

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

**WITNESS STATEMENT**

(Criminal Justice Act 1967 section 9, Magistrates Court Act 1980. Section 5B

And Criminal Procedure Rules, rule 27.2)

STATEMENT OF: Chris Burnett

Age if under 18: Over 18

Occupation Principal Licensing Officer

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This statement, consisting of 4 pages 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.

Date the 22nd day of February 2019

Signed



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1. I am the Principal Licensing Officer employed by Rotherham MBC.

2. On Tuesday 8<sup>th</sup> January 2019, I company with Licensing Enforcement Officer Rachel Williams, I attended at Today's Express, Rotherham to request a copy of footage from the premises in relation to street drinkers outside the premises the previous day. I was advised the footage would be available the next day.

SIGNED.....




WITNESSED.....

3. I was subsequently provided with a DVD disc but no footage was on the disc. I subsequently made a further request for the footage.

4. At approximately 1615hrs on Monday 21<sup>st</sup> January 2019, in company with licensing Enforcement Officer Rachel Williams, I attended at the Today's local off licence in Rotherham. The purpose of the visit was to return the memory stick I had been provided with the previous week, as the footage had not been recorded on it as requested. This was the third time I had to return to the premises since 7<sup>th</sup> January seeking CCTV footage.

5. Whilst at the premises I noticed there was a significant amount of empty cardboard boxes strewn about on the landing platform directly in front of the fire exit to the rear of the premises. The premises had been advised on numerous occasions that the fire exit should remain free of obstructions and I could see a sign on the wall by the fire exit setting this out.

6. I advised a male I know to be called Ewan that the obstruction should be cleared forthwith. I noticed an additional male member behind the counter was serving customers at this time. I recognised him as the male whose training records had not been completed at a previous visit to the premises in December

SIGNED.......... WITNESSED.....


2018, Palaniappan Vigneswaran. I asked if he had been fully trained. He stated he had been trained. I then spoke with Ewan. Ewan stated he had conducted the training. I asked for his training records and Ewan handed me a black plastic wallet with the training records in.

7. The records held confirmed that Mr. VIGNESWARAN had been trained. The training took the form of questions and hand written answers, and although the answers had not been written by VIGNESWARAN, he confirmed he had been trained and the records had been signed by the DPS and Mr. VIGNESWARAN.

One of the questions related to proxy sales. I asked Mr. VIGNESWARAN to explain what a proxy sale was. He had no understanding of this concept and was unable to tell me. I then asked Ewan, who stated he had conducted the training, the same question. He, too, was unable to explain what a proxy sale was. I


ADVISED Ewan that staff training was essential. It formed part of their premises licence and it was something which was required.

8. At approximately 1300hrs on Wednesday 20<sup>th</sup> February 2019 I again attended at the premises where I collected a memory stick as previously requested. I noticed a member of staff at the premises who I did not recognise.

SIGNED.......... WITNESSED.....

9. At this time he was alone and a moderately sized queue of customers were waiting to be served. I waited for the queue to subside and I then noticed a female member of staff who I know to be called Michelle appeared from the rear of the premises. She provided me with the memory stick which had been left for me behind the counter. I then asked how long the new member of staff had been employed. She stated he had been there for about two and a half weeks. I asked if there were any training records available to inspect, and she advised there were none to produce.

10. I then spoke with the member of staff who identified himself as Leo CANNING. I asked him how long he had been employed at the premises. He stated he had been there about two weeks. I asked if he had been trained, He stated he had been given some papers which were at home at the moment. I asked him what the papers were. He stated the papers covered his employment details. I asked if he had been trained, He looked a little unsure and then stated he was working with Michelle as part of his training. At this time no training records were available for inspection.

SIGNED.......... WITNESSED.....

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

**WITNESS STATEMENT**

(Criminal Justice Act 1967 Section 9, Magistrates Court Act 1980, Section 5B  
and Criminal Procedure Rules, Rule 27.2)


Statement of: \_\_\_\_\_ Rachel WILLIAMS

Age (if under 18): \_\_\_\_\_ Over 18

Occupation: \_\_\_\_\_ Licensing Enforcement  
Officer

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This statement (consisting of 2 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 21st day of February 2019

Signature ..  .....

Witness .....

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I hold the position of Licensing Enforcement Officer within Rotherham Metropolitan Borough Council.

On TUESDAY 8<sup>TH</sup> JANUARY 2019 I attended the 'TODAY'S EXPRESS' store in ROTHERHAM TOWN CENTRE, in company with Principal Licensing Officer Chris BURNETT. When inside the store, BURNETT and myself spoke with a member of staff in the back of the store. BURNETT explained that the purpose of the visit was to ask for store cctv footage to be provided to us from the previous day from 0900 hours to 1400 hours. The member of staff said that it could be viewed on the monitor that is inside the shop itself, opposite the tills. BURNETT asked the staff member if he knew that they shouldn't be viewing footage in the main shop as it can be viewed by random members of the public and the staff member said yes, so BURNETT asked why they were doing it if they knew they shouldn't be. The same staff member said he could "100% have it ready for tomorrow". I understood this to mean 9<sup>th</sup> January 2019. I would describe the member of staff we spoke to as an indian male in terms of ethnicity, with what appeared to me to be scarring on his right eye/eyebrow area. I am aware that on more than one occasion since this date, BURNETT has had to re-attend the store as the cctv provided wasn't working properly, as he told me this.

On MONDAY 21<sup>ST</sup> JANUARY 2019 I attended the same 'TODAY'S EXPRESS' in the

(In addition to signing the declaration above, the witness must sign the statement at the end of the script on each sheet)

SIGNED 

WITNESSED

Town Centre, in company with Chris BURNETT. On this occasion BURNETT drew my attention to some rubbish that he had seen. I saw this rubbish piled up on the outside platform at the back of the store, in front of the fire exit, causing an obstruction. There were several boxes.

Whilst at the store there was a new member of staff present. BURNETT spoke to this staff member, having requested to see their training records. Whilst looking at these records, the staff member was asked several times what a 'proxy sale' was, but couldn't say. He told us that the staff member who was also working at the time had trained him; he was wearing glasses and I understand his name to be 'Ewan'. I saw that on his training record, it had been indicated that he understood what a proxy sale was. During the conversation, the new staff member told us that he hadn't filled the training records in but had signed them at the bottom.



(In addition to signing the declaration above, the witness must sign the statement at the end of the script on each sheet)

SIGNED

A handwritten signature in black ink, appearing to read 'Rachel Williams', written over the 'SIGNED' label.

WITNESSED