

**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 **Richard Ian Charles Horton**

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Age if under 18 >**18** (if over 18 insert "over 18"). Occupation **Licensing Sergeant**

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.

Dated the **20th** day of **October 2021**Tick if witness evidence is visually recorded   
(supply witness details on rear)

Signature

I am employed as the Licensing Sergeant for South Division of the Lancashire Constabulary, stationed at Preston.

This is my statement making representations on behalf of Lancashire Constabulary in respect of objecting to a proposed new DPS for the venue Jynx at Witham Road, Skelmersdale, WN8 8HP. Jynx has historically been a night club venue and as such is one of the venues in West Lancashire that my department pays particular attention to given the potential for night clubs to impact on the licensing objectives.

As Licensing Sergeant I supervise a number of Licensing Officers and from records retained in my office I can say that on 7<sup>th</sup> October 2021 around 1230pm one of my officers Linda Robson paid a visit to Jynx in company with Samantha Jordan, a senior licensing officer from West Lancashire Borough Council in relation to an application for the Designated Premises Supervisor to change from Daniel KENYON to Michael Ryan PARKER, and also in respect of noise complaints from the public in relation to the venue operating on 25<sup>th</sup> September 2021.

Daniel KENYON had ceased being Designated Premises Supervisor on 09/07/2021. Until a new designated premises supervisor was appointed, the venue could not sell alcohol. At the time of our visit, there was no Designated Premises Supervisor in place.

Signature

Signature witnessed by

s19 Licensing Act 2003 states that *no sales of alcohol may be made under the licence at a time when there is no designated premises supervisor.*

The Premises Licence Holder for Jynx is West Lancs Diner Ltd. From Companies House records, this is a limited company number 13259897 incorporated 11/03/2021. This company has a single director Michael Ryan PARKER. He holds over 75% of the shares in the company and has the right to appoint and remove directors. West Lancs Diner Ltd became the Premises Licence Holder on 29/09/2021 having made the initial application for transfer of the premises licence on 08/07/2021.

My conclusion from this is that in effect Michael Ryan PARKER was seeking to be both the Premises Licence Holder and the Designated Premises Supervisor for Jynx and there is evidence that he had been operating Jynx as his own prior to the formal transfer of the premises licence.

Mr. Parker was present at the venue at the time of the visit.

When questioned about 25<sup>th</sup> September 2021, Mr Parker gave my officer an account that he had hosted a private baby shower event for a friend and that only soft drinks were served. The CCTV at the venue was checked there and then and it clearly showed that alcohol was being served at the event. When challenged about this, Mr. Parker said he had panicked and said that soft drinks only were being served.

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During the visit it was also apparent that there had been substantial layout changes to the licensed area of the venue such as could only have been authorised by an application to vary the licence. Partitions had been constructed to allow for a butchers shop, café and hairdressers.

When my officer went through the licence conditions with Mr. Parker it was obvious that he had scant knowledge of them and was entirely unfamiliar with the operation of the CCTV system.

My submission is that Mr. Parker is not a suitable person to be appointed as Designated Premises Supervisor for Jynx for the following reasons

The purpose of a Designated Premises Supervisor is to tell the police who is in charge.

Whilst in charge of the premises, he has allowed the unauthorised sale of alcohol on at least one occasion and when challenged by police and council licensing officers, his first instinct has been to lie and it was only when the evidence of CCTV was put to him that he admitted his responsibility for this.

Whilst in charge of the premises he has been responsible for changing the layout of the licensed area without obtaining permission for the variation.

When questioned about the licence conditions at Jynx, he showed scant knowledge of them.

Put simply, based on his actions to date I would not be able to place any trust or confidence in this man as designated premises supervisor.

Signature

Signature witnessed by