WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN | | | | |

Statement of: Kimberley HOLLIS

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

Occupation: Police Constable

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: K Hollis (witness)

Date: 11th February

I am PC 1671 Kim HOLLIS of North Yorkshire Police currently stationed at FULFORD ROAD POLICE STATION, YORK. I am an Alcohol Licensing Officer covering York and Selby and I have been in the role since April 2018.

At 11.15hrs on 24th October 2019 I attended The Regency restaurant and supermarket 2-4 GEORGE HUDSON STREET, YORK in company with Nigel WOODHEAD City of York Council Licensing enforcement Officer with the intention to carry out a licensing check under Section 179 of the Licensing Act 2003.

We entered the restaurant and spoke with Juan LI, who asked to be called 'Julie', identifying ourselves and explaining that we were conducting a licensing check. I asked to speak with the designated premises supervisor and premises licence holder Zhong le CHEN. Julie explained she did not know who this person was but the manager was not in and that she would assist us.

I asked her to clarify if Mr Zhong le CHEN ever attended the premises as she confirmed again that she did not know him and had not seen him.

At 11.19hrs I noted that the CCTV in the main restaurant was incorrect showing the time as10.30hrs and I made a note of this as it breached conditions as per the premises licence. Juan LI advised she did not know how to use the CCTV and that only Tina knew how to change it.

I proceeded to go through the conditions of the licence and document any breaches.

The breaches were as follows:
- CCTV displaying incorrect time
- No notices on the exit asking patrons to be quiet/respect neighbours
- No challenge 25 posters on display
- No incident book
- Staff being unaware of who authorised the sale of alcohol (DPS)
- No staff training records

I documented these on a closure notice under Section 19 of the Criminal Justice and Police Act 2001 and numbered these CYC-053937-1 and CYC-053937-2.

I placed on the notice steps to be taken to address these issues which included:
- Immediate DPS Change
- CCTV time to be made correct (7 days given)
- Challenge 25 posters (7 days given)
- Incident book (7 days given)

- Notices (7 days given)
- Staff refresher training and records (7 days given)

I explained the notice to Julie and asked for her signature on both parts. After signing I left a copy of the two S.19 notices with Juan LI.

Myself and Nigel WOODHEAD then left the premises,

On 31st October 2019 at around 10.30hrs I again attended Regency, GEORGE HUDSON STREET, YORK in company with Nigel WOODHEAD and we again spoke with Juan LI (Julie).
A follow up check was conducted after issue of the Section 19 notice and I noted that the notices had been placed up, the challenge 25 posters were displayed, an incident register was in place and a note about authorisation to sell alcohol showing the new DPS Zhen Cheng FENG who I was advised had submitted an application to transfer DPS from Zong Le CHEN, a refusals register had been created and staff training records had been created but unfortunately did not have signatures on them.

I also noted that the CCTV at 10.30hrs was now showing 11.29hrs.

Julie explained that she had not realised the staff had to sign the training records and the CCTV had been attempted to be changed but this must not have been done.

Due to this I made the decision to issue a further section 19 notice allowing a further 7 days to rectify these final issues. The notice breaches were as follows:
- CCTV time incorrect
- Staff training records to be filled in correctly

I asked for the following steps to be taken:
- CCTV time to be made correct
- Staff training forms to be signed (7 days given for both)

I again explained this to Julie and asked her to sign the notice leaving her a copy before we left number CYC-053937-3.

On Wednesday 21st October 2020 at approximately 1325hrs I attended Regency George Hudson Street, York in order to conduct a routine licensing check. On arrival I spoke with the manager Yang Tong FENG who is known by the name Tina.
I explained the purpose of my visit and I checked through the conditions of the Licence.
At 1330hrs I observed that the CCTV time was incorrect showing a time of 1238hrs at 1330hrs. This was in breach of conditions on the premises licence and as such I pointed this out to Tina and issued a Section 19 closure notice for this to be rectified. Tina signed this and left her a copy before leaving.

On Thursday 30th October 2020 at around 1330hrs I again attended Regency, George Hudson Street, York and spoke with Tina. She showed me the CCTV was now showing the correct date and I advised her the Section 19 notice was now closed and I followed this with a confirmation letter in the days that followed.

Signature: K.Hollis

Signature witnessed by:

Witness contact details		URN				
Name of witness:						
Home Address:		Postcode:				
E-mail address:		Mobile:				
Home Telephone Number:		Work Telephone Number:				
Preferred means of contact *(specify details for vulnerable/intimidated victims and witnesses only)*:						
Gender:		Date and place of birth:				
Former name:		Ethnicity Code (16 + 1):				

DATES OF WITNESS NON-AVAILABILITY:

Witness care

a) Is the witness willing to attend court?	If 'No', include reason(s) on form **MG6**.
b) What can be done to ensure attendance?	

c)   **Victims Only** – does the victim fall into one of the 3 priority categories who are eligible for enhanced care under the Code of Practice for Victims of Crime? 1) Victims of most serious crimes ☐ 2) Persistently targeted victims ☐ 3) Vulnerable and intimidated ☐.
If any of the boxes are checked then Inform CPS at **pre-charge** stage on MG3, and on MG11 at all other stages and/or where necessary MG2

d)   **Witness Only** - Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? ☐ *(youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case)*   If they do submit **MG2** with file in anticipated not guilty, contested or indictable only cases.

e)   Does the witness have any particular needs?   If 'Yes' what are they? *(Disability, healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?).*

Witness Consent (for witness completion)

a) The Victim Personal Statement scheme (victims only) has been explained to me	Yes ☐	No ☐	
b) I have been given the Victim Personal Statement leaflet	Yes ☐	No ☐	
c) I have been given the leaflet "Giving a witness statement to the police…"	Yes ☐	No ☐	
d) I consent to police having access to my medical record(s) in relation to this matter *(obtained in accordance with local practice)*	Yes ☐	No ☐	N/A ☐
e) I consent to my medical record in relation to this matter being disclosed to the defence	Yes ☐	No ☐	N/A ☐
f) I consent to the statement being disclosed for the purposes of civil, or other proceedings if applicable, e.g. child care proceedings, CICA	Yes ☐	No ☐	N/A ☐
g) **Child witness cases only.** I have had the provision regarding reporting restrictions explained to me.	Yes ☐	No ☐	N/A ☐
I would like CPS to apply for reporting restrictions on my behalf.	Yes ☐	No ☐	N/A ☐

'I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court'.

Signature of witness:	PRINT NAME:
Signature of parent/guardian/appropriate adult:	PRINT NAME:
Address and telephone number (of parent etc.), if different from above:	
Statement taken by: Time and place statement taken:	