

# **STATEMENT OF WITNESS**

*(Criminal Procedure Rules 2005 r27.1 (1);  
Criminal Justice Act 1967 s.9; M.C. Act 1980 s5B)*

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**Statement of: Amir DARVISH**

**Age of Witness (If under 18):            Over 18**

This statement consisting of two 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, 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:** -----

**Date:** -----

1. I am employed by the London Borough of Haringey as a Noise & Nuisance Officer, as part of my duties I investigate offences under the Environmental Protection Act 1990 and Licensing Act 2003.
2. My colleague, Charlene THORNEYCROFT and I were on duty on Friday 21<sup>st</sup> April 2023, between 6pm-2am. As part of an ongoing investigation into alleged breaches of their licencing conditions we visited the premises known as MAXXI Food & Wine, 42 Topsfield Parade, Tottenham Lane, London, N8 8PT.
3. We arrived at approximately 23:20 hours, and parked the car across the road just outside The Queen public house and observed the shop from inside the car for about 45 minutes.
4. During the time I was observing the premises several customers visited the shop and left shortly after. At approximately 23:30 hrs, two young looking white males went inside the shop and left few minutes later. I would describe male #1 about 6' tall, thin built, wearing light grey hoodie and track suit, male #2 was a bit taller about 6'3", stocky built wearing a black top and light grey track bottom. They both looked young to me.
5. While observing the premises I also noticed two males who were standing outside the shop they went inside the shop on two occasions and spoke to the staff behind the counter. The males both were in their late 50s and I assumed they might be the licencing police or Safer Neighbourhood Team. I would describe male#1, whom I describe as a white male in his mid 50s, very tall, about 6'5", well-built, I would describe as a very big man, who later he introduced himself as Jim SOLLAS from Complete Licensing company. Male #2 was in his late 50s, and shorter at about 5'8" and small built.
6. During the time of observation, I did not witness any breach of licencing nor any antisocial behaviour activities from where I was.
7. At approximately 23:50 hrs I was leaving the area. As I was driving up Crouch End Hill, I noticed and recognised the two young males who visited the shop earlier on, they were sitting on a bench opposite Crescent Road, N8 I saw each had a balloon in their hand and they were intermittently inhaling from the balloons. At that point I drove into Crescent Road and then after turned the car and drives back towards Crouch End Hill. For the moment that I was stationary I noticed the blue Nitrous Oxide on the bench next to the males. At that point I aske my colleague, Charlene to take a picture of the males which I attached to this statement as exhibit AD1.

8. I then drove back to the premises, and I arrived there just after midnight. I went back inside the premises and introduced myself to the staff behind the counter, who I would describe as a Turkish male in his mid-20s, short and well-groomed hair and beard. I presented my warrant card, explained I was conducting a licencing visit and I wanted to review the CCTV footage from earlier on. The male said he is counting money and wants to close the shop but agreed to show the footage if it did not take much time. I responded that I only want to check the footage from 15 minutes ago to establish what the two young males in track suits purchased earlier on when they visited. The staff replayed the footage on the monitor mounted on the wall and continued with his counting.
9. As I was viewing footage Jim SOLLAS came inside, walked towards me and asked what I was doing I replied that I'm a council officer and doing a licencing visit. Then he introduced himself as mentioned that he is licencing consultant and has been recruited by the owner to deal with the upcoming licencing review then asked the staff not to show any footage. Then he asked for my credentials of which I presented my warrant card and gave him my name.
10. Then Mr SOLLAS said that I should request any CCTV footage in writing in accordance with Data Protection Act. I explained that the owner has previously told me I could ask the staff to review the footage as and when it's required, I also mentioned I was reviewing the footage to check whether the two young males purchased the Nitrous Oxide from Maxxi or not. I also explained that I have previously requested for the CCTV footage in writing, but they never provided any hence a warning letter was served for this matter. Then Jim insisted we should show him the two young males taking Nitrous. I agree and we drove up the road where I saw the males earlier on there, but the males already left.
11. When we arrived at the location Mr SOLLAS started looking around and mentioned he was looking for paraphernalia, but he could not find any.
12. Throughout my interaction with Mr SOLLAS, I perceived his attitude dominating and I felt he was using a passive-aggressive approach to question my actions as a council officer. Mr SOLLAS mentioned that the licensee and the management Maxxi store are keen to show the authority that they will comply with the premises licence condition, and they are eager to resolve the ongoing issue. As I was aware of the case history and had dealt with DPS/ manager of the premises personally I explained that the issue of selling Nitrous Oxide canisters and the anti-social behaviour associated with this has been going on since August 2022 and despite the several verbal and written warnings given to the licensee and DPS the issue persisted resulting in the licencing team reviewing the premises licence.
13. Later that night I prepared my statement and reported my findings to the licencing team. I also requested the council CCTV team to review the footage from the night which shows the two young males entering and leaving Maxxi Food & Wine at approx. 23:30 hrs. I have attached the pictures to this statement as exhibit AD2 and AD3.
14. I am available to attend court and give evidence.

Signed: -----

Date: -----