

Reference: 2011/00614/01SRAP

Hearing:

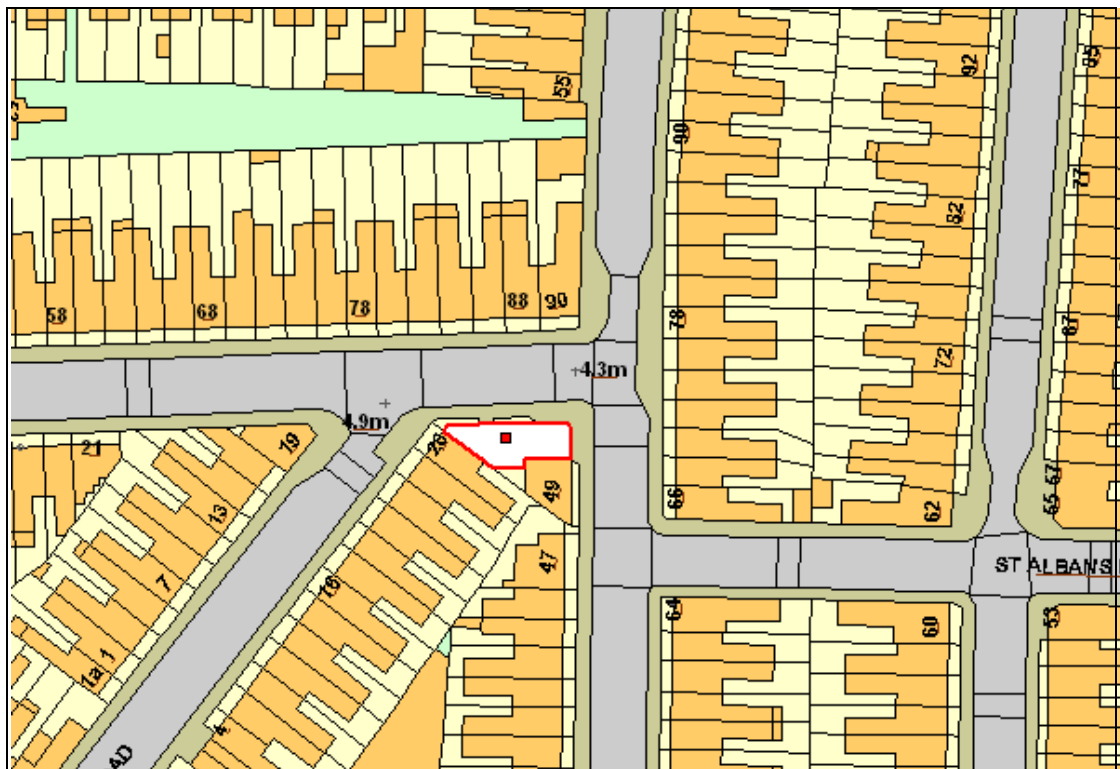
21st April 2011

### Application for Review of Premises Licence

Premises Name: Rafique Food Centre  
 Premises Address: 51 Derby Road  
 Newtown  
 Southampton  
 SO14 0DY

Application Date: 9th March 2011  
 Application Received Date: 9th March 2011

Application Valid Date: 9th March 2011



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### Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	

Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No Response Received	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Hampshire Constabulary - Licensing	No Response Received	
Trading Standards - Licensing	No	

### ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
None		

### ***Legal Implications***

1. Part 3 of the Licensing Act 2003 provides that a responsible authority of a resident or business in the vicinity (interested party) may apply for review of a premises licence.
2. The grounds of review applications must relate to one or more of the licensing objectives.
3. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the City Council and each of the responsible authorities.
4. On receipt of the application for review, the officers will consider its validity, under delegated powers. Reasons for rejection, in whole or in part, include:
  - that the grounds for review are not relevant to one or more of the licensing objectives and;
  - (in the case of an application not made by a responsible authority), that the application is frivolous, vexatious or repetitious.
5. The City Council must, within one day of receiving the application for review, display a prescribed notice of the review application on the outside or adjacent the premises; the notice must remain on display for 28 days and any interested party in the vicinity

6. Unless the applicant, licence holder, interested parties and responsible authorities agree that a hearing is unnecessary, the City Council is then required to hold a hearing to consider the review.
7. The sub-committee, in considering the application for review, must have regard to the adopted Statement of Licensing Policy and evidence before it at the hearing.
8. The Licensing Act 2003 provides that, in determining an application for review, the sub-committee may take any (or none) of the following steps, as it considers necessary:
  - modify the conditions of the licence;
  - exclude a licensable activity from the scope of the licence;
  - remove the designated premises supervisor;
  - suspend the licence for a period not exceeding three months;
  - revoke the licence.
9. The Licensing Act 2003 makes provision for appeal to the Southampton Magistrates' Court against the sub-committee's decision in relation to an application for review.
10. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
11. Copies of the application for review and the Police objection are annexed to this report.
12. The sub-committee must also have regard to:-
13. *Crime and Disorder Act 1998*

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
14. *Human Rights Act 1998*

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

# SOUTHAMPTON CITY COUNCIL

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Southampton City Council Trading Standards Service

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

### Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Rafiques Food Centre, 51 Derby Rd, Southampton	
<b>Post town</b> Southampton	<b>Post code (if known)</b> SO14 0DG

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Aftab Rafique
--

<b>Number of premises licence or club premises certificate (if known)</b> 2005/00207/01SPRC
--

### Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises



- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

**Please tick**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

**Please tick yes**

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Lucas Marshall Trading Standards Service Southampton City Council Civic Centre Road Southampton SO14 7LY
Telephone number (if any) 02380 834930
E-mail address (optional) lucas.marshall@southampton.gov.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

**Please state the ground(s) for review** (please read guidance note 1)

The Prevention of Crime and Disorder  
The Prevention of Public Nuisance  
The Protection of Children from Harm

Southampton Trading Standards Service carries out routine test purchasing exercises at off licensed premises within Southampton to ensure alcohol is not being sold to young people under the age of 18.

On 13<sup>th</sup> December 2010 a 16 year old girl acting under the instructions of an Inspector of Weights and Measures purchased alcohol from Rafiques, 51 Derby Road, Southampton.

On 21<sup>st</sup> January 2011 a 17 year old boy acting under the instructions of a Police Officer purchased alcohol from Rafiques.

It is considered that the holder of the premises licence has not fulfilled the duty under the Licensing Act 2003 to prevent crime and disorder and public nuisance, and to protect children from harm. We are therefore applying to review the licence.

In the supporting information we give more details and state the conditions we would wish to see added to the licence in order to promote the above licensing objectives.

**Please provide as much information as possible to support the application**

(please read guidance note 2)

On 13<sup>th</sup> December 2010 a 16 year old girl acting under the instructions of an Inspector of Weights and Measures purchased alcohol, namely 2 cans of Fosters Lager and one bottle of Zywiec beer, from Rafiques, 51 Derby Road, Southampton. I witnessed the sale. The seller was Rizwana Parveen. I asked to see the store's refusals record. She claimed that the store did not have one and that she did not write English well. She subsequently accepted an £80 Penalty Notice for Disorder.

On 22<sup>nd</sup> December 2010 PC Jonathan Harris and I met with Aftab Rafique, the premises licence holder, and advised him at length regarding appropriate precautions to take to prevent further sales of alcohol to children.

On 21<sup>st</sup> January 2011 a 17 year old boy, acting under the instructions of PC 20920 Prior, purchased alcohol, namely a bottle of Budweiser beer, at Rafiques.

On 3<sup>rd</sup> February I conducted an audio recorded interview with Aftab Rafique. Whilst he did have some systems in place to prevent under age sales, they were not being effectively implemented, perhaps due to a lack of supervision or complacency: there was a Challenge 25 policy, however the two under age sales indicate that it was not being consistently operated; there was a refusals record, however it was not routinely used by staff, or checked by Mr Rafique, prior to the sales taking place.

Trading Standards Officers are not confident that reasonable precautions are being taken at Rafiques to prevent the sale of alcohol to persons under the age of 18 and would therefore request that the following conditions are imposed on the premises licence so as to assist the licence holder and the designated premises supervisor in the effective management of the premises, and to promote the licensing objectives:

- "The holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the Licensing Authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person. Notices regarding the store's "Challenge 25" policy must be displayed"
- "All staff who sell alcohol will be trained to NCPLH (National Certificate of Personal Licence Holder) level. All sales of alcohol must be directly supervised and authorised by a Personal Licence Holder until such staff have achieved training to NCPLH level."
- "That staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records, signed and dated by the member of staff, are kept of this refresher training. Records of training will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other Responsible Authorities on request."
- "The holder of the premises licence shall keep a written record, namely a refusals book, of those incidents where a person who a member of staff believes to be under the age of 18, and is unable to produce acceptable means of identification proving that they are of 18 years or more, attempts to purchase alcohol and is refused. The record shall include details, in English, of the date, time, a brief description, including estimated age, of the person who attempted to purchase the alcohol, the type of

alcohol and the name of the person who refused the sale. Staff shall be trained in the use of the refusals book and it should be kept in a readily accessible place known by all members of staff. The record will be regularly checked by the premises licence holder or the designated premises supervisor to ensure that all staff are completing records and, and this person will sign and date the record as evidence that they have checked it. The refusals book will be available for inspection by Hampshire Constabulary, the Licensing Authority, Trading Standards and other relevant authorities on request."

- "The holder of the premises licence must ensure that all alcohol is marked in a way that will identify its place of purchase for a period to be agreed with the police and Trading Standards which shall not be less than 3 months."

- "A CCTV system shall be installed and maintained in the licensed premises to the satisfaction of the Licensing Authority, Hampshire Constabulary and Trading Standards. As a minimum, it shall enable surveillance of both external and internal areas of the premises including entrances and exits. Recordings from the system shall be of a quality acceptable as evidence in a court of law and shall be securely retained at the licensed premises for a minimum period of 30 days after the recording, and shall be surrendered to Hampshire Constabulary, the Licensing Authority, or Trading Standards immediately on request."

- I would also ask that the licence is suspended for a period of one month, both as a deterrent and to give the Premises Licence Holder a period of time in which to put the above conditions into effect.

For information Mr Rafique has previously accepted a caution regarding sale of alcohol to an 15 child, which took place on 28<sup>th</sup> September 2006.



**Please tick yes**

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--	--	--

**If you have made representations before relating to this premises please state what they were and when you made them**

N/A

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

9/3/11

Capacity    Trading Standards Officer

.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5) Lucas Marshall Trading Standards Service Southampton City Council Civic Center Rd	
<b>Post town</b> Southampton	<b>Post Code</b> SO14 7LY
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> lucas.marshall@southampton.gov.uk	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.
6. See separate guidance for responsible authorities’ details.


## TRADING STANDARDS SERVICE WITNESS STATEMENT

C J Act 1967 S.9; MCA 1980 ss5A(3)(a) and 5B; Criminal Procedure Rules 2010 (Rule 27)

STATEMENT OF: **LUCAS MARSHALL**

AGE IF UNDER 18: **OVER 21**

This statement (consisting of 1 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 7 day of MARCH 2011 Signature: .....

..... being unable to read the statement,

I..... of .....

.....read it to him/her before he/she signed it.

Dated the ..... day of ..... 2011 Signature: .....

- A My name is Lucas Marshall. I am employed by Southampton City Council as a Trading Standards Officer. On 13 December 2010 I was involved in an underage sales operation in Southampton. The volunteer who we used for the operation was called Charlotte and was 16 years old. I produce a
- B sanitised copy of her passport as Exhibit LM/1. I produce 2 photos of Charlotte as Exhibits LM/2 and LM/3. In the photos she is wearing the same clothes as she wore for the exercise. I can confirm that these photos are an accurate representation of Charlotte and have not been enhanced or amended in
- C any way. At approximately 18:30 Charlotte entered Rafiques, 51 Derby Road, Southampton. I entered shortly after and, acting as a customer, I witnessed Charlotte purchase 2 cans of Fosters lager, and one bottle of Zywiec beer from a female of Asian appearance. I took the alcohol from Charlotte, and produce
- D it as exhibit LM/4. Shortly after the sale I returned to the shop with PC Jonathan Harris. I announced myself to the female who had sold the alcohol to Charlotte and told her that she had sold alcohol to a 16 year old girl. The seller identified herself as Rizwana Parveen, date of birth 8 December 1974, address:
- E 30 Shaftesbury Avenue, Southampton. She said that she had worked at the store for 2 years. I asked to see the store's refusals book. She replied that the store does not keep one, and that she does not write much English. On 22<sup>nd</sup> December 2010 PC Jonathan Harris and I met with Aftab Rafique, the owner of

Signature: .....



INVESTOR IN PEOPLE

BY: LUCAS MARSHALL

A Rafiques and the Premises Licence Holder, at the Central Police Station, Havelock Rd,  
Southampton. I gave advice to Mr Rafique regarding precautions he could take to prevent  
further sales of age restricted products to children. On 3<sup>rd</sup> February 2011 I interviewed Aftab  
Rafique in accordance with the Police and Criminal Evidence Act 1984 and associated Codes of  
B Practice. The interview was conducted in the interview room at Trading Standards Service, 7  
Civic Centre Road, Southampton. I produce the CD of the interview as Exhibit LM/5.

Signature: ...

C

D

E

F

G

ST1(2)HQ



**RESTRICTED (when complete)**

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: PC JONATHAN HARRIS

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police service

This statement (consisting of 1 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:

Date: 17/12/2010

PC JONATHAN HARRIS

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

I am PC 24288 HARRIS, employed by Hampshire constabulary and currently stationed at Southampton Central police station.

On Monday 13 December 2010, I was involved in a joint test purchase operation with Trading Standards. At around 18:30 hours, I attended RAFIQUES (off licence) at 51 DERBY ROAD. The test purchaser, who was only 16 years of age, entered the premise and was shortly followed by Lucas MARSHALL who is a Southampton City Council Trading Standards officer. Both had only been in the store for a matter of minutes when I saw the test purchaser exit, carrying a bag which contained 2 cans of FOSTERS lager and one bottle of ZYWIEC beer. MARSHALL exited just behind the test purchaser and he told me that a female of Asian ethnicity had sold the alcohol which he had witnessed.

I then entered the store with MARSHALL and we both introduced ourselves to the female cashier who was later identified as Rizwana PARVEEN 08/12/1974. She was informed that she had committed an offence contrary to S146 of the Licensing Act 2003 by selling alcohol to a person under the age of 18. I then informed PARVEEN that the way I intended on dealing with the offence was by the issuing of a penalty notice for disorder or she could opt to have the case heard at court. PARVEEN stated that she would prefer the penalty notice. Regretfully, I was not in possession of a penalty notice at the time so I agreed to meet PARVEEN at work the following day. Before leaving the address, I informed PARVEEN "I AM REPORTING YOU FOR THE OFFENCE OF SELLING ALCOHOL TO A PERSON UNDER THE AGE OF 18". I then cautioned her to which she made no reply. I returned to the same address at 13:00 hours the following day and PND 2024456 was issued.

Signed :

PC JONATHAN HARRIS

Signature witnessed by :



**HAMPSHIRE CONSTABULARY**

**RESTRICTED – For Police and Prosecution Only**

**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

Statement of : Natasha Astrid PRIOR

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 20920

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 anything in it, which I know to be false, or do not believe to be true.  
Signature: \_\_\_\_\_ Date: 27/01/2011

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

I am PC 20920 PRIOR currently serving for Hampshire Constabulary at Southampton Central Police Station.

On Friday the 21<sup>st</sup> January 2011 I was in charge of an underage sales operation in Southampton. We had two volunteers for the operation as it was covering off-licences, pubs and clubs during the evening. With regards to the off-licence the policy is that one plain clothes officers enters the store and shortly afterwards the test purchaser enters and attempts to buy alcohol, if successful in a sale the test purchaser hands the alcohol to the plain clothes officer and uniformed officers are called in to deal with the situation. The plain clothed officer explains who made the sale, hands over what was sold and then exits the premise.

At around 1915 hours Rafiques Off-Licence on Derby Road was visited and PC 3094 Melhuish was the plain clothed officer who entered the store and has provided a statement in relation to that. As the officer who issued the Penalty Notice to the seller I have also provided a statement in relation to that and PC 2193 Sullivan who was my uniformed colleague for the operation has provided a statement regarding the seizure of the alcohol brought. The male was asked questions about what training he had received and didn't give an answer despite being asked a number of times.

Signed : **Natasha PRIOR** Signature witnessed by : \_\_\_\_\_





# HAMPSHIRE CONSTABULARY

## **RESTRICTED – For Police and Prosecution Only** **WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

**URN //**

Statement of : Natasha Astrid PRIOR

Policy with regards to the test purchasers who take part in the operation is to photograph them just before we go out on the operation. I have printed off a copy of the photo taken of test purchaser two who on the operation was used and I can exhibit that as NAP/TP2/01. The photo is an accurate representation and has not been enhanced or amended in any way and I can confirm that those are the clothes worn for that operation. I can produce a sanitised copy of ID which shows the test purchaser to be Louis, aged 17 years old, exhibit reference NAP/TP2/02.

Signed : **Natasha PRIOR**

Signature witnessed by : \_\_\_\_\_





# HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only

## WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

Statement of : Natasha Astrid PRIOR

Age if under 18:	Over 18	(if over 18 insert 'over 18')	Occupation:	Police Constable 20920
------------------	---------	-------------------------------	-------------	------------------------

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 anything in it, which I know to be false, or do not believe to be true.	
Signature: _____	Date: 21/01/2011

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

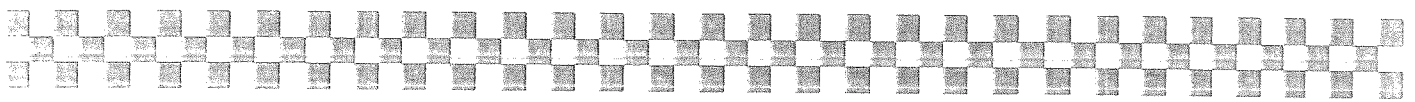
I am PC 20920 PRIOR currently serving for Hampshire Constabulary at Southampton Central Police Station.

On the 21<sup>ST</sup> January 2011 I was on a uniformed duty when I attended Rafiques off licence, 51 Derby Road in Southampton. On entering the premise at around 1920 hours I approached PC 3094 MELHUIISH who identified to me the shop assistant that she had seen to sell alcohol to the test purchaser who was 17 years old. She handed me the bottle of Budweiser which I passed to PC SULLIVAN to seize whilst I issued the fixed penalty notice. I approached the shop assistant who I now know to be Muhammad FERROZ (24/08/75) OF 7 Graham Road, Southampton.

I stated to this male that he had committed an offence by serving a person under the age of 18 and I cautioned him and explained that he was not under arrest and did not have to stay with me. He stated that the male he had served had been in a number of times before and had shown ID and gave a matching description of the test purchasers. I explained that the male was 17 years old and was not from the area.

I explained that I was going to issue him with a £80 penalty notice and filled out the form which has a URN of 2024166 6. I then explained that he had 21 days to pay the fine or request a court hearing as explained on

Signed : Natasha PRIOR | Signature witnessed by : \_\_\_\_\_







HAMPSHIRE CONSTABULARY

RESTRICTED – For Police and Prosecution Only

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN //

Statement of : Natasha Astrid PRIOR

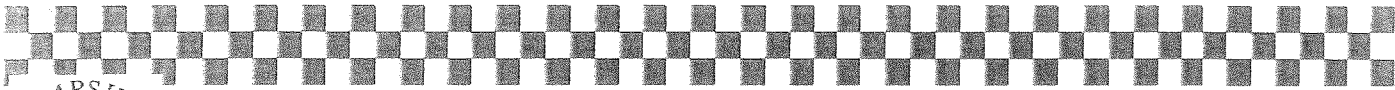
the rear of the penalty notice. I then reported him for the offence of selling alcohol to a person under 18 contrary to section 146 (1) of the Licensing Act and further cautioned him. He had no reply to make in relation to this.



Signed : Natasha PRIOR

Signature witnessed by : \_\_\_\_\_





### WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: Michael Sullivan

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Constable

This statement (consisting of 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: Michael Sullivan  
-----  
Michael Sullivan

Date: 22<sup>nd</sup> January 2011  
-----

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

I am Police Constable 2193 Sullivan currently attached to the Southampton Police Licensing Unit.  
On Friday the 21<sup>st</sup> January 2011 I was on duty in uniform when at around 1914 hours I attended Rafiques Shop at 51 Derby Road, Southampton where I took 1 x Bottle of Budweiser Beer from PC 3094 Melhuish via PC 20920 Prior as evidence.

I can produce this as item reference MJS/R/1.

Signature: \_\_\_\_\_

Signature witnessed by: .....



# WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: PC 3094 Melhuish

Age if under 18: O/18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 1 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:

Date: 21<sup>st</sup> January 2011

PC 3094 Melhuish

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

On Friday 21<sup>st</sup> January I was on duty in plain clothes engaged in a test-purchase operation to supervise a male under the age of 18 attempting to purchase alcohol from licenced premises.

At 1910hrs that day I entered RAFIQUE'S OFF LICENCE in DERBY ROAD, SOUTHAMPTON. Shortly afterwards a male entered the premises. I will refer to him as TP2. I watched him select a bottle of Budweiser beer, approach the counter and purchase the beer from a male of Asian appearance. He was the only person working in the shop at that time. TP2 paid for the bottle and then handed it to me. TP2 then left the premises. At 1917hrs my uniformed colleagues, PC 2193 SULLIVAN and PC 20920 PRIOR, entered the off-licence and I handed the title of Budweiser to PC PRIOR. I then left the premises and had no further dealings in this matter.

Signature:

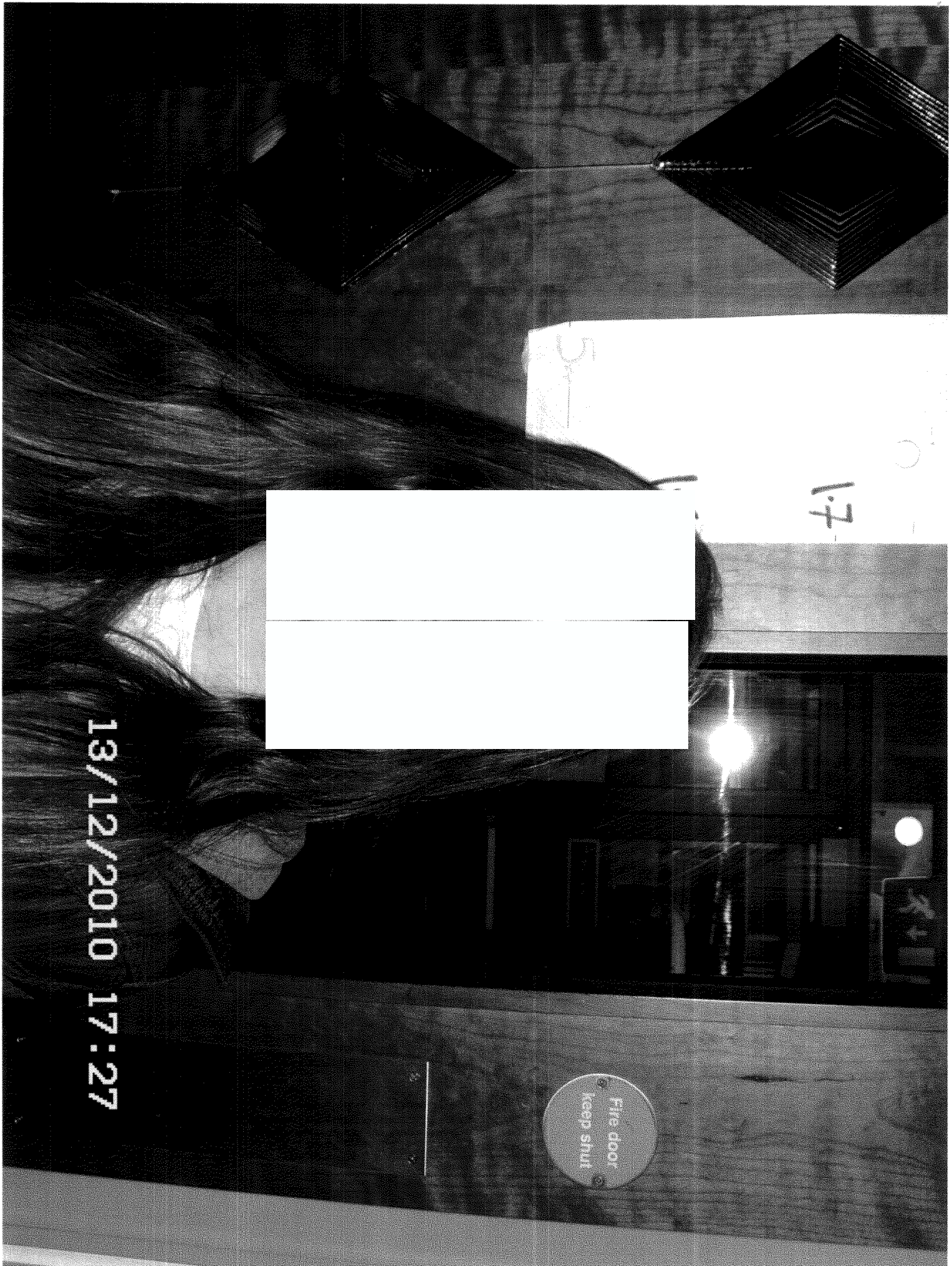
Signature witnessed by: .....



LM/2



LM/3



13/12/2010 17:27

Fire door  
keep shut



**Trading Standards Service**

Incident reference

LM/4

Exhibit reference

10/02314/WAS

Description of article

2 X CANS FOSTERS

1 X B-TTLE 27WIEL BEER

Signature of person originally identifying

Name of person originally identifying (block letters)

LUCAS MARSHALL

