

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 **PC 782QK Paul Whitcomb** URN:

--	--	--	--

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

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:

Friday 1st July 2016

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

On Wednesday 29th June 2016, Brent council licensing sub-committee imposed the following interim steps on The Cock Tavern public house, 125 Kilburn High Road, Kilburn NW6 6JH:

1. SIA accredited door supervisors shall be on duty at the premises in the following number and at the following times:

a. at least 1 door supervisor Monday to Friday from 18:00 hours and at least 2 door supervisors from 20:00 hours until close of business.

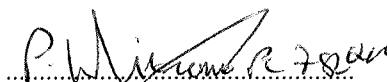
b. at least 1 door supervisor Saturday and Sunday from 16:00 hours and at least 2 door supervisors from 20:00 hours until close of business.

2. No patron suspected of being intoxicated shall be allowed entry to the premises at any time.

3. The Police shall, at a time to be arranged, but no later the end of the week commencing 18 July 2016 conduct security and door management training with any employee of the premises who is concerned with the management and/or retail sale of alcohol and/or food.

On Thursday 30th June 2016, I was on duty in plain clothes working with PC 368QK Michael Sullivan. PC Sullivan and I are the licensing constables for Brent borough police and are attached to Brent police licensing unit. As the above conditions became enforceable from midnight, we decided to attend the Cock Tavern, to check for compliance. We arrived at around 8.10pm and we spoke with the designated premises supervisor (DPS), Mr. Rogerio Mendes. It became apparent that there were no door supervisors on duty. This is a breach of interim step

Signature:



Signature witnessed by:

Continuation of Statement of **PC 782QK Paul Whitcomb**

condition number 1a, as stated above. Mr. Medez was told that he must stop serving alcohol. Mr. Mendes appeared very nervous. He stated that his door supervisor had been in at 6.00pm but left for a break and had not returned?? However, when PC Sullivan spoke with a male member of bar about the door supervisor, this account was contradicted. The bar staff said that the door supervisor was 'running late' and 'starts at 8.30pm'. I do not have this member of staff's details but describe him as being Asian in appearance, mid twenties, slim build, black beard and wearing a black shirt. PC Sullivan asked Mr. Mendes where the second door supervisor was. Mr. Mendes stated that he only had requested one door supervisor as he was told by his solicitor that he only requires two, if he stays open past midnight, which he did not intend to do this particular evening. PC Sullivan pointed out this is not the case. Mr. Mendes confirmed that he had a copy of the interim steps sent to him by his solicitor and showed us it on his PC, so in my opinion there was no excuse for any confusion. PC Sullivan asked to inspect his door supervisor log, which he was unable to produce it. However, he stated that he did get the door supervisor to sign in on an A4 sheet of paper and said that it was in his office. Mr. Mendez asked his bar manager; Mr. [REDACTED], to go and fetch it. After a few minutes of waiting, PC Sullivan asked Mr. Mendes if he would mind showing us his CCTV and point out his door supervisor arriving at 6.00pm. Mr. Mendes was happy to do this and accompanied us to his staff office. However, once there PC Sullivan asked Mr. Mendez to be honest with us. He said, 'Well, to be honest I wasn't actually here'?? He showed us a form where the door supervisor had apparently signed in at 6.00pm. Mr. Mendez then made a phone call to his security company and requested that they send a second door supervisor and ask that the door supervisor who walked out on a 'break' to return. We returned back downstairs and whilst waiting at the front of the pub with Mr. Mendez I saw a white male come out of the pub, aged around sixty years old, grey beard, wearing a light blue jacket, grey jogging bottoms and had a grey rucksack on his back. His eyes were wide and glazed, he was drunk. I then saw this man pick up a half empty pint glass from a table within the outside drinking area and started drinking the contents from it. This breaches interim step condition number two, as stated above. Further I noticed a Budweiser bottle on a table inside the pub and a bottle of Becks beer. This is a breach of the premises licence condition number thirteen which reads, '*All alcohol and soft drinks shall be served in plastic or toughened glasses.*' At around 9.15pm one of the door supervisors arrived. We waited for a further ten minutes, to see if the second supervisor returns from his break, but he didn't so we decided to leave. I informed Mr. Mendez that we are leaving and that he can continue to sell alcohol after his second door supervisor arrives. At around 9.30pm, Mr. Mendez called me and stated that his second door supervisor had arrived.

P. Whitcomb PC 782QK

Signature:

P. Whitcomb PC 782QK

Signature witnessed by: