

Licensing Act Sub-Committee

Supplementary Agenda

Date: Friday, 6th November, 2020

Time: 10.00 am

Venue: Virtual

6. **The Prince Albert Public House, 140 Newton Street, Macclesfield, SK11 6RW**
(Pages 3 - 18)

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WITNESS STATEMENT			
(Criminal Procedure Rules 2015 R16.2, Criminal Justice Act 1967 S9, Magistrates' Courts Act 1980 S5B)			
		URN	
Statement of	SAYER, ASHLEY		
Age if under 18	Over 18 (if over 18 insert 'over 18')	Occupation	POLICE CONSTABLE 37018
This statement (consisting of 2 page(s)) 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	 A.SAYER	Date	20/10/2020
Name / Rank / No	PC 37018 SAYER		

On Monday the 19th of October 2020 I was one of a number of officers who attended the Prince Albert Public House, Newton Street, Macclesfield.

I was asked to assist with a closure order for the pub which had been arranged by PC 5118 BASSIRAT.

I attended at the location sometime around 16:00 and along with my colleagues entered the pub, I then witnessed PC BASSIRAT serve the appropriate paperwork on the relevant persons within the pub.

Once the paperwork had been served, I took it upon myself to check the pub to ensure it was empty. I entered the male toilets of the public house on two different occasions, once when we first arrived and a second time prior to leaving to close the windows.

The toilets in the pub are situated at the rear, the men's toilets are accessed via two doors. There are two cubicles at either end of the toilet block and then some windows against the rear wall.

As I closed the upper left hand window I noticed what appeared to be a small snap bag on the window ledge. If the windows are closed on a daily basis then the snap bag would have only been there from the same day as we attended. It appeared to me as if someone had tried to dispose of it out of the window but had failed as it had caught between the edge of the window and the window itself meaning it didn't drop out onto the floor.

I took the snap bag from the ledge and inspected it, the bag contained what I would say was traces of white powder, I believe that this white powder would have been cocaine. I inspected the packet and noted it only contained traces before placing it down on the bottom of the window ledge. I then left the packet in situ for the owner to dispose of.

I recorded my visit to the pub on BWV and believe the finding of the empty snap bag would be captured on my BWV which I can provide to the court in the future if required. This will be exhibited as AJS/01 - footage of closure order for the Prince Albert Public House.

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WITNESS STATEMENT			
(Criminal Procedure Rules 2015 R16.2, Criminal Justice Act 1967 S9, Magistrates' Courts Act 1980 S5B)			
		URN	
Statement of	PC 5992 JOHNSON		
Age if under 18	0/18 (if over 18 insert 'over 18')	Occupation	POLICE COMNSTABLE
This statement (consisting of 5 page(s)) 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 	#075992 JOHNSON, W.	Date	22/10/2020 09:04
Name / Rank / No	Constable 075992 W JOHNSON		

I am Police Constable 5992 JOHNSON of the Cheshire Constabulary. I am attached to the Eastern Local Policing Unit and I am currently working from Macclesfield Police Station as a Response Police Officer.

On the evening of the 2nd AUGUST 2020 2335hrs, via my personal radio I was requested to attend an incident on NEWTON STREET in MACCLESFIELD. The incident in question involved a large group of people fighting in the street, in which it was reported that a female had been punched and another male was unconscious on the floor. Given this, I drove to the location in my patrol vehicle on an immediate response call.

NEWTON STREET is a residential area with large terraced houses lining the road on both sides. Usually the road is lined with vehicles on both sides 'bumper to bumper'. On arriving at the location, I could see PC 30069 WALL was already in attendance and was speaking with a group of members of the public. I could see that this group were intoxicated as they were unsteady on their feet and were loud and slurring their speech as the spoke to PC WALL. As I approached the group and PC WALL, I could see what I believed to be blood on the pavement. I could see that the group appeared 'unkempt looking' and appeared to have been involved in a

physical altercation. One of the female members of the group was sitting on the ground whilst speaking to PC WALL.

Given the initial report of a fight and people being unconscious, and as I could see injuries and blood on the floor, to avoid an potential cross contamination, I remained away from this group and conversed with PC WALL via radio. I could overhear the female on the floor giving PC WALL an account, and it was clear from this account that the incident had stemmed from an issue at the PRINCE ALBERT Public House. I would say at the time, the PRINCE ALBERT was around 30 metres away from where this group were in the street.

Given the proximity to the Public House, I decided to attend there. The premises door was shut and after knocking at it, I was met by a male who identified himself as Neil NAYLOR. NAYLOR explained that he was the landlord of the premises. On this, I asked him if I could go inside the address with him to discuss the incident outside.

From the front door looking in, I would describe the main 'drinking area' inside of the PRINCE ALBERT PUBLIC HOUSE as being around 20ft x 20ft in total, with a small open room to the right hand side. There are numerous tables and chairs, load bearing pillars dotted around, a pool table and small bar area to the left hand side of the room floor. I would describe the overall condition of the PRINCE ALBERT as being fairly basic and run down. At the time of my attendance, the internal lighting was dimmed and with this and the pillars, there were several 'blind spots'.

I asked NAYLOR whether he could provide me with any background / lead up to the incident outside the premises and whether he had any internal or external CCTV. NAYLOR explained that there was no working CCTV inside the premises, and from my recollection of the inside of

the premises, I could not see any physical cameras. NAYLOR explained that the premises had only recently opened. Given this comment, It struck me as strange, as the décor in the premises did not look new, and I would expect a public house establishment to have CCTV in order to deter crime and protect it patrons.

NAYLOR explained to me that the two groups involved had been drinking inside the PRINCE ALBERT, and in his opinion, the group who had been assaulted outside were actually the instigators in the troubles, as they had been antagonising another group of people inside the premises. NAYLOR went on to explain that he had asked both groups to leave, however asked the group of instigators to wait behind 10 minutes, so that this second group could leave and get out of the area.

Again, this struck me as strange, as whilst I could understand why he had done this, I could not see why he had asked the instigators to remain behind and asked the second group to leave first.

I was satisfied that the group identified by NAYLOR as being the instigators were those speaking with PC WALL outside. On this I asked NAYLOR to describe this second group, of people who were no longer around.

NAYLOR described the second group as being in their mid-30s. One of the group he named as being 'Callum' and he described him as being a white male, wearing shorts and a white T-shirt. Another from the group he described as 5'6" with short Ginger hair and again wearing shorts. NAYLOR could not name this second male, nor could he name the others, or recall the amount in the group.

NAYLOR explained that the group were regulars in the PRINCE ALBERT but he could not offer any more information. I was somewhat suspicious of NAYLOR's account. The PRINCE ALBERT struck me as a typical 'locals pub', it is a small layout, described as being recently opened, however NAYLOR could not provide any more information to me regarding this second group, other than there being a female with them at some point in the evening. It was my belief that NAYLOR likely knew this second group.

As NAYLOR could not offer any more information, I left the premises.

A resident a short distance along NEWTON STREET shouted to me and explained that they had seen the incident and had recorded the assaults on a mobile phone. I viewed this footage and I could see a group of males in their early 20s assaulting the victims. Specifically, a male who PC WALL was speaking to was using a walking stick as a mobility aid and could be seen standing on the pavement telling the males that he didn't want any trouble. Whilst I could not hear specifically what was being said on the recording, the tone and pitch of the males voice sounded as if he didn't want antagonise the younger male and was trying to calm him down. During this, another of the younger males from this second group emerged from the side of pavement and with a single punch to the head, knocked the older male with the walking stick to the ground.

Whilst the mobile phone footage was of average quality, and filmed from a 1st floor bedroom window and on an 'angle' it was difficult to see exactly what was happening, however I was satisfied that the second younger group did not match the clothing descriptions passed by NAYLOR. All males were wearing long trousers and t-shirts, and appeared younger than what was described by NAYLOR.

The below is the typed verbal update, I provided at the time of the incident:

“THE DESCRIPTION PASSED BY THE LANDLORD DOES NOT MATCH. FROM THE FOOTAGE, THE MALES ARE ALL WEARING GREY AND WHITE TRACKSUITS, LATE TEEENS, ONE WITH A BLACK MAN BAG, NOBODY IS WEARING SHORTS. THE FOOTAGE SHOWS THE INCIDENT, BUT IS FILMED FROM APROX 80 METERS AWAY SO IT IS NOT VERY CLEAR. ONE NAME THAT CAN BE HEARD REPEATEDLY IS "RYAN". THE FOOTAGE SHOWS VICTIMS BEING PUNCHED AND THROWN TO THE GROUND.”

Whilst I understand descriptions can be honestly mistaken by witnesses, I believe NAYLOR knew more than he was letting on. NAYLOR was not forthcoming with information to the Police and purportedly had no CCTV. The Police presence on NEWTON STREET was obvious, given our illuminated emergency equipment, however NAYLOR had remained indoors with the lights low inside the premises, only making himself known to Police when prompted. This is despite the incident stemming from his premises.

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WITNESS STATEMENT			
(Criminal Procedure Rules 2015 R16.2, Criminal Justice Act 1967 S9, Magistrates' Courts Act 1980 S5B)			
		URN	
Statement of	PC Marc Wall		
Age if under 18	OVER 18 (if over 18 insert 'over 18')	Occupation	POLICE OFFICER
This statement (consisting of 2 page(s)) 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	 #0730069 WALL, M.	Date	22/10/2020 08:46
Name / Rank / No	POLICE CONSTABLE 0730069 M WALL		

This statement is in relation to an incident that I attended on Sunday 02nd August 2020. At 2330hrs on this day I was working on response covering Macclesfield and I was tasked to attend an incident that had occurred on NEWTON STREET/HATTON STREET in Macclesfield. The call was in relation to a large scale fight/disturbance on the street close to The Prince Albert PH. The report suggested there were up to 6 people involved in a fight in the street and a female was seen on the floor bleeding from the face head area.

As I approached the scene I could see a large number of people out on the street, most appeared to be outside of their addresses and were not directly involved but had come out onto the street due to the noise. Initially the scene was quite confusing as there appeared to be a large number of people gathered on the street but as I approached the junction of Hatton Street and Newton Street, about 50 metres from the Prince Albert Pub and on the offside pavement a female was sat on her bottom on the pavement with a tea towel on her head which was covered in blood. The female appeared quite disorientated and was slurring her speech, and after getting closer to the female I surmised this to be due to alcohol consumption.

Along with the female on the floor I could also see a further female with injuries to her right eye (bruising) and a male with injuries to his head also (a cut). Upon speaking to the injured persons it transpired that they had all been in the Prince Albert PH and had been consuming alcohol in there for some time and upon leaving there was an unprovoked attack outside of the Pub where

they stated they were attacked by a group of up to 4 men who had also been in the pub. The male stated that he had been walking and he was attacked from behind and the attackers took his walking stick and then used this to assault him causing the injury to his head. The attackers have then assaulted the first female punching her to the face causing the bruising and then they have set upon the second female hitting her repeatedly with the same walking stick and then when she had fallen to the floor she was kicked to the head several times and the males then made off. The first male and female did not require/want any treatment but the second female was required to attend A&E to have scans on her head to ascertain any serious injury and also to have several lacerations on her head glued back together.

Municipal Buildings | Crewe | CW1 2BJ

T: 0300 123 5015

E: [REDACTED]
W: www.cheshireeast.gov.uk/business/licensing

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✓

From: [REDACTED]
Sent: 29-Oct-2020 09:26
To: LICENSING (Cheshire East)
Subject: Prince Albert Public House SK11 6RW

Good Morning

I saw your notice yesterday evening regarding the licence review for the Prince Albert and before making any comments would like to clarify the following.

- 1 Is the proposal against the pub completely or just against the existing license holder/ landlord?
2. Are any comments made kept confidential and not relayed to existing license holder/landlord?

The current situation is of great concern to myself and my wife as we live [REDACTED] and would like to provide feedback but will not if the current landlord is to be made aware they are from myself as we fear from reprisal from him or his associates.

Kind Regards

[REDACTED]

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From: [REDACTED]
Sent: 29-Oct-2020 11:22
To: ANDREWS, Amanda
Subject: RE: [OFFICIAL] FW: Prince Albert Public House SK11 6RW

Hi Amanda

Thank you for your reply.

Unfortunately the comments I was willing to make would make it relatively obvious that they came from myself as they regard conversations I had with the landlord and his partner at a previous meeting.

For that reason I will abstain from making any comments/suggestions and trust you will make a decision based on the best benefits of the residents.

Kind Regards

[REDACTED]

From: ANDREWS, Amanda [REDACTED]
Sent: 29 October 2020 11:11
To: [REDACTED]
Subject: [OFFICIAL] FW: Prince Albert Public House SK11 6RW

Good morning [REDACTED]

Thank you for your email, the contents of which I have noted. In response to your questions, please see my following response:

1. The review process is in relation to the premises as a whole;
2. Unfortunately we are unable to accept anonymous representations, however we can redact personal details where there is a genuine fear of reprisal. You will need to set out your fears in writing when submitting your representations.

I hope this helps?

Amanda Andrews | Cheshire East Council
Licensing Enforcement Officer
Regulatory Services and Health



Snap bag found in window at Prince Albert Public house screenshot from AJS/01

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