



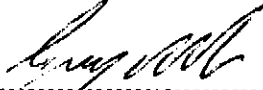
WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of: Gary Michael Miller URN: | | |

Age if under 18: (if over 18 insert 'over 18') Occupation: Police Constable 1526

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:  Date: 19th November 2010

Gary Michael Miller

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

I am Police Constable 1526 Gary Miller of the Hampshire Constabulary, based at Winchester. My current role is that of the Winchester District Liquor Licensing officer.

At 0040 Hours on Friday 29th October 2010 I was on duty when together with Richard Hewitt and Hayden Brown from Hampshire Fire & Rescue attended Bar3One the Square Winchester.

Upon meeting the Manager Freedom Inech outside we requested to view 1st floor where the capacity is set at 120, which is a condition on the Premises Licence.

We noticed the floor was packed with barely room to move. We certainly would not have been able to walk around without constantly asking people to move. We also saw no one restricting numbers on the stairs leading up to the floor.

When this was pointed out to Freedom he directed our view to a male member of Door staff across the opposite side of the room stood in the raised podium along with the DJ stating that he was counting from over there.

We then asked Freedom to clarify just how many people were upstairs. Upon this he walked through the crowd towards the door staff returning about 3 or 4 minutes later. He returned with a hand clicker that was completely broken into two pieces, stating he did not know how many people were upstairs.

At approximately 1300 hours on Thursday 18th November 2010 I was on duty when I attended Bar3One. I noticed that there were at least three posters on display in the front window advertising drinks promotions such as 6 Sambuca/Sourz for £9 on Saturday. I also took a picture on my mobile phone.

Whilst such promotions may possibly not fall within the meaning of irresponsible drinks promotions under the Licensing Act 2003, this sort of promotion does nothing to indicate anything other than

Signature:  Signature witnessed by:

