

WITNESS STATEMENT

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

Statement of **Peter Sparham** URN:

--	--	--	--

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Staff 35/184432**.....

This statement (consisting of: **4**..... 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 anything in it which I know to be false, or do not believe to be true.

Signature: Date:

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

I am currently employed as a police licensing officer for the London Borough of Merton, I have been in this role for approximately 10 years. I have been a police officer for 29 years and a Sergeant since 1996.

This witness statement is intended to assist the licensing sub-committee when considering the application to Review the premises licence of Bineet Stationers, 237 London Road, Mitcham. CR4 3NH.

Bineet Stationers is a small shop situated in a parade of shops on London Road, Mitcham, It is a short distance from the Mitcham Town Centre.

In the past 18 months police have responded to a significant increase in anti-social behaviour in Mitcham Sector, in particular around the Mitcham Town Centre and Figges Marsh area. Incidents covering the whole spectrum of anti-social behaviour have been experienced. Local residents have complained to the local policing team that the area is covered with dropped alcohol containers, the smell of urine and drunken persons lying slumped on the ground and benches in and around the Town Centre.

With this problem in mind I have visited a number of "off licence" premises in order to encourage responsible sales and warn of the risks to the businesses.

On 14th August 2014 I visited Bineet Stationers and spoke to a man who identified himself as Sunny Patel, he was working alone in the shop. Mr Patel did not speak English very well but appeared to understand what was being said in respect of responsible retailing. I was able to communicate with Mr Patel to the extent that he was able to produce the Part A of the premises licence and also the refusals register held at the premises. I noted that the last entry in this register was 15th February 2014.

On 17th September 2014 a joint visit Mr Steve Beedell, Licensing Officer from the London Borough of Merton was conducted. On this occasion I spoke to a man who gave his name as Jay Patel. Once more, the aim of the visit was aimed at responsible retailing and anti-social behaviour within Mitcham Town Centre. The sale of high strength beers and ciders was discussed with a view to reducing associated street drinking and public nuisance. We also spoke about the possibility of an agreement between shops to limit high strength alcohol.

Signature: Signature witnessed by:

Continuation of Statement of **Peter Sparham**

On 20th September 2014 a test purchase operation was carried out using Metropolitan Police Volunteer Police Cadets (MPVPC). On this occasion the cadets ranged from 14 to 16 in age. The cadets were fully briefed and deployed in pairs into the premises. The area and premises targeted were predominantly in Mitcham Town Centre and included shops and Betting Offices.

At approximately 5pm a 14 year old male and a 16 year old female cadet were deployed to make a test purchase at Bineet Stationers. They were able to purchase one(1) bottle of WKD and one(1) bottle of Smirnoff. Following the purchase the cadets left the premises. I was informed of the result, I therefore visited the premises in company with SC 5103VW Williams. I had been informed that the cadets had been served by an Asian male. Upon entry to the premises I recognised the male behind the counter as Sunny Patel, who I had previously spoken to on 14th August, he was the only person behind the counter. I attempted to explain the purpose of my visit, however it became apparent that he had insufficient grasp of English for the service of a Penalty Notice.

Whilst speaking to Mr Patel another male came into the shop from the rear of the premises. This male I know as Mr Jay Patel as I had previously spoken to him 3 days earlier. I explained to him the purpose of my visit and he took over service behind the counter whilst myself and SC 5103VW Williams attempted to speak to Mr Sunny Patel. At this point I noticed a white male aged approximately 50 years old enter the shop, he was very unkempt in his appearance with a florid complexion, he appeared to be unsteady on his feet, I interpreted this as his having been drinking. He selected a single can of "K" cider and went to the counter and was served by Mr Jay Patel. At no point was he challenged.

Conclusion

It is clear that the management at the premises do not take heed of advice, this can be seen that despite advice regarding responsible retailing sales have still been made, whether that be underage or other vulnerable persons. The police have carefully considered whether the imposition of conditions would remedy the situation, this is questionable. All options are open to the Licensing Sub-Committee however it is asked that the imposition of the following conditions be considered:-

- 1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

Signature: Signature witnessed by:

Continuation of Statement of **Peter Sparham**

- 2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

- 3. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

- 4. No single cans of beer or cider shall be sold at the premises.

- 5. A proof of age scheme, such as Challenge (21/25), shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving licence or passport / Holographically marked PASS scheme identification cards).

- 6. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premise is open.

- 7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system or searching equipment or scanning equipment
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.

Signature: Signature witnessed by:

Continuation of Statement of **Peter Sparham**

[Empty rectangular box for content]

Signature: Signature witnessed by:

Witness contact details

Home address: **Wimbledon Police Station**

Postcode: **SW19 8NN**

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No.** If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- 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
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **PS 10VW 35/184432 Peter Sparham** Station: **Wimbledon**

Time and place statement taken:

WITNESS STATEMENT

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

URN

--	--	--	--

Statement of Siobhán McDonaghAge if under 18 0/18 (if over 18 insert 'over 18')Occupation Member of Parliament

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


Date 8/10/2014Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and can be contacted via my constituency office. I am the Member of Parliament for Mitcham and Morden and have been so since 1997. This statement relates to complaints I receive with regards to street drinking and anti-social behaviour in MITCHAM TOWN CENTRE. In the last year I have started to get more complaints from residents regarding the town centre. The complaints centre around groups hanging around and drinking from early morning until night time. Often I hear they are fighting with one another or becoming aggressive. Also their going to the toilet in the street. These complaints concentrate on areas around MITCHAM PARK GREEN and THREE KWAS PIECE. It is normally focused on men, though sometimes women, often of Eastern European origin and usually older, not young people. A lot of the complaints don't just focus on their behaviour but also on the litter and rubbish they leave behind which makes the

Signature



Signature witnessed by

P.T.O.

Continuation of Statement of Siobhian McDonagh



area appear untidy and less inviting which is part of a negative spiral for the area. I am of the opinion this has been exacerbated by a reduction in visible policing in the town centre. In addition the decline and number and variety of shops, providing more space for the drinkers to meet. This in turn leads to fewer people wanting to shop in the town centre, giving the drinkers even more space. Also, other nearby town centres have taken a more aggressive attitude in dealing with this issue; both moving people on and providing more outreach services. Due to this I believe Mitcham became a soft spot for them to congregate and drink. I personally feel the people of Mitcham are very tolerant and put up with more than others would do so there hasn't been a concerted campaign against persistent street drinking. This has led to those who do complain being made to feel as if they're exaggerating. The negative spiral I mentioned before has a large impact, the behaviour and actions of persistent street drinkers can intimidate residents which puts them off from coming to the town centre. This combined with the rubbish and image this generates of the town centre puts off residents which in turn impacts local businesses. This has led to those with the financial means to move away do so, again having a negative impact on businesses and the local community. I recently conducted a survey that showed 30% of people

Signature _____

Signature witnessed by _____

Continuation of Statement of Siobhian McDonagh

responding said street drinking was the thing they liked least about living in Mitcham. The general anger towards this issue was highlighted by over 200 residents coming to a meeting on a Saturday where this was discussed and that it not an easy thing to organise, so it really shows the strength of feeling. I have attached some correspondence from residents detailing their concerns about street drinking and the associated problems and how it impacts the community and their quality of life. One issue that highlights is that residents don't want their children exposed to this behaviour and its negative consequences; seeing people fighting in the street, going to the toilet in public, aggressive begging and generally making the area intimidating and uninviting. I am happy to support the application for Anti-Social Behaviour Orders in relation to the street drinkers and am willing to attend court if necessary.



Signature

Signature witnessed by

WITNESS STATEMENT

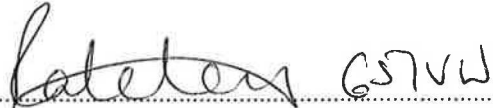
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC 651VW** URN:

01	VW		
-----------	-----------	--	--

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 203930**

This statement (consisting of: **1**..... 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 anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 20/09/14

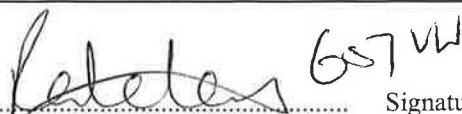
Tick if witness evidence is visually recorded (supply witness details on rear)

This statement relates to a Volunteer Police Cadets led test purchasing operation held in MITCHAM, on SATURDAY 20 SEPTEMBER 2014, with Cadet Staff PC 342VW Tim Mann and myself, and PS 10VW SPARHAM and SC 5103VW WILLIAMS, and a team of VOLUNTEER POLICE CADETS aged 14 - 16. During this operation, a number of off licences and premises were visited, and some sales of alcohol were made.

On SATURDAY 20 SEPTEMBER 2014 I was on duty with PC 342VW MANN, both in plain clothes, posted as Cadet Staff to supervise the Cadets and assist in observing visits to each premises. PS SPARHAM and SC WILLIAMS were in full uniform. The Cadets were in plain clothes.

The unit paraded at WIMBLEDON POLICE STATION, where the Cadets were briefed with PS SPARHAM. Full colour photos were taken of the Cadets by PC MANN, who are referred to by single letter designation A- G, to preserve anonymity. Using provided transport (an unmarked minibus), we commenced the operation at 3pm, CAD 6418 refers. We travelled to various locations around the borough.

At about 5pm, I went into BENNEETS OFF LICENCE LONDON ROAD MITCHAM. Cadets F & A then entered the store. There was one male behind the counter, no other staff. He was of Indian appearance. I was standing by the Cadets. Cadet F placed a bottle of WKD and a bottle of Smirnoff on the counter, and some sweets. The staff did not challenge in any way or ask their age, or for any identification. He placed the bottles in a black carrier bag with the sweets and took payment. The Cadets left the shop. We then followed. We re-grouped nearby at the minibus, where I informed PS SPARHAM and SC WILLIAMS about what had happened. I then returned to the shop with the officers, where facts of the incident were relayed.

Signature:  Signature witnessed by:

This page is intentionally left blank