

## STATEMENT OF WITNESS C.J.A. Statement

*(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)*

**STATEMENT OF** Darren Michael DOLBY

**Age of Witness** Over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

**Occupation of Witness** Licensing Regulatory Officer

This statement, consisting of two (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** 11<sup>th</sup> July 2011

Signed.....

I am a Licensing Regulatory Officer employed by Peterborough City Council. I have witnessed on 2 occasions Mr Wajid Hussain of 41 Waterloo Road illegally selling ice creams from ice cream van registration number F243 TVN.

On Monday 4<sup>th</sup> April 2011 I saw ice cream van index F243 TVN parked on double yellow lines on Park Road, Peterborough opposite Kings School. I saw a man who I know to be Mr Wajid Hussain selling ice creams from the van to Kings School pupils. I approached and spoke to Mr Hussain. I informed him that as he did not have a valid street trading consent he was not allowed to sell ice creams in Peterborough. Mr Hussain stated that he was awaiting his CRB check to arrive. I stated that until his consent had been issued he was not authorised to sell ice creams. I then issued Mr Hussain with a warning about trading without a consent and told him not to trade until he has a consent. Mr Hussain then drove off. On 5<sup>th</sup> April 2011 I sent a warning letter to Mr Hussain regarding this matter.


On Tuesday 5<sup>th</sup> April 2011 at 12.15pm I was present in the reception area of Bridge House when myself and my colleague Jodie Morton – Rowell spoke to Mr Hussain. Mr Hussain tried to hand to Jodie an incomplete street trading application. Jodie explained to him that as there was no CRB with the application then the application was invalid and Mr Hussain

Signed.....

was not consented to trade ice creams. I reiterated this to him and he acknowledged understanding that he could not sell ice creams.

On Tuesday 5<sup>th</sup> April 2011 at 3.19pm I saw ice cream van index F243 TVN parked on the grass verge next to Central Avenue, opposite Dogsthorpe Junior School. As I drove past the van I saw Mr Hussain sitting in the drivers seat of the van. I parked my car and walked back towards where the van was. As I approached the back of the van I noticed that a young asian looking female was being served an ice cream. I saw her hand money over in exchange for the ice cream. As I walked towards the van I suddenly saw the van drive off from the grass verge, on to Central Avenue and drive towards Elmfield Road. Later on this day Mr Hussain returned to Bridge House with his application form and his CRB check and was then authorised to trade.

When Mr Hussain attended Bridge House to collect his ice cream trading consent and badge he was informed of the rules and regulations of ice cream trading in Peterborough. Mr Hussain signed a 'checklist' of these rules and regulations to say that he had read and understood them. The rules included that he was not consented to trade ice creams near to Central Park and in Park Farm.

On 29<sup>th</sup> June 2011 I received an email from PC Kevin Drury. PC Drury stated that he had seen several ice cream traders in the Central Park area. Further information supplied by PC Drury stated that he had seen Mr Hussain selling ice creams from van index F243 TVN. 

 Signed.....!.....  




# STATEMENT OF WITNESS C.J.A. Statement

*(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)*

**STATEMENT OF** Simon Andrwes

**Age of Witness** Over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

**Occupation of Witness** Licensing Officer



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**Dated the** 11 July 2011

Signed.....

I am a Licensing Officer employed by Peterborough City Council.

On the 19<sup>th</sup> of April 2011 myself and Regulatory Officer Teresa Martin visited Central Park following reports of an Ice Cream van trading in the same position for more than 15 minutes. We approached Central Park 2.15pm, parked and then approached the trader at 2.25pm. Teresa Martin showed the trader her warrant card and explained who we were. The trader was Mr Wajid Hussain trading from van registration F243 TVN. We asked Mr Hussain how long he had been trading from the same position to which Mr Hussain replied 'about an hour' both myself and Teresa Martin reminded Mr Hussain of the conditions relating to street trading and that he could not trade in the same position for more than 15 minutes. Mr Hussain accepted that he could not continue to trade and he then drove away.

  
Signed.....

## WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; CPR r.27.1(1))

Statement of: **Adrian Day**.....

Age if under 18: **Over 18**... (if over 18 insert 'over 18') Occupation: **Licensing Manager**.....

This statement (consisting of ONE..... 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 which I know to be false or do not believe to be true.

Signature: ..... Date: 07/07/2011.....

I am the above named person, employed by Peterborough City Council as the Licensing Manager, working in the Licensing Department, Bridge House, Peterborough. My duties include the promotion of regulatory functions in accordance with legislation, by laws and council policies. Included in this are the Local Government (Miscellaneous Provisions) Act which includes Taxi Licensing, Street Trading, and Animal Welfare. The Licensing Act 2003 and the Gambling Act 2005.

I confirm that I witnessed Mr Wajid Hussain in vehicle registration number F243 TNV displaying the name Adam's Ices trading on Park Farm on the following dates:

Wednesday 18 May 2011 at 18:30  
Trading on streets Porchester Close, Houghton Avenue and Framlingham Road. The chimes were sounded far in excess of the permitted 4 seconds.

Saturday 21 May 2011 at 13:45  
Trading on streets Porchester Close, Houghton Avenue and Framlingham Road. The chimes were sounded far in excess of the permitted 4 seconds.


Saturday 28 May 2011 at 14:10  
Trading on streets Porchester Close, Houghton Avenue and Framlingham Road. The chimes were sounded far in excess of the permitted 4 seconds.

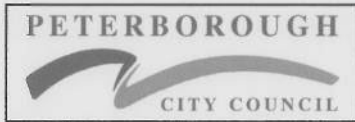
Tuesday 31 May 2011 at 15:40  
Trading on streets Porchester Close, Houghton Avenue and Framlingham Road. The chimes were sounded far in excess of the permitted 4 seconds.

Wednesday 1 June 2011 at 15:00  
Trading on streets Porchester Close, Houghton Avenue and Framlingham Road. The chimes were sounded far in excess of the permitted 4 seconds.

Thursday 2 June 2011 at 15:30  
Trading on streets Porchester Close, Houghton Avenue and Framlingham Road. The chimes were sounded far in excess of the permitted 4 seconds.

Saturday 11 June 2011 at 14:35  
Trading on streets Porchester Close, Houghton Avenue and Framlingham Road. The chimes were sounded far in excess of the permitted 4 seconds.

Signature: ..... Date: 07/07/2011.....



**STATEMENT OF WITNESS  
C.J.A. Statement**

*(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)*

**STATEMENT OF** Simon Andrwes

**Age of Witness** Over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

**Occupation of Witness** Licensing Officer

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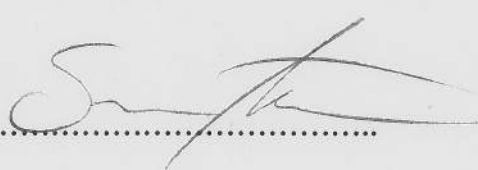
**Dated the** 7 July 2011

Signed.....

I am a Licensing Officer employed by Peterborough City Council.

On the 7<sup>th</sup> of June 2011 I was returning home from work and at approximately 17.20 I witnessed Ice Cream van Adams Ice's-F243 TVN chiming for in excess of 8 seconds. The Ice Cream van started chiming on Fletton Avenue before Chinzs store and then turned into Fellowes Gardens. While the van was on Fletton Avenue I immediately looked at my watch and counted for over 8 seconds.



Signed.....

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