

RECEIVED

17 MAY 2012


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

Statement of **Nicola McDonald** URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Constable**

This statement (consisting of: **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 anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 11th May 2012

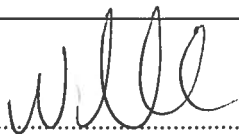
Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable of 22 years experience, the last 17 years I have worked on the London Borough of Brent, since 2005 I have been attached to the licensing unit for the borough. I have been authorised via a delegated authority to represent the Borough Commander for the London Borough of Brent and for the Commissioner of the Metropolitan Police Service to act on licensing matters.

This statement is in addition to my previous attached to the premises licence review application dated 15th March 2012.

On Friday 11th May 2012 I was on duty in plain clothes in Kilburn High Road, NW6. At 0655 hours I was standing on the junction with Gascony Avenue which is opposite 203 Kilburn High Road. I saw the shop at 203 was open to the public, the front door was wide open, and an illuminated open sign in the window. There was no serving hatch visible or in use. I then continued investigating other licensing matters but returned to 203 on the same day at 0715 hours. The premises licence authorises sale of alcohol between 0800 - 0400 hours daily. At 0715 hours I entered the shop. I was the only customer and there was two Asian male members of staff at the serving counter. One was approximately in his 20's or 30's and the other male was wearing a baseball cap, light skinned with a large nose over 50 years. I did not see the designated premises supervisor Mr Ajaz Ali.

Firstly I browsed around the shop, then I picked up a bottle of White Ace Cider 7.5% ABV advertised at £1.59 that was exposed for sale, I also chose a soft drink priced at 89p. I went to the serving counter and placed both bottles next to the till. The male with the baseball cap said 'hello' and rung in the amount of the two drinks. I paid

Signature:  Signature witnessed by:

Continuation of Statement of **Nicola McDonald**

for the drinks and received change. The male with the baseball cap smiled broadly at me, I placed both bottles of drink in to my handbag and walked out of the shop. Neither member of staff refused the sale of alcohol, challenged me or explained they could not sell alcohol before 8AM. I exhibit the (1) one litre bottle of White Ace Cider that I purchased as NM/1 bag seal reference MPSC35964582.

Next to the shop is an old bingo hall with sheltered steps. Curled up sleeping on these steps was a male wearing dirty blue jeans and a blanket over his head. Next to him was a bottle of White ace cheap high strength Cider like that I had just purchased.

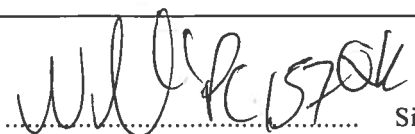
My visit is further evidence of how this shop is ill managed, lacks supervision and does not promote the licensing objectives. Carrying on licensable activities (sale of alcohol) from the premises without authority is an offence under section 136 of the Licensing Act 2003. Exposing alcohol for unauthorised sale is an offence under section 137 of the Licensing Act 2003. Keeping alcohol on the premises for unauthorised sale is an offence under section 138 Licensing Act 2003.

Once again I have not seen Mr Ali working at the shop, this is in addition to the two independent visits made by Lavine Miller-Johnson Brent council Licensing enforcement officer on 16th March 12 and 31st January 12 when Mr Ali was not present.

I have sent a letter in the post today to Mr Ali at his home address and the shop address requesting a copy of the CCTV footage that will show the above offences.



Signature:



Signature witnessed by:

Witness contact details

Home address:
 Postcode:
 Home telephone number Work telephone number
 Mobile/pager number Email address:
 Preferred means of contact:
 Male/ Female (delete as applicable) Date and place of birth:
 Former name: Ethnicity Code (16+1): Religion/belief:
 Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and 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 police — what happens next?' 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 proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **PC 157QK Nicola McDonald** Station: **Wembley**.....

Time and place statement taken: **0830 hours 11th May 2012**

Please add
to review.
WCC.