

STATEMENT OF WITNESS

(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)

STATEMENT OF John Clucas

Age of witness (if over 18, enter "over 18"): Over 18 yrs

This statement (consisting of 3 pages) 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.

I work for Burnley Borough Council as a Licensing and Compliance Officer.

On Wednesday 9th January 2019 at 2pm I was working with Katie Mawdsley, who also works from our office and we went to the shop European Foods, 260 Colne Road, Burnley. Katie entered the store alone as a prospective customer and I waited outside the shop just out of sight of the front door.

After a minute or so I saw Katie leave the shop and she had in her hand a bottle of White 'CANTI' Wine. As a result of what she said I approached a male I now know to be PERSON A, who was just stood outside the store. I asked him to return into the store and in his presence and hearing Katie told me :-

That she has asked him where the wine was. He had then gone over to a shelving unit with a shutter at the rear of the shop, he then opened the shutters and this revealed a full display of alcohol. She had then bought alcohol from him, paying with a £10 note for the wine and she was given £5.01 change from the till by PERSON A. Upon leaving the shop, PERSON A appeared to be keen for Katie to have a bag for the alcohol so as to hide it but she declined that offer and he appeared happy when she put the alcohol inside her coat to keep it out of sight.

I then asked Sheikh to show me the shelving unit, which at this time had the shutters down. He opened the unit and I saw it was full of alcohol, also below this on the floor there was a lot of alcohol which was covered over with newspaper, so it was mostly hidden. Also in the shop there was a large double door fridge display full of alcohol which also was hidden from sight by newspapers and it had a large note on it which read 'TEMPORARY STOP SALE ALCOHOL.'

I took several photographs of the alcohol, the displays and the sign and the newspapers. I also was shown other alcohol in the rear of the shop in the storage area.

When I entered the store no alcohol was on public display and the fact that there was a sign displayed on a double fridge indicated to me that PERSON A was aware that he was not legally allowed to sell alcohol.

PERSONA

I then interviewed _____ at the counter of the store I cautioned him and asked him if he had sold the alcohol to Katie and he replied 'Yes' I then said he did have a temporary event notice allowing alcohol sales but this had ended on the 2nd January 2019 so he did not have any license or notice which allowed alcohol sales. He did not reply to this. He then said that it was a mistake. I said that the alcohol in his shop was hidden and there was a clear notice that indicated that alcohol was not for sale so he must have known that he was not allowed to sell alcohol, or the notice would not be there and the alcohol would be displayed not hidden. He did not make a reply to this statement.

I then asked if he had anything he wanted to say or add to me in respect of the alcohol sale – he did not say anything. I confirmed his personal details and told him he would be reported for consideration of a prosecution and he would hear from us in due course. He did state he was of previous good character with no convictions or cautions.

I retained the alcohol that was bought by Katie and I can confirm it is 11.5% proof by volume so is an alcoholic drink.

I can also confirm that the premises of 260 Colne Road, Burnley does not currently have a Premises Licence, although there is currently an application for a new premises licence for that address which is in the name of Clau and Cris Ltd.

This application is subject of a Licencing Hearing which is due to take place on the 29th January 2019. Also of relevance was the fact that there were previously Temporary Events notices which were in place for that premises, there were three of these and these covered the period 17th Dec to 22nd Dec 2018, 24th Dec to 29th Dec and finally 31st Dec 2018 until midnight on 2nd Jan 2019.

There was therefore no Premises Licence in place or a Temporary Events Notice valid on Wednesday 9th January 2019 at 2pm so any alcohol sales made there at this time were unlawful.

I then printed off photographs that I took at the shop and produce them as follows :-

JC1 – closed cabinet that contained alcohol

JC2 – same cabinet open showing alcohol (this is where the wine purchased came from)

JC3 – Picture of alcohol on floor of shop covered with newspaper

JC4 – uncovered picture of alcohol on floor

JC5 – Picture of double fridge in shop covered up with newspaper and showing sign displayed which reads ' TEMPORARY STOP SALE ALCOHOL'

JC6 – Picture of same double fronted fridge with newspaper hiding contents

JC7 – Picture of bottle of wine purchased

JC8 - - Picture of rear of bottle of wine purchased confirming it an alcoholic drink.

I have also retained the bottle of white 'CANTI' wine.

(To be completed if applicable:)

Signed: (witness)

Date: 10/1/19

(To be completed if applicable: being
unable to read the above statement I, of
read it to him/her before he/she signed it.)

Signed: Date:)

STATEMENT OF WITNESS

*(Criminal Procedure Rules, r. 16.2;
Criminal Justice Act 1967, s. 9)*

STATEMENT OF Katie Mawdsley

Age of witness (if over 18, enter "over 18"): Over 18 yrs

This statement (consisting of pages) 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.

I work for Burnley Borough Council in the Licensing Department.

On Wednesday 9th January 2019 I went to the shop European Foods, 260 Colne Road, Burnley as a customer. The shop was open with one customer and at least one other person. I walked in the shop and looked around but I could not see any alcohol on display.

A male who was in the shop who was not a customer made eye contact so I said to him 'where is the wine?' that male accompanied by another man then went towards the rear of the shop. The first male then went to a shuttered lot of shelving which was closed. He opened the shutter on the shelving from the bottom and this exposed about 4 shelves of alcohol. In there there was various alcoholic drinks, spirits and miniatures of spirits.

I saw at least 6 different types of wine and so I chose a bottle of white wine called CANTI by pointing at it. The first male got the wine out of the cabinet and the other male was stood next to him. The first male then sold me the wine charging me £4.99 and I paid for this with a £10 note and he gave me change. As I was leaving he gestured me saying 'Bag?', as though he wanted me to take the wine out of a shop in a bag but I put the wine into my coat so as to hide it and he appeared to be happy with that.

I then left the shop and then immediately re entered with John Clucas a Licensing Officer, who also works for Burnley Council. I pointed out to John the male who had sold me the wine and we went with him to the rear counter. He then showed us the full cabinet of alcohol that he had opened for me. He then showed us some more alcohol which was covered up by newspaper which was on the floor and then there was another large fridge which was full of alcohol but again this was covered up with paper and it had a big notice saying 'Temporary stop sale alcohol'

This indicated to me that he was aware that he was not able to sell alcohol, however he did sell me the £4.99 bottle of wine.

I kept the wine and it can be produced as evidence.

John Clucas then took several photographs and then questioned and cautioned the male who served me who I now know to be **PERSON A**

Signed: (witness)

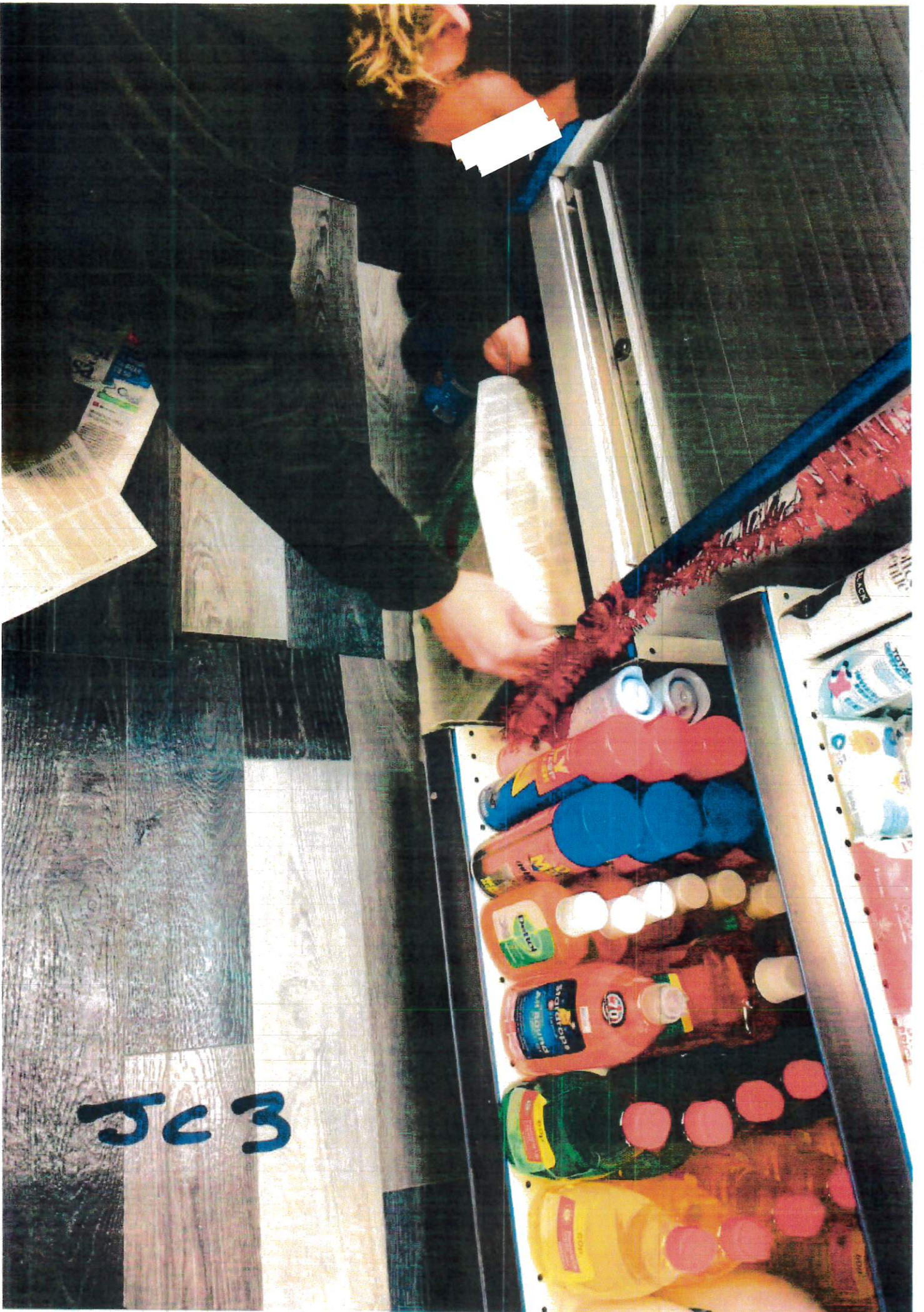
Date: 09.01.2014

(To be completed if applicable: being
unable to read the above statement I, of
read it to him/her before he/she signed it.

Signed: Date:)







JC3



4 29



JCS

Ampliare
1 Decembrie

A fost anunțată data
Măreș și critice

Unii de acasă
dor să...

More Gram

Diaspora care își lasă copiii acasă

Lebanon, alinați de năvăliri, mure de copii ca pînă pînă în mormânt

Tribute dan
în România
ca și afară
în 50

CSCS

TAX RETURN

simonburdunari

ninașii: Răzvan
pocler de familie

1 Decembrie

Câte miliarde mai trimitem din diaspora



Jc7

B11

CANTI CANT



CANTI

VINO
BIANCO

Product of Italy

C



CANTI

THE ITALIAN WINE STYLE

**VINO
BIANCO**

ITY, FRESH AND ROUND WITH
AND TROPICAL FRUIT FLAVOURS.

A CANTI FAMILY S.p.A. - MILANO - ITALIA
ANTINE DI COSSANO BELBO



750 ml e
11,5% vol

NE SOLFITOS - CONTIENT SULFITES - ENTHÄLT SULFITE - BEVAT SULFIETEN
R - OBSAHUJE SIRICITANY - OBSAHUJE SIRICITANY - ZAWIERA SIARCZYNY
SULFITI - TARTALMAZ SZULFITOK - SISALDAB SULFITID - SISÄLTÄÄ SULFITTEJA

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