

**OFFICIAL**

**WITNESS STATEMENT**

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

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Statement of: **PC 11250 Andre Smuts**.....  
 Age if under 18: **Over 18** (if over 18 insert 'over 18') Occupation: **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: **PC 11250 A. Smuts**..... Date: **15<sup>th</sup> August 2023** .....

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

On Friday 4th November 2022, approximately 1945 hours I was on duty, in plain clothes when I attended Best One Off Licence, 16 Hawthorne Rd, Sittingbourne. Upon arrival I introduced myself to a male I now know to be Mr Roopesh KAPOOR. He confirmed to me that he was the manager and premises licence holder and that he was the only person who worked at the shop. The reason why I wished to ascertain this detail was to determine whom would have been responsible in allegedly selling nicotine products to underage children. This information which had been received from colleagues at Swale Council Licensing Dept. was the reason for my visit to the shop.

After I informed him of the reason for visit and he explained he would always check IDs of anyone buying alcohol, cigarettes and vapes. On occasion he has parents entering the shop with their children buying them vapes in the mistaken belief that it is not harmful. He produced a list of purchases with dates and times of parents buying vapes for their children, the last entry was being 01/10/22. He recently had a parent coming in demanding why he had sold their child a vape. He asked the parent to produce the child so he could ask them. The child was brought in, and they changed their story saying that their older friend had bought it for them, but they had not wanted to get them into trouble. I then inspected and signed off the shop’s refusal register, it’s last entry being on 20/09/22. As this entry was made a month and a half (45 days) before my visit I advised KAPOOR re keeping the

PC 11250 A. Smuts

N/A

Signature:

Signature witnessed by:

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register up to date.

KAPOOR then showed me his fully working CCTV which covered the whole shop. KAPOOR mentioned the likelihood of the shop being converted into residential flats in the near future as he had been granted planning permission. He also said that he only operates between 1100 and 2000 daily due to a lack of business.

I concluded the visit informing him that he should carry out his business with the licensing objectives in mind and reiterating that the Authority, Kent Police and Trading Standards were going to monitor the premises going forward. PC 11250 A. Smuts

PC 11250 A. Smuts

N/A

Signature

Signature witnessed by