0"18" (If over 18 insert 'over 18') Occupation PCSO 4846

This statement (consisting of 6 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: Elliot Weedon 4846 Date 24/04/2017

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

I am employed by BEDFORDSHIRE Police as a Police Community Support Officer currently based at DUNSTABLE Police station as part of the Priority Anti-Social Behaviour team. I have been in this team for just over 5 years and prior to that I was a patrol officer in LEIGHTON BUZZARD for 5 years.

I am making this statement in relation to a group of male and female street drinkers who have been congregating in LEIGHTON BUZZARD town centre and on the outskirts for the past year. I have been working on issues caused by these people as part of my caseload.

The names of the main group of drinkers include [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I would describe [REDACTED]
[REDACTED]

Sometimes he wears a baseball cap or woolley hat. [REDACTED] wears a heavy big

[Handwritten Signature]
000070

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jacket and usually has a jumper of some description underneath. He was recently evicted from his flat in [REDACTED], due to having local youths around who dealt drugs and caused anti-social behaviour for other local residents.

[REDACTED] is a [REDACTED]. He has [REDACTED] often

wears a heavy jacket with a jumper underneath, blue jeans and shoes. He currently resides at [REDACTED]

[REDACTED] t, blue jeans and

trainers. I am unsure where he is residing at this time.

[REDACTED]

[REDACTED]

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Revised April 2007

travellers involved are unknown. He is usually seen with a large yellow reflective jacket on which indicate he is still working. He also wears blue jeans and work boots. [REDACTED] used to live at [REDACTED] up to a few years ago but since has been staying overnight at [REDACTED]

[REDACTED]

[REDACTED] He is mainly unshaven. He is usually in possession of a carrier bag wich has a bottle of wine inside. He is a shoplifter also and when intoxicated will urinate himself wherever he may be. He is not primarily seen in LEIGHTON BUZZARD and can often be spotted in DUNSTABLE or LUTON.

[REDACTED]

[REDACTED]. He mainly wears a light jacket, t-shirt and jeans with trainers.

[REDACTED] for free dinners and snacks.

[REDACTED]

build with long brown straight hair. She usually wears a coat with a t-shirt underneath, jeans and trainers. [REDACTED]

mental health thus why she is now homeless. She is not allowed to stay at The Black Horse so sleeps rough. She can often be seen with the group of male street drinkers either outside Buzz Wines and Cornish News in NORTH STREET and also in the rear carpark of Taylors Estate Agents in WEST STREET, LEIGHTON BUZZARD.

[REDACTED]

[REDACTED] He also can be often found as part of the group. [REDACTED]

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[REDACTED]

[REDACTED]

smart but tends to get drawn in with the rest of the street drinkers. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

be seen in his company.

LEIGHTON BUZZARD is a large and busy market town at the bottom of Central BEDFORDSHIRE. The HIGH STREET comprises of a large stretch of shops and business premises on either side of the road with the Market Cross at the top of the street. A couple of benches are situated close by for members of the public to sit on. It has a market on Tuesdays and Saturdays.

Over the past year as part of my caseload as an officer with the anti-social behaviour team I have been working on the issues being felt by the public and businesses / shop keepers in and around LEIGHTON BUZZARD town centre. The persons forenamed have all been a part of this for a year and have been involved in incidents of drinking alcohol in restricted zones, urinating and being sick in front of members of the public going about their daily routines, shouting, swearing and arguing amongst each other when intoxicated and being intimidating when gathered in a large group. Some of the street drinkers are currently staying overnight at The Black Horse homeless shelter which was an old public house before it was converted. Those that are permitted to stay there are allowed to go in from about 21:00 hours in the evening and have to vacate the shelter at 08:00 hours in the morning. They [REDACTED] to

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go back during this time unless invited back once or twice a week at lunchtime for some food and drink. Due to this the street drinkers congregate around the town centre, most of the time outside of Buzz Wines and Cornish News in NORTH STREET where they are purchasing strong cider and beer at cheap prices and drinking it in front of people around causing alarm and distress due to their rowdy behaviour. I have visited both these licensed premises and both have admitted to seeling alcohol to the street drinkers. Buzz Wines have and as far as I am aware are still supplying the drinkers alcohol on tick whereby they either pay for alcohol in advance or pay off a tab when they get paid their benefits. Both have also been advised regarding selling alcohol to persons already intoxicated but Cornish News have recently continued to sell to persons intoxicated and this has been witnessed by other officers.

██████████ have both been recently served with Community Protection Notice's due to their persistant drinking in exclusion zones and showing unacceptable behaviour due to this such as urinating in the street in full view of the public, being aggressive and intimidating and falling asleep in public places like the library. Even though they have been given these they continue to breach daily and have no regard for the conditions set upon them.

I have recently had incidents with ██████████ where he has been extremely aggressive to me saying things like "I'M GOING TO BREAK YOUR BACK, I'M EX ARMY" as he thinks I have banned him from entering the library but it's on the library staff themselves that have the power to do that but he will not listen to reason. I have no doubt that if he wanted to he would assault me. I have also experienced aggressive behaviour from ██████████ who when intoxicated can be very in your face and threatening. Again I have no doubt that he would assault me given the chance. ██████████

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Revised April 2007

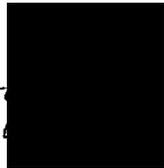
A lot of the shops in NORTH STREET and those by the Market Cross in the HIGH STREET are also suffering from the drinkers and customers refuse to enter their shops if they are stood in a group outside. This has caused them a loss of earnings and customers shopping elsewhere. The drinkers also often leave empty beer can and bottles directly outside which makes the area look a mess and untidy. One particular shop in NORTH STREET, Jo ALEXANDER Beauty, moved premises due to the drinkers constantly being stood right outside of their shop making it difficult or intimidating for customers to get in or out. The drinkers also congregate in the carpark at the rear of Taylors Estate Agents as there is a part of this area which is under cover but it is still in full view of office workers that also use the carpark and have to witness lued behaviour such as urinating, shouting and swearing and a mess being made in the area.

The street drinkers named appear to have no consideration for members of the public, shops and business workers and they continue to blight the town with their unruly and anti social behaviour. I believe a injunction would assist the Police and partner agencies in dealing with this group and making the town a nicer place to visit once again.

I am willing to attend court if required.



Signature: Elliot WEEDON 4846



Signature witnessed by: _____

Appendix A

APPENDIX 17

Section 9 Statement - [REDACTED] - Employee at Taylors Estate Agents

000076

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1987, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of: [REDACTED]

Age if under 18: over 18 *(if over 18 insert 'over 18')* Occupation: Lettings Negotiator

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:.....[REDACTED]..... (witness) Date: 20/03/2017

I am the above person and work for the company TAYLORS ESTATE AGENTS LIMITED at 1 WEST STREET, LEIGHTON BUZZARD, LU7 1DA. I have been an employee with the company for 13 months and my role here is a lettings Negotiator.

Outside the premises there are normally over 5 to 10 homeless people hanging around outside the shops and often linger outside our building in the porch way or at the corner of our building. We often have to ask them to move on. They also hang around outside the back of our building where we park our personal vehicles and also where our customers can park. They will be sitting on the wall or sitting under the coach house and every night most of them will sleep under there.

I don't know their names but I believe one of them is called [REDACTED] There is a mixture of females and males that hang around the building a sleep outside under the coach house. There is a very tall skinny female and a blonde female that has recently started to join them. There is a male who wears a green coat who is always asleep on our wall and there is a male who wears a black hoodie and shakes while he walks. They are all white males and females and their ages are from late 20's to late 50's.

While working here I have seen them drunk and have become quite aggressive when property has been disposed of from outside the coach house. They have threatened to smash our cars before. When I have walk out of the building passed them to the shops they have made comments at me or will just stare at me which makes me feel uncomfortable and

Signature:.....[REDACTED]..... Signature witnessed by:

RESTRICTED (when complete)

RESTRICTED (when complete)

MG11

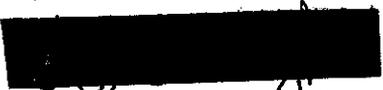
intimidated. When I have to leave the building at night I when it is dark and I am on my own, I am worried and feel uncomfortable because I don't know who will be out there near my car. They are always caught urinating on the building and will also urinate right at the front of the shop in the porch area which customers use. They will drink outside the front of the building and around the back. In the summer they will be outside playing a radio, drinking and spitting everywhere. I have seen them fighting each other even as early as 9am and especially when they are drinking. They have sent a fire outside the back before which we had to put out. They urinate under the coach house which I have stepped in when leaving my vehicle before and they also sniff aerosol cans and do drugs around the back of the building. Under the coach house they have set up bedding and they leave litter everywhere. I have also seen one of the homeless men urinate and be sick down our window at the same time.

This is happening every day. They wait until we leave to go home and all move under the coach house around the back of our building and sleep there. They are then also there in the morning when we get to work and when asked to leave or to stop drinking or urinating they can get quite mouthy towards us stating "THEY CAN DO WHAT THEY WANT". They hang around outside our building most days and have been asked to move from our porch area on several occasions.

This has been going on for as long as I have been working here which is over a year and my colleagues who have worked here for longer said that this has been going on for years.

As the homeless people keep hanging around outside our build both at the front and at the back, customers have stated that they are amazed we are still open because they put people off coming to the agency. When they see a group of people hanging around the shop they decide not to come in as they are too intimidated to walk past them. One client has stated that she was going to come in a register but when she saw the group outside she decided to ring up and do it over the phone instead.

Customers always say "DO THEY NOT AFFECT YOUR BUSINESS". If customers saw people urinating up our building when in the store they are not going to come back. It makes our business premise look scruffy and uninviting but there is nothing we can do about it as they are always there.

Signature: 

Signature witnessed by:

RESTRICTED (when complete)

2010/11

000078

APPENDIX 18

Section 9 Statement -- [REDACTED] - Manager Mill Stream Estate

RESTRICTED (when complete)

MG11
Revised April 2007

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2005, Rule 27.1)

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|--|--|--|--|
| | | | |
|--|--|--|--|

Statement of: [Redacted]
Age if under 18: 018 - (If over 18 insert 'over 18') Occupation [Redacted]

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

Signature: [Redacted] Date 24.03.2017.

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

This statement is in relation to Anti social behaviour problem we experience on a daily basis.
I am an [Redacted] at Mill stream Estates on West Street Leighton Buzzard.
The location is called the coach house. You drive into a small car yard which has some parking and my building I work in is above some of these parking spaces. This has created a open garage situation which is sheltered.
A number of homeless people have started to use this space as somewhere to take shelter. There can be up to six people who use this space to sleep in. These homeless people, sleep, urinate, defecate, take drugs and drink in these parking spaces. There have also been occasions where fighting has taken place. When we arrive in the mornings they pack up their belongings and then sit on the wall of our car park. They continue to drink alcohol take drugs, urinate and fight. I have also found Piles of vomit.

Signature: [Redacted] Signature witnessed by: _____

APPENDIX 19

Section 9 Statement – [REDACTED] – Manager Lloyds Pharmacy

RESTRICTED (when complete)

MG11w

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2010, Rule 27.2)

[] [] [] [] []

Statement of:

[REDACTED]

Age if under 18: "018" (if over 18 insert 'over 18')

Occupation

[REDACTED]

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:

[REDACTED]

Date

28/03/2017

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

I am making this statement in relation to a group of street drinkers in HEIGHTON BUZZARD Town Centre.

I am employed by Lloyds Pharmacy which is situated at the top of the HIGH STREET by the Market Cross. Lloyds sell cosmetics, fragrances, Medicines as well as being a place where people can pick up prescriptions. I have been in this role since 14th November 2016.

Since I have been working here the street drinkers, mostly males at a few temples, have been causing anti-social behaviour directly outside of the shop. They have been urinating, discarding empty cans and beer bottles by the shop entrance, shouting and swearing and putting people off from coming into the shop. I think they have lost us business because of this. When they stand outside there is usually a group of them and times can range from midday until early evening when we close which is at 10.00pm. My staff are often wary about leaving the shop after

Signature:

[REDACTED]

Signature witnessed by:

Form MG 11a

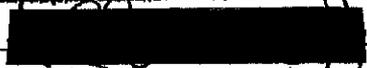
Page No 2 of 3

Continuation of Statement of: 

finishing as they feel too intimidated and scared to leave. The age range of most of the drinkers is about 40 plus and they are usually wearing heavy coats, dirty jeans or combat trousers and all look very unkempt. They all smell of a stale urine and alcohol. I know this due to having to walk past them many times when I have to leave the hop. Staff and Customers have also said the same. As you leave the hop there is an alleyway to the right that leads to the Multi-Survey Carpark via the Staff Carpark. The drinkers are often known to hang around there too as it is hidden away but when my staff and myself leave to go home it makes for an uncomfortable and intimidating feeling. I have also seen the same people in heavy coats with beer bottles in the back of our carpark swapping goods. I have seen them with electrical items such as CD/DVD players. I have no idea where these have come from but they have still been in boxes. I have also seen empty cans and bottles that have been put in our bin.

One female I do know that has been hanging around with the group is called . She is a well known shoplifter in the area and I have seen her out on the street with alcohol on numerous occasions. She is banned from Lloyds due to past incidents of shoplifting but still tries to come in.

All in all the people I understand these people may have nowhere to go during the day and early evening

Signature: 

Signature witnessed by

Form MG 11a

Page No 3 of 3

Continuation of Statement of:

[Redacted Name]

but this does not give them the excuse to stand outside my shop and act in the way that they do. It is unpleasant for not only myself but also my staff and members of the public, whether they come into the shop or not.
I am willing to attend but if required [Redacted]

Signature: [Redacted] are witnessed by [Redacted]

APPENDIX 20

Section 9 Statement – [REDACTED] Technical Officer Leighton Buzzard Library

000085

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70)

STATEMENT OF [REDACTED]

Age of Witness OVER 18

Occupation TECHNICAL OFFICER

This statement, (consisting of page 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 be cross-examined fully stated in it anything which I know to be false or do not believe to be true.

Dated 19/4/17 Signature [REDACTED]

I am employed as a Technical officer by the library service of Central Bedfordshire Council. I am based in Leighton Buzzard library where I have been employed for 8½ years.

Although not part of my main duties because I am responsible for the building I tend to deal with any nuisance issues.

We have had a number of issues over an extended period with young people but these statements are about the problem caused by older street drinkers. We have had occasional problems with homeless people but these has got worse over the last 12 to 18 months.

I have got to know some of these people and I know [REDACTED] and [REDACTED] quite well.

[REDACTED] comes in from time to time to use the computers and although we know he is a street drinker, he rarely causes a problem and sort of if we ask him to.

Signed [REDACTED]

Taken by [REDACTED]

Continuation statement of.....

..... however can be totally different. He tends to come into the library to either eat or he sits down and goes to sleep.

Sometimes, when he is asked to leave, he will do so without carrying a full. However, on many occasions he will be aggressive and will start taking and we have a real problem getting them out.

He is so aggressive that our staff are very wary and uneasy about approaching him in case he is aggressive.

He smells really strongly and it under the influence of alcohol in work. B.C.C. Ltd. On one occasion he fell down in the library and he had to be taken away in an ambulance.

We had so many complaints from clients and library users about his smell, conduct and behaviour that we decided to make a real effort to persuade him not to come here. Therefore we approach him as soon as he is seen and ask him to leave.

Staff and customers feel uneasy and apprehensive when he is about. I am sure people use the library less when they see him around.

We get other drinkers coming in and invariably there are problems with them and their behaviour.

I have also noticed that a group of drunken has started to hang around in a secluded area at the side of the library.

Signed..... X [Redacted] Taken by..... [Signature]

Continuation statement of.....

At the back of the winter house, I have seen several people drinking and have noticed that there is a lot of litter caused by them and empty bottles etc. This is unpleasant for anyone walking through that area and it is something that we would want near the library.

As I have stated, these problems have gone on for some time and cause us a major concern as at times it can be quite bad.

I would not want our customers including families with children to be exposed to this drunken behaviour.

Clearly the number of complaints we received reflect that local people are fed up with this.

X

Signed.....

X

Taken by.....



APPENDIX 21

Section 9 Statement - [REDACTED] Rubies Shoes

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70

STATEMENT OF

Age of Witness

OVER

Occupation

This statement, (consisting of page 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.

Dated

20/4/17

Signature

X [Signature]

I [Redacted] Barber shop at 7 North Street, Kington Buzzard and have owned the business for 7 years. For about the last 3 years we have had a problem with street drinkers in the area. At first the drinkers were local people who we knew and they tended to move around the town drinking. Therefore they were not to much of a problem because they were hung around one particular area. Gradually that changed and the Black Horse temporary shelter is nearby on the other side of North Street we started getting new faces who were using there and these people tended to hang around North Street. I recognise some of the people, namely [Redacted] and I think [Redacted] but a lot of them are new people and there does seem a lot of turnover with new people. I am aware that the Black Horse makes these people leave early in the morning and doesn't let them back in until the evening time.

Signed

X

Witnessed by

[Signature]

Continuation statement of.....

During the day, these drinks tend to hang around on North Street drinking and causing problems. I know that they get their drink from either Cornish News and Buzz Wines. They tend to call them alcohol even when they are already drunk. I have seen this group of men taking drugs and drinking in North Street. They swore and use foul and abusive language in the street. I have also seen some individuals urinating on the street which is very unpleasant.

They hang around very often for much of the day on North Street behaving in this way.

A lot of my customers have mentioned that they feel intimidated and have said how uncomfortable they feel.

I have even had customers mention that they don't want to come into North Street because of their

I have also seen some of them parked outside the street and school kids surrounding them looking at them. It is not right that children should be this happening.

I have had a female member of the group in the shop and it was unpleasant and I didn't want to have her close. I know for certain that my business has been badly affected by their conduct. I have seen customers drive like going passed them or near them.

Signed..... Taken by.....

Continuation statement of [REDACTED]

I know that another Prop owner, Jo Alexandria
beauty shop had to move to another place in
Terra because the long ago they used to get
customers and the services would often be shut or
long shut out.

I know that a lot of the business in
North West Mesa suffered and are extremely concerned
about the situation.

We are so worried that the business owners have
started up a Facebook page to try and get together
I and others are getting fed up with seeing these
decisions and the way they behave.

Something needs to be done before all the business
in North West go out of business.

A neighbor opposite my property has had to close
the entrance to that side alleyway because the structure
was using it as a toilet. This situation is ridiculous
and needs stopping and [REDACTED]

Signed [Signature]

Taken by [Signature]

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Appendix A

APPENDIX 22

Section 9 Statement — [REDACTED] Owner Jo Alexander

000093

RESTRICTED (when complete)

MG11w

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B, Criminal Procedure Rules 2010, Rule 27.2)

[] [] [] [] [] [] [] [] [] []

Statement of: [REDACTED]
Age if under 18: "018" (if over 18 insert 'over 18') Occupation Business Owner

This statement (consisting of 3 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: [REDACTED] Date 05/05/2017.

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

I am making this statement in relation to problems myself and my staff have had in the recent past with local street drinkers in LEIGHTON BUZZARD HIGH STREET and NORTH STREET. I own Jo Alexander Beauty and am a joint owner at Sorrelli Cafe currently based on RIPA STREET, LEIGHTON BUZZARD. I have owned the Beauty Salon for 11 years and the Cafe for almost 5 years. Up until December 2016, my Beauty Salon was based in NORTH STREET, (BUZZARD) next to Cornish News. I have four staff working for me there. [REDACTED] has been there 10 years, [REDACTED] for 3 years and [REDACTED] for 2 years. All are fully qualified beauty therapists and work appointment and walk in basis. The problems started around October 2015 where a group of homeless drunks started to congregate outside of the salon due to going into Cornish News for alcohol. They also used to buy cheap alcohol from BUZZ Wines.

Signature: [REDACTED]

Signature witnessed by:

Continuation of Statement of



I would describe the drinkers involved as mainly males but the odd female also being there. Ages range from mid thirties till about sixties. These drinkers caused a lot of distress and alarm to my staff as they would hang around directly outside, even leaning and sitting by the doorstep not allowing customers or staff to enter or leave the premises. I have had a few clients say to me that they would not come back to the salon because they felt intimidated by the drinkers. Times that I was at the salon I witnessed the drinkers drinking strong lager. I knew it was strong lager as I recognised the cans and they would often leave them on the doorstep empty for us to dispose of. This made the outside of the salon look dirty and unkempt. Also lots of cigarette butts and general rubbish in the area. There is a bin directly outside but they never used it. I have also heard them shouting and arguing amongst themselves, swearing and fighting with each other. One time this happened my staff had to lock themselves in as they were frightened. My staff have told me that they have also seen some of the drinkers urinating and being sick in the recess outside of the shop between us and Cornish News. After a year of putting up with this behaviour and my staff constantly complaining to me about what they have to put up with and the effect it is

Signature

Signature witnessed by

Form MC: 11a

Page No 3 of 3

Continuation of Statement of: [REDACTED]

having on the business I felt I had no option but to move the Saloon to the other end of the town. I am now located in HOLIDAY STREET in a smaller premises but having to pay the same amount of rent quarterly. I also had to pay around £1000 in legal fees and another £1000 to decorate the new shop and £300 moving costs. I did not want to move but felt I had no choice. Since the move things have been a lot better.

I know some of the drinkers to be [REDACTED]

[REDACTED] a [REDACTED] id. He is usually covered by a hat. He is often seen wearing a big coat. He has a ragged look.

I also know one of the females to be called [REDACTED]. I would describe her as a [REDACTED] about [REDACTED] and of a [REDACTED] id. She is about [REDACTED]

The impact on the businesses I own by the drinkers has been huge. Myself and my staff should not have to put up with this kind of behaviour and moving was the best thing I could have done.

I am willing to attend Court if needed.

Signature [REDACTED]

Signature witnessed by [REDACTED]

APPENDIX 23

Section 9 Statement – [REDACTED] Natures Harvest

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70)

STATEMENT OF

Age of Witness OVER 18

Occupation

This statement, (consisting of 2 page 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.

Dated 12/5/17 Signature

I own a business called Nature's Harvest in
North Street, Leighton Buzzard and I have owned
it for 30 years

We have had a problem with street drinking
and after for some time but about a year ago this
situation got much worse.

At the back of the shop we have a car park and
near good area and we regularly get 8-10
hanging round the back. We have also had up
to ³⁻⁴ people sleeping rough in the covered area
near to Upson Wilson.

They have their bedding and rubbish under
the benches where they are about. Once they are
up and about, they often take their stuff with them.
They also use the car park and a joining alley way as
a toilet and there is often streams of urine on the
area. It is disgusting, in my garage and a health hazard.
If any one is making late, staff have to face these
people and are naturally scared and concerned.
Up until recently we used to get groups of drinkers

Signed

Taken by

Continuation statement of [redacted]

and who is North Street. They used to be there for hours at a time but when they got drunk they are often aggressive and intimidating. I have previously seen them argue with taxi drivers and even fight with them.

This situation seems to have eased somewhat but as I stated they are drunk regularly and this creates ongoing problems.

This has had a significant effect on my business especially when they were commonly outside the shop in North Street, as customers were a bit nervous about coming in when they were around. In fact a table I have moved the beauty business directly as a result of their behaviour.

I have to walk my girls round to the cars park so that I know they are safe.

There are incidents of being and with the police in the street and now in the yard at the back. Some time it feels unsafe and I know that needles and other contraband have been found.

They drink and become and are abusive to each other. [redacted] and we all wonder what they were doing.

They are unpredictable when they have been drinking and I am concerned [redacted] are quite capable of violence.

These previous issues people both staff and members of the public and we should not have to tolerate

Signed [redacted] Taken by [signature]

Continuation statement of.....

their behaviors.

I know that many businesses in North
Haven are extremely worried about their direct
observers and their behavior.

It also gives a very bad impression of the
Town to visitors.

Something needs to be done so that shop staff
and the public can feel safe again. ^{concerned and}

Although I support any action, I am ^{frustrated} ~~concerned~~
of requests to give evidence at Court.

Signed.....

Taken by.....

APPENDIX 24

Section 9 Statement —  Bossard Court

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102;
Magistrates Courts Rules 1981, r70

STATEMENT OF

Age of Witness OVER 18

Occupation

This statement, (consisting of page 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 be cross-examined in it anything which I know to be false or do not believe to be true.

Dated 11/4/17

Signature

I live in Bassford Court in Leighton Buzzard
where I live with my [redacted]

[redacted] and we have lived here for 16 years

This is a relatively quiet area even though we are very close to the Town Centre. We used to see the odd group of young people drinking and being a bit boisterous but nothing serious.

About 6 months ago the situation changed, I believe when the Black Horse refuge seemed to open up.

I started to see groups of males who seemed to be homeless and were obviously under the influence of drink. They would appear to wait across the road in West Street and then go into the Black Horse.

They also started to hang around outside the front of Taylors in North Street. They started hanging around this area on a regular basis.

They were often drinking publicly in the street and there would be arguments and shouting.

Signed X

Taken by [signature]

Continuation statement of..... [redacted]

They drink tankards so some get more than others. I have seen them urinate in the drink against the wall which is both unpleasant and unacceptable. I have seen vomit on the pavement which I assume has come from them but I haven't actually seen them being sick.

They are outside most of the day. They are there when I go passed for work and again when I come home. They are dirty and smelly and leave bits of rubbish lying around.

When I see them, they are very intimidating so I tend to take the road or otherwise avoid them. I have seen other members of the public cross the road to avoid them as they are incredibly intimidating.

About 2 months ago, there were men walking sitting on the grassed area at the side of the Black Horse. They sit around in the open on the land when the weather fine and I have noticed that they leave a lot of rubbish and pollution behind a back street it right in the area in the corner.

I believe that they may be sleeping there at night because I think there are a limited number of beds at the Black Horse.

The rubbish is largely hidden but you can see it and it is a large amount that gets added to each day.

Signed..... X..... Taken by..... [signature]

Continuation statement of [redacted]
wrest. I would give them a proper walk when my
husband is with me and even then we try and avoid
them

Their presence and behaviour has affected my quality
of life and I am always anxious when I see them
or when I hear or change state

Other people I have spoken to do not feel the
same way but are too scared to say anything.

These drinks create a very poor image for
the town which until recently has always had a
nice friendly feel to it.

I don't want to have any more because
am so afraid and anxious of these people. X

I would like to add that I have taken some
photos of the gashed area and will try and send them
to the Council [redacted]

Signed [redacted] Taken by [signature]

APPENDIX 25

Section 9 Statement -- [REDACTED] of Bossard Court

CENTRAL BEDFORDSHIRE COUNCIL

STATEMENT OF WITNESS (Criminal Justice Act, 1967 s9; Magistrates Courts Act, 1980, s102; Magistrates Courts Rules 1981, r70)

STATEMENT OF

Age of Witness over 18

Occupation

This statement, (consisting of page 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.

Dated 12/4/17

Signature

I live in Basford Court, Leighton Buzzard where
I live with [redacted]

We have lived here for 10 years.

When we moved in there weren't many problems, nearly was the Black Horse pub which at that time was operating as a proper pub. It was well run and there were no behaviour problems.

About 3 years ago the pub closed and I believe that at first the building was used initially as a women's refuge and we had all sorts of problems. Within a matter of months the refuge closed down and it became a general person refuge.

All night in the early we started hearing problems with drinkers who started to hang around in the Town and near our house.

A lot of the people who stayed there were no problem but some were banned and not allowed in and it is these problem people who are causing problems. They still go there for meals but are not allowed to stay there overnight so tend to hang around trying

Signed

Taken by

Continuation statement of [REDACTED]

No. just somewhere to sleep.
About 3 weeks ago, several men started to sleep on
the grassed area at the side of my house behind
the bushes.

They use sleeping bags and duvets and sleep
behind the bushes. While they are there they
drink, smoke and are abusive to people and each
other.

Up until the weekend, they tended to leave their
bedding and other stuff in the bushes but Wynn,
the Reverend told them to clear it up so now they
tend to take it with them.

One of the regulars is called [REDACTED] and he
has got a lock in which which he has his
bedding about in.

I have also seen on a regular basis, people
also camping under the building in the rear
yard behind Taylor's estate agents.

I have seen the same people living in residence
in North Street in the Buzen works and they
seem to be there in a regular basis.

These dentures are dirty, smelly and unhygienic and
I have seen both males and females peeing and
defecating in the area where the bushes are.

Nowadays, these dentures get on the area about
8:00 pm. as it starts getting dark but they have
been there most of the day until Wynn said to them

Signed [REDACTED] Taken by [Signature]

Continuation statement of.....

about it was reflecting on her and the shelter. So, at least for the moment they tend to drift away during the day but I don't know if they will last.

Wyn is in charge of the homeless shelter and how best to help to get them away.

I can also ensure that they are around because I can smell the smell of cannabis when they smoke regularly.

When they are there, they are discussing and feel language on a regular basis and I am afraid that my bin will hear that and pick up the words and speak them.

My garden bushes are about two and a half metres high. It was because of the smell and the language that they use.

About 2 months ago, one of them picked some wood up and got high enough to speak to me over the fence. He tried to strike up a conversation but I had to ignore him and get inside the house as quickly as I could.

This disturbance now happens every night and at least one of them sleeps there and sometimes more. There has been up to 3 sleeping there at night but up to 5 of them during the day hanging around.

Although I have not had the language directed at me, the language itself and their behaviour is not unobtrusive.

Signed.....



Taken by.....

4

Continuation statement of.....



I don't like walking back that way with my son because they are there and sometimes I have to make a long walk just to go round them.

I find their behaviour disgusting and shameful and I and my family are badly exposed to it.

They have affected my quality of life and made me alter the way I go through because they are there.

This situation is causing me a great deal of stress and we are taking deep over the situation. As I stated I cannot use my garden and when I have to walk passed in North Street I find that presence and behaviour scary and worrying.

I love my house but these people make me feel unsafe and as if I don't want to live here any more.

Their behaviour is unnecessary and really upsetting and something needs to be done to stop this happening.

I and my family need peace of mind and to try and feel safe which I don't at the moment.

I also believe that some if not all are taking hard drugs because I have seen needles discarded in that area and that is a major danger to children and other people from contaminated needles. This is also a very worrying and frightening situation.

I also believe from what I have seen that they are also selling drugs from that location as I have seen things

Signed.....



Taken by.....

5

Continuation statement of.....

.....exchanged between people.....

Signed.....

.....Taken by.....

000111



Appendix B

By Email

**Ps 75 Craig Gurr
Licencing Team**

Luton Police Station
Buxton Road Luton
Bedfordshire, LU1 1SD

Date 19/06/17

RE: Representation under The Licensing Act 2003 (Buzz Wines Limited, 17 North Street Leighton Buzzard)

This representation is made with regards to the application made by Central Bedfordshire Council's Trading Standards Department for the review of the premises licence of Buzz Wines Limited 17 North Street Leighton Buzzard.

Bedfordshire Police fully support this application and wish to make the following representation under the Crime and Disorder objective under the Licensing Act 2003:

Buzz Wines Ltd has been a source of concern to the Police for a considerable period of time. Police have several pieces of intelligence which links the premises to the sale of alcohol to persons under the age of 18 (an offence under S 147 A Licensing Act 2003) and also selling alcohol to street drinkers who are already drunk (an offence under S 141 of the Licensing Act 2003).

In addition to this Bedfordshire Police also hold intelligence to suggest that a named shop lifter is regularly stealing alcohol from shops in the Leighton Buzzard area and sell it to Buzz Wines to get money for cannabis (log CIRR00921100).

On 25th August 2016 in conjunction with Central Bedfordshire Council Trading Standards, Bedfordshire Police carried out a test purchase operation. On this occasion two under age police cadets were sold four cans of lager by a member of staff named [REDACTED]. The member of staff was issued with a fixed penalty notice by Pc Esther Read of the licensing team.

On the 28th March 2016 Mr Ahzir pleaded guilty to an offence of persistently selling alcohol to persons under age.

Mr Azhir has also been visited by the Police Licensing Officers who have spoken to him about supplying alcohol on credit to problem street drinkers. This is a practice he continues to do and it is the Police view that this is a contributory factor in the crime and antisocial behaviour which is prevalent in the vicinity.

On the 5th of April 2017 I was present at a meeting between myself, Imogen Best from Trading Standards and Mr Azhir where we discussed adding the following voluntary conditions to the premises licence:

1. Alcohol not to be supplied on a credit (tick) basis
2. No sales of single cans or bottles of beer, lager or cider will take place at the premises
3. No super-strength beer lager or cider 6.5% AB or above to be sold at the premises
4. Refusals log to be kept and maintained and to be produced to police on request.
5. CCTV to be installed and maintained to an acceptable standard with the footage to be retained for a minimum of 30m days and made available to police on request.

Mr Azhir initially agreed these conditions but changed his mind a short time later.

These conditions represent a real effort by Bedfordshire Police to work with Mr Azhir to deal with the highlighted problems and to enable him to promote the four licensing objectives. They are proportionate and reasonable in the light of the facts. Mr Azhir has shown no willingness to work with either Police or Trading Standards and it is the view of the police that the only other action would be to revoke the premises licence.

Sgt 75 Craig Gurr

Community Safety | Licensing Team

Bedfordshire Police

Luton Police Station

Buxton Road, Luton LU1 1SD

Tel : [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

From: Sharon Keenan
Sent: 04 July 2017 17:05
To: Patricia Davies
Subject: RE: Buzz Wines

Appendix C

On further reflection, I have reviewed this application and support a review of the premises and current licence arrangements.

Thanking you

Sharon Keenan

Practice Manager

Conferencing and Review, Professional Standards

Central Bedfordshire Council Watling House Area DB2R, High Street North, Dunstable, Beds LU6 1LF

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