

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 **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: **6**..... 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: 9th feb 2013

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

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

Since making the premises licence review application I have visited the shop on numerous occasions and never seen Mr Ali. I have left my details including mobile and e mail address for him to contact me and he has never done this. I have sent letters to both his home address and the shop premises requesting CCTV footage. He has never contacted me and this footage has never been forthcoming. This breaches licence condition number 2.

I have conducted a search through Police data bases for Crime recording (Cris), Police call centre (CAD), custody data base, intelligence (Crimint) and from licensing records. The following in date order are incidents that have occurred in 203 Kilburn High Road from October 2010 to the present date that are not included in any other statement.

CRIMINT QKRT392306 25/10/12

Visit by Kilburn High Road safer neighbourhood team, First Choice Express 203 KHR NW67HY. This shop is offering: "Booze for you 24/7". Delivered to your door, Free delivery, minimum order £8.00. Wines, beers, spirits, tobacco, snacks. All varieties available 07957792792 Polski alkohol do twoich drzwi! Party orders welcome! All major card payments accepted No alcohol will be served to under 18's . ID Required This shop needs looking into - only part of summary licence displayed. Ajaz ALI is the owner 07950388769 Works every day after 3pm. He is

Signature: Signature witnessed by:

Continuation of Statement of **Nicola McDonald**

selling strong beer, special brew 9%, tenants Super 9%, Kestral Super 9%, Special K 8.4% This shop has been selling them as single cans as there was evidence of some of the cans being removed from the 4 packs. PC Marie Porter.

Search Warrant

21st July 2011 at 2115Hrs entry made to First Choice Express, 203 High Road Kilburn, NW6 7HY Tel: 02076257411 under a search warrant for stolen property. No stolen property found but the following of note. Various bottles of counterfeit Jacobs Creek wine :

3 bottles of JC chardonnay.

3 bottles of JC semillon sauvignon blanc.

1 bottle of JC semillon chardonnay.

Not a lot of stock in the shop. The DPS is Ajaz Ali who had a shop in 96 Willesden Lane, NW10 (Best Express) which had the licence revoked for various offences three years ago. He states that he purchased the wine from "Champers" 247 High Road, Kilburn NW6 and that he has receipts for all the goods but he could not produce them at the time. He states that Champers also have an alcohol warehouse in Park Royal.

Mr Ali has an office at the left rear of the shop.

At the right rear of the shop is a hallway leading to three small rooms and a further two rooms on the first floor at a flight of stairs at the rear. Theses rooms are being rented out to two people in each room, one occupant stated that she was paying £380 a month to rent the room between the pair of them. They all share a toilet and shower and the kitchen sink and cooker, situated in the hall. The space is very cramped and unsuitable in my opinion for lodgings and a fire hazard. I could not see any fire extinguishers or alarms but did not expressly look for them at the time. There is an exit which was obstructed by bicycles which led to a small enclosed yard filled with household rubbish. Some steps led from this yard to a basement area under the shop next door (201) but due to the rubbish these could not be accessed.

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Continuation of Statement of **Nicola McDonald**

Mr Ali states that the 7 people he has staying in the premises at the moment were all in situ when he took over the shop a year ago and he has just kept them on, paying him the rent as he did not want to throw them out on the street. There was no premises licence displayed. I seized one bottle of the counterfeit Jacobs Creek Chardonnay and took pictures of the others, details passed to trading standards. PS 10QK Adrian Adolphus Licensing Sergeant Brent Police.

NSPIS CUSTODY

Number **01QK/558/12**
 Status **CLOSED**
 Name **M XXX MXXXX**
 Date of Birth **25/02/1993**
 Address **Best Save 203 Kilburn High Road London NW67HY**

Arrest

Latest Arrival at Station **26/02/2012 08:17**
 Date of Arrest **25/02/2012 16:00**
 Place of Arrest **203, Kilburn High Road, NW6**
 Circumstances **officers spoke to the male as a result of a alcohol test purchase operation. In confirming his details he took the officers to his home address whereby checks were carried out with Immigration who confirmed that subject was wanted for breaching his landing conditions.**
 Domestic Violence **No**
 Reasons for Arrest **To allow the prompt and effective investigation of the offence or of the conduct of the detained person**
To prevent any prosecution for the offence from being hindered by the disappearance of the detained person
 Offences(s) **Immigration. breach landing conditions**
 Disposal **Fail to observe conditions to enter / remain in United Kingdom - Disposal at 12:45 26/02/2012 - No Further Action NFA - Left with UKBA for Brookes Det Center Gatwick DISPOSAL:**

This incident is a test purchase where alcohol was sold to a child by a member of staff at 203 Kilburn High Road. The seller was arrested for immigration offences and after enquiries by UK boarder agency he was taken to a detention centre at Gatwick for deporation.

CRIS QK/1910261/12

Classification **S049/10-SUBSTANT./Theft Not Classified Elsewhere**
 Event Date **TUESDAY 17/04/2012 18:50**
 Venue **Best Save,203,KILBURN HIGH ROAD, LONDON,NW6 7HY**
 Geog Location Unit **QK - BRENT BOROUGH**

Signature: Signature witnessed by:

Continuation of Statement of **Nicola McDonald**

The report relates to the offence of: phone theft

Details passed as shown to the CRIB at ESB.

Account: Contact made with the informant (Mr Noble) and details of the incident involving the apparent lawful access removal of his unattended blackberry phone from the shop counter at **203 KILBURN HIGH RD,NW6;7HY**.

Staff at the shop noticed the phone but passed it over to another MOP who claimed it dishonestly.

Awaiting IMEI

The apparent suspect is a male who goes to the shop with dogs.

No CCTV Available from the shop

Screened out, no identified suspects, no CCTV, no further leads.

CRIS QK/1925686/12

Classification	-
Event Date	WEDNESDAY 01/08/2012 00:00 to THURSDAY 04/10/2012 00:00
Venue	Best Save, 203,KILBURN HIGH ROAD , LONDON,NW6 7HY
Geog Location Unit	QK - BRENT BOROUGH

04/10/2012
16:42

Entered By PC 233009 L BURGESS 549QK
1 - Immediate Action

this matter is being dealt with in civil court with VIW2 against VIW3

VIW1 is an employee of VIW2 who attended kilburn station office with a letter from VIW2 explaining what the situation is.

it reads:

this is to introduce the bearer of this letter Mr JOSHI who works for us and looks after our properties.

we have a problem with one of our tenants (VIW3) who occupies the shop on the ground floor (VEN). We appointed a bailiff to rid him for nonpayment of rent which has unfortunately added up to £100,000, now the matter is in court and Mr ALI is doing everything he can to hurt us.

Mr ALI has damaged our property by throwing rubbish and blocking the manhole in the back of the property, this has resulted our basement flat being flooded and has caused extensive damage as all the wood flooring and the flat is ruined.

the purpose of this letter at this stage is to request your services in persuading Mr ALI from refraining from doing such acts of vandalism.

it appears as though the matter is being dealt with in civil court.

Signature: Signature witnessed by:

Continuation of Statement of **Nicola McDonald**

convicted of a relevant offence on 12/12/2008 at Brent Magistrates court and section 132 of the Licensing Act by failing to inform the relevant issuing authority of a conviction for a relevant offence namely selling alcohol to a person aged under 18 years contrary to section 146 of the Licensing Act 2003. Mr Ali pleaded guilty at court when prosecuted by Brent Trading Standards but appeared to be vague in his recollection when interviewed by Luton Licensing Officers.
Unfortunately Mr Ali has been operating this premises with total disregard for any authority and with no intention of upholding the licensing objectives. Police request this licence be revoked.

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

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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**