

**STATEMENT OF WITNESS**

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

Statement of: **Maheru Khan**  
(name of witness)

Age of witness: Over 21

Occupation of witness: Licensing Enforcement Officer

This statement (consisting of 2 pages and 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 should be liable to prosecution if I have wilfully stated in it anything I know to be false or do not believe to be true. I am willing to attend court to give evidence.

Signature

Date: 30 January 2012

- 1 I am Maheru [REDACTED] Khan and am currently employed by the Harrow Council as
- 2 Licensing Enforcement Officer. I hold a Certificate in Managing Safety from The Institute
- 3 of Occupational Safety & Health, a Diploma in Health & Safety at Work from The
- 4 Nottingham Trent University and a Higher Certificate in Food Premises Inspection from
- 5 Middlesex University. I have twenty years' experience in dealing with environmental
- 6 health matters. I am duly authorised by Harrow Council to enforce the relevant
- 7 provisions of the Health & Safety at Work etc. Act 1974, Food Safety Act 1990,
- 8 Environmental Protection Act 1990, London Local Authorities Act 1991.
- 9 I was on Out of Hours duty on the 28<sup>th</sup> January 2012 from 9:30pm till 2:00am on 29<sup>th</sup>
- 10 January 2012 with Miss Jennifer Hopkins, Environmental Health Officer. I was asked by
- 11 [REDACTED] Licensing Team Leader to check compliance of licensing conditions at
- 12 a few licensing premises, Funky Brownz at 28 Belmont Circle, Kenton HA3 8RF was
- 13 one of them. On 29<sup>th</sup> January 2012 at 1.30am I drove by the front of Funky Brownz at
- 14 28 Belmont Circle, Kenton HA3 8RF. [REDACTED] was also with me. About 8
- 15 people were standing by the front entrance of the premises. I could hear people's
- 16 noises while driving past the premises. I turned left from the premises into a service
- 17 road named Parnell Way and parked the car adjacent to the Funky Brownz' back.

Signature

Signature witnessed by

Funky Brownz Witness statement form

**STATEMENT OF WITNESS continued Funky Brownz HA3 8RF**

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

18 garden by the gate of Gate Lodge, a block of residential properties. I could hear music  
19 and people's noise loud and clear. At 1.30 am I could hear the song "You've got that  
20 vibe". Then I heard some other music I could not recognize. At 2:07am I heard girls'  
21 shrieking voices from inside the premises along with the music, they were singing with  
22 the song and I recognize the song being played "Bump n Grind". Then there were some  
23 other numbers I did not recognize but all the music at that time was with high base, loud  
24 and clearly audible from outside the premises while Jennifer Hopkins and I were sitting  
25 in my car parked in Parnell Way by the residential premises of Gate Lodge, Parnell  
26 Way, Kenton. At 2:16am the music was still on and there was no sign of premises  
27 closing i.e. patrons were not leaving but [REDACTED] and I had to leave as we sign  
28 off duty at 2:00am. When I drove past the front of the premises three young men were  
29 standing in the forecourt and the entrance door was open. [REDACTED] and I went  
30 back to Civic Centre, Harrow and while I was driving back home I drove past the  
31 premises at 2:39am the front entrance was still open and I saw two people going into  
32 the premises.

Signature [REDACTED]

Signature witnessed by [REDACTED]

**STATEMENT OF WITNESS**

Criminal Procedure Rules r27.1(1); Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

Statement of : **Jennifer Hopkins**  
 (name of witness)

Age of witness : Over 21

Occupation of witness : Environmental Health Officer

This statement (consisting of 1 page and 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 should be liable to prosecution if I have wilfully stated in it anything I know to be false or do not believe to be true. I am willing to attend court to give evidence.

Signature:

Date: 08/02/12

1 I am an Environmental Health Officer (EHO) employed by the London Borough of  
 2 Harrow. I hold a Master of Science degree in Environmental Health and I have been  
 3 qualified as an Environmental Health Officer since December 2009. I hold a certificate  
 4 of registration from the Environmental Health Officers Registration Board and I am a  
 5 member of the Chartered Institute of Environmental Health. I am an authorised officer  
 6 for the purposes of the Environmental Protection Act 1990 and a member of the  
 7 Council's Out of Hour's Noise service, dealing with noise nuisance cases. On 29<sup>th</sup>  
 8 January 2012 I was on duty for the out of hours noise service with my colleague,  
 9 Licensing Officer [REDACTED]. We had a referral from the Licensing Team to check  
 10 closing time/noise from Funky Brownz at 28 Belmont Circle, Harrow, HA3 8RF. At 01.30  
 11 am, Funky Brownz was open for trade and the music was clearly audible from our  
 12 position in the service road adjacent to the premises. I could clearly hear the song  
 13 'You've got that vibe' playing. I was aware that Funky Brownz should close at 2.00 am  
 14 according to the premises licence. We remained outside the club. At 2.07 am I noted  
 15 that the music emanating from Funky Brownz was still clearly audible and I recognised  
 16 the song to be 'Bump n Grind'. I could also hear raised voices/shrieks coming from  
 17 inside as you would associate with party goers. At 2.16 am Funky Brownz remained  
 18 open and music was still playing as we left the vicinity.

Signature [REDACTED]

Signature witnessed by [REDACTED]

**STATEMENT OF WITNESS**

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

Statement of : **Lois Elizabeth Smith**  
 (name of witness)

Age of witness : Over 21

Occupation of witness : Environmental Health Officer

This statement (consisting of 4 page(s) and 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 should be liable to prosecution if I have wilfully stated in it anything I know to be false or do not believe to be true. I am willing to attend court to give evidence.

Signature

Date : 2 April 2012

1 My name is Lois [REDACTED] Smith and I have been employed by the London Borough  
 2 of Harrow for fourteen years as an Environmental Health Officer. I am registered with  
 3 the Chartered Institute of Environmental Health Officers having obtained my Diploma in  
 4 Environmental Health in 1995. I also then obtained my Masters Degree in  
 5 Environmental Science, Management and Legislation. On the weekend of 18 and 19  
 6 February 2012, I was on duty with the Harrow Council's Out of Hours Noise Team. My  
 7 colleague on duty with me was [REDACTED] Environmental Health Officer. I had  
 8 instructions from the Manager of the Licensing Team to monitor the premises, Funky  
 9 Brownz, 28 Belmont Circle, Belmont Circle, Belmont, Harrow. To that end on the 19  
 10 February 2012 at 2am I sat outside Funky Brownz in my car, adjacent to the double  
 11 sided fire exit doors. The doors are underneath the sign of Cardamon (the restaurant  
 12 within Funky Brownz). All references that follows is with regards this location - until  
 13 otherwise stated. The two doors were open and I saw a man drinking at the bar (he had  
 14 dark hair and wore a dark coloured shirt). I heard a loud "hub bub" of voices from inside  
 15 the building. At 0203 a young boy went into these two open doors. He looked to be  
 16 about 8-9 years old. 10 persons were standing around the bar. I did not see any door  
 17 supervisors. I saw one man in a grey shirt with a half pint glass in his hand by one of  
 18 the doors. A door supervisor then came into the door area and then went away again

Signature

Signature witnessed by

**STATEMENT OF WITNESS continued**

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

19 [REDACTED] 5 people were outside the two  
20 doors on the pavement shouting and laughing. The two doors were still open. A door  
21 supervisor from inside the premises came to the door area and gestured to two  
22 customers inside. The door supervisor moved around the door area and spoke to  
23 customers. One of the doors was now closed at 0209. Two girls were now singing and  
24 sat on the pavement to the left of the doors, with their backs against the premise's wall.  
25 The young boy now came out of the premises with approximately 10 men, larking  
26 around. More customers streamed out of the premises and there were now around 26  
27 people stood outside on the pavement, just outside the doors to the premises. The  
28 other door was closed. Then, one door opened again and the young boy on the  
29 pavement was now on the shoulders of a customer. One of the two doors was being  
30 opened and closed. There were now approximately 23 customers out on the pavement,  
31 just outside the doors of the premises. They were talking loudly. I did not see any door  
32 supervisors. The doors open and closed again. The young boy was still on shoulders  
33 of the customer. The time was now 0214. The customers are fooling around on the  
34 pavement area - the young boy had his shoe in his hand. There were approximately 30  
35 customers outside the doors to the premises now. At 0215 I drove the car to the  
36 another monitoring location - that of the car park of a petrol garage opposite the  
37 premises and parked there, so I was facing the Sports Bar Lounge of Funky Brownz.  
38 All references are now to this new monitoring location, unless otherwise stated. There is  
39 a road in between. From within my car, I heard loud talking from the customers coming  
40 out of the premises, on to it's car park. There are approximately 17 customers here and  
41 around 7-8 cars. I heard shouting. The two televisions were still on, inside the  
42 premises. At 0219 the main door from the premises opens. At 0220 I heard a loud

Signature [REDACTED]

Signature witnessed [REDACTED]

Witness statement form

**STATEMENT OF WITNESS continued**

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

43 blast on a car horn (from the car park). There were approximately 35 customers as a  
44 whole outside the premises. At 0221 the door was still open and the loud horn  
45 continues. At 0221 a fight amongst the customers outside the premises started and the  
46 customers involved move into the road by the roundabout. It then stopped quickly and I  
47 contacted the Council's security, putting them on standby for contacting the police. Car  
48 drivers were beeping the customers in the road, as they past. There were  
49 approximately 40-50 customers still on the car park area of the premises. There were  
50 no door supervisors. I then saw a silhouette of a man from within the premises looking  
51 out on to the car park from the closed main door. This same man then let in a lady and  
52 a man to inside the premises. 0230 approximately 27 customers were still out the front  
53 of the premises, on the car park area, and there was a constant talking noise. 0232 one  
54 female customer was carried around by another male customer, generally larking  
55 around, in the car park area. 0235 approximately 27 customers were still milling around  
56 the car park area and adjacent pavement - outside the other fire exit doors (first  
57 monitoring location) - of the premises. The customers were standing around, talking to  
58 each other in groups, moving from one group to another, embracing etc. 0240 my  
59 colleague, [REDACTED] telephoned the contact number for the premises, on the License,  
60 and instructs them to get the door supervisors to move the customers on and away from  
61 the premises. She spoke to a man and was told to wait 5 minutes. 0242, 3 door  
62 supervisors came out from the premises. One of the door supervisors came over to a  
63 group of customers who were by a taxi, the other 2 door supervisors stayed by the  
64 premises. Approximately, 7 customers were then left at 0244 but were still shouting as  
65 they went off. At this point, I saw 1 door supervisor standing to the left side of the car  
66 park of the premises. There was still shouting noise from the customers. 0246 2

Signature

[REDACTED]

Signature witness

[REDACTED]

Witness statement form

**STATEMENT OF WITNESS continued**

Criminal Procedure Rules 2010 Rule 27.2; Criminal Justice Act 1967, Section 9; Magistrates' Courts Act 1980, Section 5B

67 customers came from behind the right side brick wall (adjacent to the car park and an  
68 alleyway) after urinating and then went away. 0246 customers have now left the  
69 premises. 3 door supervisors now went back into the premises (via fire exit doors to  
70 side). 0248 [REDACTED] obtained a further telephone number for this premises and  
71 spoke to [REDACTED] At 0253, the conversation ended. At 0254, I left the site. I  
72 attach a copy of my contemporary notes. (EXHIBIT LES 1).

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Signature

[REDACTED]

Signature witnessed

[REDACTED]

Witness statement form