

Licensing Act 2003

Responsible Authority Representation Form

Responsible Authority	Health & Safety – Env Health
Location	Civic Office, Waterdale, Doncaster, DN1 3BU
Officer Details	Name: Michael Griffiths Job title: Senior Environmental Health Officer Tel: 07768602797 Email: Michael.griffiths@doncaster.gov.uk

Application Details	
Our Reference	WK/217010267 / PI/000197069
Address of Premises	Junction Stop, 2 Broxholme Lane, Wheatley, Doncaster, DN1 2LJ
Type of Application	Review: Premises Licence LN/200501042

Details of Representation
<p>Representation made under the Prevention of Crime and Disorder:</p> <p>On the 16th June 2017 at approximately 14:00 hrs I was made aware by a concerned member of public about street drinkers congregating outside the Junction Stop Off Licence, 2 Broxholme Lane, Doncaster. The complainant also stated that alcohol was being sold very cheaply and may be from an illicit source. One of my roles within the department is to seize illicit alcohol within Licenced premises and work closely with HMRC and DMBC's Trading standards department. I explained to the complainant that they should contact South Yorkshire Police about the street drinkers and anti-social behaviour but would drive past and see what the situation was like. I drove past approximately 20 minutes later and saw no-one outside the premises and one shop worker inside behind the counter. The premises was well known to me and DMBC as being an illicit tobacco seller, as I had been involved in a recent search at the premises with SY Police and found no illicit tobacco however, the premises had failed two very recent test purchases for illicit cigarette sales. I therefor felt it was necessary to visit the premises and see if any illicit tobacco or alcohol was on sale.</p> <p>As I entered the premises I could see that the owner was not on site and one male worker was working alone. I have met the shop worker before and explained that I was there for a complaint. I then picked up a can of very strong, Polish alcohol from the shelving and asked the shop assistant why it wasn't priced and why it was not labelled in English. The shop assistant became immediately aggressive and simply flew into a rage. I asked him to calm down and to contact the owner to discuss the matter but he simply would not listen. I explained again to calm down but he kept on shouting, swearing and stating that "I wasn't the police and told me get out of the shop". I stood my ground and stated I would not leave and again asked him to calm</p>

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down and to contact the owner. By this point a number of street drinkers were stood outside around the doorway and were clearly not happy with my presence. I calmly went to the door and closed it as I felt it was the safer option than leaving and having to walk through the street drinkers. I calmly asked him for his name and explained that this situation was avoidable, but the shop worker simply continued to swear at me. I felt I would be able to calm the situation down if I remained calm. The shop assistant then physically pushed me against the wall/door and continued with his torrent of abuse. I repeated to the shop assistant to calm down and stated I would not leave for my own safety. He then pushed me out of the way and went outside and appeared to lock the door. I looked through the glass door to see the gentleman walk away shouting and then talking to the street drinkers. I tried the door but it was locked.

I then rang 101 to contact the police as I feared for my safety and could not leave the property. After approximately 5-6 minutes the shop worker came back to the shop just before two PCSO arrived from South Yorkshire Police. The shop workers behaviour was immediately calmer as he saw the two PCSO's and stated I had locked myself inside the shop and that I had become aggressive to him. I explained this was a complete fabrication of the truth. At this point the owner Mr Mustafa Halo Kaled arrived and spoke to the PCSO's and confirmed that the male shop worker was working for him in the business. The male shop worker then gave all his details to the PCSO's who passed the details onto me. His name was Mr [REDACTED] DOB [REDACTED].

The PCSO's asked for my explanation of the events and could see that I was visibly shaken. I explained what had happened and Mr [REDACTED] explained I was lying and nothing had happened. The PCSO's then asked to see the CCTV footage from inside the premises as there were a number of cameras visible in the shop and a large TV monitor. Mr [REDACTED] and Mr Kaled both stated that all the cameras did not work and there were no recording devices at all. At this point I was asked if I felt that the matter needed to be taken further as I had been physically assaulted and locked inside the premises and I stated yes.

Police Officer, Gemma Ibbitson was called to the scene and arrived within minutes. The same questions were asked about the assault and unlawful imprisonment and again Mr [REDACTED] and Mr Kaled explained that I had made the entire story up and nothing had happened. The Police Officer asked why the CCTV was not working and the owner stated it was being repaired. The Police Officer then asked for my explanation of events and I explained that I did not know the CCTV was not working and believed that I was being recorded whilst the assault was taking place as the TV monitor was fully visible and working at the time. Mr [REDACTED] was then hand cuffed and arrested and taken to Doncaster's main police station for questioning. I then left followed the police car back to the station to give a formal statement.

Unfortunately, Mr [REDACTED] would not admit the offence and stated I had locked myself in the shop and was aggressive to him and I had made the entire story up. As I had not suffered any physical injuries and the CCTV cameras inside the shop were not working/recording South Yorkshire Police released Mr [REDACTED] as there was insufficient evidence to prove the assault.

It is my belief that the incident occurred; as I may have stumbled onto a possible delivery of illicit tobacco and the aggressive behaviour of Mr [REDACTED] was simply get me to leave the property.

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Please note that representations should be confined to matters which are about the likely effect of the grant of the licence on the promotion of the licensing objectives. In the case of a variation they must be confined only to the matters being varied.

This representation will be disclosed to the applicant and will form part of public documents should the matter proceed to a hearing. You are respectfully requested to consider the requirements of the Data Protection Act and ensure you have obtained the permission, where required, of any person whose personal details are included in your representation.

Date Submitted	<u>4th September 2017</u>
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