



Brent

Witness Statement

CJ Act 1967, s9;

MC Act 1980, ss5A(a) and 5B;

MC Rules 1981, r70;

UPRN:

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Statement of:**Esther Chan**.....

Age of if under 18..... (if over 18 insert 'over 18').....**Over 18**.....

Occupation:**Licensing Inspector**

This statement (consisting of ..2..page(s) 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 which I know to be false or do not believe to be true.

Dated: 17th February 2022

Signature: 

I am employed by the London Borough of Brent as a Licensing Inspector. My duties include enforcing the Licensing Act 2003.

On Friday 25th January 2022, the Licensing Authority submitted an application to review the premise licence of Shanzelize, 11 Kilburn Bridge, Kilburn High Road, NW6 6HT. The review application form and evidence documents were sent to the licence holder, Mr Hashem Mohammadi via email.

As part of the process, I also visited the premises on 25th January 2022 at 22:05hrs with the Licensing Police Officers, PC Gary Norton and PC Paul Scott to hand deliver the review application form with the evidence including three discs containing footages from various sources.

At the time of our visit, the premises was open to the public. The licensed area being the restaurant was practically empty. Most of the customers were sitting at the rear seating area consuming refreshments and smoking shisha (**Appendix 45**).

Upon entering the rear seating area, I noticed a female dressed in a peach colour traditional belly dancing costume standing by the bar. She was positioned in a manner that she was about to make an entry into the rear seating area to perform a dance to the audience.

When she acknowledged our presence, she did not proceed to perform and sat on a chair awaiting instructions from staff members.

I then entered the rear seating area and noticed a male playing the keyboard on the left hand side. It was clear that regulated entertainment was being provided in an unauthorised area (**Appendix 46**).

When I saw Mr Mohammadi in the licensed area, I asked him to confirm if he had received my review application via email earlier in the day. He said he had received my email but due to being busy, he did not have the opportunity to read the review application bundle. He said he has passed the documents to his solicitor.

A hard copy of the documents and DVD discs were handed to Mr Mohammadi in the presence of the Police Officers.

During my presence, I noticed there were no SIA staff present as per conditions embedded on the premise licence, which stipulates the following:

Condition 1 - Door supervisors shall wear clothing that can be clearly and easily identified on CCTV.

Condition 2 - Door supervisors of a sufficient number and gender mix, shall be employed from 21:00 hours on any day when the premises are open for the sale of alcohol with music either live or recorded and the facilities for dance or the performance of dance past midnight.

Condition 3 - A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

I questioned Mr Mohammadi why he had no SIA staff present. He then pointed at a male who was sitting by the table and claimed the male was his door staff but hadn't started his shift.

The male was dressed in patterned jacket and dark trousers. When called, he approached us to show us his SIA badge details, however he was not wearing anything to identify himself as a SIA staff (Appendix 47).

Mr Mohammadi then gave the male SIA a badge holder and instructed him to complete the SIA register, when I'd asked to view the door log register.

At this point, we stood by the bar, when I asked Mr Mohammadi why he had ignored the Council's warnings by continuing to use unauthorised areas to provide licensable activities. He said he has to pay his rates and rent.

PC Norton explained the issues to Mr Mohammadi. During their conversation, I observed a number of customers entering the premises without being searched or questioned by the SIA staff. The customers entered the rear seating area.

We left the scene to continue with our duties.

Signature:.....  Signature Witnessed by:.....