



**DONCASTER**  
Doncaster Metropolitan Borough Council

## Witness Statement

**STATEMENT OF: Michael Griffiths**

**OCCUPATION OF WITNESS: Senior Environmental Health Officer**

**AGE OF WITNESS: Over 18** (if over 18 enter 'Over 18')

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.

Signature:  Dated the 11<sup>th</sup> January 2017

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

of ..... read the statement to the witness before the witness signed it

Signature: ..... Date .....

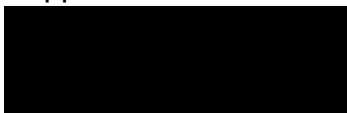
My name is Michael Griffiths and I am employed by Doncaster Metropolitan Borough Council as a Senior Environmental Health Officer. I am authorised to enforce The Food Safety Act 1990 and all regulations empowered by the act. I am also authorised under The Licensing Act 2003 and hold a BSc (Hons) Degree in Environmental Health and I am a voting member of the Chartered Institute of Environmental Health. I also work closely with Trading Standards, Licensing, Public Health and am a member of DMBC's out of hours emergency call out service. This statement relates to my involvement in a premises known to me a Doncaster Food Centre, 8 Wood Street, Doncaster, DN1 3LH. On the 11<sup>th</sup> November 2015 a standard letter was sent to the premises, and to all off licences in the Doncaster region, expressing DMBC's concerns with regard to illicit alcohol. The letter specifically highlighted how to avoid becoming involved in the purchase of such alcohol and how this directly affects a premises alcohol licence. The advisory letter is sent before the Christmas period and is an on going program. On the 13<sup>th</sup> November 2015 & the 18<sup>th</sup>

Signed:.....  .....11<sup>th</sup> January 2107.....

**CONTINUATION SHEET NO: 1**

February 2016 inspections were carried out at the premises and discussions with regard to the general legal requirements of running such an establishment were discussed. On both occasions the issues relating to illicit alcohol were highlighted with the owner/ DPS of the premises, Mr Melih Bozkurt (MB). He even commented that he had been made aware of the illicit alcohol trade by friends and would not become involved, as he had put a lot of money into the business. Inspection letters were then sent stating the illicit alcohol advice and that no illicit alcohol was found on these occasions. On the 3<sup>rd</sup> November 2016 i visited the premises to discuss an unrelated food complaint and found a small dog in the shop, which urinated on the floor in front of me. I also found on sale a number of foreign labelled, strong Polish Beers which had no English labelling. The owner/DPS, Mr Melih Bozkurt (MB) was the only person present and i asked him to produce invoices for the alcohol and to remove the dog from the premises. He stated the alcohol had come from a "Kurdish man and that he paid cash and there was only a hand written receipt which was at home". I then contacted my colleague to assist me, Alcohol & Tobacco Control Officer, Mr Greg Bristol (GB). A few minutes later (GB) arrived and we looked more in depth at the alcohol on sale and in the store rooms. On sale was a large number of bottles of Italian wine. These same brands had been found by myself and (GB) in two separate premises over the last few months and no invoices had been provided by the owners. The alcohol was seized on both occasions and investigations are still on-going. I asked (MB) for invoices and he stated the wine also had come from the "Kurdish Man and no invoices could be provided only hand written receipts that were at home". In the store room there was only a small amount of alcohol with the exception of 30 cases of Bulgarian Vodka. I asked (MB) if he could produce invoices for the vodka and at this point the owner admitted that all the Italian Wine, Bulgarian Vodka and Polish Beers where from the same Kurdish man. I then cautioned the (MB) under PACE and asked for details of the supplier. He stated the three types of alcohol had been purchased from a man called Kamal for cash and he supplied to all over the South Yorkshire area. He stated that hand written receipts were provided which did not have any company details on them and the only details he had was the gentleman's mobile number. He stated he did not realise the alcohol was illegal and that the man in question might work with a London based supplier and was cheaper than most suppliers but did not recall how much he had paid. I stated my

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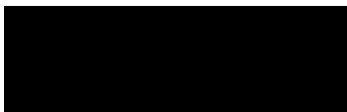


.....11<sup>th</sup> January 2017.....

**CONTINUATION SHEET NO: 2**

concerns but the owner could not remember any details of the company or anything significant about the supplier, except for his name and phone number. The owner then voluntarily surrendered the alcohol for destruction but no paperwork was completed as I did not have the forms to hand. I stated that the alcohol would be returned if the labels could be provided for the beer and invoices could be provided for the entire consignment. On the 4<sup>th</sup> November 2016 the alcohol was being examined in secure storage and the Vodka was found to have a clear, fibrous contaminant in one of the bottles. I opened several of the cases and found the same contaminant in 5 other bottles. There was also an obvious spelling mistake on the label which highlighted the Vodka may be fake and potentially dangerous to consume. The label stated that the vodka was "tree-step filtration" not "triple filtered or three times filtered as found on common brands". I then asked my colleagues in Trading Standards for their advice and to check the alcohol content. It was found to be the correct alcohol strength but there was no online presence for the bar code or the company and the label appeared to be a mixture of two well known brands. The Trading Standards manager, Mr David McMurdo agreed with my assumption that the alcohol may be fake and must be sent to the analyst for further examination. One sample bottle was sent to the Public Analyst for further tests. On the 7<sup>th</sup> November 2016 the alcohol had been catalogued for evidence. In total 261 bottle of Italian wine, 345 cans of Polish Beer and 189 bottles of Bulgarian Vodka had been surrendered. I revisited the premises to see if the owner could produce invoices for the alcohol, as three days had passed and he had not contacted me, and to discuss the sampling procedure and potential safety concerns with with regard to the vodka. On site the owner was not present and his mother-in-law was managing the premises in his absence. I asked where the owner/DPS was and explained that he or a personal licence holder must be present if alcohol was to be served to the public. The lady stated that she knew not to sell alcohol and that her son-in-law/DPS was at the council offices trying to get the paperwork to change the specific condition, which states a personal licence holder must be present during all alcohol sales. At this point a member of public came from where the alcohol chillers were with three cans of strong beer and had heard the conversation. He immediately started to argue with me and stated to the lady behind the counter, that she "should not give into racist bullies". I tried to explain the situation but he would not listen

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**CONTINUATION SHEET NO: 3**

and stated that "i was a racist council official, and the alcohol wasn't even for him but for a homeless person outside". He then went into a verbal rant, left his cans on the counter and left the shop. The gentleman in question was clearly intoxicated. I asked the lady why there were no signs stating that alcohol could not be sold at present and she did not reply. I then saw the same dog which, had urinated on the shop floor three days prior behind the counter laying on a dirty blanket. At this point the owner/DPS (MB) came into the shop and apologised for his absence and for allowing alcohol to be sold in his absence. He also apologised for the dog being present and a conversation between his mother-in-law and himself started in their language. I stated to the owner that three days had passed since the alcohol had been found. He stated he still had no invoices and had not been able to contact the supplier, Kamal. The alcohol was then voluntarily signed over by the owner (MB) for destruction and the paperwork was completed on site. I stated my concerns with regard to the Bulgarian Vodka and explained that one bottle was going to be analysed to ensure it was a safe and genuine vodka. On the 18<sup>th</sup> November 2016 the analysis report was submitted and the vodka was stated to be a genuine vodka, but was of very poor quality. The contaminants were most likely to have been caused by adding tap water to the product during the manufacturing process rather than distilled water, thus producing a natural crystal structure in the product. The report does state this is a breach of the Food Safety Act 1990 for poor quality. To date no invoices have been produced by the owner/DPS (MB) of the off licence for any of the products voluntarily surrendered for destruction. I have tried on several occasions to contact the supplier on the phone number provided, with no success. Several requests for the hand written invoices or any invoices stating the supplier details have been requested but the owner has not provided any genuine invoices or any further details. On the 5<sup>th</sup> December 2016 I hand delivered the review paperwork to (MB) and explained yet again that purchasing smuggled goods was a breach of the Licensing Act 2003. He then produced an invoice for wine that was purchased after the initial suspect alcohol was found on the 3<sup>rd</sup> November 2016. It was from a company in Sheffield and was for supply of generic Italian Wine, which was on sale at the time. I stated that the invoice was for the wine on sale and the owner did not respond. No other invoices for the Polish Beer or Bulgarian Vodka was produced. **END**

Signed: .....



.....11<sup>th</sup> January 2017.....

**CONTINUATION SHEET NO: 4**

Home Telephone No: \_\_\_\_\_ Business Telephone No: \_\_\_\_\_

Mobile: \_\_\_\_\_ Preferred Means of Contact Email \_\_\_\_\_

Occupation: Licensing Enforcement Officer Date of Birth: \_\_\_\_\_

**Dates to be avoided**  
**Delete dates of non-availability of witness (not Officers)**

Month of: November 2011							Month of: December 2011							Month of: January 2012						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				
Month of: February 2012							Month of: March 2012							Month of: April 2012						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
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29	30	31					29	30	31					29	30	31				

<b>Witness Consent</b> (for witness completion)				
I consent to the statement being disclosed for the purposes of civil proceedings: e.g. a personal injury claim.				
	Yes	No	N/A	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Signed: _____				

Contact point, if different from above: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_

Signed: .....  ..... 11<sup>th</sup> January 2017.....

**CONTINUATION SHEET NO: 5**

STATEMENT TAKEN BY (print name): \_\_\_\_\_

Time and place statement taken: \_\_\_\_\_

Signed: .....



.....11<sup>th</sup> January 2017.....