

DELEGATED

AGENDA NO.

**REPORT TO THE
STATUTORY LICENSING
COMMITTEE**

8th August 2023

**LICENSING ACT 2003
APPLICATION FOR REVIEW OF A PREMISES LICENCE
PREMIER MINI MARKET - 75-81 OXBRIDGE LANE, STOCKTON-ON-TEES, TS18 4AR**

SUMMARY

The purpose of this report is for Members to consider an application for a review of a premises licence from the Licensing Service on the grounds of the prevention of crime and disorder and public safety objectives.

RECOMMENDATION

That Members determine the application.

THE APPLICATION

An application for a review of premises licence in respect of above the premises has been received from the Licensing Service. A copy of the application and supporting evidence is attached at Appendix 1 and 2 respectively.

The application relates to the undermining of the licensing objectives of:

- the prevention of crime and disorder
- public safety

1. A copy of the current premises licence showing licensable activities and licensable hours is attached at Appendix 3.
2. A map showing the location of the premises is attached at Appendix 4.

RESPONSIBLE AUTHORITIES

3. A statement in support of the review on the grounds of the Crime and Disorder and Public Safety objective has been received from Cleveland Police and is attached at Appendix 5.
4. A representation in support of the review on the grounds of the Crime and Disorder and Public Safety objective has been received from Public Health and is attached at Appendix 6.

ADDITIONAL INFORMATION

PREMISE LICENCE HOLDER PLH	Shaun Kayser Shafiq	01/09/2006 - Present
DESIGNATED PREMISES SUPERVISOR DPS	Shaun Kayser Shafiq	01/09/2006 - Present

5. There are no previous licensing complaints or licensing enforcement action noted at this premises. There was a complaint made in 2014 regarding underage sales of alcohol made to Trading Standards , there was insufficient evidence to investigate this.

POLICY CONSIDERATION

6. Members must carry out their functions with a view to promoting the four licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

7. Members are respectfully reminded of the need to give due consideration to Stockton Borough Councils Licensing Policy Statement and the Section 182 Revised Guidance issued December 2022 under the Licensing Act 2003 when considering this application for review. Details regarding the full range of powers available to members can be found at section 11 of the Guidance.

8. Copies of these documents can be found at:

www.stockton.gov.uk/article/1672/Welcome-to-Stockton-on-Tees-Borough-Council-s-Statement-of-Licensing-Policy

www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2022-accessible

MEMBERS OPTIONS

9. Members are advised that under the provisions of Section 51(4) The Licensing Act 2003 the authority may, at any time, reject any ground for review if it is satisfied –

- that the ground is not relevant to one or more of the licensing objectives, or
- in the case of an application made by a person other than a responsible authority, that-
- the ground is frivolous or vexatious, or
- the ground is a repetition

10. If Members are not minded to reject this application, then under the provisions of Section 52(3) The Licensing Act 2003, the authority must, having regard to the application and any relevant representations take such steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the four licensing objectives. The steps are –

- a) to modify the conditions of the licence which could include reducing opening hours or requiring door supervisors at a particular time;
- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premise supervisor for example, because they consider that the problems are the result of poor management;
- d) to suspend the licence for a period not exceeding three months;
- e) to revoke the licence
- f) and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Where the authority takes a step mentioned in (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

11. The Committee also have the option to leave the licence in its existing state.

ASSOCIATED PAPERS

The following appendices are attached for information:

- Appendix 1 Application for review
- Appendix 2 Supporting documents
- Appendix 3 Copy of the existing licence
- Appendix 4 Location Map
- Appendix 5 Representation from Cleveland Police
- Appendix 6 Representation from Public Health

**Assistant Director Community
Safety and Regulated Services:
Contact Officer:
Telephone No.
Email Address:
Financial Implications:**

Marc Stephenson
Elliott Beevers, Assistant Licensing Officer
07796 493661
elliott.beevers@stockton.gov.uk
None

Community Safety Implications:

The Licensing Act 2003 requires the licensing authority to have regard to:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Legal implications

Any decision made in respect of the review application can be appealed to the magistrate's court within 21 days by –

- 1 The applicant
- 2 The premises licence holder
- 3 Any other person who made relevant representations

Any decision made in respect of the review does not have effect until –

- the end of the period given for appealing against the decision, or
- If the decision is appealed against, the time the appeal is disposed of.

Human Rights

Members should have regard to the Human Rights Act when conducting this hearing.

Background Papers:

Stockton Borough Council Licensing Policy Statement and Section 182 Guidance.

Ward(s) and Ward Councillors:

Ropner
Councillor Shakeel Hussain
Councillor Sufi Mubeen

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 **Leanne Maloney-Kelly (Responsible Authority)**

(Insert name of applicant)

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Premier Mini Market 75-81 Oxbridge Lane Stockton-On-Tees TS18 4AR	
Post town	Post code (if known) TS18 4AR

Name of premises licence holder or club holding club premises certificate (if known) Mr Shaun Kayser Shafiq

Number of premises licence or club premises certificate (if known) 047986
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Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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 ✓ yes

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 Licensing Authority c/o Leanne Maloney-Kelly Licensing Team Leader Stockton-on-Tees Borough Council
Telephone number (if any) 01642 526566 / <u>07384797728</u>
E-mail address (optional) leanne.maloney-kelly@stockton.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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

As a Responsible Authority under the Licensing Act 2003 I represent licensing at Stockton-on-Tees Borough Council. I apply for a review of the premises licence for Premier Mini Market 75-81 Oxbridge Lane, due to the undermining of the licensing objectives:

- Crime & Disorder
- Public Safety

Mr Shaun Kayser Shafiq is both the premise licence holder and designated premises supervisor at the premises since 01/09/2006

The concerns relate to poor management at the premises resulting in potential criminal offences of unlicensed activity, namely the supply of alcohol at a time when the premise licence does not permit. Namely on the 17th February 2023 Mr Shafiq supplied a bottle of Glens Vodka to a male at 6:06 am, after leaving the premises the male collapsed and died in the street.

The information was received as part of a review into an alcohol related sudden death.

The supply of alcohol as a licensable activity is not permitted at the premises until 08:00 am.

In addition to this Mr Shafiq's denial of the offence and inability to recognise the seriousness of his actions raises concerns of understanding the impact availability of alcohol has on vulnerable people. I believe he knew the male was an alcoholic, he confirms this in his interview, in CCTV provided by an attending police officers body cam the male looks to be already intoxicated.

Although Mr Shafiq attend a formal PACE interview, he denied the allegation despite providing the police officer in attendance on the 17 February 2023 with a print out of a receipt showing the sale of vodka and the date and time.

I also believe Mr Shafiq has obstructed licensing officers in their investigation by not disclosing there are two CCTV systems at the premises and by not providing till receipts from the day in question, and for days preceding the event.

The decision to review the licence was also taken when immediately after interview Mr Shafiq, displaying no concern or remorse for the situation asked officers how he could increase the alcohol supply hours at the premises to 06:00, showing totally disregard for the investigation.

Please provide as much information as possible to support the application (please read guidance note 3)

Further evidence including statements and interview transcript will be provided.

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

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

None

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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

R Maloney-Kelly

.....

Date **20.06.23**

.....

Capacity **Responsible Authority**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

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 **Leanne Maloney-Kelly (Responsible Authority)**

(Insert name of applicant)

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
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Post town	Post code (if known) TS18 4AR

Name of premises licence holder or club holding club premises certificate (if known) Mr Shaun Kayser Shafiq

Number of premises licence or club premises certificate (if known) 047986
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Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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 ✓ yes

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 Licensing Authority c/o Leanne Maloney-Kelly Licensing Team Leader Stockton-on-Tees Borough Council
Telephone number (if any) 01642 526566 / 07384797728
E-mail address (optional) leanne.maloney-kelly@stockton.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
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please provide as much information as possible to support the application (please read guidance note 3)

Following an application to review the above premises licence on 20 June 2023 from the Licensing Service acting as a Responsible Authority, please find attached additional information.

On the 27 March 2023 information was received from Public Health, a Drug and Alcohol Related Sudden Death meeting had been held following the sudden death of a male in Oxbridge. The details being a male had attended the Premier Mini Market on Oxbridge Lane early hours of the morning, purchased a bottle of Vodka and then died in Eton Road, Stockton.

On the 27 March 2023 my colleague Elliott Beevers attend the premises to view CCTV. Further details were received from police confirming the date of the death as 17 February 2023, my colleague attend the premises the next day again to view. A statement relating to this visits and correspondence between Mr Beevers with Mr Shafiq is attached as LMK1.

As CCTV from the premises was not available to view, I contacted Chief Inspector John Tapper at Cleveland Police, who had been at the joint agency Drug and Alcohol Sudden Death meeting, and he confirmed as PC Thomas Godber and PC Ricky Parkinson had attended the scene.

On the 11 April 2023 I spoke to PC Godber who confirmed to me he carried out house to house enquires, whilst PC Parkinson spoke to the Premier shop keeper. He confirmed PC Parkinson had body worn video (BWV) footage of the day. PC Godber also confirmed the deceased male had a bottle of vodka on him, as he has collapsed it has smashed in his pocket.

On the 25th April at 09:30 I met with Jon Tapper to view PC Parkinson's BWV – on viewing the CCTV I could see and Asian male in the shop who identified himself as 'Shaun', he can be heard confirming to the Police officer the details of a receipt from that morning which confirms a sale of Glens vodka at 06:06. Shaun can be heard saying he goes in there every day, and he knows the male is an alcoholic. Shaun shows the Police officer the internal CCTV from that morning, whilst watching this the Police officer states "he's stumbling all over".

As this is police CCTV, I was unable to get a copy of this footage. I requested statements from both officers at the scene.

Mr Shafiq attended interview on 31 May 2023, he was cautioned and decided to not be legally represented. Mr Shafiq did not admit to selling alcohol outside of the authorised hours. A copy of the summary of interview is attached as LMK2. The denial of the offence and inability to recognise the seriousness of his actions raises concerns of understanding the impact availability of alcohol has on vulnerable people. Mr Shafiq knew the now deceased male was had issues with alcohol. He clearly remembers some thing from that morning, like not borrowing a passer by his phone to call for an ambulance, but cannot remember other things like supplying the male with a bottle of vodka, nearly two hours before his licensable hours.

Mr Shaun Kayser Shafiq is both the premise licence holder and designated premises supervisor at the premises since 01/09/2006 and I would view him as solely responsible for the management and day to day operations at the premises. Mr Shafiq's immediate enquiry after interview, into increasing his alcohol hours should disregard for the relevance of the investigation and the seriousness of the incident.

On the 9 June 2023 I revisited Middlesbrough police station to review the BWV of the incident which confirmed Mr Shafiq sold the male a bottle of Glens Vodka 06:06 on 17 February 2023.

On the 12 June 2023 my Elliott Beevers visited the premises again and requested till receipts from Mr Shafiq, he claimed he was unable to get receipts from that far back and could only generate stock reports.

On 20 June 23 my Elliott Beevers emailed Mr Shafiq requesting till receipts or reports and gave a deadline of 7 days. Mr Shafiq replied via email advising he is seeking legal advice in relation to harassment and discrimination.

On the 20 June 23 after consideration I applied to review the premises licence.

PC Ricky Parkinson provided a statement dated 27/05/2023 which is attached as evidence as LMK3.

PC Tomas Godber provided a statement dated 13/06/2023 which is attached as evidence as LMK 4.

In addition to this a statement has been provided in support of the review application from PC Andrew Thorpe on behalf of Cleveland Police and is attached as evidence as LMK5.

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

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

None

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

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Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

R Maloney-Kelly

.....

Date **17.07.23**

.....

Capacity **Responsible Authority**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

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4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

STOCKTON-ON-TEES BOROUGH COUNCIL STATEMENT OF WITNESS

(Criminal Procedure Rules 2010 r. 27;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF: Mr Elliott Beevers

AGE (If over 18 enter "over 18") Over 18

OCCUPATION: Assistant Licensing Officer

ADDRESS: SEE OVER

This statement (consisting of 2 pages 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 17 day of July 2023 Signed *E.F. Beevers*

1. I am an Assistant Licensing Officer employed and authorised by Stockton Borough Council. I have been employed in the Licensing Team since September 2021 and part of my duties is to investigate possible offences relating to the Licensing Act 2003.
2. On Monday 27th March 2023 at approximately 15:50 I entered the Premier shop located at 75-81 Oxbridge Lane, Stockton-on-Tees. I walked to the till area where a male and female were standing and I asked if a Manager was in. The male indicated this was him. This male was Mr Shaun Kayser Shafiq who I now know to be the Designated Premises Supervisor and Premises Licence Holder of the premises.
3. I asked Mr Shafiq to view the CCTV to conduct enquires into an alleged incident. He asked me what this incident was, I didn't have all the details at this time but I asked to see the CCTV from 06:00 on Sunday 26th and Monday 27th. Mr Shafiq agreed to do this once he had fixed the till, which took him approximately 5 minutes.
4. Mr Shafiq then began to get the CCTV from his mobile device which he advised me was better than using the monitor behind the till. I asked him to find a camera that showed the point of sale area. During the time Mr Shafiq was fixing the till, I asked if he is the DPS which he said yes, I asked what time the premises opens which he said 07:00 till 19:00 and he also advised me he is the only person with keys to the premises.
5. Mr Shafiq showed me the CCTV from early hours Sunday 26th March and Monday 27th March 2023. I watched the footage from around 05:50 until 06:10 intermittently. This showed no alcohol sales, and the premises was not open. Mr Shafiq then showed me the footage which showed the shop open but no sale of alcohol taking place.

Signed *E.F. Beevers*

**STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS**

**(Criminal Procedure Rules 2010 r. 27;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)**

Continuation of Statement of: Mr Elliott Beevers

6. On Tuesday 28th March 2023 at approximately 09:15 I entered the Premier shop located at 75-81 Oxbridge Lane, Stockton-on-Tees. I walked to the till area where a member of staff was standing. I asked if Shaun was in today which they replied he was not. I asked if they could operate the CCTV which they could not and asked if they can see if Shuan can come and meet me.
7. The member of staff phoned Shaun then passed me the phone. I spoke to Shuan and advised him that the incident had now been confirmed 17 February 2023 and I now need to check the CCTV from the date I now have.
8. Shaun was unhappy he had to come and show me the CCTV again and said that he thought it had been dealt with yesterday. I advised him during this phone call that not having someone onsite who can access the CCTV is a breach of a condition on his licence. He also said I should have phoned and arranged an appointment with him for this. I explained in cirmstances such as viewing CCTV an unannocuned visit is best practice to avoid any tampering with any equipment. He agreed to meet me in an hours time at 10:20.
9. I left the premises at 09:24.
10. I returned to the premises an hour later at around 10:20 and met with Shaun. I advised him I need to view the footage on his CCTV from 17th February 2023. He advised he does not think it will go back that far but agreed to check for me. Shaun showed me that the footage from the till area would not go back until the 17th February and only went back until 24th March 2023. He showed me this date which I watched from 05:54 until 06:06 which showed the shop was not open at this time.
11. I advised Shaun that the CCTV licence condition states footage needs to go back 14 days and someone needs to be on duty who can use this.
12. I make this statement from the notes I made in my pocketbook at the time of my visit.
13. On 13 June 2023 I sent Shaun an email requesting till receipts from the 17th February 2023. Shaun replied on 13 June 2023 saying the till receipts do not store individual transactions.
14. After conducting further enquiries I noted that systems through Paypoint should store receipts. I emailed Shaun again on 20 June 2023 asking for the till receipts. He emailed back saying he does not have these and has already told me this. He advised he would be seeking legal advice for discrimination and harassment.

Signed *E.F. Beevers*

SHEET NO: 3

**STOCKTON-ON-TEES BOROUGH COUNCIL
STATEMENT OF WITNESS**

**(Criminal Procedure Rules 2010 r. 27;
Criminal Justice Act 1967, s. 9, Magistrates' Courts Act 1980, s.5B)**

Continuation of Statement of: Mr Elliott Beevers

Signed *E.F. Beevers*

STOCKTON-ON-TEES BOROUGH COUNCIL

TRANSCRIPT OF RECORDED INTERVIEW

Person Interviewed: Shaun Kayser SHAFIQ
 Place of Interview: Municipal Buildings, Church Road, Stockton-on-Tees
 Date of Interview: 31 May 2023
 CD Reference Nos: ESD/1715
 Interviewing Officers: Elliott BEEVERS and Leanne MALONEY-KELLY
 Time Commenced: 13.19 hrs
 Master CD Number(s):

Signature of Officer Preparing Record

Exhibit Number.....

Identifying Mark

This record consists of 24 pages is the exhibit referred to in the statement made and signed by me.

Signature

Times	Initials	
	EB	So, on 17 th February 2023, at approximately 7 am, a male was found deceased on the road on Eton Road, which we spoke about yesterday.
	SKS	Yeah. It says collapsed on Oxbridge Road. That didn't happen.
	EB	Yeah.
	SKS	And it never happened outside the shop.
	EB	Yeah, that's fine. So, it was on Eton Road. That was a mistake on our behalf.
	SKS	Yeah, that was where the gentleman I believe lives on that road. It happened outside just yards from his home.
	EB	Yeah, so do you just want to tell me a bit more about what happened on that day from your side of things?
	SKS	Yeah, well I can explain, obviously with what happened on that day was a very bizarre thing that happened that day. Obviously, I've never experienced anything like that ever. This gentleman, he was a regular in my shop. He's been coming in for many years, several times a day, and I remember on the day before, on the 16 th , he came in the shop and purchased alcohol, okay? On the night. I remember serving him that night. Next morning he came in and it was early hours in the morning he purchased a vape and I served him and off he went and that was it, I never seen him ever again.
04:14	EB	Right. What time did you serve him the vape, approximately?

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	SKS	It's a very good question, 'cause we open at seven, the shop, but I did open earlier because of the newspapers. We get newspaper delivery, so I went slightly earlier. I can't remember the exact time I opened, but I did open early, so maybe about half six I opened to prepare the newspapers and stuff, as I do near the door. He was one of the first customers, 'cause obviously with him being a regular, I recognised him straightaway.
	EB	Right.
	SKS	But he looked fine when he come. He just come, got his vape and off he went.
	EB	Okay. So, it was round about six thirty or just after do you think?
	SKS	It was around about ... it was in between, say, six ... it's difficult precisely because it happened in February to remember exactly. It was round about six, six thirty maybe. Between six thirty and 7 am. Just before 7 am it happened, he came in. Definitely he come in.
	EB	Right. So, the information that we've got states that you sold a bottle of Glen's Vodka to this male at 6.06 am and Leanne's viewed the officer's bodycam footage.
	SKS	Yeah.
	EB	And you showed him the receipt, I believe?
	SKS	Yeah, I showed him the receipt, 'cause when he came in, obviously he came in to investigate as, do you know this gentleman? When I asked, like, who is the guy? 'Cause the guy I know is he buys vodkas off me, and he did purchase it, but that was the day before and then the next morning he came in and he bought a vape off me. I sold him that. But I did say to the officers then that he does buy vodka off me and I can show you all the receipts over the time he buys. But I wasn't sure if it was that gentleman, you see, at that time, 'cause I didn't see who it was who collapsed, do you know what I mean?
	SKS	So, that was it.
	LMK	Am I okay to ask questions, Elliott?
	EB	Yeah, fine. Yeah.
06:00	LMK	I want you to be as honest as possible with us. This did happen in February and we've only been aware of it over the past few weeks.
	SKS	Yeah.
	LMK	We've been to see you, and you haven't got the CCTV to show us.
	SKS	Yeah.
	LMK	I've seen the police officer's body-worn footage.
	SKS	Okay.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	LMK	The PC that came in to speak to you had body-worn footage on his person and it's a recording that's still at Middlesbrough Police Station and we can view that.
	SKS	Yeah, okay.
	LMK	So, have a little think about what you're saying.
	SKS	Yeah. Yeah, it was correct. Yeah, he came in, obviously I can't remember the exact time the officers come because obviously it was like not ... it was around about maybe eight, half eight, maybe that time when the police did arrive. They did come in to investigate. I was actually stood near the door and I looked and I seen the officer and I was trying to figure out which customer was it that maybe collapsed. It might not have been a customer, but then I realised it was the gentleman who came in my shop, so I explained, look, this guy, he's the one who comes in my shop. He does come in regular, you know, and he does buy vodkas normally, 'cause they found a vodka, but having said that, he may have purchased that next door, 'cause I know they sell alcohol as well so, all I remember is selling the vape and that was it.
	EB	Right. 'Cause when the policeman's come in, he said that you've admitted to him, or it's been on the footage that you've admitted to him that you sold him a bottle of Glen's Vodka.
	SKS	Yeah, the day before yes.
	EB	The day before.
	SKS	I possibly sold him it the day before, yeah. A bit of misunderstanding. Obviously, I was telling the officer what type of customer he was. He was known to buy alcohol, which was vodka. He liked his vodka, but on that day he died, when he came in the shop, he only bought a vape off me and he paid me and off he went.
	LMK	If someone bought a vape from you, what would it say on the receipt?
	SKS	On the receipt? It would be just scanned in and just say, I think four ninety-nine it was, something like ... I can't remember the exact amount 'cause obviously prices have changed since then.
	LMK	So, on the body-worn footage that I've seen personally, I believe you show the PC a receipt for that date at 6.06 am for a bottle of Glen's Vodka.
08:08	SKS	Yeah. That might have been something I showed him ... I'm not sure exactly about the timing of the receipt, but I did show him. Maybe it might have been another customer's receipt, are you with me? 'Cause at that time I was just trying to print whatever I had on the system on that date, you know what I mean?
	LMK	So, you could've served another customer Glen's Vodka at 6.06?
	SKS	Well, the timing might have been wrong on the tills, 'cause sometimes the tills have wrong timings. You understand?
	LMK	Right.

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	SKS	So, possibly I might've sold one, but there could've been an hour difference, so it could've happened maybe 8.08 or something. I don't know, I can't remember. But I know the tills, sometimes the times are wrong on the tills, on the receipt, so. But I tried my best to help the officers to get information.
	EB	Right.
	SKS	You know, what this customer does. He does buy alcohol, absolutely. I've served him many times, but that day he didn't buy a vodka off me, 'cause he came in and he bought a vape off me that morning.
	EB	What time did the officers come in?
	SKS	I can't remember.
	EB	Approximately.
	SKS	It was round about eight I think, half eight maybe. I can't remember the exact time of the officers, because they came and went, and then I think another lot of officers came in later on, maybe, to ask for CCTV of outside where he passed away.
	EB	Right. 'Cause I mean, even if the officers came in about eight, half eight, obviously your licensable hours are eight.
	SKS	Yeah.
	EB	So, if you're printed off receipts from that morning, you know, especially if you were open early, there's probably a good chance it was still before eight o'clock, that sale of vodka.
	SKS	It could've possibly happened but I know eight o'clock's the time, but the till sometimes, the timings are not correct, do you know what I mean? The CCTVs as well are not correct timings. There's always a difference in timing and don't forget clocks go forward, you know what I mean? So, our time must've been wrong at that specific time.
	EB	I mean, it just doesn't really make sense if he could've been found dead at 7 am or approximately 7 am with a bottle of vodka, the only shop he's been to is yours and then ...
	SKS	He might have still carried it with him, 'cause some customers carry vodka with them, you know what I mean? He might have still had his, but he might have bought it from next door, I don't know. You can't say he bought it off me that day. But having said that, I know he definitely on the night before I sold him a vodka, a hundred per cent, 'cause I remember him, he was in several times a day and I opened the next morning and he did come in.
10:14	LMK	Right. Can I explain the importance of what you're saying now?
	SKS	Yeah.
	LMK	So, there's options open for us.

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	SKS	Okay.
	LMK	We are pretty confident that we've got enough evidence here that we could prosecute you for this.
	SKS	Okay.
	LMK	You're saying that you sold him a vape, but there's body-worn footage saying to the officer that you sold him a bottle of vodka and you showed him an actual receipt that you can see.
	SKS	Yeah, I showed him receipts of what he buys, you know what I mean? That's what I showed him.
	LMK	Yeah, but it was from that day and it was from 6.06 that day.
	SKS	Yeah.
	LMK	Okay? You're on there saying a lot of things. "I know the gentleman, he comes in every day, he's a regular of mine", exactly what you're telling us here.
	SKS	Yeah.
	LMK	Right. There's options for us. We could go down the route of a prosecution.
	SKS	Okay.
	LMK	It's a lot of work for us.
	SKS	Alright.
	LMK	But also it means that you could lose your premises licence.
	SKS	Yeah. Well, we don't want that happening.
	LMK	Right. So, that's ultimate sanction.
	SKS	Yeah.
	LMK	But also, there could be a huge fine attached to that, if we go down that route.
	SKS	Okay.
	LMK	We want you to be as honest as possible, right, with us.
	SKS	Yeah. See, you've got to remember, as I say, I've hundreds and hundreds of customers a day, you know, in the week, in the month. I can't remember, and that was a death.
	LMK	Yeah, but not everyone dies. You said it's bizarre, so think about it a little bit further.

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	SKS	It's difficult to remember exactly, but I believe that morning I sold him the vape, you know what I mean? But I do remember selling vodka, but I'm sure it was the day before. That's what I'm saying, you know what I mean? My till, there's always issues with timings, I'll be totally honest. They never match, you know what I mean? And it might have been out of time, so I don't know.
	LMK	The police officer's body-worn cameras won't have been ... their date and time won't have been wrong and they're in your shop, I think, 7.16, something like that.
	SKS	Was it 7.16? I can't remember, was it that time, you know?
	LMK	Yeah.
	SKS	Are you sure it was at that time?
	LMK	The sale itself is at six minutes past six in the morning and he's been found by somebody in the street.
	SKS	Yeah. It's a shame that he died, but honestly I mean we're very careful like, you know, at that time in the morning I try my best to keep the rule eight o'clock, you know what I mean? I always do, so 'cause it's happened in February, I can't remember exactly a hundred per cent, but I believe that's what happened that day, you know what I mean? It's difficult to say exactly. I'll be totally honest, I can't be a hundred per cent accurate 'cause I can't even check the CCTV myself 'cause the cameras only keep footage for thirty days and get re-recorded, you see, so, you know sometimes issues happen, you know.
12:27	LMK	Yeah.
	SKS	But honestly, if you look on my record, I'm a very good responsible retailer. I mean Elliott recently come to investigate as well to say that I sold alcohol, that he had reports that I've been selling before.
	LMK	Yeah.
	SKS	We always very strict. We tell people we can't sell it before eight.
	LMK	Yeah.
	SKS	You know we're strict with them rules.
	LMK	I don't doubt that you've tried to be a responsible retailer.
	SKS	Yeah.
	LMK	However, in this case, I think because this guy is a regular and you know him, potentially he goes in there every day.
	SKS	Pretty much, yeah several times a day.

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	LMK	Spoken to a second officer who also did door-to-door enquiries and he said there's one of the neighbours who said, he goes in there every morning and comes back out there with a bottle vodka. So, this is all corroborating evidence.
	SKS	Yeah.
	LMK	We're giving you an opportunity to be honest with us.
	SKS	I agree he does maybe sometimes come in the morning. I'm not there every morning, by the way, I was covering that day, by the way, so I'm not morning ... work on the morning shift.
	LMK	Yeah.
	SKS	But I assure you, he does come in and buy vodkas, he does, at all times of the day, you know, but it's like eight o'clock and then normally after that, that's what our licence is, you know, we sell alcohol so it's difficult precisely to say what days he came in to buy vodka, but he does buy vodka regular, you know, and he was a regular for years, he come in, but that morning was a very strange thing that happened like when the police turned up. I was shocked and I was trying to explain to officers that the guy buys vodkas, you know, I kept telling them about the vodkas. He is the guy who ... that's how I know him. I didn't even know his name, even though he come in. I just knew it by what he buys, some vodkas, you know what I mean? But honestly, you have been coming recently now, you've brought it to my attention. I'm more alert and strict, you know what I mean? I just, you know what I mean, about the licensing.
14:06	LMK	Yeah.
	SKS	But I do know the garage next door are selling liquor earlier than us, so I'm a bit confused. If they're selling it, how come we're not allowed to sell it before, you know, eight? But even though you're saying eight and we stick with that, but, you know.
	LMK	Every licence is different.
	SKS	Yeah.
	LMK	So, you'll have licences that start early, you'll have licences that start later than yours.
	SKS	Yeah.
	LMK	The Licensing Act when it was brought in, it was basically any licence could apply for whatever hours, so we don't have a set set of hours.
	SKS	Yeah.
	LMK	However, I can't get over the fact that we're giving you all this evidence and you're still saying that you sold him a vape. It's hard for us to move forward with what we're gonna do next, if you're not gonna be honest with us.
	SKS	Yeah. I'm trying to be honest as possible, but it's hard to remember exactly then you see. If you questioned me when it was near that time, I could've been

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		honest. In fact, I would've showed you CCTV if you came in my store then, said there you go, that's what happened. But, I'll be honest with you, all I remember is I'm sure I sold him a vape, you know, that morning. That was it. But I did show receipts of what he buys normally as well, 'cause I had receipts like that and showed the officer, and then the officer obviously looked and the officer seemed satisfied to see what I was showing him and then that was the confirmed gentleman who I believe was a regular, it must have been him, 'cause he's the one who buys vodkas off me. But that morning, he did get a vape. But he did come the day before and bought a vodka.
	LMK	Okay. You mentioned there you were covering for somebody. Who were you covering for?
	SKS	My dad.
	LMK	You had people coming into the premises and calling you Shaun by name.
	SKS	That is my name.
	LMK	Yeah.
	SKS	Shaun is my name.
	LMK	Is your dad on first name terms with any of the customers as well?
	SKS	Yeah, my dad's John, yeah.
	LMK	Do you think there's any reasonable for us to suspect that he potentially served alcohol?
	SKS	No, no. He's very strict my dad. Like, customers do try and get vodkas, honestly they ... not just vodkas, other alcohols that we sell, they always come first thing looking to purchase. We always advise them, no don't buy alcohol this time. We tell them no, our licence is from eight in the morning, so come back later or then they end up going to the garage, 'cause they come in and showing us what they bought from the garage, so we just said look, out licence at eight.
16:14	LMK	Is it because they can get it from the garage that you decided that you were gonna serve him?
	SKS	No, no not at all, I was shocked at like how customers behave. They come first thing in the morning when we open up and we're sorting our newspapers out and they're all coming in trying to get alcohol and I tell them no, you know, we don't sell it and then they said they go in the garage. I said it's up to yous, go, you know what I mean? That was it. It's not that we're trying to make a sale, it's just that we want to stick with the rules, what your rules are, at eight in the morning and obviously Sunday's ten.
	LMK	Did you realise before Elliott came to the shop what your hours actually were?
	SKS	I'll be honest with you, Elliott brought it more to my attention.
	LMK	Right.

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	SKS	I'll be totally honest with you, Elliott is the one who brought it more to my attention. I was aware, but because of all the, you know, over the months and years, we sort of like, you know, like you know, it's good that Elliott come, to be honest. I like what he did. But the recent fact is that people did say that we sold them and we didn't, we refuse them, and then what they do is they end up going to the garage.
	LMK	But that's not your problem, them going to the garage.
	SKS	No. That's up to them.
	LMK	Yeah.
	SKS	But they do complain to me saying why ... they do justify why is it that they can sell it? 'Cause this is where they get confused, the customers, when they do ... even this morning, I had the same issue this morning. They come in, they want to buy alcohol and then we refuse them and they say no, why can't you sell it if they're selling it, and that's what they keep saying to me, but obviously we don't say anything because that's how the rule is, but I have to bring it to your attention. This is what feedback I'm getting off my customers.
	LMK	Yeah. One of the options then, you could've varied your licence and said well, I've had my problems.
	SKS	Yeah. I have, I've told them. Yeah.
	LMK	But they're selling it that side and they're selling it that side, but I'll tell you know, if you're varying it after this incident, you're probably gonna get refused. When Elliott came to look at your CCTV recording, how many days was it recording for?
	SKS	It normally should record thirty days, but for some reason it re-records itself earlier than that. I'm not sure why. It should be thirty days record, but having said that, we put measures into place after Elliott's brought it to my attention and it does now record thirty days plus. You're more than welcome to come any time and check.
18:15	LMK	You can be heard on the body-worn footage from the police officer that you've got a second CCTV system, external. One, is that right?
	SKS	Yeah, that's the one that's like external is the outside one which is obviously facing the road, you know, which obviously to prevent crime, you know, the normal public safety and stuff, you know, and prevent child from getting harm, stuff like that. We try and look after ... look, you might not know me, but I'm well known in the community. I help a lot of people as well, you know, like say example, there's a lot of vulnerable people and they do come in and all sort of like need someone to talk to you, you know, so they come in and I welcome them in and we help local charities. We do a lot for the community. I have a PCSO Sharon Rowlings who comes in regular to check on the area for like antisocial behaviour and I've warned her that there is a lot of trouble going on down the road, which is just Wembley Way and there's a lot of potential drug dealing and alcoholism down there and [unclear] guys, so I thought I'd mention that to you. Last time, Elliott, I did mention it, that there is a problem.

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	EB	Yeah.
	LMK	Yeah.
	SKS	And they're the ones who're bringing all the wrong people into the shop and sometimes, I'll be totally honest with you, we have an issue where they run out with alcohol and, you know, I have reported it a few times over the years, you know, as well to the police, but because of the way the police treat me before, I'm very uncomfortable with that and, you know, because I had a shoplifter. I'm just giving you my story.
	LMK	That's alright. That's fine. Yeah.
	SKS	I called the police for help and I followed the shoplifter all the way towards Dovecot Street and the police who turned up that day, they just seemed to not understand what I was trying to say and they ended up arresting me, which I found very bizarre and later on they realised they made a mistake and de-arrested me, which I found very strange, you know, and the shoplifter got away, pretty much, you know, after stealing in my store. I have ... I'll show you as well. I bought this just so you're aware they make a lot of mistakes as well. This is just a memo if you wanted to read it out for the tape.
20:21	LMK	Okay.
	SKS	I kept that as proof. It happened back then.
	LMK	So, this is something that happened in August 2010.
	SKS	Yeah, I kept it because this is the mistakes they do.
	LMK	Okay. You'd followed a shoplifter to Dovecot Street and then you were mistakenly arrested back in 2010.
	SKS	Yeah, he stole alcohol in my store and I tried to get the police's attention and obviously I tried to follow him to see where he went and as I called for police, which we do when there's a crime, they did.
	LMK	Yeah.
	SKS	But then, you know, this is what they did. Look, they realised they made a huge mistake and I kept this for proof, 'cause they do make mistakes. Just in case you say why we didn't phone police, this is the reason.
	LMK	I'll just go back to that CCTV question.
	SKS	Yeah.
	LMK	So, you've got an external CCTV and Elliott came down to look at your CCTV when we first knew about this incident. You didn't mention this external one to him. How many days does that record for?
	SKS	External one's outside the shop.

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	LMK	It's not a separate system?
	SKS	No, it's not a separate system.
	LMK	Right.
	SKS	There's a misunderstanding.
	LMK	Yeah.
	SKS	It's a one hard-drive system we have in the shop which is just behind the counter which covers our shop alcohol area, but the one we have is outside the store which records anything like sort of like right the area and slightly ...
	LMK	But they're all on the one system.
	SKS	No, that one's a separate system that one.
	LMK	Oh right, so you have got a separate system.
	SKS	Yeah, that's a separate system that one.
	LMK	Right.
	SKS	But that's like outside, so it's nothing to facing the shop that one.
	LMK	Yeah.
	SKS	That is like facing if there's any ...
	LMK	How many days was that recording for?
	SKS	That one possibly records about the same, about thirty days plus.
	EB	So ...
	SKS	And I did show the CCTV to the police, by the way, if they didn't mention that.
	LMK	Yeah.
	SKS	I did give 'em the information, 'cause they did get my number and they text me and I give 'em information about what occurred. 'Cause they wanted to see how the customer died, you know, like was it ... we're not sure of the full circumstance. I still don't know, but believe that he got robbed as well, like his phone went missing or something as well, I got told afterwards. But I don't know if it was true, I'm not sure, but the police I think investigated that, I'm not sure what happened after that.
22:19	LMK	Yeah.
	EB	Can you just go back to the CCTV, sorry. So, when I came in, obviously you were non-compliant with your condition, with the inside cameras.

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	SKS	Yeah.
	EB	It was only about four or five days, wasn't it, when I came in?
	SKS	Yeah, well I showed you what was on the hard-drive on my phone.
	EB	Yeah. That's right, yeah. Was the outside camera system also recording little as well?
	SKS	That's similar like, well it's separate because it has its own memory card in there.
	EB	Yeah.
	SKS	So that records like, you know, outside the shop but I just showed you what happened inside the shop.
	EB	Yeah, of course.
	SKS	'Cause you wanted to see what happened inside the shop regarding some sale that we supposed to have done. When you came last time, you said you had reports that we had been selling to somebody and I said what date? And you give me some dates, do you remember?
	EB	Yeah.
	SKS	And then you came back and asked for another date and I showed you straightaway, I said look 'cause ...
	EB	Yeah, that's right. I mean ...
	SKS	You had a look through my CCTV. Did you?
	EB	Yeah, that's that. So, all I'm thinking is though, if you're saying the outside cameras are on a separate system, if that was recorded for thirty days and then you informed me of that, then I might be able to track back to the original date I was looking for.
	SKS	Yeah.
	EB	Obviously, you didn't make me aware there was a separate system.
	SKS	Well that is unfortunately a misunderstanding, 'cause that actually if you look at, when you come you'll see, that actually faces the road which is over, like outside the front. It doesn't show any front side of the shop premise, so regardless of what you see on there wouldn't match anything to what you see.
	EB	I mean, but if it showed the guy walking out with the vodka though, or not walking out with the vodka, then obviously that could've made the difference.
	SKS	Possibly, yeah, but that, like I said, I showed you what I had there on my phone that day and I showed you and if you asked for a different angle I could've showed you and said look, I've got another one, but I assumed you just wanted

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		to look inside the shop, so that's why I showed you the CCTV footage what I had inside the shop where the alcohol ... I wasn't aware you wanted to see outside.
24:02	LMK	Yeah.
	SKS	If you said to me you wanted to see outside, Elliott, I would show you it.
	LMK	It could've been helpful to our investigation is what Elliott's saying.
	SKS	I apologise for that.
	LMK	And we weren't made aware until we seen ...
	SKS	I wasn't aware that you wanted to see the outside footage. If you said to me Shaun, can you show me the camera? 'Cause you surely can see there's cameras out there. You can see it on my screen. I would've showed you it, you see.
	EB	Yeah, I mean if I was aware it was on a separate system and it might have been recording longer, then that would've been something I was interested in. Obviously, at that time, we were interested in seeing the sale of alcohol.
	SKS	Yeah.
	EB	But obviously, you know, if I was aware that could've been recording longer and you could've seen him walking out, then, you know, it could've changed something. The other thing I'm interested in, Shaun, I do appreciate it was a long time ago, you know, it was around three months ago, but I think if you're saying you're strict on selling alcohol at eight o'clock, I think you would've remembered if you sold it before.
	SKS	Well, like I said, I don't do the morning shifts, but when I'm on, I always try my best to be as accurate as possible, but don't forget, when we open up, floods of customers come in for newspapers, groceries and stuff and we always try and wait to get eight, then we can start selling, 'cause by then they do come in and we, like I said, even now we're getting more and more stricter and stricter, so I appreciate you bringing it to our attention, you know what I mean? But we have been many years, you know, and we've always tried our best to stick to the rules, but you know, like I said, there could be misunderstanding 'cause they end up going in the garage and getting alcohol then. You might assume they got it from our shop, so please bear that in mind.
	LMK	Okay. I'll go back to the internal CCTV that I've seen on the body-worn footage from the police officer.
	SKS	Yeah.
	LMK	Where were your vapes kept in the shop?
	SKS	Just behind the counter.
	LMK	Okay.
	SKS	Yeah.

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	LMK	So, the CCTV shows the male approaching the counter with something in his hand.
	SKS	Yeah.
	LMK	So, where is your vodka kept?
	SKS	Our vodka is kept pretty much, like the vapes are here and the vodkas are kept on that side, but I got the vape that he gets behind the counter on this side, and that's where I went.
	LMK	Right. 'Cause that doesn't make sense either.
	SKS	What doesn't make sense?
	LMK	That he's approached the till with something in his hand.
	SKS	Something in hands? Well obviously, when you're saying he had his phone out and he got a vape, I served him and then what was the something? I don't understand. It might have been ... I don't know what that was.
26:07	LMK	Okay.
	SKS	I didn't really take any notice of what he had, I just remember him coming in, getting his vape and off he went, but like I said, sometimes customers do carry their own stuff, you know. I don't know what they have on him that day, you know. But I do remember he came in day before as well, 'cause he's in several times a day and yes he does buy vodka off me.
	LMK	How many years he's been coming, do you think?
	SKS	I'd say about four years, maybe five years possibly. He's been coming in for years. He's a generally nice guy. He was a very nice man.
	LMK	Is he buying vodka every day?
	SKS	Well, I wouldn't say necessarily every day, but you know, he was obviously buying alcohol, but he seemed to buy more recently, yes, but he used to buy groceries as well, you know, and he had the kids as well, I think. He had two kids. He used to come and buy sweets and stuff for the kids. Yeah, you know, when customers come in, you end up getting to know them, but not necessarily by name, just as a human being and nice, you know. Hello, how are you? Fine. But I was totally shocked when I found out, you know, that he collapsed and died. That is a mystery that. 'Cause when he came in, he just, he was very quiet that day and how he collapsed on Eton Road, is ... but what gets me is, why did you say it happened outside the shop? That's what baffles me.
	LMK	Sorry, I put that wording together. Collapsed in Oxbridge Road. It was Eton Road.
	SKS	Yeah, it was Eton Road. Yeah.

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	LMK	Yeah.
	SKS	It's just Oxbridge Lane is outside the shop, but it never happened. Unfortunately, it happened down ...
	LMK	Yeah, well he starts to stumble straight outside the shop.
	SKS	If I'd seen him collapse, I would've called for help or police. I didn't see anything, you know what I mean?
	LMK	Yeah.
	SKS	'Cause where the shop is, he's on that side. I didn't see him on it, so once customers go, we don't look out to see where they go.
	LMK	Yeah. How much is your Glen's Vodka that he buys?
	SKS	The Glen's Vodka is five twenty-nine.
28:00	LMK	Going back to you say there he looked a bit ill. Is that what you just said?
	SKS	Well, he just looked quiet, you know, when he came in, 'cause everyone that time of the morning is looking tired. I was looking tired myself, to be honest, you know, I was knacked. You know, we work considerably long hours, you know, and there's a lot of hours. I work every day pretty much. I do a mixture. I help out, you know, when I need to cover shifts and I work the night shifts myself. He was tired as well. I remember him coming in. All the customers when they come in, elderly ones, all look knackered.
	LMK	Yeah. He wasn't that old, you know.
	SKS	I know he wasn't old, but he looked, you know, no disrespect to him, I mean, it's just he looked tired. I didn't say he looked old.
	LMK	Yeah.
	SKS	I'm saying we do get old customers come in and what I meant, we do get elderly customers coming in, regulars.
	LMK	On the CCTV footage you can be heard saying something like, he didn't look well.
	SKS	Well, maybe he didn't look well that day, yeah. Well, he looked tired, though. I'll be honest with you, he looked knackered, if I remember. He didn't look well. Yeah.
	LMK	My question would've been then well why did you serve him? But you haven't admitted that you're serving him vodka.
	SKS	Well, I sold him a vape, so obviously I had no need to ask him any questions. I had no issue at all with that, that's why I served him that.
	LMK	Yeah.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	SKS	But the day before he bought a vodka and he looked alright then, so.
	LMK	The police officer says in the footage, he's stumbling all over. Was he drunk?
	SKS	Well, when he came in, he didn't look drunk, honestly. When he crossed the road and obviously after when we checked, yes, he maybe look stumbled when off he went, but that was after when we all this ... we checked CCTV afterwards, we could see him crossing the road. Having said that, it was very windy that night. I'm gonna be totally honest, it was absolutely windy. I remember it. The wind was unbelievable, so he possibly lost his balance a bit, you know, when he was walking, 'cause it was extremely windy that night, that morning.
	LMK	Okay. The second police officer I spoke to said he spoke to a neighbour who said he walks from the shop every day with vodka.
30:02	SKS	Yeah.
	LMK	But you've already admitted he does.
	SKS	Yeah, yeah he does buy vodka. Yeah, he comes ... obviously, when he comes in, there's no doubts to refuse him the sale of vodka 'cause he's been coming in for years and he just looked alright. There was no grounds for us to refuse him. We do refuse customers if, say example, they look like they're intoxicated or they look totally out their heads and we always try to advise look, don't buy this, you know, we're not gonna sell you. We have refused many customers over the years, you know, that look like, you know, they've had a few, bit too many bevvies.
	EB	Have you got a refusals log that you can access?
	SKS	We have a refusal log, I showed you last time. Just behind the counter, I keep books and that, obviously.
	EB	Yeah. So, if people come in before hours and try and buy alcohol, are you writing them in there?
	SKS	But at the moment we haven't really sort of had that many customers like recently. Until like, you know, recently when you came, we did make a note, you know, we refused as well. But mostly cigarettes we tend to write, you know, a refusal log 'cause it's the cigarette ones that we do. But we do put them down when we get chance.
	EB	Yeah, I mean it's obviously worth writing any refusal.
	SKS	Yeah.
	EB	'Cause then if we could, you know, if we could have a look.
	SKS	Oh, absolutely. Yeah.
	EB	And you had refusals from, you know, before hours or after hours.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	SKS	Yeah. Look, I'm willing to work with you guys. I always make sure I do everything properly, but I'm glad you're bringing all this to my attention. It makes me more alert, 'cause don't forget over the years, it's easy to forget little small things like that, you know, make a note. But we do try our utmost best to stick with the rules on licensing.
	LMK	Do you have any other premise licences, you or your dad?
	SKS	No, just this one. Just my father. We just have one shop, we work together. Me and my dad, we work together. To be honest with you, liquor, we don't even really like, I mean it's bad for customers. Let's be honest, it's bad. You know what I mean? It's awful what's happening, you know, and we tried not like put cheap alcohol offers where they ... they keep coming in asking for Knights Cider. And we said to them look, what is this Knights Cider? They said it's 8.5% strength, and we said look, we don't want to be getting it. They said, oh well you're losing out, 'cause they're selling it down the bottom, regarding another shop further down towards Aldi way and over the road. I said, look, we don't want to be selling cheap, 'cause that'll encourage a lot more alcohol problems and I don't want Oxbridge to have this alcohol problem and an image of alcohol, you know what I mean, drinkers, you know.
32:20	LMK	Glen's Vodka's a higher percentage.
	SKS	Sorry?
	LMK	Glen's Vodka's a higher percentage.
	SKS	I don't believe ... yeah, that is obviously as well, that is, but what I'm saying regarding like cheaper cans, you know, like the cans that the customers when they do come in to buy, there's a lot more selection now for 'em, but we just stick with like one or two makes, you know, like Omega and that's it. I know it's strong, but we try our best to keep like less alcohol in the shop, you know, so not give 'em too much selection so they don't, you know, end up drinking more, 'cause it does encourage more, when you have more selection of alcohol. It's temptation for them to purchase more.
	LMK	It's accessibility, which is a problem within Stockton.
	SKS	Sorry?
	LMK	Accessibility to alcohol, which is a problem in Stockton now, problem drinkers.
	SKS	Yeah.
	LMK	So, a couple of questions about after the incident, the collapse.
	SKS	Yeah.
	LMK	Did you refuse to lend your phone to a passer-by to ring an ambulance?
	SKS	Yeah, that was another bizarre thing. I remember that very well. What happened was, this ... look, I was in the shop and obviously when this occurred, a lad come running into the shop saying he found a body and he possibly could be dead. I just found that hard to believe at that specific time and I just thought

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

		he was after, you know, to use my phone and run off, 'cause, you know, you just can't trust anyone. But then the school kid was there and he just said oh look, I said, have you got your phone? You know, phone ... my phone at that time, I didn't have it on me because it was in the back office.
	LMK	Right.
	SKS	So, because of the sensitivity, the lad showed the phone so we just phoned 111, sorry, 999 at the shop and then obviously the police then came. But, having said that, it wasn't the police, it was an ambulance came and I remember that, the ambulance actually drove past and ended up on the wrong road, so we actually went out to direct the ambulance to the correct road, which we believe they got the wrong road, for some reason the ambulance. That was another unfortunate thing that happened.
34:08	LMK	That was my other question. So, you refused to lend your phone to somebody.
	SKS	No.
	LMK	But then you didn't call an ambulance either.
	SKS	No, because the young lad did call the ambulance, 'cause I heard it on the phone, you know, the lad that was talking on the phone, so I realised, yes the ambulance had been called. If he didn't call, then I would've went out the shop, investigated then called it. Absolutely you got to help people, but at that time, you know, it's a human being, you've got to help, you know what I mean? You got to, that's why I didn't ... 'cause I was on my own, I can't just walk out the shop and leave the shop exposed to alcohol. That's the wrong thing to do. I tried to stay in my grounds and because there was customers in the shop, they all helped each other, you know, got the phone out. I know he was a teenage boy, but he was good. He was helpful. I don't think his mother was happy like, but what can you do? It's just we tried to help and it all happened so fast. Could you just picture yourself now at the shop, how it all occurred? Just, it happened so fast. Just was really bizarre, but you know, at that time we didn't even know ... it was also assumed he was dead, but he might not have been dead there, he might have just been collapsed. We couldn't see 'cause it was further down the road on Eton Road towards where he lives.
	LMK	Have you got any more questions you want to ask, Elliott?
	EB	I don't think so, no.
	LMK	Do you want to make any comments? In my eyes, a young man has died prematurely from alcoholism that has been made accessible by a lot of premises in that area selling cheap alcohol. Do you want to make any comments on that?
	SKS	We weren't selling it cheap. It was the price what it was. But what I'm saying is, when he does come and buy, obviously it's not just him, there's a lot of other customers in the area buy alcohol on a daily basis which we obviously, we do sell alcohol 'cause we've got a licence, we can sell it, you know, and what it is, it is a shame that they do buy that much, but obviously we do advise customers to reduce their consumed alcohol. We do tell them and we advise them.
36:01	LMK	Yeah.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	SKS	But, you know, because it's just one or two bottles here and there, it's not too bad. We don't look at it as if it's, you know, 'cause he's been coming in for years doing the same thing, so we, you know what I mean?
	LMK	Yeah.
	SKS	We can't stop another human being buying alcohol, we just can't.
	LMK	No, but there is some social responsibility really. So, if every premises seen somebody who was in a bad way, stumbling around, coming in two and three times a day for a bottle of vodka.
	SKS	When he came into the shop, he wasn't stumbling around. No. That is incorrect. When he comes in, he's fine. He's normally fine. That day he looked tired and he didn't look right, you know what I mean? He looked ... I don't know what was up with him. Normally he talks. That might have been him having a bad day, I don't know, but I was shocked. I was shocked.
	LMK	Yeah. The police officers that went into his house afterwards said his house was full of empty bottles of vodka.
	SKS	Well, that's where he lived with his wife.
	LMK	His bedroom.
	SKS	Yeah. That's a shame. A shame.
	LMK	His front room. His kitchen.
	SKS	Well, to be honest, he used to buy them but we didn't like forcibly sell them, he would buy it from us that he wanted to, but that doesn't mean he necessarily came to us all the time, he might have went to the garage, he might have went to Aldi. We can't stop him buying from elsewhere, you know what I mean?
	LMK	Yeah.
	SKS	You got to understand is, because he lives local, he was maybe using our shop. He also maybe used the garage, okay? But I can't guarantee where he got all that vodka from, but he did used to come in several times. He used to buy groceries, you know. He had kids as well. He used to buy them sweets, and he was a nice guy, he just come in friendly with us all in the shop. We all got to know him, but I never knew his name until recently I found out his name, but I didn't even know his name. I just know him by his face. Just like a lot of customers, we don't necessarily know them by name.
	LMK	Yeah.
	SKS	But he was a nice guy and it's a shame what happened to him, but I assure you it had nothing to do with our shop that, that death. Honestly, that death it was just unbelievable, a shock to us, you know what I mean? I mean, if he was alive now, he'd be in our shop buying, you know, his stuff.
	LMK	Vodka.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	SKS	Possibly, yeah. Yeah, I'm not gonna lie, he'd probably be in here now trying to buy vodka, yeah.
	LMK	So, he came in every day, a five-pound twenty-nine bottle of vodka. Even if he bought one a day, over a year, that's two thousand pounds. But you're saying sometimes he came in two or three times a day.
	SKS	Yeah, well not necessarily to buy vodka. He might come in and buy other stuff, but he was a regular. Let me just clarify.
38:01	LMK	Yeah.
	SKS	He was a regular.
	LMK	Yeah.
	SKS	Not just buying vodka, can you make a note. He used to buy other stuff in the shop. He was a regular. He liked coming in our shop. He was a regular, absolutely, but he would buy vodka obviously now and then, but recently he must've bought more than what he normally did. But, like I said, I can't be at the shop every single day to witness that, you know, we have a lot of customers coming in. They all have the similar behaviour pattern. But if we seen him coming in, stumbling all over the place, I wouldn't have served him, but the fact is he just walked in and walked back out. But, when he crossed the road, you can see him then with the massive wind outside, he must've lost balance. It was a really freak thing that happened, but like I say, I clarify to you that honestly, we've done everything, you know, like I said, over the years to keep everything nice and stick with the rules, you know, and I'd like you to help us improve as well.
	LMK	I would like us to help you improve.
	SKS	Yeah, honestly.
	LMK	But you're making our options very limited, by some of your answers here.
	SKS	Yeah. Okay.
	LMK	So, our options after today, if we'd had an admission of guilt from somebody, we don't have to go down a prosecution route. We can go down a caution route and maybe look at a minor variation for your premises licence. 'Cause what I would like to do is increase your CCTV days.
	SKS	Yeah, that would be better.
	LMK	On here it only says fourteen. You're saying voluntarily you're doing it thirty, but we're nearly at ... how many days was it?
	EB	Yeah, I think it was around four or five, wasn't it?
	LMK	Four or five days.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	EB	It was really low when I came.
	SKS	Four or five days? Was that what it was?
	EB	Yeah, it was really low when I came, yeah.
	SKS	That's surprised me. Like I said, it's strange 'cause sometimes, the hard drive is there, so we don't programme the hard drive. We assumed it's for thirty days, you know what I mean? But now we have like improved and put memory card in, so you know, hopefully it'll last longer. But, like I said, we try our best to make sure there's plenty of footage if you guys like to come and have a look, you can see for yourself and if you're not happy, tell us and we'll get it sorted.
	LMK	So, the second route we can go down now is a review of your premises licence. That means, as a licensing manager, I will apply to review your premises licence.
40:04	SKS	Yeah, okay.
	LMK	Which means that you'll go to a Licensing Committee.
	SKS	Yeah.
	LMK	Then they can decide what they want to do with the licence. Ultimately, they can take your licence off you.
	SKS	Yeah. Oh, we don't want that happening, 'cause it would ...
	LMK	Or change your hours.
	SKS	Yeah.
	LMK	But, you're making this very limited in what we can do.
	SKS	Yeah.
	LMK	Our third option is to prosecute, which we I do have enough evidence to prosecute, so I want to give you one more opportunity to have a quick think about what he came in for that morning, what he bought and what happened.
	SKS	Yeah. Like I said, I remember him coming in and honestly, it's difficult to remember 'cause it's such a long time. If you asked me then, I could give you clear, but I'm not a hundred per cent sure, you know what I mean? But I know he bought a vape and he bought alcohol, you know what I mean? So, it's one of them things, you know what I mean? You know, we try our best to stick with the rules, you know what I mean? But because the situation now, we lose track of the time and there's a long of things happening with tills. They just don't balance, you know what I mean? But he possibly maybe did, but I can't, 'cause I haven't got camera evidence no more 'cause it's all re-recorded over.
	LMK	This is a really ...
	SKS	Yeah.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript


CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	LMK	This should stick in your mind that one of your customers has left, walked across the road and died. I don't believe you can't remember what you served him.
	SKS	Yeah.
	LMK	Now, I'm gonna give one more opportunity and then we're gonna stop this recording and then we'll have to make a decision what we're gonna do.
	SKS	Yeah.
	LMK	But, if you're not admitting any guilt, it makes our life harder because we're gonna have to think.
	SKS	Let me just have a think 'cause it's hard to ...
	LMK	Yeah, do that.
	SKS	I'm under a situation where I'm trying to remember back in February. What is the date now? It's like coming up end of ... it's hard to remember 'cause I normally, say example, when I'm serving customers and then there's a query, like say example a week later, I'm trying to guess what I've done.
	LMK	Yeah.
	SKS	And the only way I can prove it is when I look at the CCTV and because I can't check the CCTV, it's hard to remember, 'cause the gentleman used to come in regular, okay? He used to come in, buy a lot of stuff off me. Groceries, vodkas, vape and, you know, I genuinely believe what I've told you, but maybe I might of, so you can write that up.
42:04	LMK	So, if I help you there by saying, I've seen the CCTV on the police officer's camera. You get a receipt from your till and show him it. It's got the date and time and Glen's Vodka on it. Did he buy Glen's Vodka that morning?
	SKS	Possibly, he might of. He might of, but I can't be a hundred per cent sure, 'cause I can't remember, 'cause I can't check the cameras, because it was a long time ago. It's difficult to example prove myself even, you know, to see what I sold him that morning, but he was a regular. I remember serving the night before. That was, I remember, but the next morning, 'cause he came in and out, I believe I sold him a vape and off he went and, you know, that's all I can remember. I'm really sorry, I can't remember anything else.
	LMK	That's okay. Yeah.
	EB	Okay.
	LMK	Yeah, you've been here quite a while now and you've answered all our questions.
	SKS	I try my best, but ...
	LMK	And we do appreciate you answering our questions.

Signature of Officer preparing record
LMK2 ESD 1715 Shafiq - Summary transcript

CONTINUATION OF TRANSCRIPT OF RECORDED INTERVIEW OF
SHAUN KAYSER SHAFIQ

	SKS	Yeah. No, no that's fine, but please understand I always try my best to be a responsible licensee and then 'cause Elliott's come to my shop recently, I'm appreciating that and you can help us improve and, you know, like I said, we will become a better retailer after this. 'Cause don't forget, it's the first thing that's ever happened to us, you know what I mean, you know these situations, and that is, you know, unbelievable what happened, but I assure you, I would never sold him if I believed he was that type of person, 'cause over the years he's been coming in, he looked fine, you know, like a normal customer. But they do like their drinks, the customers, I'll be totally honest. They love their drinks.
	EB	Okay. Have you got anything else to clarify?
	SKS	No, no. Nothing.
	EB	Before we end the tape.
	SKS	No, no.

RESTRICTED (when complete)			
WITNESS STATEMENT			
Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B			
URN		<input type="text"/>	<input type="text"/>
Statement of: 2757 Ricky Parkinson			
Age if under 18: 018 (if over 18 insert "over 18")		Occupation: Police Sergeant	
This statement (consisting of <input type="text"/> 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  : Constable 2757 R K PARKINSON		Date: 27/05/2023 08:37	
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)			

I am Police Sergeant 2757 Ricky Parkinson of Cleveland Police, currently stationed at Stockton Police Station and attached to the Incident Resolution Team.

I write this statement some three months after my initial attendance at the incident for the benefit of Stockton Council's licensing department in assisting their investigation.

On 17th February 2023 at about 0720 hours, I was on duty in uniform and assigned to call sign 06B as the shift's response sergeant. I was issued with Body Worn Video device serial, which I wore on my uniform in an overt manner and marked evidential on the NICE system.


At about this time, the Force Control Room requested me to attend the road side of 13 ETON ROAD, STOCKTON on an emergency response, following a report of ambulance attending a sudden death of a male unknown at the time (but later identified as [REDACTED]). PC 2858 Johnstone and PC 3305 Godber were already on scene with ambulance when I arrived.

Continuation statement of:

My actions on scene were to establish the circumstances of the death, and to eliminate the possibility of the death being suspicious through a primary investigation as well as to establish the deceased's identity. A part of these enquiries was to conduct CCTV checks. According to the CAD attached to the event, 0736Hrs was the time I shouted to comms to alert them to the existence of CCTV showing that at 0606Hrs on the morning of the incident, [REDACTED] is served by the shopkeeper when he purchases 1 x bottle of Glenn's vodka from PREMIER STORE, OXBRIDGE LANE. He shortly after leaves the shop and collapses where he is later discovered deceased.

At the time, I activated my BWV device and announced that my BWV device was recording both video and audio. This captured my interaction between myself and the shopkeeper who explained that he knew the deceased and has regularly served him at around the same time every morning, noting that he was an alcoholic.

This is all the information I can offer to assist Stockton Borough Council in their investigation. My BWV footage shows the entire interaction and may be available through request.

RESTRICTED (when complete)			
WITNESS STATEMENT			
Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B			
URN			
Statement of: GODBER, THOMAS			
Age if under 18: Over 18 (if over 18 insert "over <small>4 001</small>)		Occupation: POLICE CONSTABLE	
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		Date: 13/06/2023 19:09	
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)			

I am the above named officer currently employed by CLEVELAND POLICE, currently attached to IRT NORTH, STOCKTON B RELIEF.

On FRIDAY the 17th of FEBRUARY 2023 I was in full Police uniform conducting a marked mobile patrol in crew with my colleague, PC 2858 JOHNSTONE.

On this date at 0716hrs myself and PC 2858 JOHNSTONE attended 13 ETON ROAD, STOCKTON, in response to a call from ambulance staff who had responded to deceased male in the street. Upon our arrival on scene, we were shortly joined by SGT 2757 PARKISON. Upon speaking to ambulance staff, they informed myself and my colleagues that they had been called by a member of the public who had stated that they had found the male laying face down in the street. The member of the public also told ambulance staff that they had rolled the male over and attempted to give him CPR prior to their arrival, however, on paramedics arriving on scene they declared the male to be deceased.

Paramedics on scene also stated that the member of the public had given the name [REDACTED] and further stated that prior to Police arriving at the scene the male had stated he needed to be somewhere and left.

Upon searching the deceased male's body, who I now know to be [REDACTED], myself and PC 2858 JOHNSTONE located a small amount of change, a smashed vodka bottle,

Continuation statement of:

house keys, a receipt and some coughing sweets. Upon further examination of [REDACTED] body there were visible signs of blood pooling, consistent with how [REDACTED] had been laid on the floor prior to being found. There were also some signs of bruising to [REDACTED] body, which were later deemed as being not suspicious due to [REDACTED] having collapsed onto concrete before his death and also the male being an alcoholic, suggesting he may have fallen over regularly.

Following this, I then conducted house to house enquires along the street where [REDACTED] was found at addresses which had ring doorbells next to where [REDACTED] had been found and his neighbours address. None of the persons who I spoke to stated that they had seen or heard anything, however, one neighbour did state that he usually sees a male walk past his living room window every morning to visit the PREMIER STORE on OXBRRIDGE LANE. The male also stated that he had not seen this male, presumed to be [REDACTED], walk past his living room window on this morning.

SGT 2757 then informed me that he had reviewed CCTV from the premier store which looked directly up ETON ROAD and stated that the CCT footage showed [REDACTED] collapse and not get back up again. SGT 2757 PARKINSON also informed me that [REDACTED] had visited the premier store that morning and bought one bottle of vodka before leaving the store and walking up ETON ROAD. SGT 2757 further asked if me or PC 2858 had found a mobile phone on [REDACTED] body as this is what he used to pay with. Upon stating we had not I began to conduct an area search for the mobile phone in the area where [REDACTED] had been found with the thought in mind, he may have dropped the phone upon collapsing. No mobile phone was located in the area and [REDACTED] body was then transported to NORTH TEES HOSPITAL by ambulance staff.

This concludes my statement.

RESTRICTED (when complete)

CLEVELAND POLICE

WITNESS STATEMENT

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
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Statement of **Andrew THORPE**

Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Police Constable**

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 **A.Thorpe** Date: **14/07/2023**

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

I am a Police Constable in Cleveland Police presently stationed at Middlesbrough Police station in the Licensing Support Unit.

I have performed this role for over 10 years and during that time I have successfully completed the BIIAB level 2 National Certificate for Licensing Practitioners and the BIIAB level 2 course in the Assessment of Licensed Premises.

I am making this statement in support of the review application brought against Premier Mini Market, 75-81 Oxbridge Lane, Stockton. The review has been brought by the council as the DPS Mr Shaun Kayser SHAFIQ has shown that he is undermining the Licensing Objectives for Prevention of Crime and Disorder and Public Safety.

As a responsible authority Cleveland Police believe that anyone supplying alcohol to the public have a responsibility to the public and the surrounding community and must uphold the Licensing Principals whilst abiding by the conditions of their premise licence including the times they are allowed to carry out licensable activities.

I have submitted CCTV footage captured from the Body Worn Video of a police officer investigating the sudden death of a male in the street outside the premises and evidence this

Signature _____ Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **Andrew THORPE**

footage as AT/1 for the purposes of this review. The footage clearly shows Mr SHAFIQ telling the officer that the male had been into his store earlier that day and showing the police officer a copy of the receipt which he had printed from the system telling the officer that the receipt had the males bank details on it and it showed what the male bought in the shop that morning. The footage showed the officer confirming with Mr SHAFIQ that it was a bottle of Glens Vodka the male bought. Mr HAFIQ then showed the officer the footage of the male attending the store that morning to make his purchase of Vodka confirming the time the male attended the store at 06:06 hours that morning. Mr SHAFIQ's premise licence clearly states that they are only allowed the supply of Alcohol from 08:00 hours at the earliest (on Sundays they can only supply alcohol from 10:00 hours). This means that by selling the male alcohol just after 06:06 hours he was breaching the terms of his premise licence.

The conditions of the licence are there to protect the premise licence holder and the patrons using the premise and as such are not merely guidelines but a code of conduct and should be always adhered to.

It is clear that Mr SHAFIQ does not think he has done, or is unaware that he has done anything wrong, which indicates that he is not familiar with the licensable hours, and as DPS should be, or he is flagrantly disregarding the terms of his licence.

Cleveland Police support our partners Stockton Borough Council Licensing in bringing this review application as every license should be adhered to as infringements can often lead to more catastrophic results.

Signature _____ Signature Witnessed by _____

LICENSING ACT 2003

PREMISES LICENCE (PART B)

PREMISES LICENCE NUMBER: 047986

PART 1

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Premier Mini Market
75-81 Oxbridge Lane, Stockton-On-Tees, TS18 4AR

01642 607701

WHERE THE LICENCE IS TIME LIMITED THE DATES

N/A

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

SUPPLY OF ALCOHOL



.....
Marc Stephenson
Assistant Director
Community Safety and Regulated Services

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

SUPPLY OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

MONDAY: 08.00 until 23.00
TUESDAY: 08.00 until 23.00
WEDNESDAY: 08.00 until 23.00
THURSDAY: 08.00 until 23.00
FRIDAY: 08.00 until 23.00
SATURDAY: 08.00 until 23.00
SUNDAY: 10.00 until 22.30

Christmas Day: 12 Noon until 3.00pm and 7.00pm until 10.30pm
Good Friday: 8.00am until 10.30pm

THE OPENING HOURS OF THE PREMISES

MONDAY: 05.30 until 22.00
TUESDAY: 05.30 until 22.00
WEDNESDAY: 05.30 until 22.00
THURSDAY: 05.30 until 22.00
FRIDAY: 05.30 until 22.00
SATURDAY: 05.30 until 22.00
SUNDAY: 05.30 until 22.00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Supply Of Alcohol OFF The Premises

PART 2

NAME AND (REGISTERED) ADDRESS, TELEPHONE NUMBER AND E-MAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Mr Shaun Kayser Shafiq
240 Acklam Road, Middlesbrough, TS5 7SN

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

N/A

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Mr Shaun Kayser Shafiq

STATE WHETHER ACCESS TO PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

ANNEX 1

MANDATORY CONDITIONS AND EMBEDDED RESTRICTIONS

MANDATORY CONDITIONS

- **No supply of alcohol may be made under the premises licence:**
 - (a) at any time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at any time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- **Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**
- **This Licence/Club Registration Certificate is subject to such further conditions as are consistent with any restrictions imposed on the use of the premises for the existing licensable activities under the licence by virtue of the enactments hereinafter set out:-**

The Children and Young Person Act 1933
The Cinematograph (Safety) Regulations 1955
The Sporting Events (Control of Alcohol etc) Act 1985
- **(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**

(2) The designated premise supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- **A. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price**

B. For the purposes of the condition set out in paragraph A -

 - (a) "duty" is to construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P=D+(D \times V)$$

Where-

- (i) P is the permitted price**
- (ii) D is the amount of duty chargeable in relation to the alcohol as if duty were charged on the date of the sale or supply of the alcohol, and**
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol**
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -**
 - (i) the holder of the premises licence,**
 - (ii) the designated premise supervisor (if any) in respect of such a licence, or**
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;**
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and**
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994**

C. Where the permitted price given by Paragraph (b) of paragraph B would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny

D. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph B on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

EMBEDDED RESTRICTIONS

- **Off Licences and off sales depts of on licensed premises Permitted Hours**

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a) On weekdays, other than Christmas Day, 8.00am to 11.00pm**
- b) On Sundays, other than Christmas Day, 10.00am to 10.30pm**
- c) On Christmas Day, 12 Noon to 3.00pm and 7.00pm to 10.30pm**
- d) On Good Friday, 8.00am to 10.30pm**

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) The sale of alcohol to a trader or club for the purposes of the trade or club;
- d) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces.

- Off-Licence Consumption

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

ANNEX 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

PREVENTION OF CRIME & DISORDER

- A digital Closed Circuit Television System (CCTV) must be installed and maintained. The system must incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with the Data Protection legislation.

A minimum of 14 days recording is required.

The system must have a minimum of a simplex multiplexing facility and be recording for 24 hours a day.

The system must incorporate a means of transferring images from the hard-drive to a format that can be played back on any desktop computer.

The digital recorder must have the facility to be password protected to prevent unauthorised access, tampering, or deletion of images.

There must be at all times a member of staff on duty who is trained in the use of the equipment and upon receipt of a request for footage from a governing body, such as Cleveland Police or any other Responsible Authority, be able to produce the footage within a reasonable time, e.g. 24hrs routine or less if urgently required for investigation of serious crime.

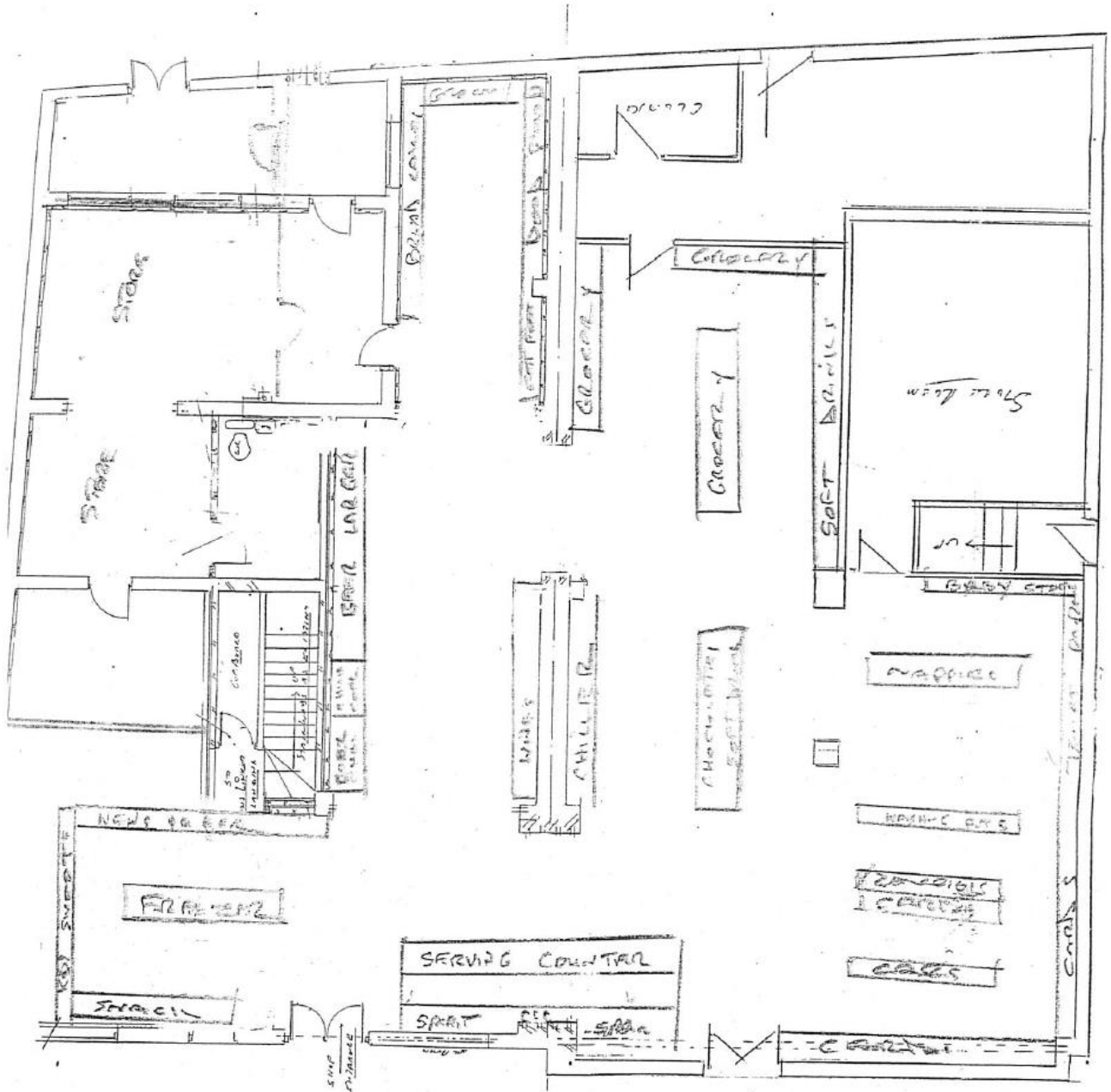
PROTECTION OF CHILDREN FROM HARM

- A 'Challenge 21' policy will be implemented with all staff insisting on evidence of age from any person appearing to be under 21 years of age and who is attempting to buy alcohol. There shall be sufficient public notices displayed at the premise to inform customers and remind staff that the premise is operating a 'Challenge 21' policy.

- **All staff will be trained with regard to the law concerning the sale of alcohol and also the operation of the associated 'Challenge 21' policy. Staff will receive refresher training at least every 3 months.**
- **Training records, signed by both the staff member and the Designated Premise Supervisor/Store Manager/Business Owner will be retained for future reference and shall be updated at least every 3 months. All staff training records will be made available to Enforcement Agencies and/or Responsible Authorities upon request.**
- **There shall be adequate notices displayed on the premise indicating that the sale of alcohol to those under the age of 18 is illegal and that those adults who buy alcohol for immediate disposal to those under the age of 18 are committing an offence.**
- **The business will maintain a refusals book to record all instances where the sale of age restricted products have been refused. This shall include the date and time of the attempted sale, together with a description of the incident. The Designated Premises Supervisor and/or the Premises Licence Holder will check and sign each page and the refusals book shall be made available to Enforcement Agencies and/or Responsible Authorities on request.**
- **The only acceptable evidence of age will be a valid photo identification confirming the purchasers age, namely a passport, photo driving licence or PASS approved proof of age card such as a Validate Card, Portman Card or Citizen Card.**

ANNEX 4

PLANS (NOT TO SCALE)



75-81 OXBRIDGE LANE
SECTION ON TAPS
TUB CAR

Location



RESTRICTED (when complete)**CLEVELAND POLICE****WITNESS STATEMENT**

(CJ Act 1967, s9 MC Act 1980, ss5A(3)(a) and 5B; Criminal Procedure Rules 2005, r.27.1(1))

URN	17			
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Statement of **Andrew THORPE**Age if under 18 **Over 18** (If over 18 insert "Over 18") Occupation **Police Constable**

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 **A.Thorpe**Date: **14/07/2023**Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in Cleveland Police presently stationed at Middlesbrough Police station in the Licensing Support Unit.

I have performed this role for over 10 years and during that time I have successfully completed the BIIAB level 2 National Certificate for Licensing Practitioners and the BIIAB level 2 course in the Assessment of Licensed Premises.

I am making this statement in support of the review application brought against Premier Mini Market, 75-81 Oxbridge Lane, Stockton. The review has been brought by the council as the DPS Mr Shaun Kayser SHAFIQ has shown that he is undermining the Licensing Objectives for Prevention of Crime and Disorder and Public Safety.

As a responsible authority Cleveland Police believe that anyone supplying alcohol to the public have a responsibility to the public and the surrounding community and must uphold the Licensing Principals whilst abiding by the conditions of their premise licence including the times they are allowed to carry out licensable activities.

I have submitted CCTV footage captured from the Body Worn Video of a police officer investigating the sudden death of a male in the street outside the premises and evidence this

Signature _____ Signature Witnessed by _____

RESTRICTED (when complete)**CLEVELAND POLICE**Page No **2**Continuation of Statement of **Andrew THORPE**

footage as AT/1 for the purposes of this review. The footage clearly shows Mr SHAFIQ telling the officer that the male had been into his store earlier that day and showing the police officer a copy of the receipt which he had printed from the system telling the officer that the receipt had the males bank details on it and it showed what the male bought in the shop that morning. The footage showed the officer confirming with Mr SHAFIQ that it was a bottle of Glens Vodka the male bought. Mr HAFIQ then showed the officer the footage of the male attending the store that morning to make his purchase of Vodka confirming the time the male attended the store at 06:06 hours that morning. Mr SHAFIQ's premise licence clearly states that they are only allowed the supply of Alcohol from 08:00 hours at the earliest (on Sundays they can only supply alcohol from 10:00 hours). This means that by selling the male alcohol just after 06:06 hours he was breaching the terms of his premise licence.

The conditions of the licence are there to protect the premise licence holder and the patrons using the premise and as such are not merely guidelines but a code of conduct and should be always adhered to.

It is clear that Mr SHAFIQ does not think he has done, or is unaware that he has done anything wrong, which indicates that he is not familiar with the licensable hours, and as DPS should be, or he is flagrantly disregarding the terms of his licence.

Cleveland Police support our partners Stockton Borough Council Licensing in bringing this review application as every license should be adhered to as infringements can often lead to more catastrophic results.

Signature _____ Signature Witnessed by _____

Representations On A Current Application For A Grant/Variation Of A Premises Licence Or Club Premises Certificate Under The Licensing Act 2003

Section 1 – Licence Application Details

Applicant Name (If Known)	Mr Shaun Kayser Shafiq
Premises Name and Address	Premier Mini Mart 75-81 Oxbridge Lane Stockton-on-Tees TS18 4AR

Section 2 - Responsible Authority

- Trading Standards
- Cleveland Police
- Environmental Health
- Cleveland Fire Service
- Planning
- Protection of Children From Harm
- Public Health**

Section 3 – Representation Grounds

<p>The representation is relevant to one or more of the following licensing objectives:</p> <p>Please tick relevant box(es)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Prevention of Crime and Disorder <input type="checkbox"/> Prevention of Public Nuisance <input type="checkbox"/> Protection of Children from Harm <input type="checkbox"/> Public Safety
<p>Please Select:</p> <ul style="list-style-type: none"> <input type="checkbox"/> I object to the application being granted at all <input type="checkbox"/> I object to the application being granted in its current form* 	

*If you choose this option remember to tell us what changes you would prefer to see.

The grounds of the representation is based on the following:

(Please continue on a separate sheet if necessary)

The Public Health team have reviewed the evidence provided by licensing colleagues, in respect of the Premier Mini Mart on Oxbridge Lane. The concerns relate to the licence holder, Mr Shaun Kayser Shafiq, who, based on his actions, is a risk to a vulnerable population – which will be outlined below.

After considering the information provided, Public Health is in full support of the review application submitted by SBC Licensing, and would like to comment further on the following – which we feel significantly undermine the licensing objectives of **Prevention of Crime and Disorder**, and **Public Safety**:

- The sale of alcohol at a time when the premise licence does not permit
- The sale of alcohol to an individual who, based on CCTV evidence provided, looks to be intoxicated
- The obstruction of licensing officers carrying out an investigation related to the above offences

Public Health supports all aspects of promoting the licensing objectives, particularly, protecting the health of the Borough and local communities; and protecting the public and children from harm, by ensuring the Borough is a safe place to live.

Public Health recognises the variety of harms associated with alcohol, including:

- Physical health harms to an individual, including increased risk of cancer, stroke, dementia, and heart attacks
- Mental health harms to an individual, including increased risk of anxiety and depression
- Wider, community harms; in that alcohol is a significant contributor to crime, factoring in 39% of all violent crimes in England. It has a significant role in perpetration of domestic violence, child neglect, and abuse and exploitation of vulnerable individuals.
- Health inequalities, in that, people of a lower Socioeconomic Status (SES) are more likely to experience greater alcohol-related harm, even at the same or lower levels of alcohol intake than people of a higher SES.

It is crucial to acknowledge the ward in which Premier Mini Mart is situated - Stockton Town Centre - which is ranked the worst in the Borough for the following datasets: consumption and associated alcohol related harm, crime and disorder.

- Outlet density
- Hospital stays for alcohol related harm
- All crime under the influence of alcohol
- Violent crime under the influence of alcohol
- Admissions wholly attributable to alcohol
- Admissions partially attributable to alcohol
- Hospital admissions for self-harm
- Rates of reported domestic abuse

As such, the availability and accessibility of alcohol is a particular concern for populations within this ward, due to potential individual, and wider community harms. It is commonly accepted in the evidence that if the opening hours of alcohol sale are extended, incidences of violence increase, affecting the wider community and directly contravening the two aforementioned licensing objectives. Locally, the view of restricting hours available for alcohol sale is popular in Stockton-on-Tees – in 2017, 62% of respondents supported restricting alcohol sales in off licences to between 10am and 10pm (Balance, 2017). Similarly, 43% of respondents felt there are too many off-licences, supermarkets, and shops, that sell alcohol.

Further, international evidence suggests that making it less easy to buy alcohol, by reducing the number of outlets selling it in a given area, and the hours and days when it can be sold, is an effective way of reducing

alcohol-related harm. Given the outlet density in Stockton Town Centre – and the attempts by the licence holder to extend the hours of sale to 6:00am, despite the implications on the health of vulnerable populations – this is of particular concern to Public Health.

In the context of the evidence above, in order to prevent further undermining of the licensing objectives of Prevention of Crime and Disorder & Public Safety - and further risk to Public Health - Public Health fully supports the review application submitted by SBC Licensing.

Signed:pp Emma Brady	Position: PHP, Public Health	Dated:18/07/23
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When complete this form should be returned to the address above or e-mailed to licensing.administration@stockton.gov.uk

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Date Received		Checked By	
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