

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 Officer 008926**

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: W. McDonald PC1570K Date: 7-1-14

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

I am a Police Constable of 24 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.

One of the premises I supervise is Peaches, 177-179 Kenton Road, Harrow, HA3 0HD.

The following evidence refers to observations I have made at Peaches that was not included in the initial expedited review hearing.

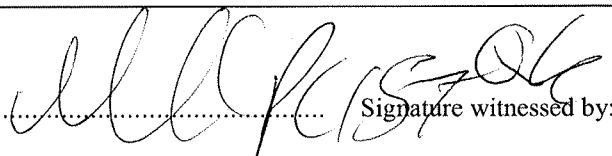
On Saturday 3rd December 2011 I was on duty in Plain clothes in company with PS Adrian Adolphus when at 0140 hours we attended Peaches Bar 177 Kenton Road. Loud audible music could be heard from the beer garden at the side of the premises. The ID scan was in operation. The DPS was not present. We spoke to Bobby Rai. There was several work Christmas parties ongoing and rather a lot of drunken customers. There were plenty of spirits bottles on the customer tables. Dance music was playing loudly. The external side area was not being supervised initially, but once Mr Rai had acknowledged our presence a door supervisor appeared. Whilst unsupervised the door leading to the external area had been left open allowing the music to emanate into the street. Mr Rai was advised about the operation of the venue in particular allowing his customers to get drunk, and that selling whole bottles of spirits was not recommended as there was no control over the consumption of it.

On Saturday 23rd March 2013 I was on duty in plain clothes in company with PS Adrian Adolphus we were conducting late night licensing visits around the borough. At 0130 hours we visited Masters Bar Kenton Road Harrow. As we stood on the pavement talking to the management of Masters my attention was drawn to a fuss involving shouting and a male being chased across the busy road through traffic outside Peaches. Both were Asian males. One ran out of sight and the other then went back into Peaches Bar.

Signature: W. McDonald PC1570K Signature witnessed by:

Continuation of Statement of **Nicola McDonald**

On 20th April 2013 I was on duty in plain clothes in company with Esther Chan LBB licensing enforcement officer. At 0225 hrs we parked our vehicle in Kenton Road opposite the junction of Draycott Avenue in the bus stop in order to observe the dispersal of customers from Peaches that was closing to the public. There were approximately 27 customers that exited Peaches and were standing outside. The verbal noise level, even on a busy road was loud with chatting and laughing. From the volume and behaviour of the customers I would say they were drunk. I could only see two door supervisors dressed in dark clothing not high visibility, that were at a permanent position in the door way, there was no one supervising the customers in the street or vicinity, there was no instruction from the door supervisors asking the customers to leave the area and keep the noise down. A commotion then started with an Asian male with bright white trainers who had left Peaches and was now two shop fronts along the road. He began shouting and swearing, finger pointing and had to be physically restrained from returning to Peaches by another Asian male of larger build wearing a bodywarmer. The male with the body warmer was telling him to calm down, leave it, he was pushing him down the road towards Masters Bar. Two separate groups of Asian females then began arguing with each other, screaming aggressively and swearing. The noise level was totally unacceptable but the door supervisors still made no attempt to intervene or disperse the crowd. At approximately 0240 hours the door supervisors went inside Peaches and locked the entrance doors behind them. The angry Asian male headed towards Masters Bar with about twelve others. Two taxi's pulled up outside masters and took some customers away. This left approximately six customers outside still being verbally loud. I watched a male in the group go to the side of Peaches and urinate in the street. At this point I had to quickly get out of the car and intervene in an incident at Master's Bar involving some of the Peaches customers. My observations on this occasion showed a premise allowing customers to get drunk, and then complete lack of control or supervision once they are directed to leave the premises, causing considerable nuisance.

Signature:  Signature witnessed by: