

**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: ....**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: .....

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

I am a Police Constable of 22 years experience, the last 16 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 "Local Food Express" 16 park Parade, Harlesden, NW10 4JA.

On 3rd July 2012 the premises licence holder for this shop, Mr Syed Liaquat Ali SHAH, made an application to vary the premises licence to supply alcohol for 24 hours daily. The current premises licence allows supply of alcohol for consumption off the premises from 0800 hours to 0200 hours daily.

On 11th July 2012 I had a meeting at Wembley Police Station with the designated premises supervisor for the shop, Mr Wazir AHMAD. During our meeting he informed me he had been working in the shop for about 4 months, since Mr SHAH bought the shop. Mr SHAH does not work at this shop, he lives and works at his other off licence in Leeds. Mr AHMAD told me, when not employed at 16 Park Parade he works as a cab driver.

On Saturday 28th July 2012 at 1230 hours I was on duty in plain clothes conducting licensing visits in Harlesden when I attended 16 Park Parade. Mr Wazir AHMAD was working alone in the shop behind the cash register/serving counter. The shop currently opens for 24 hours daily but does not supply alcohol from 0200hrs to 0800hrs. It became apparent from conversation with Mr AHMAD that during those times when there is no authority, the shop is open to the public to enter but the alcohol is not removed or covered from display. I explained to Mr AHMAD that alcohol must not be on display for supply from 0200hrs to 0800 hrs daily.

On the entrance door I observed a hand written notice that read 'no dogs allowed'. Whilst conducting my visit a white male in his 20's entered the shop with a dog on a lead. Mr AHMAD mumbled 'no dogs', the white male said 'oh, come on mate' and then placed groceries on the counter. Mr AHMAD did not confront the customer any further; he served the male who then left the shop.

Signature: .....      Signature witnessed by: .....

Continuation of Statement of **Nicola McDonald** .....

A short time later an Asian male standing outside the shop selected a banana from a bunch on display. He waved the banana towards Mr AHMAD at the counter and shouted 'thank you my friend'. The Asian male then walked away from the shop. I looked at Mr AHMAD for an explanation, he shrugged his shoulders and said 'this is what it is like to work in Harlesden. In the ample time I spent in the shop there were only two customers who purchased minimal items.

My visit caused unease in regard the running of this shop and I returned to the Police Station and conducted further checks. To my alarm I discovered on Friday 29th June 2012 at 19:35 hours a child under the age of 18 years had been sold alcohol in the shop. This had been a test purchase operation, the child was a 15 year old Police Cadet who bought a bottle of WKD vodka for £1.49. The member of staff that served the child gave his name as Naheed ZEB, he did not challenge the child or ask for any age verification and was issued with a Fixed Penalty notice by a Police Officer for the offence contrary to section 146 Licensing Act. Mr ZEB informed the officer he was a student and working alone in the shop. During my previous meetings with Mr AHMAD he never brought this sale to my attention. I fear his lack of control may mean Mr ZEB has not mentioned it to him.

I also discovered the following incident that had taken place in the shop at 1900 hours on 11th October 2011, the member of staff in the shop during this incident was Mr Wazir AHMAD. It would appear he has been working in the shop for much longer than four months as he previous told me. During the incident a drunken female had entered the shop, asked the cashier for a miniature bottle of Jack Daniels. The miniature spirits are stored behind the counter and inaccessible to customers. The cashier had handed the bottle of alcohol to the drunken woman who then opened the bottle in the shop and drank it. She made no attempt to pay the £1.99 for the alcohol and was asked to leave the shop. She left the shop before quickly returning and smashing a glass bottle of beer on the floor of the shop. Police were called and this drunken woman was arrested.

I consider the application for an extension to sell alcohol 24/7 is purely for economic reasons and not because there is a demand for it. Although this is not a reason to object to the application. I fear that because of the need to increase profit the licensing objectives will be jeopardised. The sale of alcohol in an area like Harlesden is challenging and requires strong management to comply with the Law and Guidance. I have concerns with the operation of this shop and see the above incidents as weakness and a precursor to further breaches of legislation and detrimental to the licensing objectives.

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: .....

Time and place statement taken: .....