

STATEMENT OF WITNESS

(CJ Act 1967, s9; MC Act 1980, ss5A (3) (a) and 5B, MC Rules 1981, r70)

Statement of: Nicholas Anderson-Cottee

Occupation of Witness: Public Protection Officer

Address: Lambeth Council, PO Box 734, Winchester, SO23 5DG

Age of Witness: Over 18

This statement, consisting of two page/s 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 in it anything which I know to be false, or do not believe to be true.

Signature:

A handwritten signature in black ink, consisting of a stylized 'A' with a large loop on the right side.

Date: 01/02/2019

My name is Nicholas Anderson-Cottee; the LONDON BOROUGH OF LAMBETH employs me as a Public Protection Officer, my duties include the enforcement provisions of the Licensing Act 2003.

On the 31st January 2019, I was on a night shift with my colleague William Olando. As part of my duties, I was tasked that night to visit a number of different premises in relation to various issues. One of these was Bagel World located at 516 Brixton Road, London, SW9 8EN. This tasking was in relation to licensing issues of the business allegedly serving hot food and drink after 23:00 hours, which the business is not licensed to do.

At 23:15 hours by my watch I entered the Bagel World at 516 Brixton Road. I observed two black males in an back room to the rear of the business, as well as a white male serving a female. He handed her a paper bag. There were no other customers in the shop.

The white male was in his mid to late twenties, black hair, somewhat largely built. He came over to me, and I asked for a jerk chicken meal with rice, and a latte coffee. He took my order and immediately took a plastic tub from many which were displayed in a glass counter. He placed this in one of three microwaves, and then went to a coffee machine and made the latte. Whilst he was doing so, I observed a conveyor type large toaster which was powered on. I also observed a number of patties as well as cold food which consisted mainly of bagels and fillings.

Witness: Nicholas Anderson-Cottee

Signature:


A handwritten signature in black ink, identical to the one above, consisting of a stylized 'A' with a large loop on the right side.

Date: 01/02/2019

The aforementioned male served the coffee and the meal when it was ready. He asked me if I wanted to eat in or takeaway and when I acknowledged the latter, he provided a bag, plastic cutlery and napkins. I paid by debit card, and was given a receipt for my order, which was date and time stamped. I formally present a copy of said receipt as Exhibit NA01.

As I started to leave, I asked the same male when the business closed. He stated that they were open 24 hours on Saturdays and Sundays, and that they normally closed around 23:00 hours on other days. I thanked him and left.

Witness: Nicholas Anderson-Cottee

Signature: 

Date: 01/02/2019

BAGEL WORLD
516 BRIXTON ROAD
LONDON, SW9 8EN
02072749900

Cashier: Goncalo
31-Jan-2019 23:22:11

Transaction **110985**

1	Jerk Chicken Meal	£6.00
1	Latte	£2.00

Total **£8.00**

CREDIT CARD SALE **£8.00**
MASTERCARD 9480

31-Jan-2019 23:22:21
£8.00 | Method: CONTACTLESS
Debit Mastercard XXXXXXXXXXXXX9480
Ref #: 2H8WX3WJB1FQY | Auth #: 197715
MID: *****9778
AID: A0000000041010
NO CARDHOLDER VERIFICATION

VAT	Net	Tax	Gross
%			
20	6.67	1.33	8.00

Order PEP25QT7PESJE

Online: <https://eu.clover.com/p/2H8WX3WJB1FQY>

WITNESS STATEMENT**Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s. 9**

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Statement of: Michael James

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Public Protection Officer

This statement (consisting of 3 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 in it anything which I know to be false, or do not believe to be true.

Signature:



(witness)

Date: 31/01/2019

I am a Public Protection Officer employed by Lambeth Council.

Part of my work is to do night duty on rota with other officers. When on night duty, as well as being the on-call noise service, officers are also asked to complete tasking visits to premises on the borough be it in regard to ASB, noise or licencing issues.

On the night of Thursday 24th January 2019, one of our tasking items requested by our colleagues in the Licencing Department was to visit the premises of Bagel World at 516 Brixton Road, Londo SW9 8EN.

I had been informed that the premises had no late refreshment licence, and as such are not permitted to be serving any form of hot food or hot beverage after 11.00pm.

Myself and my colleague John Ghandi walked past the premises on Thursday night at 11.15pm. The premises were open and there was around 15 customers in the premises waiting to be served.

During the course of Thursday night into Friday morning, we drove past the premises several times, the last time being around 3.10am.

On all occasions the premises were open, the front door was fixed open with an "open" sign displayed on the door and staff were present serving customers.

Unfortunately, due to other work we were completing at the time we did not have time to enter the premises and observe what foodstuffs and beverages were being served.

On Sunday 27th January 2019 at 02.45am myself and John Ghandi entered the premises of Bagel World.

The premises were open and there was 15-20 people in the premises queued iup waiting to be served.

Whilst we were waiting in the premises we noted the following taking place.

Staff were using a toasting machine to heat and toast the bagels being served.

There was a hotplate/glass display on the counter with hot Patties.

There were 2 banks of 2 microwave ovens behind the counter that staff were uing to heat food up for sale.

There was a counter display of plastic containers, containing curry, rice and other pre-prepared meals that were offered for sale and heated up to order in the microwaves.

There was a member of staff in the open-plan kitchen area at the rear of the shop grilling what appeared to be meat items which were then brought behind the counter on a spatula and put into bagels which were then wrapped up and given to customers to consume.

Hot beverages, tea and coffee were being served.

At 2.57am, my colleague John Ghandi ordered, and was served with, a cup of hot tea for which he paid £1.00

Having being served this hot beverage we then left the premises.

Signature:

A handwritten signature in black ink, appearing to be 'R. Ghandi', written over a horizontal line.

Signature witnessed by:

STATEMENT OF WITNESS

(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and 5B, MC Rules 1981, r70)

Statement of: John Gandhi

Occupation of Witness: Public Protection Officer

Age of Witness: 46

This statement, consisting of two (2) pages 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 in it anything which I know to be false, or do not believe to be true.

Your name : John Gandhi

Address: 2 Sefton Road, Addiscombe, Surrey CR0 7HR

Date of birth: 17th November 1972

My name is John Gandhi and I have worked for Lambeth council's public protection team for the last three (3) years.

On Sunday 24th January 2019 at approximately 02:45 hours, whilst on out of hours duties, myself and my colleague Michael James entered The Bagel World located at 516 Brixton Road, SW9 having been given information by our colleagues in licensing that the premises had no late night refreshment licence. At the time we entered there was approximately 15-20 customers inside ordering food.

I approached an IC3 male, approximately 5ft 9" and of large build (picture taken) who was working behind the counter and asked for a cup of tea.

Whilst waiting for the tea I observed bagels being grilled, food being warmed in microwaves and also food such as patties in hot display cabinets (pictures taken).

At 02:54 hours the member of staff made my tea and gave it to me. I asked him how much it was to which he replied £1.00.

I gave him £1.00 and we left the premises at 02:55 hours.

Signed:- 

Date: 01st February 2019

Witnessed by:----- Date:









