

## Statement of Fact – Paul Dennis

In the early afternoon on Thursday 8 June 2023, a member of the licensing team received a telephone call from an anonymous member of the public. The person said the Chequered Flag was open and performing unlicensed activities (the sale by retail of alcohol) outside their licensed hours, which are Monday to Friday, 4pm to 10:30pm.

Two licensing enforcement officers, who were on duty at Donington Park for the Download Festival, were alerted. The two officers then made their way around to the premises and arrived 2:40pm. On entering the premises, there was a lady on a table to the left drinking a glass of wine and a gentleman to the right drinking a pint of beer. I said "Hello" to Robert Sandham who was standing further back in the premises. I asked him if he had his premises licence. After a short pause, I pointed out the licensing premises summary which was on the wall. Mr Sandham gestured towards the back of the premises, as he said "not in front of the customers". I asked him if he knew what his hours were for the sale by retail of alcohol. He said "not now". I said "so you are aware you are committing an offence then?". He replied "Yes". I asked if the cctv was in working order. He replied "yes". I then advised that was all for now. The pavement furniture was outside the premises, although I was aware the premises did not have consent for street furniture. I took a couple of photographs for evidence before entering the premises and a further one on leaving the premises.

Following this, I requested the cctv footage. Mr Sandham eventually stated that the footage had been deleted by mistake.

On Tuesday 25 July, Mr Sandham and his partner Christine Westwood attended a PACE (Police and Criminal Evidence Act 1984) interview (an interview recorded under caution). Mr Sandham admitted the premises was open but said no sale of alcohol took place and that the alcohol was given away to customers. A receipt was requested in the PACE interview and later provided by Mr Sandham. The receipt showed no sales up until 15:59 hours, however there were numerous entries which stated "NS", which I presume to mean "No Sale" when the till is opened, but no sale is recorded. Unfortunately, the till receipt is of very poor quality at the required time, during the afternoon, but is of good quality there onwards. I can confirm the sales taken from 15:59 hours to the end of the evening do add up to the till receipt total at the end of the evening.