



**NORFOLK**  
CONSTABULARY  
*Our Priority is You*



The Licensing Team

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**Additional Police Representation for Bootleggers application – Thursday 30<sup>th</sup> August 2012**

This information is in addition to the original representation submitted in relation to the variation for Bootleggers to extend the hours of opening and allow for deliveries.

Firstly please find the statement attached from Licensing Inspector Ed Brown reinforcing the potential impact that could occur by allowing the extension of opening hours.

Police have attempted to liaise with the applicant during the consultation process to offer the opportunity for conditions to be added to the Premises licence in order to satisfy the concerns by Police that this increase in hours would not cause an impact. Despite this, the applicant feels that it is unnecessary for the use of door staff to be employed in the week if this extension were to be granted.

The premises currently benefits from a 6am licence for the sale of alcohol on Friday and Saturday nights but due to the presence of Public order Police officers during these periods and the employment of SIA door staff, the premises has been able to run incident free by acting as a deterrent to those intending to cause crime and disorder. The applicant is requesting for an extension during the week without these measures in place.

It is important to acknowledge that the operating schedule submitted with the application to extend the hours of opening offers no additional measures to promote the licensing objectives. Despite the current premises licence including conditions such as 24 hr CCTV, the implementation of a refusal book and a proof of age scheme, these conditions are not specific enough to be enforceable so it is requested that the current conditions are amended to the following:

- **Staff will be trained in relation to the sale of alcohol and a record of this training will be available on site to Police or Licensing Officer on request**
- **Challenge 21 Policy will be in use**
- **A CCTV system shall be installed and operating at all times when the premises is open for business and maintained in good working order. CCTV**

**will be recorded and stored for 28 days and be available on request to Police or Licensing Authority**

The current condition imposed on the premises licence relating to the employment of door staff is:

- **During busy periods a doorman will be present.**

This condition is currently unenforceable due to the number of SIA door staff and exact times not being specified and only described as "busy periods." It is recommended by Police that if current conditions on the licence are amended and tightened to:

- **There will be one SIA door supervisor employed from 2200 hrs until close on Friday and Saturday nights.**
- **A record of the SIA door supervisor's name, badge number, date and tour of duty will be kept on the premises and be available to Police or Licensing Authority on request**

A Chronology of incidents logged at the premises in the last year has been produced and can be found attached. Despite this Chronology not highlighting a significant number of incidents at the premises, It is useful to highlight that as this premises is an off licence, the majority of customers immediately departs the shop making it challenging to link all crime and disorder that has occurred as a result of individuals drinking additional alcohol purchased at this shop after consuming alcohol for some time.

It is important to reinforce the fact that this premises is located in the heart of the night time economy on Prince of Wales Road. The majority of patrons wanting to consume at this time are those who have been out for some hours and already consumed a significant amount of alcohol already.

Norfolk Police are currently working closely with Norwich City Council to encourage licensed premises to cease the times licensed for the sale of alcohol to earlier prior to the implementation of the Late Night Levy and Early Morning Restriction Zone Policies which are intended to be in place by the end of the year. The newspaper article attached supports this. By allowing this extension of hours within this area would be working against this proposal.

The Police representation highlighted a specific incident on the 23<sup>rd</sup> June 2012 at 02.12 hrs where an intoxicated male managed to purchase further alcohol and was seen by Police to stagger down the road. The statement attached made by PC Tonge confirms the scene of events and the attitude represented by premises. The CCTV footage in relation to this incident was requested by the Police Licensing Team and was quickly provided by the management of the shop. The footage shows a number of patrons inside and purchasing alcohol during this time, with a lack of sound or description of the male it is difficult to establish the state of the particular male during the purchase. However I accept PC Tonge's statement of events as an experienced Police Officer which describes in detail how intoxicated this male was at the time supports the fact that he should not have been served any further alcohol.

The Police use analytical material in relation to the trends of crime and disorder within the night time economy. Evidence shows that despite a backdrop of sustained reduction in overall crime related to the night time economy, it is becoming more evident that problems are associated with the late night opening of the licensed premises due to the increase in accessibility of alcohol. People have become over intoxicated and this has led to a disproportionate rise in crime and disorder in particular within the vicinity of licensed premises that operate after 3am.

It is the belief of Norfolk Constabulary that this extension of hours would potentially increase the risk of crime and disorder occurring inside and in vicinity of the premises without any additional measures to allay these concerns.

It is acknowledged that the premises also intends to carry out deliveries of alcohol during the hours of opening. The Police have requested that the following conditions specifically relating to this are added to the premises licence:

- **Alcohol will not be supplied to public places- an address must be provided at all times**
- **Names, addresses and contact numbers of customers will be taken before delivery**
- **Anyone who receives a delivery of alcohol and appears to be intoxicated by alcohol or drugs or unable to confirm with ID that they are over 18 will be refused alcohol.**

These proposals were discussed during the consultation period and the applicant appeared happy for these conditions to be added initially.

In summary, the Police have no objections to the delivery aspect of the application providing the above conditions are to be added to the licence.

Concerns that the increase of opening hours will impact the level of crime and disorder remain and it is felt that this will undermine the crime and disorder and public safety licensing objectives.

The Police hope that this will be taken into account when the committee determine their decision.

**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN: **36** / /

Statement of: Edward Brown

Age if under 18: o18 (if over 18 insert 'over 18') Occupation: Police 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 wilfully stated anything in it, which I know to be false, or do not believe to be true

Signature: \_\_\_\_\_ Date 24/08/2012

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

I am Inspector Edward Brown of the Norfolk Constabulary. My current role oversees Licensing, Public Order Policing and leading Norfolk Nightsafe on behalf of the County Community Safety Partnership.

I am writing this impact statement in relation to an application by Bootleggers Off-License to extend their operating hours including sale of alcohol between Sunday and Thursday through until 4am.

It has been widely reported that there has been a disproportionate rise in alcohol related violence between the hours of 3am and 6am in Norwich City Centre over the last 12-24 months. In my experience, many of the problems in the Norwich City Centre between the hours of 9pm and 6pm relate to the widespread availability of alcohol and a binge drinking culture.

Bootleggers is situated on the Prince of Wales Road in close proximity to a large number of nightclubs and takeaway outlets. The Police provide a full 'public order' contingent of officers on Friday and Saturday evenings providing a level of safety and security for the public on the street. Bootleggers, itself, operates until 6am on a Saturday and Sunday morning and is required to have a door supervisor on duty inside the premises to assist in dealing with disorderly behaviour. It is now the only premises on Prince of Wales Road that sells alcohol post 4am as all other licensees have voluntarily reduced their hours working jointly with the police and City Council. The venue does not have a door supervisor working

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Signature witnessed by: .....



Continuation Statement Of: 4198 Ba Page 2 of 2

during the week and this, states the applicant, is largely due to a financial consideration. When deciding to operate for longer this is presumably with a view to making more profit. The risks of selling alcohol later into the evening / morning are increased as customers are more likely to be intoxicated when entering the shop thus certainly requiring a door supervisor to minimise risks to public safety especially when there are less police around to act as a deterrent. It is the licensee who is responsible for ensuring public safety inside their venue and to ensure that they take appropriate steps to ensure that the licensing objectives are upheld. The refusal to employ a door supervisor as a condition of extended trading activity suggests that the applicant values financial reward above public safety. In any case, I am of the opinion that extended trading hours are not appropriate for this business.

Whilst on Public Order policing duties I have seen people on numerous occasions entering the premises and purchasing alcohol at all hours of the day. The alcohol is then taken out of police view and consumed in the back streets. Although this venue is an off-license / convenience store it is sometimes treated as a bar as I have witnessed people going in and out all night long. Norwich City Centre is a designated public place prohibiting consumption of alcohol in certain areas under certain conditions. It is my opinion that people purchase cheaper alcohol from this establishment, consume it rapidly and then go back to the on licensed premises where regulated entertainment is offered. This is contributing towards a greater demand on policing as people under the influence of alcohol are committing more violent offences especially where the emphasis is on consuming the alcohol as rapidly as possible. It is the venue's responsibility to ensure that they do not sell alcohol to someone who is already intoxicated but is also very easy for a venue of this nature to bypass any responsibility for it's actions as alcohol is not consumed on the premises. It is, perhaps, no coincidence that a yard on Cathedral Street, just a stones throw from the rear of Bootleggers, is a continuing hotspot for anti-social behaviour most notably people consuming alcohol.

At a time when both the Constabulary and City Council are trying to send a strong message about responsible retailing of alcohol in an attempt to reduce the violence on our streets the application to extend the licensable hours of a venue so centrally located in the night time economy, I would advocate, should certainly be declined.



# SUMMARY OF POLICE INVOLVEMENT

Bootleggers - 76 Prince of Wales Road

Date	Incident	Description	Reported By	Reference	Officer
23/06/2012	Bad Management	MALE (NFD) WAS SEEN TO LEAVE THE PREMISES CARRYING A CARRIER BAG FULL OF ALCOHOL. MALE WAS EXTREMELY INTOXICATED, WAS UNABLE TO STAND UP STRAIGHT, FELL OVER AS HE EXITED THE SHOP (STILL ON SHOP PREMISES AT THIS POINT) & PROCEEDED TO WALK IN DIAGONAL LINES ALONG CATHEDRAL STREET, NORWICH AS HE STAGGERED FROM SIDE TO SIDE STRUGGLING TO STAY ON HIS FEET. MALE WAS SEEN TO BOUNCE OFF SEVERAL PARKED CARS (NO DAMAGE CAUSED) DUE TO HIS DRUNKEN STATE. POLICE ATTENDED SHOP AND ADVISED STAFF THAT A VERY DRUNK MALE HAD JUST BEEN WITNESSED EXITING THEIR PREMISES IN A DRUNKEN STATE WITH ALCOHOL THEY HAD SOLD TO HIM.	Police		PC Tonge
13/05/2012	Theft	6-7 MALE STOLE CASE OF LAGER, CCTV AVAILABLE	Police	CR20446/12/6	
31/03/2012	Criminal damage	SUSPECT WALKED PAST SHOP WINDOW AND PUNCHED IT FOR NO REASON CAUSING IT TO BREAK. SUSPECT DETAINED AT THE SCENE, APOLOGISED FOR HIS BEHAVIOUR AND OFFERED TO PAY FOR THE DAMAGE. SHOP MANAGER IN AGREEMENT AND DETAILS EXCHANGED.	Venue		PC Munday
22/10/2011	Poor management	POOR MANAGEMENT - GROUP OF PERSONS ON STREET / DOORSTEP OF PREMISES. ONE PERSON DRINKING A BOTTLE OF ALCOHOL (LAGER). NO DRINKING ZONE. BOTTLE DISPOSED IN NEARBY BIN. PERSON STATED THAT THEY HAD ONLY JUST ENTERED THE STORE AND BOUGHT THE ALCOHOL, NOT AWARE THAT THEY ARE NOT ALLOWED TO DRINK OUTSIDE. THEY WERE STOOD ON DOORSTEP OF SHOP (JUST OUTSIDE SHOP) DRINKING THIS ALCOHOL OPENLY. ONE DOORMAN ON DUTY BUT WAS INSIDE THE STORE LEANING AGAINST THE COUNTER CHATTING TO THE CASHIER.NO CLEAR SIGN IN STORE TO ADVISE CUSTOMERS OF THE CITY CENTRE NO DRINKING ZONE.	Police	NID17560	PC Taylor
17/09/2011	Assault	AMB REQUESTED FOR A 42YR OLD MALE, CUT TO LIP, C&B. IP HAS TO GO BACK TO PORTSMOUTH TODAY,OFFENDER HAS BEEN ARRESTED.	MOP	NC-17092011-20	

# SUMMARY OF POLICE INVOLVEMENT

Bootleggers - 76 Prince of Wales Road

Date	Visit	DETAIL	REPORTED BY	REFERENCE	OFFICER
30/06/2012	PO Tasking	PREMISES VISITED AS PART OF MY PUBLIC ORDER TASKING AT THE ABOVE TIME. DURING MY VISIT I CHECKED THE DOORSTAFF REGISTER WHICH WAS IN ORDER. L JOWSEY SIGNED IN AT 23:00HRS HE WAS WEARING HIS BADGE AND THE SERIAL NUMBER WAS 0130012100037068. I ALSO CHECKED THE PERSON WHO WAS SERVING WHO STATED HE WAS IN CHARGE THIS WAS A MR HAYAS MEERAANSHAHIB WHO HAD A DP'S CARD WHICH HAD BEEN ISSUED IN LONDON THE BOROUGH OF SUTTON THE NUMBER WAS 5870/0600944 WITH AN EXP DATE OF 20/8/2016.	Police	VID18079	DC Bloomfield
19/08/2011	Police visit	VENUE VISITED TO HAND OUT FAKE I.D POSTERS AND EXPLAINED TO STAFF WHAT COMMON FAKE I.D'S TO LOOK OUT FOR.	Police	VID15613	PC Brown
18/08/2011	Police visit	VENUE VISITED AS PART OF A TEST PURCHASE WITH TRADING STANDARDS. DURING THIS OPERATION, ALCOHOL, SOFT DRINKS, TOBACCO & FOODS WERE EXAMINED AS WELL AS LICENSING CONDITIONS. A NUMBER OF ALCOHOL, SOFT DRINKS & FOOD PRODUCTS WERE OUT OF DATE WHILST STILL BEING AVAILABLE FOR PURCHASE, NUMBER OF ITEMS FOR SALE WITH NO PRICING EVIDENCE AVAILABLE TO THE PUBLIC. SPOKE TO STAFF MEMBER, DPS UNAVAILABLE, CURRENTLY IN LONDON BUT WAS ADVISED OVER THE PHONE. 28 DAYS NOTICE GIVING BY TRADING STANDARDS TO RECTIFY PROBLEMS AND INFORMED OF A 2ND VISIT. CCTV IS SUPPLIED BY "FRANCO CCTV". FAKE I.D POSTERS TO BE HANDED OUT TO STAFF.	Police	VID15596	Sgt Flatt

# Norwich Evening News

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## Norwich clubs thanked as violence in night-time economy falls

Peter Walsh Thursday, August 23, 2012  
8.02 AM

A new scheme to reduce the hours of alcohol sales in Norwich's Prince of Wales Road is already helping to cut the number of violent offences in the city, according to police chiefs.

Bar owners in Prince of Wales Road, the heart of the city's clubland, had voluntarily agreed to stop selling alcohol at 4am to tackle the issue of rising night-time violence – particularly between 3am and 6am – which had been made a priority by police.

The scheme, which started on August 3, has been running for more than three weeks now and police in Norwich have said it is already having an impact.

Inspector Ed Brown, *pictured*, of the Norwich Licensing Team, said: "It's still early days to draw conclusions from but we've seen quite significant reductions in violence and sexual offences in the night-time economy."

Police figures covering the first three weeks of August show that last year there were 22 offences, during the hours of 9am and 6am, compared to 12 offences in the past three weeks since the scheme started.

Insp Brown said: "It's a positive news story at the moment.

"Violence and sexual offences in our city centre are down, certainly compared to this time last year.

"Some of that might be attributable to the 4am curfew and I think a lot of it is, but there's also a whole raft of other work that's gone on."

Police have been working with the city council and other licensees for some time to try and reduce late-night violence by raising awareness and getting them to work together to solve issues. But Insp Brown said he appreciated the support of the clubs in the scheme.

He said: "Getting any group of late night operators to bring back their hours for the purpose of reducing crime and disorder in a tough economic climate is a big ask and we're very grateful."



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN: 36 / /

Statement of: PC 1634 Sarah TONGE

Age if under 18: 'Over 18' (if over 18 insert 'over 18') Occupation: Police Constable 1634

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

Signature: ..... Date 21/08/2012

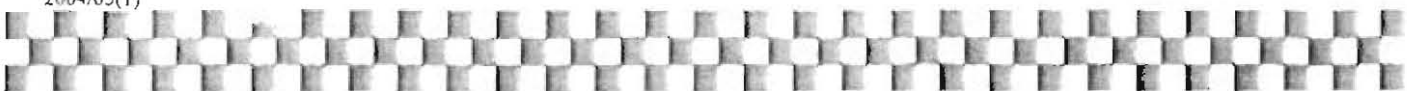
Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am PC 1634 TONGE currently based at Earlham Police Station, Norwich and I am employed by Norfolk Constabulary.

On Friday 22<sup>nd</sup> June 2012 I was on duty in full uniform on Public Order foot Patrol on Prince of Wales Road, Norwich from 22.00 hours. My call sign was XP53 and I was covering Zone 3 which is the junction of Cathedral Street with Prince Of Wales Road, Norwich down to the junction with Riverside Road, Norwich. I was crewed with other Officers and PS 3014 WAGSTAFF was the Sgt covering my Public Order Van.

At approximately 02.12 hours on Saturday 23<sup>rd</sup> June 2012, I was stood on Prince of Wales Road outside 'Piccolos' takeaway which is next to 'Bootleggers' Store. I watched an unknown male exit Bootleggers carrying a blue carrier bag full of alcohol. I had seen the male enter approximately 5 minutes before. The unknown male was clearly drunk and unable to stand up straight. His clothes were dishevelled and I watched as the unknown male tripped over as he exited the shop and was therefore still on the premises at this point. He was unsteady on his feet and was wobbling from side to side and occasionally his arms would go out to the sides as if he was trying to regain his balance. His head was dropped and he appeared to be struggling to focus on where he was walking. I then continued to observe the male as I was concerned for his safety near the roadside. He proceeded to walk in diagonal lines from side to side along Prince of Wales Road and then down the middle of the road on Cathedral Street and away from Prince of Wales Road. He was struggling to stay on his feet and as he would walk

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Continuation Statement Of: PC1634 TONGE Page 2 of 3

diagonally to one side he would then lean forward on his toes as if he was about to fall over and he would then stand still and re-balance himself and then walk diagonally in the opposite direction.

He was therefore walking in a 'zig zag' fashion along the street. As he was 'zig zagging' along Cathedral Street I watched the male bounce off several cars that were parallel parked along Cathedral Street, Norwich. No damage was caused to any of these vehicles and no car alarms went off, but he made contact with the doors of several cars. The unknown male was alone and did not appear to be doing this for attention and he did not appear to be aware that I was watching him either.

Due to his drunken state I attended the shop and advised Staff that a very drunk male had just been witnessed exiting their premises in a drunken state and that he was carrying alcohol that they had just sold to him. There was an Asian male behind the counter who appeared to be the shop keeper. Another unknown white male was stood to his left as I looked at him and he was displaying a Door Staff/SIA badge around one of his arms (I will call him Male 1).

Male 1 was very rude to Police stating "WHAT DO YOU EXPECT, THERE ARE BARS & CLUBS ALONG HERE. PEOPLE ARE DRUNK" and intimidated to me that I was being foolish stating the obvious. I then stated to him that it is an offence to serve alcohol to a person already drunk and Male 1 remained rude and sarcastic to the situation. Male 1 stated that my opinion of the male was incorrect. I informed Male 1 and the shop keeper that I would be making a report as to what I had seen and what they had said to me. I stated that in my professional opinion as a Police Officer; the male was clearly drunk and that the sale should not have been made.

The shop keeper denied any knowledge of the incident and stated "I CAN ONLY SEE WHAT IS STOOD IN FRONT OF ME AT THE COUNTER FROM THE SHOULDERS UP" and would not accept what I was telling him. I informed him that the male had been in the shop for 4-5 minutes so he would have seen what state he was in. I asked him if he had seen the male fall out of the shop doorway and he said "NO". I then exited the shop and resumed by foot patrol within Zone 3.

A short while later I was informed by a colleague that the Shop keeper wanted to speak to me and that he had demanded that I return to the shop to review CCTV footage. I then entered

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Continuation Statement Of: PC1634 TONGE Page 3 of 3

the shop and saw the same two males that I had spoken to earlier. Yet again, I faced more sarcasm and rudeness from Male 1 who was intimidating in his manner.

The shop keeper pointed to a screen in the shop that was paused on the unknown male that I had been referring to. Even though numerous persons had been in the shop during that time, they clearly knew who I had been referring to. The footage was then played and I could see that the male on the footage was stood near the counter, but was clearly swaying on his feet and his arms went up to the sides as he attempted to steady himself at one point. Even as I commented on what I was seeing and the state of the male as it was played to me; the shop keeper still failed to accept what was being shown on the footage and was argumentative as to what state the male was in. Both were not listening to me as before, so I stated that I would still be submitting a report and I resumed to my foot beat within Zone 3.

As I stood on Prince of Wales Road for the next 30-45 minutes outside the shop, I received continuous stares from Male 1. I did feel very intimidated by this. I even saw Male 1 mouth things at me on several occasions, but I was unable to read his lips of what he was saying. His body language was threatening and I did feel intimidated by this. I purposefully moved away to avoid any further intimidation and I notified my SGT as to what I was being subjected to and why I was moving from my post. Unfortunately approximately 2 hours later I had to return to that area to assist other colleagues with another incident and the stares continued and I was made to feel very un-comfortable. I did not react to this in any way and tried to ignore it, but as I looked around during my patrol I would catch Male 1 still staring at me. I should not be subjected to this type of threatening behaviour as an Officer in uniform. When I had entered the shop and spoke to them I was executing my duty as a Constable and I was acting proportionately and reasonable in the circumstances. As a result, I felt threatened.

Since this incident I have been on Public Order in Zone 3 on at least two occasions. I have not entered the shop or engaged in any way with the Staff in the premises, but I have noticed the same male (Male 1) continually staring at me as I stood static outside the premises. On a recent duty this was noticed by a colleague, who I then had to explain as to why I was receiving this.

My pocket notebook forms my original notes completed at the time and I completed a full 'INN WEB' entry on return to the Police Station the same morning. In order to write this statement I have referred to my pocket notebook and the text that I wrote on the INN WEB entry. I cannot now recall the description of the drunken male.

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