

**Middlesbrough Council  
Public Protection  
STATEMENT OF WITNESS**

*(Criminal Procedure Rules, r 16.2;  
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)*

STATEMENT OF: Nicola Kenny

SHEET NO. 1

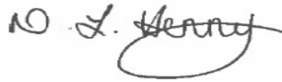
AGE (if over 18 enter "over 18"): Over 18

OCCUPATION OF WITNESS: Neighbourhood Safety Officer

This statement (consisting of 7 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 in it anything which I know to be false or do not believe to be true.

Dated: 1<sup>st</sup> October 2022

Signed:



My name is Nicola Kenny and I am a Neighbourhood Safety Officer (NSO) covering areas of Newport designated as Selective Landlord Licensing areas. My primary role is to investigate issues of antisocial behaviour and low level crime within my designated locality and deliver interventions and/or enforcement action to ultimately alleviate those issues. With this in mind my role is essentially one of enforcement although my involvement is often more holistic due to the nature and complexity of the problems.

I have been an NSO for Newport since February 2021 and during this time Princes Road has been a popular location for rough sleepers and individuals with varying degrees of drug/alcohol dependency. This small location is attractive to vulnerable individuals for 2 primary reasons:

1. The Neighbourhood Welfare Café provides hot meals and basic everyday items to those who are homeless
2. Lifestyle Express selling cheap, high content alcohol.

Signed..... Dated.....

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Prior to me becoming the NSO for Newport, my colleague had previously dealt with the same re-occurring alcohol related issues in and around this area of Princes Road and agrees that the access to cheap, high content alcohol is a contributing factor to the ongoing disorder faced by residents and businesses.

When I was first introduced to the area evidence of street drinking was apparent by the number of empty cans of alcohol littering Princes Road in the immediate vicinity of the Lifestyle Express known locally as the Premier Shop and in the areas know to be frequented by street drinkers. Furthermore, it was not uncommon to actually see individuals openly drinking a particular brand of alcohol known to be sold by the Lifestyle Express or leaving the same shop having purchased alcohol. Street teams responsible for disposing of the litter also informed me that it is a daily struggle removing all the cans from gutters and over flowing bins.

Many of the individuals, by their own admission are attracted to the area for a multitude of reasons but primarily due to the access they have to food and cheap alcohol. The Neighbourhood Welfare Cafe is not open for food every day of the week but the street drinkers that frequent Princes Road would remain in the area regardless as access to alcohol was their priority and this need was met by Lifestyle Express.

In addition to this, Princes Road consists of back to back street houses so front doors open directly on to the street. Although residents were reluctant to come forward with concerns, likely due to the fear of reprisals, some complaints were

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received about drinkers sitting on random doorsteps making it difficult for the occupants to leave their property not only due to the obstruction this caused but also for fear of retaliation should they challenge the individual(s) responsible.

Businesses also reported fighting between those who frequent the area to drink and reports of the same individuals urinating in the street was not uncommon. One landlord even showed me photos he had taken of two known alcohol dependent males passed out on the pavement and clearly intoxicated.

To help fund their addiction, many of the street drinkers would approach business owners and their customers for money, often having random items to offer in exchange for cash. Business owners would be naturally wary of these individuals due to their behaviour and temperament which could sometimes be volatile and intimidating. Their primary concern was the welfare of their customers who were often left shaken and threatened when approached.

On some occasions shop staff found it necessary to keep the door to their premises locked therefore having to let each customer on to the premises as they arrived, locking the door behind them to avoid the street drinkers entering the shop. However, the street drinkers would continue to loiter outside in order to intercept customers as they arrived and would even approach members of the public sitting in their cars.

One of the biggest challenges to addressing the alcohol related antisocial behaviour was dealing with a resident of Princes Road who was also alcohol

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dependent and who was allowing the street drinkers in to his property. This became an attractive location for many alcohol and drug dependent individuals across Newport and fast became a constant source of disruption. Following discussions with the tenant he openly admitted to purchasing his alcohol from Lifestyle Express. Enforcement action has since been taken and has resulted in a noticeable reduction in incidents. However, this did not stop known individuals continuing to loiter on Princes Road to consume alcohol on a daily basis.

Whilst monitoring the area, following a surge in complaints it soon became evident that those who were responsible for the disorder were regular visitors to Princes Road and not random individuals just passing through. Over time you come to know the individuals that frequent the area and begin to build a trust that not only encourages their engagement with you but also helps directly address their chaotic lifestyles and the reasons for their addictions. Simply moving them on, as many businesses expected us to do, did not address the issue and enforcement action such as a fine was a futile attempt to solve a problem that ran far deeper than just street drinking. With this in mind and due to the disproportionate levels of alcohol related disorder in such a small area, in May 2022 I was tasked with addressing all the issues relating to Princes Road and in particular the section between Percy Street and Pelham Street. This small area included a number of residential dwellings and several businesses including Lifestyle Express. The implementation of this action plan, in partnership with Cleveland Police, led to contact being made with licensing to help determine if there was anything that could be done to control or address the sale of alcohol to

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those individuals dependent on it. This resulted in a joint visit to the Lifestyle Express.

On Friday July 15<sup>th</sup> 2022 I accompanied PC Thorpe from Cleveland Police and Fiona Helyer, Public Health Officer with Middlesbrough Council on a visit to the premises to discuss our concerns with the shop owner or manager. As I walked along Princes Road I noticed several of the usual drinkers taking up their usual positions on the street. All of those drinking were doing so openly and clearly had alcohol in their possession and more specifically brands regularly sold at Lifestyle Express.

During the visit I discussed with Mr Iqbal, who had previously identified himself as the owner of the business, my concerns with regards to the recent increase in alcohol related nuisance on Princes Road and how I felt this was related to the alcohol that was currently available in his store.

I explained that many of his customers were known to be alcohol dependant and whilst he may not be aware of each individuals circumstances, it was clear that most of those customers were often under the influence of alcohol, showed obvious signs of alcohol consumption such as slurred speech when in the shop and were also regular daily visitors not only to the store but to the immediate location in general.

Mr Iqbal indicated that he was fully aware of who I was referring to and even explained steps that he had taken to prevent any risk of problems whilst they were in the shop. Mr Iqbal explained that he would only let one of the individuals in to the store at any one time and that he limited the amount of cans they

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purchased to just 4 at a time. I explained that while this may prevent any problems occurring in the store, the cheap, high content alcohol he was selling was still likely to be contributing to the issues occurring on the street outside and that the next step may be to refuse sales to those individuals completely to allow services to tackle the ongoing issues. His response was that he was willing to try but he did show concerns about repercussions.

Furthermore, I noticed a considerable amount of stock of a particular brand of cider stacked on the shop floor. This was the same brand of choice of all the street drinkers and the same cans found littering the streets each day. This confirmed suspicions that Lifestyle Express was the source of the alcohol and that the amount of stock was to meet demand.

However, following the inspection, both police and council licensing agreed it appropriate to temporarily suspend all sales of alcohol due to discrepancies linked to licensing conditions.

During a follow up visit to the premises on Wednesday 20<sup>th</sup> July an individual known to me to be alcohol dependant entered the store looking for the cheap cider she was so used to buying. When I explained to her that it was no longer being sold from here she purchased a bottle of wine instead.

Shortly after this another individual known to me to be alcohol dependent entered the store but left without making a purchase. I spoke to him upon leaving the shop and he confirmed that he had intended to buy alcohol. When I asked what he usually buys he confirmed the brand of cider that we suspected as being the primary choice for all the alcohol dependent customers.

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It has to be appreciated that the access to alcohol is only a contributing factor to the ongoing issues and not the direct cause of it. Following the removal of a specific brand of cheap, high content alcohol from Lifestyle Express a significant drop in incidents was noticeably apparent. Furthermore, the number of individuals who would remain in the immediate vicinity of the shop to consume alcohol also reduced over the following days. As part of the Princes Road Action Plan, a number of services offered assistance to several vulnerable individuals known for their alcohol dependency and have since managed to offer interventions to address their housing needs and addictions resulting in a significant decrease in incidents and complaints. Without Mr Iqbal's cooperation, delivering interventions would have proved more difficult and therefore requires continued commitment from him if we are to manage the issues effectively in the future.

Signed..... Dated.....