

**IN THE MATTER OF AN APPLICATION TO VARY THE PREMISES LICENCE OF SN15, STATION HILL , CHIPPENHAM,**

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**STATEMENT OF MARTIN O'NEILL**

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I, **Martin O'Neill** , Licensing Officer, Licensing Department, Divisional Police Station, Polebarn Rd Trowbridge BA14 7 EP will say as follows:

1. I am a Police Licensing Officer for Wiltshire Police, having joined the Force in January 2016. Prior to this I served as a Police Officer with Wiltshire Police for 30 years. I make this statement on behalf of Wiltshire Police following an application to vary the premises licence of SN15, 17a Station Hill, Chippenham.
2. My role involves covering all licensed premises within North and West Wiltshire. I am the main point of contact within the Police for all matters related to licensed premises; I deal with applications on behalf of the Chief Constable. I work closely with Police Officers and Police Community Support Officers to identify premises which can be linked to high levels of crime, disorder and anti-social behaviour.

3. In a crime prevention role I can offer advice, guidance and signposts to other organisations such as the Security Industry Authority. At enforcement level I am responsible for submitting applications for review if, following consultation with licensed premises, the relevant legislation is not being adhered to. I also contribute to Police operations that are established to ensure compliance with licensing legislation. These include licensing visits, test purchases and drugs dog operations.
4. At 2200hrs on Friday 9<sup>th</sup> September 2016 I attended SN15, Station Hill, Chippenham in company with Licensing Manager, Sian KALYNKA, to conduct a Licenced premises check.
5. I spoke with Paul SHAYGEN who is the director of SN15 Leisure Limited the company that holds the current premises licence. Mr SHAYGEN advised that he was present at the premises tonight as the DPS Adam HATCH had a night off to attend a wedding.
6. Mr SHAYGEN was informed that we were present to carry out a licensing check at the premises this evening and could he assist with providing the relevant information that we need to see. Mr SHAYGEN agreed to this.
7. I first checked the door staff and established that there were four door staff on duty, who were employed by a firm called METROPOLIS from Bristol. A check of the security log book showed that it was completed correctly and included their names, SIA licence number and time on duty for all 4 doorstaff as per the condition on the licence which states **"SECURITY INCIDENT REGISTER TO BE**

**MAINTAINED , WITH SECURITY OPERATIVES SIGNING ON AND OFF DUTY WITH FULL 16 DIGIT SIA LICENCE NUMBER”**

8. The Incident/ refusals book was checked and they were recording incidents that were occurring giving time, date and details of the incidents and actions taken. The most recent incident recorded within the incident book was the 3<sup>rd</sup> September 2016.
9. Mr SHAYGEN was then asked to show me the CCTV system and that it was in working order. Once up in the office of the premises Mr SHAYGEN asked another male up to the office called Jake. Jake was able to show all cameras were operating correctly and that CCTV was seen to provide full coverage of the premises as per the condition on the licence. “ **A CCTV SYSTEM WITH RECORDING OR MONITORING CAPABILITY SHALL BE INSTALLED TO COVER ALL FLOORS OF THE PREMISES USED UNDER THE TERMS OF THE LICENCE AND SHALL ALSO COVER ALL ENTRANCES, EXITS AND EXTERNAL AREAS IMMEDIATELY AROUND ENTRANCES.**
10. Jake advised that he was responsible for the operation of the CCTV system during the trading times the premises was open this evening. It appeared that he was standing in for the DPS in this role. He was able to demonstrate that the system was functioning and could go back over several days worth of footage. This is stored on a hard drive connected to the system for a period of 30 days. I asked him to demonstrate that the system was capable of downloading the images by requesting footage from the 3<sup>rd</sup> September 2016 which he initially stated could be downloaded to disc. He stated that the footage would be

downloaded to a memory stick but was unable to provide this to allow the footage to be downloaded.

11. Mr SHAYGEN stated that he had purchased several memory sticks and had given them to the DPS, Adam HATCH. During the visit these could not be located, and the CCTV could not be copied and downloaded. The condition states **“RECORDINGS SHALL BE KEPT FOR 28 DAYS AND MADE READILY AVAILABLE TO ANY AUTHORISED OFFICER OF THE COUNCIL AND POLICE”**.
12. I asked to see records of staff training and was shown a folder which contained details of staff, some of which no longer worked for the company. The training forms were dated 8<sup>th</sup> December 2015 and no other records were available.
13. Mr SHAYGEN stated that the previous DPS, Mr PUDDEPHAT had conducted some training but was unable to produce any records to confirm this. He further stated that the current DPS, Adam HATCH, was in the process of delivering staff training but was unable to produce any records of this and stated that Mr HATCH had the paperwork at his home. The premises are not adhering to the condition **“All staff (to include management) to undertake induction/refresher training to include roles and responsibilities and the current licensing objectives”**
14. I asked Mr SHAYGEN for a copy of the Management plan relating to the premises which he was unable to produce and stated that the DPS Mr HATCH had been in contact with the council and had forwarded them details.
15. I asked a question in relation to their drugs policy, the door staff did not appear to know what had to be done in relation to drugs. Mr SHAYGEN stated that any

- drugs that were seized would be stored in a locked safe in the managers office and that details would be recorded in the incident book. He was unable to produce any evidence of any seizures being recorded.
16. I carried out a check of the patio area and noted that there were a number of tables but the area itself was empty. I spoke with Mr SHAYGEN outside on the patio area where he explained his plans for the patio in the future.
  17. Mr SHAYGEN explained how he would like to refurbish the area with tables and umbrellas and make it an area where people could smoke Shisha and have their drinks, although he did not clarify what drinks he would allow.
  18. Mr SHAYGEN also stated that he did not want to operate without door staff and that if he had 100 people in the premises then he would still want to have four door staff. Mr SHAYGEN said he would not want to operate the premises without door staff but would like more flexibility around doorstaff numbers and the ability to send staff home should he not need them due to cost implications.
  19. Grace BOND the Bar Manager and Jake joined us on the patio where we were discussing the current variation application and the ambiguity around the proposed conditions. Jake showed typed correspondence from Mr HATCH to the premises solicitor in which he stated that he should have the discretion as the DPS to decide whether he required door staff at the premises on a day by day basis.

20. It was suggested at this point to Mr SHAYGEN that he contact his solicitor in order to clarify the proposed changes submitted in the variation application BECAUSE HE STATED THAT HE DID NOT FULLY UNDERSTAND THEM HIMSELF

Statement of Truth

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

Signed..........

Dated.....10/09/16.....

MARTIN O'NEILL