



# 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: .....Over 18.....

Occupation: .....Licensing Inspector.....

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 which I know to be false or do not believe to be true.

Dated the: .....20.01.15.....

Signature: .....  .....

I am employed by the London Borough of Brent as a Licensing Inspector. My duties include enforcing the Licensing Act 2003. On Saturday 17<sup>th</sup> January 2015 at 01:00hrs I was on duty with my colleague, Licensing Inspector, Ms Lavine Miller-Johnson conducting a licensing visit at D'Den 47 Cricklewood Broadway, London, NW2 3JX. The reason for our visit was based on a review application.

On entering the premise, we introduced ourselves and there were three females within the premise. We spoke to a female sitting near the bar known to be Ms Bukky Abula. Officer Miller-Johnson asked Ms Abula if Ms Amoye was present on the premise. Ms Abula replied she is not here at present. Officer Miller-Johnson then asked Ms Abula in the absence of Ms Amoye who was the responsible person in charge on the premise. Ms Abula said 'everyone is responsible'.

Whilst Officer Miller-Johnson asked further questions, Ms Abula did not seem to be interested in answering any of our questions and referred us to a another female within the premise known to be Ms Xilvro Peters. Officer Miller-Johnson asked Ms Peters if she knew where Ms Amoye was at present Ms Peters said Ms Amoye was going to be in the premises within the next two hours. Officer Miller-Johnson asked Ms Peters if Ms Amoye was contactable and Ms Peters replied no and Ms Amoye is currently sleeping.

Whilst were on the premise we observed alcohol on display for sale. Officer Miller-Johnson asked if there were any personal licence holders on the premise. Ms Peters replied that even if she had a personal licence, she would not be carrying it around with her.

Officer Miller-Johnson and I then went through the conditions embedded on the current premise licence. There were a number of conditions that were breached.

Signature: 

Signature Witnessed by:



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Continuation of Statement of .....Esther Chan.....

Page No: 2 of 2

The first condition that was breached was related Age Verification Policy

**(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**

**(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.**

Officer Miller-Johnson asked Ms Peters if she knew the age verification policy within the premises. Ms Peters replied that she was not aware of any age verification policy as she had not received any training nor been authorised to sell alcohol. Ms Peters said that this is a question for Ms Amoye to answer, which she should know. I asked Ms Peters if there were any age verification posters i.e. 'Challenge 21' on display for customers to see. She said a poster was on display but has disappeared. Ms Peters confirmed that there no staff training documents for us to see.

Another few conditions that were breached

**Condition (1) CCTV shall be installed and maintained in working condition?**

Nobody within the premise was able operate the CCTV system. Officer Miller Johnson asked Ms Peters if she had access to the CCTV and she said only Ms Amoye has access to the system.

**Condition (2) All CCTV shall be kept for 31 days and shall be made available to the police and licensing officers if requested-**

Officer Miller Johnson asked Ms Peters if she could retrieve a copy of the CCTV if requested she replied that only Ms Amoye can operate it and she would need to be called to advise the staff how to operate the system. This would not have been possible at this time as we were told that Ms Amoye was sleeping.

I asked Ms Peters to show me where the fire fighting equipment was located. She didn't seem to know at first. I asked if there were any in the restaurant or bar area and we looked around and couldn't find any fire extinguishers.

Ms Peters then lead me to the kitchen and pointed out a fire extinguisher mounted behind the door. I asked her when the fire extinguisher was last checked, she said, recently. However, there was no label on the back of the fire extinguisher to indicate when it was last checked and Ms Peters did not have documentation to prove when it had been checked. We then went to the area where the male and female toilets were located, I discovered two fire extinguishers placed on the floor, which appeared to be dusty. Again, there were no labels to indicate when they were last checked.

Officer Miller Johnson and I then looked at the plan associated to the licence. On checking the plan, I noticed that the plan did not reflect the current layout of the premise, namely where the male and female toilets were located. We informed Ms Peters about this and showed her where the changes were identified.

We then left the premise to continue with our licensing duties.

Signature.....  .....

Signature Witnessed by:.....



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**Witness Name:** .....LICENSING INSPECTOR.....

**Home Address:** ..BRENT CIVIC CENTRE, ENGINEERS WAY,WEMBLEY, HA9 0FJ

**Telephone No: Home :**.....**Business:** .....02089375303.....

**Mobile:**.....**E-mail:**.....

**Female** (delete as applicable)

**Date of Birth**.....

Dates to be avoided. Delete dates of non-availability of witness to attend court.

*January*

1 2 3 4 5 6 7 8 9 10 11 12 13  
14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

*February*

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*March*

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*April*

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*May*

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*June*

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*July*

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*August*

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*September*

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*October*

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*November*

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*December*

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14 15 16 17 18 19 20 21 22 23  
24 25 26 27 28 29 30 31

**STATEMENT TAKEN BY (Print name)**

ESTHER CHAN

**Job Title:**

LICENSING INSPECTOR

**Date/Time Statement taken**

20.01.15 @ 09:30hrs

**Place statement taken:**

BRENT CIVIC CENTRE.