

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 **PC368QK Michael Sullivan**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 220776**

This statement (consisting of: **3**..... 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: **14th June 2016**

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

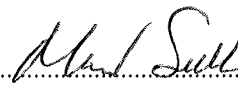
I am a Police Constable of nearly 12 years experience, all of which I have worked on the London Borough of Brent, I am currently attached to the licensing unit for the Borough, I have been authorised via a delegated authority to represent the Borough Commander of the London Borough of Brent and for the Commissioner of the Metropolitan Police Service to act on Licensing matters. Supersave 68 Craven Park Road, Harlesden NW10 4AE is a convenience store which has a 24 hour licence to sell alcohol.

On the 22nd April 2016 a review application made by the Metropolitan Police was submitted to Brent Council in relation to this premise after numerous breaches were found to its current licence conditions. Prior to the review being submitted a stepped approach with the premise took place in line with the Home Office Guidance.

On the 09/02/2016 PC Shippey is called to the area after calls to police from a vulnerable male, PC Shippey identifies that the male is drunk and is still being sold alcohol; PC Shippey speaks to members of staff and advises them of the offences of selling to drunks.

11/02/2016 police are called to a stabbing of a male outside the shop, on the 12/02/2016 I attended the shop and spoke to the staff on duty, advise was given to staff regarding the sale of alcohol to drunk people and with regards to the CCTV working correctly, as none were able to work, I asked to speak with the Premises Licence holder and Designated Premise Supervisor, staff attempted to call them on the phone but they were unable to contact either , I left a message for them to contact me regarding the issues found.

05/03/2016 two members of staff were witnessed by police selling alcohol to drunken males; both males admitted the offence of selling alcohol to drunks and were later issued with a £90 Fixed Penalty Notice. Both stated to police that they feared for their safety whilst working in the shop and did not feel confident to speak with the owner about their fears as they were worried about losing their jobs. It later became apparent that one of these males is actually named, as one of the Premises Licence Holders. I contacted the owner, who is shown on the licence as one of the Premises Licence Holders, and as the Designated Premise Supervisor Mr Farooq Khan, and explained to him that there were a number of issues being highlighted within his shop, it was explained to him that officers had witnessed staff selling to a drunk male on the 09/02/2016 after being warned not to sell to the male, and that again another two members of staff had sold to several drunk males and had been issued with £90 PND's

Signature:  Signature witnessed by:

Continuation of Statement of **Michael sullivan**.....

He stated that he was aware of these issues and was dealing with the training issues, it was also brought to his attention that the shop was staying open past 23;00 hours when the premise should be closed to the public, he again said that he was aware of this but stayed open past 23:00 hours as it was a busy time for the shop, it was explained to him that this was unacceptable and a breach of his licence conditions. He seemed unfazed by this and again repeated his earlier comment of this is a busy time for the shop, he eventually agreed that the shop would start to close at 23:00 hours. We also discussed the problem with people standing outside the front of the shop drinking alcohol, and he was advised to ask staff to be proactive in moving them on.

02/04/2016 police conducted a test purchase on the shop with a 17 year old cadet, the shop failed and sold alcohol to the child.

A meeting was arranged for the 07/04/2016 between police Mr Khan and his agent Mrs Sylvester, during the meeting police outlined there concerns around street drinkers, the failed test purchase, late night opening of the shop, the sale of alcohol to drunks and staff fears, Mr Khan denied the shop sold to drunks and tried to blame other local shops for causing the problems.

Police suggested numerous conditions be adopted that would assist the shop in running better and within line with the Licensing objectives, Mr Khan and his agent said they would go away and discuss the conditions and consider putting in a minor variation for the conditions to be added.

I later received an e-mail from the agent outlining the conditions her client was prepared to accept, this fell short of what I believed would be acceptable for the shop to meet the licensing objectives.

The above shows that there were numerous telephone conversations where police have raised concerns and asked Mr Khan to address the issues, and a meeting to discuss and try and reach an agreement with him and his agent to deal with the breaches identified.

Unfortunately no actions were made by the shop to the recommend improvements suggested by police, and it was decided that a review of the shops Premise Licence was necessary to promote the licensing objectives.

This decision was further justified when the shop was found on two occasions to be breaching one of its licence conditions by not having a personal Licence holder present on the premises to supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.

The first breach was discovered by 19/04/2016 Miss Esther Chan conducted a visit at the premises and found that none of the staff in the shop held a personal Licence.

Again on the 22/04/2016 only a few days later I visit the shop only to find that yet again there is no Personal Licence holder present, I spoke to Mr Farooq Khan on the phone and he said that he was aware of the earlier visit by Miss Chan, but disputed that the shop had breached its licence condition on either occasion.

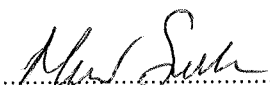
On the 11/06/2016 I viewed Brent Council CCTV cameras to observe anti social behaviour in Craven Park Road. I randomly reviewed footage from Camera number 2 on the 29/05/2016, which also covers the front of Supersave 68 Craven Park Road NW10.

From the footage I viewed on this date I have copied six files from different times during the night, where I identified breaches and Anti-Social Behaviour, all 6 files are from camera number 2. file 6 is dated 4/6/16.

File one starts at 04:25 Hours the camera is looking down Craven Park Road and the front of Supersave can be seen from a distance, during the footage which last approximately 22 minutes a group of people can be seen congregating outside the front of the premises, it is unclear to see if they are drinking as the camera is too far away and not zoomed in, but it clearly shows a group standing directly outside the shop near the night hatch, people are seen coming and going from the group.

The second file starts at 05:00 hours and again shows a group of people congregating outside of the front of the shop, this file last for approximately 4 minutes.

File number 3 starts at 05:36 hours, at 05:36:51 the camera zooms onto the front of the shop, there is a lot of empty alcohol cans and rubbish outside the front of the shop, at 05:39 hours a red BMW pulls up

Signature:  Signature witnessed by:

