

Witness Statement

(Criminal Procedure Rules, r27.2;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF: ...Keeley Louise Ladlow.....

Age if under 18: Over 18 Occupation.....Principal Licensing Officer

This statement, consisting of.....4..... Page(s) 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...9th day of.....September2022

I am the above-named person and currently employed as Principal Licensing Officer operating from Riverside House the offices of Rotherham Metropolitan Borough Council. I have been employed as an Enforcement Officer since 2015 and latterly the Principal Officer, my duties include liaising with Hackney Carriage and Private Hire Drivers, and the operational management of investigations concerning Private Hire and Hackney Carriage Drivers, vehicles, Private Hire Operators, and licensed premises.

In addition to my statements dated 15th June 2021, 27th September 2021 and 10th June 2022 I can confirm the following.

On 7th September 2022 I received an email from Jo Belton, South Yorkshire Police Licensing Officer. Jo stated that she had been contacted by Lauren Taylor an investigations officer attached to CID. Jo advised me that Lauren had contacted her following a refusal to provide CCTV footage at Ave Ferham supermarket, 192 Ferham Road, Rotherham.

Jo asked if there was anything I could do to assist and copied me into an email sent to Ms Taylor, I exhibit this email KLL/8. Due to my previous involvement with the premises and Mr Jawad I arranged to visit the premises on 8th September with Lauren's colleague PC Gavin Culmer to attend to retrieve the CCTV footage.

At 11.00hrs on 8th September I attended the premises with Licensing Enforcement Officer Lee Kerry and PC Culmer. Upon entering the premises one male was working and standing behind the counter. I know this male to be Mohammed IBRAHIM as I have met with him on previous occasions when at the premises.

I spoke with Mr Ibrahim asking whether Mr Jawad was available, he said he was not at the premises but could be contacted by telephone. I advised Mr Ibrahim that the Police required CCTV footage relating to an incident and asked whether he knew how to operate the system.

Mr Ibrahim stated he knew how to view footage on the system and would show it to the Police. PC Culver advised Mr Ibrahim the date and time required – prior to selecting the required date and time a time check was undertaken of the footage and it was discovered to be approximately an hour and a half behind real time.

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Continuation of Statement of.....KEELEY LOUISE LADLOW.....

Whilst PC Culver was accessing the required CCTV I spoke with Mr Ibrahim. I asked if he was a personal licence holder and he stated "NO, I JUST WORK HERE." I ASKED Mr Ibrahim how long he had worked at the premises for and he said he did not know and only works as and when Mr Jawad needs him.

I began to undertake a licensing compliance visit and went through the premises licence conditions under Annex 2 of the premises licence. Condition 3 of Annex 2 of the premises licence states the licence holder shall ensure that a CCTV system capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at each exit and entrance point. Upon viewing the installed CCTV it was clear there is no camera installed which records the entrance and exit to the premises resulting in the premises not being compliant with this condition.

I asked Mr Ibrahim what training he had received and he said he did not know, when I asked if he had been trained in challenge 25, the responsible sale of alcohol and what conditions were on the premises licence Mr Ibrahim said "NO."

I asked Mr Ibrahim if the CCTV is checked and a log completed on a weekly basis, he stated he did not know about that and contacted Mr Amanj Jawad on the phone, I was subsequently advised that Mr Jawad would be at the premises a short time later.

Approximately 10 minutes later a male I know to be the Premises Licence Holder Mr Amanj Jawad arrived at the premises. I spoke with Mr Jawad and explained to him that CCTV was required by the Police and needed to be downloaded. Mr Jawad stated that if the Police had a memory stick the footage could be downloaded onto it. A memory stick was provided, and Mr Jawad connected it into the hard drive which is located above the ceiling tiles.

I asked Mr Jawad if he could select the required dates and times however, he repeatedly stated the Police Officer would need to do it, it was unclear whether this was due to Mr Jawad not understanding how to work the system or due to him being difficult as he would not say whether he knew how to work it when asked.

Whilst PC Culver was downloading the required CCTV I spoke with Mr Jawad and went through the conditions under Annex 2. I asked Mr Jawad if Mr Ibrahim was a personal licence holder – condition 12 of the premises licence states the licence holder shall ensure that a personal licence holder, or a named responsible person, must be present on site at all times that the premises are carrying out licensable activity. The named responsible person must have received appropriate training and have been assessed as competent in matters related to:

- a. the prevention of age restricted sales,
- b. operation of the Challenge 25 scheme,
- c. the responsible sale of alcohol, and
- d. the practical application / implementation of any conditions that are attached to the premises licence.

Mr Jawad states Mr Ibrahim is not a personal licence holder but has been trained, when asked for evidence of training none could be provided.

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I asked Mr Jawad whether the CCTV is checked each week, he stated "YES, I DO IT BUT I DON'T WRITE IT DOWN ANYWHERE." I asked Mr Jawad why the system was 1.5 hours behind real time and not rectified if he had been checking it each week, no response was made to this.

I asked Mr Jawad what challenge scheme is in operation at the premises, after a lengthy pause Mr Jawad said ID is asked for id a customer looks under 21 years old. Condition 27 of the premises licence states "the premises shall operate a Challenge 25 policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council."

Mr Jawad was not aware of the challenge 25 policy despite being the premises licence holder and designated premises supervisor. Although challenge 25 posters were on display at the premises there was no written challenge policy as required by the condition.

I asked Mr Jawad if the challenge of an age or the refusal of a sale is recorded, Mr Jawad stated refusal logs are completed however accepted that they aren't completed on all occasions. Condition 23 of Annex 2 of the premises licence says "the licence holder shall ensure that a written register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected by the designated premises supervisor and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on demand." Failing to record all refusals is a breach of this Annex 2 condition.

When asked if an incident log is completed Mr Jawad stated an incident log is available at the premises but it contained no entries as no incidents have occurred at the premises.

I asked Mr Jawad when Mr Ibrahim was last trained, he laughed and stated, "I TRAIN HIM EVERY DAY." When asked what Mr Ibrahim had been trained in no reply was made by Mr Jawad. Training could not be evidenced as the staff training records were blank having not been completed.

At the left side of the counter adjacent to the door was some shelving, the top shelf contained aerosol cans of air purifier, below this was various types of alcohol including wine, the shelves below this stocked bread and eggs. Condition 11 of the premises licence states products containing alcohol must be displayed for sale in an area designed specifically for that purpose and separated from other shop items that are marketed towards children.

Although the items are not marketed towards children, I am of the view that the area is not specifically for the purpose of stocking alcohol as it contained other store goods and therefore breaches this condition.

On the right side of the premises is the chilled cabinet containing alcohol, upon viewing the cabinet I could see bottles of Soplica cherry liqueur, the bottles were 500ml in size and 28% ABV. Condition 18 of the premises licence states the licence holder shall ensure that all spirits will be stored and sold behind the counter.

Cherry liqueur is a type of distilled spirit that is made from cherries, the storage of it within the refrigerated area breaches this condition.

Although the premises were not stocking beer, lager or cider with an ABV of above 6% it was stocking WKD X Gold with an ABV of 7% per can. These cans were on display as single cans and are an alcoholic energy drink.

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I took images of the alcohol and available records which I exhibit as KLL/7.



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