

Filed on behalf of: Applicant

Witness: N Courtney

No. of Statement: First

Date of Statement: 30/11/2023

Exhibit(s): NC1-NC8

IN THE MATTER OF S.52 OF THE LICENSING ACT 2003

B E T W E E N

TRAFFORD BOROUGH COUNCIL

APPLICANT

AND

VICTORIA WAREHOUSE

RESPONDENT

WITNESS STATEMENT OF NEILL COURTNEY

INTRODUCTION

1. I am the above named person and I am employed by Trafford Council as the Community Safety and CCTV Team Leader
2. My role is to manage the Community Safety Team and to address matters of crime, nuisance and anti-social behaviour in the borough. I am also responsible for the CCTV team who operate the public space surveillance system which is staffed by Trafford Council Officers.

3. As a result of this role I have access to Trafford Council's CCTV system and am authorised and trained in accessing, reviewing and storing CCTV footage captured by this system. I have completed a Security Industry Authority Training Course in respect of the operation of such systems.
4. On 30/11/2023 I was on duty and in the CCTV control room when I was contacted by Greame DIXON, an Environmental Health Officer employed by the Council. Mr. DIXON asked me if I would review CCTV footage from Camera Number 1001 which is a high definition, pan, tilt, zoom device installed at the intersection of Trafford Wharf Road and Trafford Road. Victoria Warehouse is located immediately adjacent to this camera. The camera is in its normal zoom and focus and not zoomed in on any persons or vehicles and is in its normal resting position.
5. I commenced my review of the footage obtained from this camera, beginning at 2225 on 29/11/2023. The camera was facing Trafford Road at the time. The camera shows that the junction of Trafford Road and Trafford Wharf Road has been closed with a series of traffic cones being in place to enforce this closure. There are two persons in high visibility jackets and trousers manning this closure.
6. At 22.26.36 the camera shows a black Hackney Carriage style vehicle drive up to the line of cones where one of the persons manning the closure approaches the vehicle and immediately moves one of the cones to allow this vehicle ingress into the closed area. I have captured a screenshot of this activity in the form of a still photograph and I produce this photograph as exhibit NC1.
7. At 22.35.15 another Hackney Carriage vehicle bearing advertising livery drives up to the cones and the cones are again removed and the vehicle is permitted access

through the cones onto the closed area. I have captured a screenshot of this vehicle passing through the cones and produce this screenshot as Exhibit NC2.

8. At 22:38.00 a white van approaches the cones and again, the member of staff in the high visibility clothing removes the cones and grants the van access to the closed area. This vehicle does not have the appearance of being a Hackney Carriage or Private Hire vehicle.
9. I have taken a screenshot of this vehicle entering the closed area and produce same as exhibit NC3.
10. At 22:38.53 a black Hackney Carriage vehicle approaches the line of cones and is granted access to the closed area of the road, this time on the wrong side of the road, in the face of both oncoming traffic. I produce a screenshot of this as NC4
11. At 22:39.10 a red private car is permitted access through the cones. I produce a screenshot of this as NC5.
12. At 22:39.53 a Hackney Carriage style vehicle is permitted access by way of the member of staff moving the cones. A screenshot of this is produced as NC6. It is clear from this part of the footage that not only has the vehicle been permitted access but it has been so permitted in the face of a green traffic signal directed toward the oncoming traffic and the vehicle is permitted access on the wrong side of the road, placing it in the position of directly facing oncoming traffic who have a green traffic signal.
13. At 22:41.13 a single decker bus, bearing the logo "Diamond" is permitted to exit the closed section of the road via the coned intersection and again the cones are moved out of the way. I have recorded a screenshot of this and produce same as NC7.

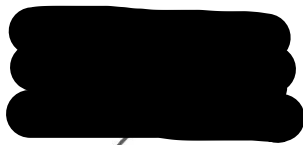
Following this vehicle are two Hackney Carriage vehicles which are also permitted egress.

14. I have downloaded the video footage from the series of incidents which I have placed on a pen drive. I produce this as NC8 I have provided NC8 to Mr. DIXON to assist with his investigation.

15. I confirm that my viewing of the CCTV footage was limited to the time period requested and carried out in accordance with the Surveillance Camera Code of Practice.

16. I believe that the facts stated in this statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

A large black rectangular redaction box covering the signature of the individual.

Position: Community Safety and CCTV Team Leader

Date: 30/11/2023

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B E T W E E N

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APPLICANT

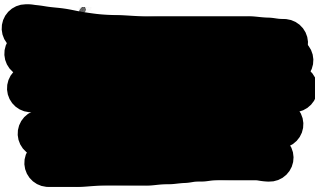
VICTORIA WAREHOUSE

RESPONDENT

EXHIBIT NC1

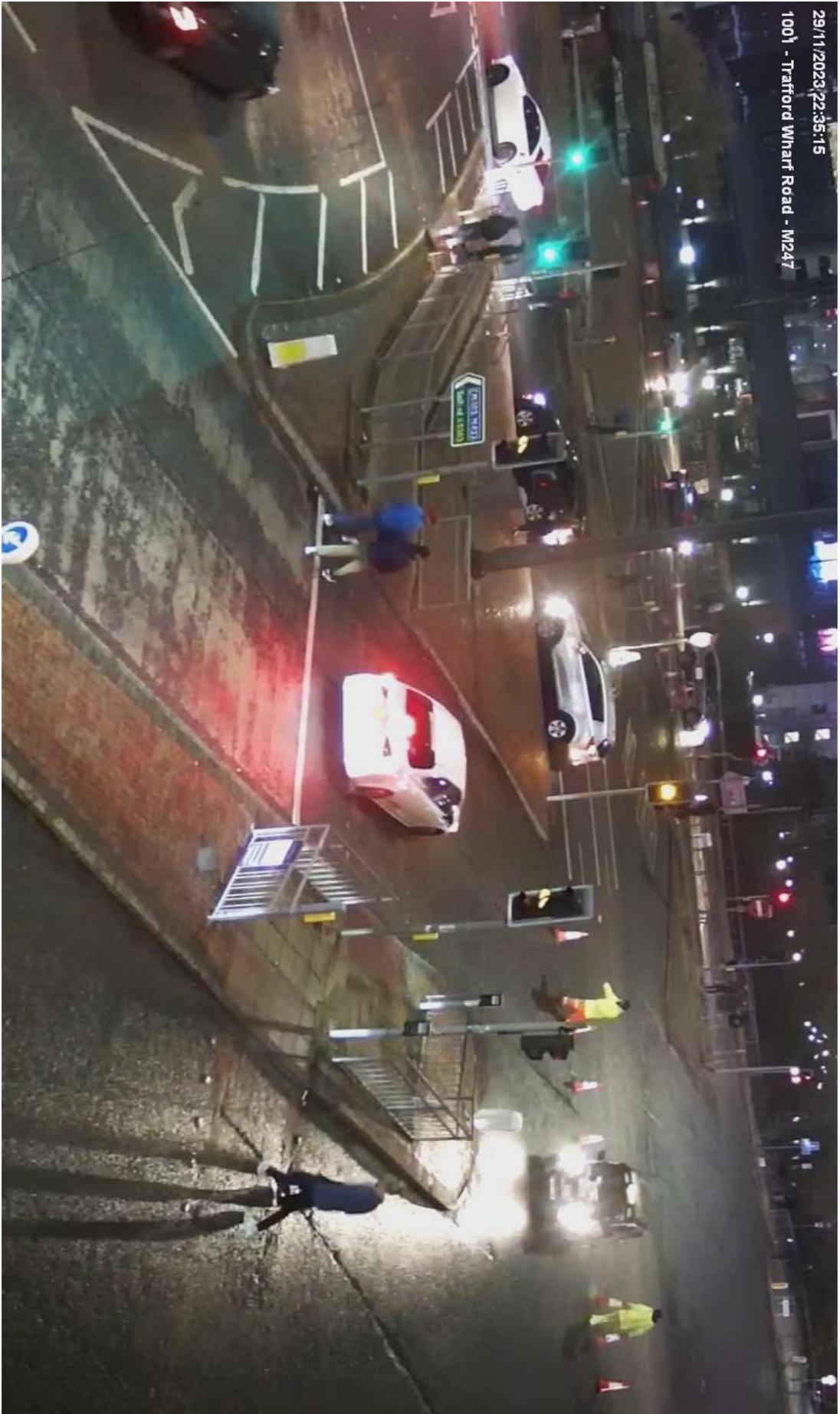
I verify that this is the exhibit marked NC1 in my statement.

Signed:

A large black rectangular redaction box covering the signature area.

Dated 30/11/2023

29/11/2023 22:35:15
1001 - Trafford Wharf Road - M247



IN THE MATTER OF S.52 OF THE LICENSING ACT 2003

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TRAFFORD BOROUGH COUNCIL

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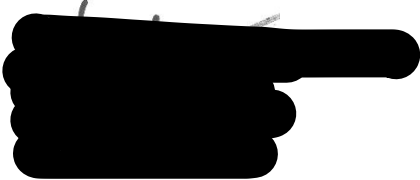
VICTORIA WAREHOUSE

RESPONDENT

EXHIBIT NC2

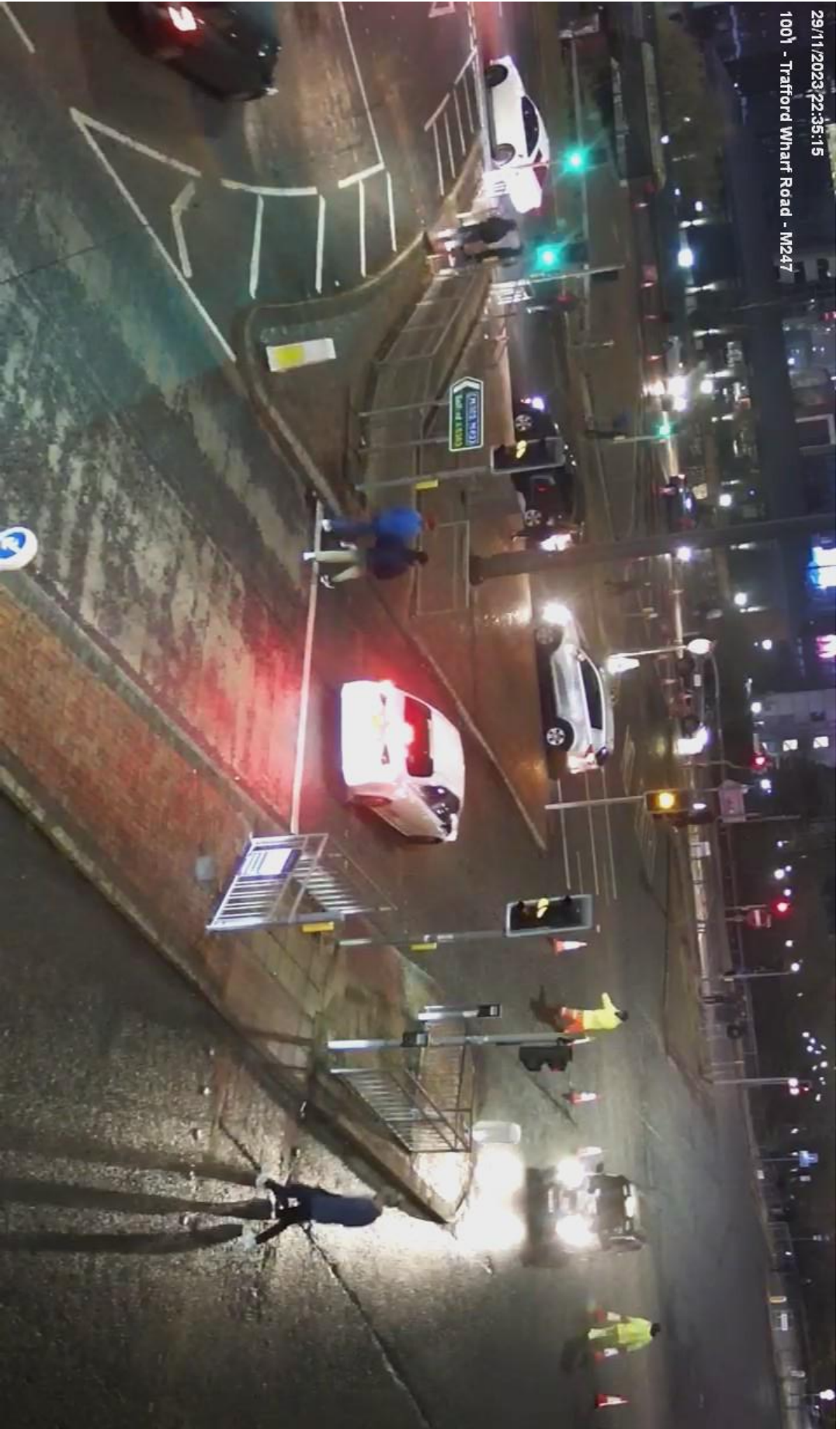
I verify that this is the exhibit marked NC2 in my statement.

Signed:

A large black rectangular redaction box covers the signature area, obscuring the name and any handwritten text.

Dated 30/11/2023

29/1/2023 22:35:15
1001 - Trafford Wharf Road - M247



IN THE MATTER OF S.52 OF THE LICENSING ACT 2003

B E T W E E N

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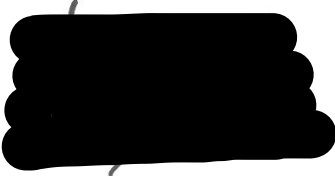
VICTORIA WAREHOUSE

RESPONDENT

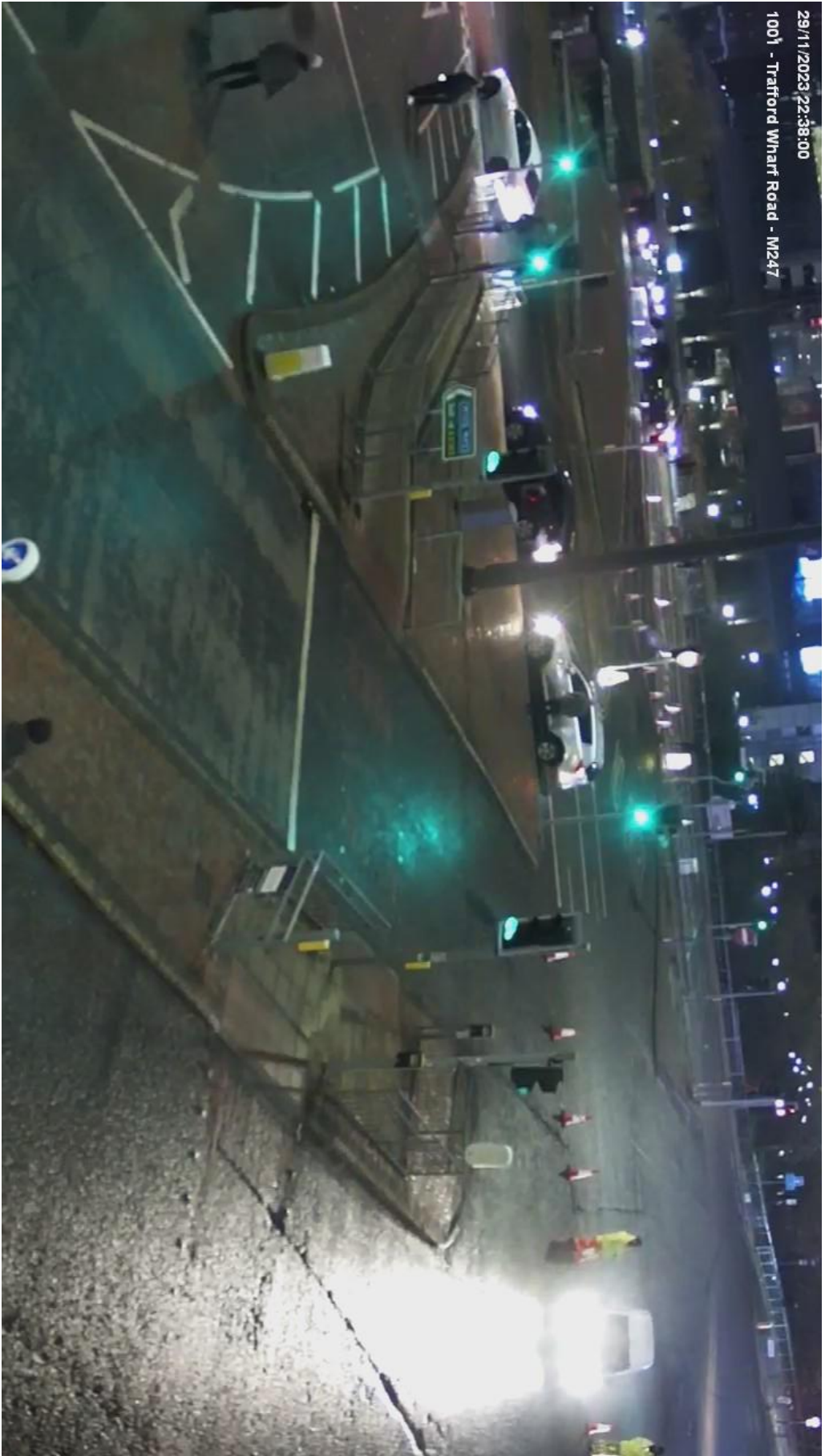
EXHIBIT NC3

I verify that this is the exhibit marked NC3 in my statement.

Signed:

A large black rectangular redaction box covering the signature area.

Dated 30/11/2023



29/1/2023 22:38:00

1001 - Trafford Wharf Road - M247

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EXHIBIT NC4

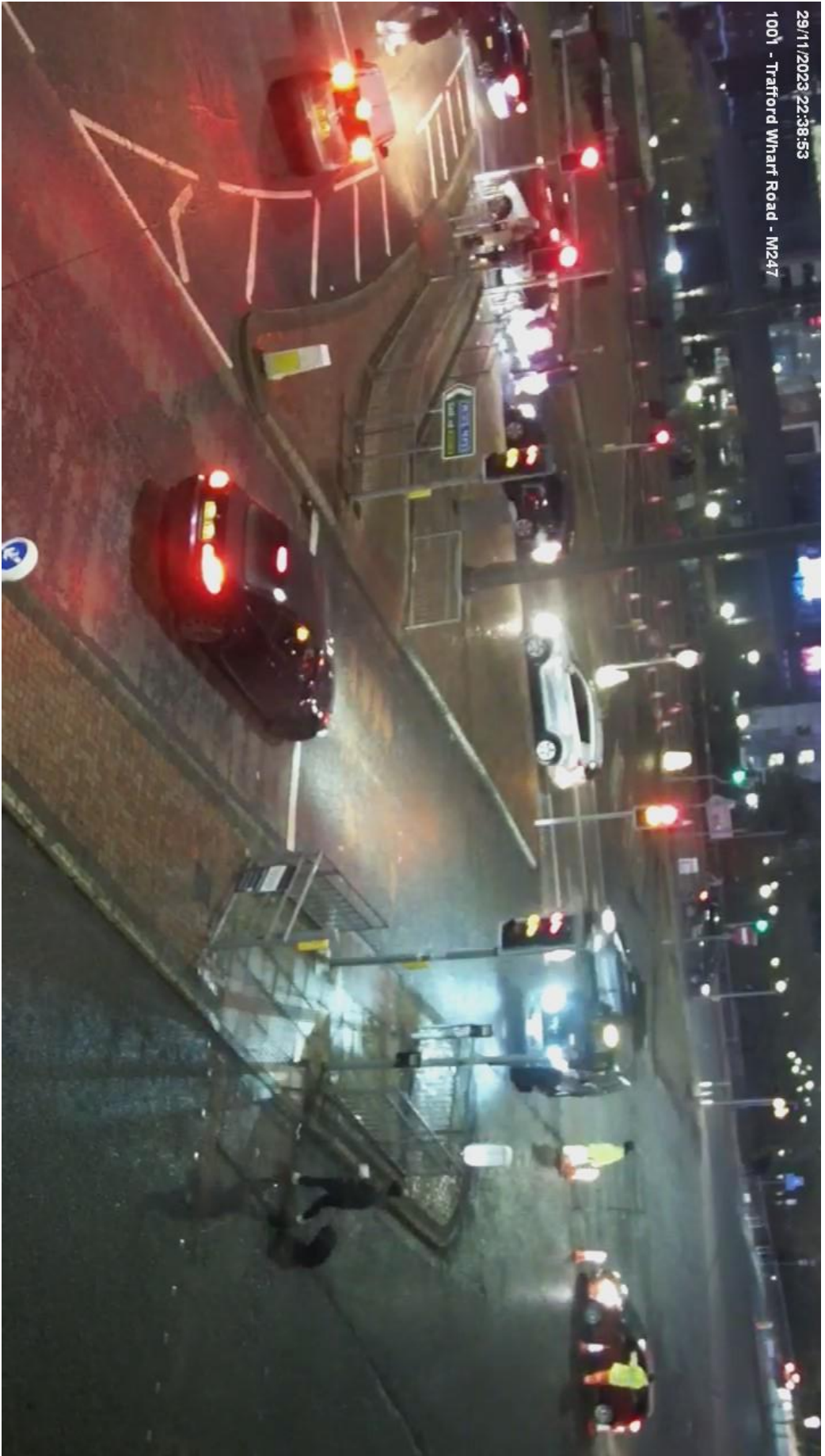
I verify that this is the exhibit marked NC4 in my statement.

Signed:

A large black rectangular redaction box covers the signature area. A small grey mark is visible at the bottom left corner of the redaction.

Dated 30/11/2023

29/11/2023 22:38:53
1001 - Trafford Wharf Road - M247



IN THE MATTER OF S.52 OF THE LICENSING ACT 2003

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EXHIBIT NC5

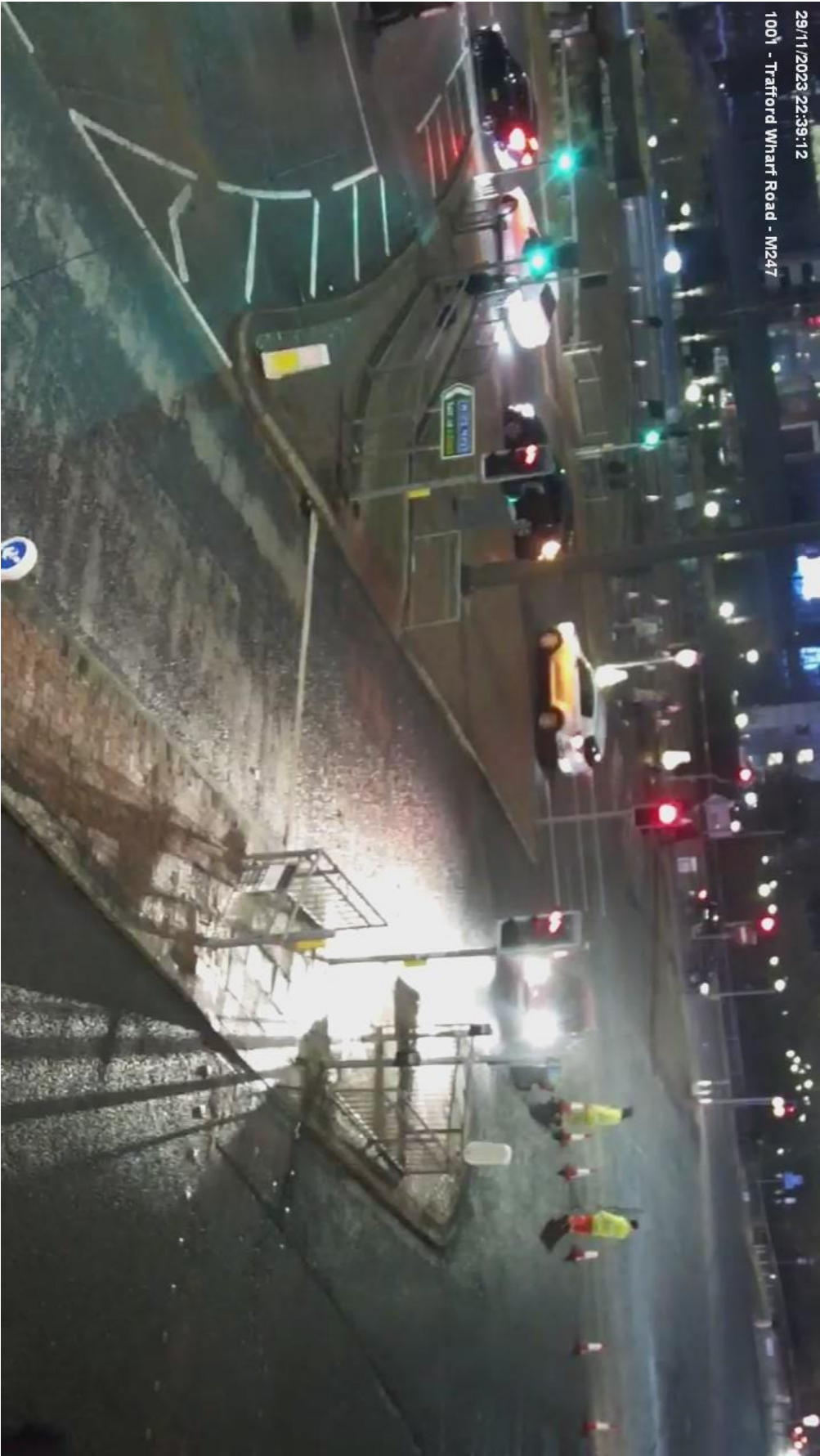
I verify that this is the exhibit marked NC5 in my statement.

Signed:

A large black rectangular redaction box covering the signature area.

Dated 30/11/2023

29/11/2023 22:39:12
1001 - Trafford Wharf Road - M247



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EXHIBIT NC6

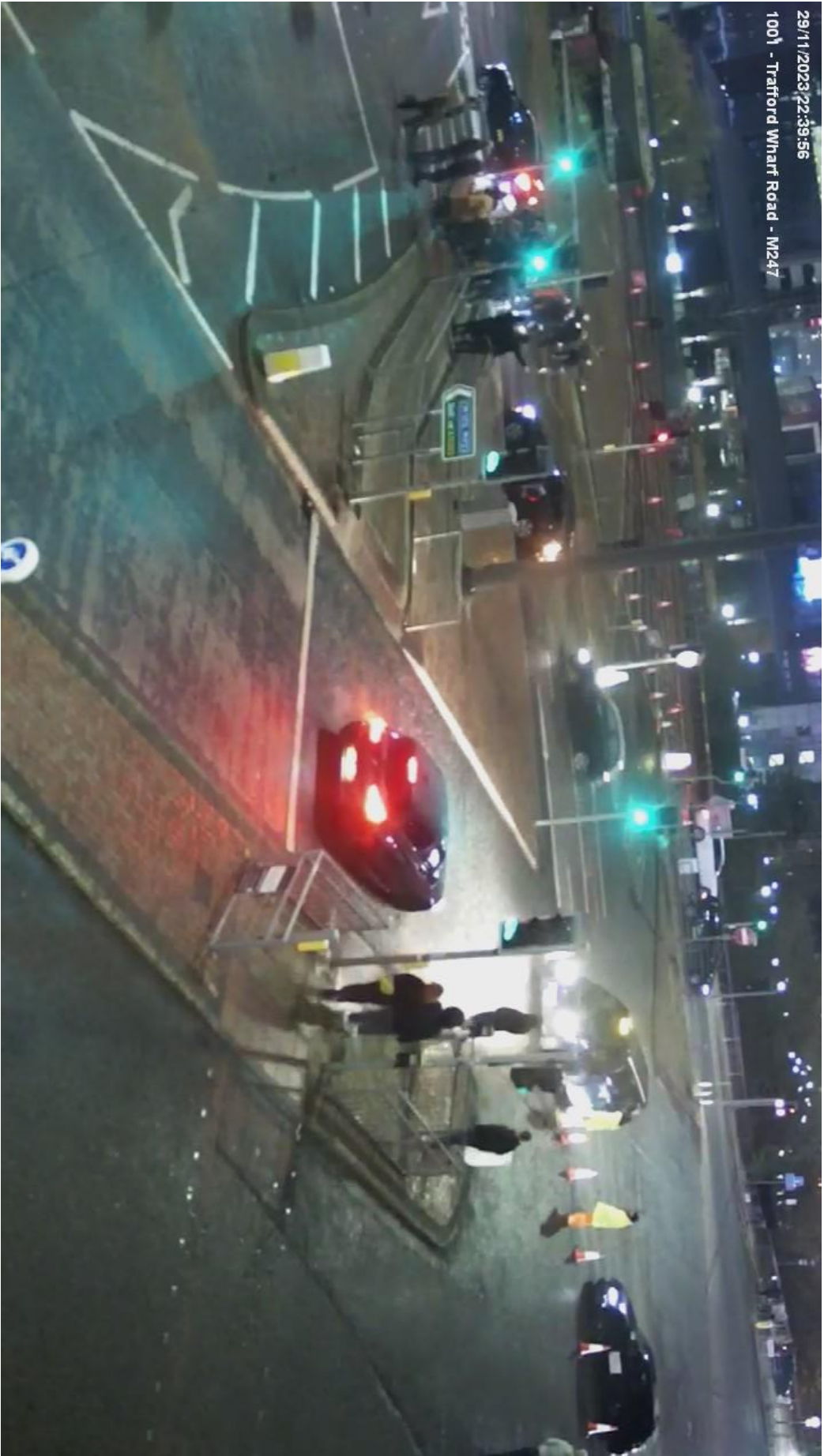
I verify that this is the exhibit marked NC6 in my statement.

Signed:

A large black rectangular redaction box covering the signature area.

Dated 30/11/2023

29/11/2023 22:39:56
1001 - Trafford Wharf Road - M247



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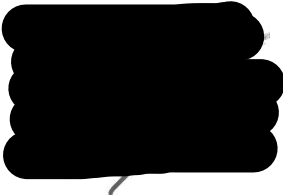
VICTORIA WAREHOUSE

RESPONDENT

EXHIBIT NC7

I verify that this is the exhibit marked NC7 in my statement.

Signed:

A large black rectangular redaction box covering the signature area.

Dated 30/11/2023

29/11/2023 22:41:13
1001 - Trafford Wharf Road - M247



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TRAFFORD BOROUGH COUNCIL

APPLICANT

VICTORIA WAREHOUSE

RESPONDENT

EXHIBIT NC8

I verify that this is the exhibit marked NC8 in my statement.

Signed:

A black rectangular redaction box covering the signature of the respondent.

Dated 30/11/2023