

APPENDIX 5

RESTRICTED (when complete)

MG 11

WITNESS STATEMENT

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

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Statement of Joanne Belton

Age if under 18 Over 18.... (If over 18 insert "over 18") Occupation: Licence Enforcement Officer

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.

Signature (witness) Date: 25th July 2024

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person.

I am employed by South Yorkshire Police in my capacity as the Licensing Enforcement Officer covering the borough of Rotherham.

On the 15th May 2024 I was informed by DC Dave Schofield that he had visited the premise in relation to a [REDACTED] allegation. DC Schofield sent me an email with his concerns and can be referred to as exhibit JB 1. DC Schofield found the shop open and selling alcohol but with no working CCTV. The shop claimed that there had been some electrical work done at the shop about a month ago and nothing had been working since.

On the 30th May I visited the premise as a follow up. I found the CCTV on but because the shop assistant could not work it, I could not be sure it was recording at the time of my visit.

At the time of this visit no conditions were being adhered too. Premise Licence Conditions can be referred to as exhibit JB2.

No DPS available.

The Premise Licence holder Illiyas Nishat eventually turned up and could not provide any paperwork in relation the conditions.

I agreed to return in a week to see all the conditions adhered too.

On the 4th of June 2024 the premise was tested for underage sales as part of a Test Purchase operation.

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Continuation of Statement of: Joanne BELTON.....

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The premise failed. The managers father Saied Nishat sold the alcohol to the underage person.

On the 5th of June 2024 I visited the premise as a follow up to the failed test purchase and the lack of conditions the previous week.

The premise licence holders' father and the person who sold to an underage person was behind the counter.

I asked Mr Saied Nishat if he was aware of the test purchase, he said he was, and it was himself that had made the sale. I asked him about the sale to which he replied the girl looked 19 to which I responded with challenge 25 should be in operation.

Mr Illias Nishat then arrived with two books, one labelled as a refusal book and one with incident records. Both books were brand new with no entries.

A Challenge 25 poster was up on the door and behind the counter.

It was apparent the CCTV system was now recording since it had been mended on the 24th of May 2024. At that time I could not confirm for how long it is recording for.

No staff training records were in place at the time of my inspection.

Staff authorisation forms to sell alcohol were unavailable at the time of my inspection suggesting that the form didn't exist.

On the 26th of June 2024 I visited the premise to serve review papers on the Premise Licence holder. Mr Illias Nishat was not at the premise, so I gave them to his cousin who was also working at the shop.

I called Mr Illias Nishat to confirm he had received the papers he said he would go to the shop to get them.

I have grave concerns in the day to day running of this premise by the current licence holder and have no confidence that Mr Illias Nishat is able to uphold the licensing objectives.

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Exhibit JB 1

Sent: Thursday, May 16, 2024 17:00

Subject: Licensing at a corner shop

Good afternoon,

I attended the corner shop on Cambridge Street, Clifton, as part of an enquiry [REDACTED] yesterday. Despite it being open and selling alcohol, they had no working CCTV at all. They claimed that there had been some electrical work done on the shop about a month ago and nothing had worked since.

I do not know if this is in breach of the licensing conditions at the venue, but I thought I would make you aware. The shop is shown on GOOGLE as "THE BEST" corner shop ROTHERHAM. It is on the junction between Cambridge Street and Oxford Street.

Kind regards David

DC David Schofield

Rotherham CID Team 1

South Yorkshire Police Rotherham District
HQ Main Street
Rotherham S60 1QY

Exhibit JB 2 – Copy of the Premises Licence, which is attached at Appendix 2 to the report