

**MG11 WITNESS STATEMENT****Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B**

Occurrence Number:	44200149282	URN:	
Statement of:	HAWLEY, MARK		
Age:		Occupation:	Police service
This statement 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.			

Restorative Justice (RJ) enables communication between parties involved in a crime, and provides an opportunity for victims to explain the impact of the offence and to ask questions of the offender. I understand I may be contacted by the service provider for further information to be given.

I am PC 25491 Mark HAWLEY currently stationed on the Alcohol Harm Reduction Team (Licensing) within Hampshire Constabulary.

On Saturday 25th April 2020 I was on duty in full uniform using call sign LO511. I was crewed with PC 2903 SWALLOW.

We attended a restaurant namely India Cottage, 35 Christchurch Road, Ringwood BH24 1DG at 19:15hrs.

During this attendance I recorded footage on my BWV which I can exhibit it as MH/IC/01.

Signature of Witness		Signature Witnessed By	
Name:	#25491 HAWLEY, M.	Name:	
Signed Time:	29/04/2020 09:11	Signed Time:	

## MG11 WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

Occurrence Number:	44200149282	URN:	
Statement of:	SWALLOW, BRIAN		
Age:	50	Occupation:	Police service
This statement 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.			

Restorative Justice (RJ) enables communication between parties involved in a crime, and provides an opportunity for victims to explain the impact of the offence and to ask questions of the offender. I understand I may be contacted by the service provider for further information to be given.

I am PC 2903 Swallow of the Hampshire Constabulary currently stationed at the Neighbourhood Police Office , Southampton City Council , Civic Centre, Southampton , SO14 7LY.

My position is a licensing officer within the alcohol related violent crime reduction department. My roll normally consists of checking licensed premises to ensure that they are adhering to the 4 licensing objectives and compliance to the Licensing Act 2003.

Since 26th March 2020 I have been monitoring licensed premises to ensure compliance with "The Health Protection (Coronavirus Restrictions) (England) Regulations 2020. This has involved visiting numerous premises across the county of Hampshire who are authorised to supply alcohol both on and off premises but also venues that operate as a late night refreshment business.

At 19:15 on Saturday 25th April 2020 I was on duty in full uniform accompanied by PC 25491 Hawley. At this time our attention was drawn to the Indian Cottage, 35 Christchurch Road, Ringwood, BH24 1DG. There were lights on in the premises and persons could be seen at the rear of the property ( through the front window).

We entered the property via a drive way to the left of the building, just passed the building line a set of by-fold doors were partially open allowing entrance into a court yard area. As I walked into this small contained area, I could see that it was tastefully decorated with fairy style lights illuminated on the roof, a coal / wood burning patio heater fully ablaze and subtle background music being played.

However, I was amazed at what I saw. There were 7 people in this small confined area. From initial enquires they were Shadeq MANNAN (11/12/1972) who is the premises licence holder and DPS of the venue, a female member of staff who was taking telephone orders and handing over bagged items of takeaways. 2 male customers standing waiting for takeaway order and 2 males and a female child sitting on a bench style table.

It was the 2 males and a child that immediately caught my attention. They had in front of them 2 large bottles of cobra beer partially poured into pint glasses that they were drinking from.

I spoke to MANNAN and asked him to firstly explain why there were persons on his premises consuming alcohol and secondly why he was breaching COVID legislation. He was instantly clearly very nervous. He began speaking very quickly and repetitively and began to shake visibly He said that he was unsure of the legislation and thought he could still sell alcohol if people came in for a takeaway and his 2 customers had just asked if they could have a quick beer whilst they waited for their food to be cooked. He didn't see anything wrong with this but said that he would stop.

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I noticed that there was a CCTV camera located behind the bar and asked to view recent footage and asked MANNAN to show me it. He was clearly reluctant to do so and suggested that I return later as he was busy. I insisted that I was shown the footage immediately and we had a few seconds of him just staring at me, I assured him that if he refused to supply me with the footage, I would seize the entire CCTV system from his premises. Reluctantly he produced his mobile phone and remotely logged on. It instantly showed live footage of a suitable quality. He then explained that the device only stored footage for 24 hours, a statement I did not believe.

MANNAN passed me his phone to view the footage. I managed to go back passed 24 hours, I managed to source images from Friday 24th April of persons drinking beer sat at the same table as those on the premises. I challenged MANNAN on this point, he just said that they were collecting a takeaway.

I left MANNAN and walked around the venue. The inside was clearly closed down and the spirits had been removed from display and covered over on tables, however upon entering the courtyard area, I saw two wooden sheds that had been converted to accommodate dining. The table had place settings laid out with napkins glasses and cutlery. The inside of each shed was illuminated with fairy / led lighting making a cosy intimate setting. I found this to be incredibly suspicious. Why go to the trouble of making these two sheds up everyday if they were not going to be used.

There was no social distancing measures in place at the venue, no signage, no additional hygiene measures, hand sanitizer etc in the main public court yard area. Neither MANNAN nor the female member of staff were wearing any form of protective equipment, masks or gloves. I witnessed two take away food orders (in white plastic bags) being handed directly to the customer.

I could see at least 3 members of kitchen staff cooking food in the kitchen area (located just off the bar serving area and viewable from a courtyard doorway), none of which were wearing any form of PPE. I also saw a member of staff out in the back yard parking area smoking and drinking from a can of beer. Once he had finished his cigarette he returned directly back into the kitchen, again he was not wearing any form of PPE.

When I returned to MANNAN at the bar, he was being spoken to by PC Hawley. PC Hawley had also viewed the CCTV on the phone and had gone back a further day to the 23rd. He had located a male consuming alcohol at the venue for 2 hours... When challenged MANNAN explained that he knew this male and he is a regular customer and had been in twice this week for food and normally liked to stay in the restaurant. He was also very adamant that he was not working that day. When continually challenged about this male drinking within the restaurant for 2 hours, MANNAN could not provide any plausible explanation for this but suggested we phone him up ??.

I suggested that he should turn the LED / fairy lights off, turn the patio heater off and turn off the music. He refused to do so, he said it was for his benefit and could not see any reason to do so, regardless of how it looked.

No members of staff had any form PPE and were being completely reckless regarding social distancing to both themselves and their customers.

It was clear to me that this premises was in all likelihood operating as a restaurant supplying meals to eat in, it was clearly operating as a takeaway and supplying alcohol for consumption on the premises in complete regard to the newly introduced legislation.

Signature of Witness		Signature Witnessed By	
Name:	SWALLOW, BRIAN	Name:	
Signed Time:	29/04/2020 10:24	Signed Time:	
			