

Brent Council Brent Civic Centre Engineers Way, Wembley, HA9 0FJ TEL 020 8937 5503

EMAIL esther.chan@brent.gov.uk
WEB www.brent.gov.uk

MCS INC Limited 14 Studholm Court Finchley Road London W3 7AE

8th May 2017

Your Ref: 223721232

Licensing Representation for the Premises Licence Review for CLUB JETSET, 252 High Street, London, NW10 4TD

I certify that I have considered the application shown above and wish to make representations, which is detrimental to the Licensing Objectives for the reasons indicated below.

Officer: Esther Chan-Licensing Inspector

An officer of the Licensing Authority, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

The application has been made to review the premises licence under section 51 of the Act. The

Licensing Authority representations are primarily concerned with the four licensing objectives;

- · the prevention of crime and disorder;
- public safety;
- · the prevention of public nuisance; and
- the protection of children from harm.

History of Complaints

Below is a list of the complaints, incidents and reviews connected to Club Jet Set since 2009, received prior to the Review Application being made.

Date	History	Actions
13/04/2006	Initial application received	Granted
18/05/2009	Constant fighting outside the premises, noise nuisance coming from both inside and outside the premises.	On going observations
13/10/2010	Premises Licence Review Application 718850 on the grounds of :	
	The premise has a history of serious crime and disorder culminating in tow	





	fights and an allegation of rape within the last 6 weeks. In addition there are numerous Criminal Intelligence reports concerning the premises and a catalogue of calls to Police in relation to incidents at and outside the premises from patrons. Police have attempted to work with the management and recently in June 2010 the owner attended an interview at Wembley Police Station when all the allegations and incidents were discussed with him. Despite assurances that things would change the amount of Crime and disorder has continued to present day. It is my opinion that the only way to stop a continuance of the Crime and Disorder is to seek an expedited review with a view to a closure of the premise.	
14/10/2010	Expedited review decisions taken by the Alcohol and Entertainment Licensing Sub-Committee (B)	Decision of the committee: Sub-Committee resolved that the premises licence be suspended as an interim step under section 53B of the Licensing Act 2003:- The Sub-Committee also suggested that the premises licence holder works in consultation with the police to produce a satisfactory Management Plan prior to the full review of the premises licence. See Exhibit EC01
25/01/2011	Review hearing date. Hearing outcome :	premises licence to continue subject to amendments to the premises licence and conditions See Exhibit EC02
09/02/11	Complaint regarding blocked fire exits: Environmental Health received a complaint with regards to refuse dumped at the rear of Jet 7 Sete. On visiting the premises it appears to be mainly furniture and chairs, located on the fire escape route to the rear of the building and directly outside the fire escape door. These items were noted blocking the fire escape route.	14/02/2011- Letter sent to Ana Martin regarding complaint of blocked fire exits See Exhibit EC03





01/09/2011	Annual visit: Carried out by Lavine Miller-Johnson Alpesh Kerai and discussed several issues found	A letter was sent to the premise following the visit. See Exhibit EC04
20/05/2013	Complaint received:	
	My neighbour called the police this weekend due to early morning disruption outside her flat Sunday morning. This is the results of our lovely late night club Jet Set! Which has been granted a 5 or 6am late night drinking license. She is at breaking point with the weekend noise and is contemplating selling her flat for peace of mind due to weekly weekend disruption. Please explain to me how any establishment can run a business based on 2 nights a week?! I never see Jet Set open during the week; its doors are only ever open Friday/Saturday night from midnight. Her call should be logged on the police date base for your states and figures. It's a shame that the only time our council/government take action on anything is when a problem has gotten out of control or when you have the whole community in up roar about something. What happened to nipping things in the bud before minor issues become a major problem. I still can't believe that our council Brent has granted Jet Set has such a late drinking license, it should be reduced to 2am just like every other establishment in the area.	On going monitoring
24/06/2013	Email to Ms Sarah. Teather MP- from Yogini Patel	Yogini advised that she has written to the complainant advising that the local authority can not reduce the licensing hours. Residents who have concerns need to apply to have the licence reviewed and it is for the Alcohol & Entertainment subcommittee to decide the outcome. Email response to the resident was sent to Sarah Teather MP for reference.





01.07.2013 Dear All. On going monitoring As you are familiar with the wonderful Jet Set I have another incident from this weekend. I was woken by on-going load shouting at 4:40am Sunday 30th June 2013. I called the number 101 to report the incident as the shouting was going on for 20minutes, case reference CAD 2684 30 June. On this particular morning my partner was actually coming back home and was able to witness what was going on. He informed me there was a group of males about 6 or 7 all standing outside Jet Set shouting and making loads of noise. They would then jump out in front of passing cars yelling at the drivers. They were clearly drunk and un-aware of the dangerous to themselves and others who are driving at that time of the morning! Again I'm asking the council and the licencing committee just how safe and wise it is to have late night binge drinking places?! Not only is it a nuisance to the local council paying residents but it also posing a danger to others who were driving that morning on the high street. Had that person knocked over a drunk man whose fault would it have been and distort would that driver have been in the process?! Also to make you aware of just how noise these men were at 4:40am. Jet Set is on the main road, I could hear them from Palermo road and I was fast asleep in the middle bedroom, and I'm a heavy sleeper. So these men were being extremely loud and Jet Set management or bouncers where nowhere to be seen. Just to let you know I will be reporting every incident and keeping a file of just how many times I'm having to raising complaints about this establishment. 08/09/2013 Email to Cllr from a resident - Dear 08/09/2013- Cllr response





Councillors

Yet again on my way home from work this morning at 4.30am

I had the misfortune to be driving past the above night club when

a massive fist fight spilled out on the road. The fight involved several males, punching and kicking each other and hitting each other with bottles. The two sole Police Officers in attendance were trying valiantly to stop the fight but were clearly outnumbered. There was raised voices, shoes and mobile phones in the road ...it was pandemonium!!!!.! felt so sorry for those

Officers. They were then assisted by other Officers who turned up at the location. All the while the fight

continued and was witnessed by several bus passengers as well.

It was indeed a very very disturbing sight and, unfortunately a common one at this club. My heart goes out to the poor residents who have to endure this continual anti social behaviour. Additionally, I fear for my safety every time I have to drive past this notorious club. You hear about all this gang warfare and people getting shot by stray bullets...it very frightening.

This club attracts undesirables into Brent. You know that and so do the Police. Why, therefore, can't all the responsible authorities get together and close this place down. Harlesden would be such a safer place if this was actioned.

As a Council, can't you take steps to close this club down before there is a fatality. Councillor, this club is a melting pot for anti social behaviour and members of the public and local residents shouldn't have to endure such events. I am sure the Police would love to see this club closed down as well.

to email

A licence can be reviewed. evidence can provided by the police, the Council, councillors and the public. The police are now well aware of this venue. As I am a member of the Licensing committee I have to stay neutral in case it comes before my committee. hope the ŧ Kensal Green councillors contact you. I will also contact the police and relevant council officer.

Janice Long Harlesden ward / LB Brent

08/09/2013

Email to Thrale, David and Read, Michael (head of service)

Hi David/Michael

There is no doubt that the club mentioned is a real distress to

22/09/2013- Email response from head of service :

He advised that both the police and local authority do not have enough evidence to review the premises





residents. Do you think we can work out. Mechanism for dealing with this and worse before they get so bad?

licence. The police log that was presented to the head of service did not include the fight referred to by the resident.

The Licensing Inspectors have made observations in August and July and witnessed only minor issues on one occasion and no issues on the other.

Licensing officers to continue to monitor the premise.

Head of service also advised - that as there are sufficient grounds for a review, there is nothing to stop a member of the public from doing so. Guidance of how to review was issued.

28/07/14

Resident complaint received:

I am writing to make a complaint about Club Jet Set on the Harrow Road. I live on Palermo Road (at the Harrow Road end) and every weekend my partner and I are disturbed by the night club. Aside from the music which can be heard, each Saturday, when the club closes at 4am it seems that the clientele congregate outside of the club for at least an hour, shouting at each other. The management and door staff seemingly do nothing to move them on (or clear up the vomit that the clubbers kindly leave in the area too).

Three weeks ago the police were called due to the trouble that was being caused this is not an isolated incident and in the 18 months I have lived in the area, the police have been called regularly.

Aside from the noise pollution and litter that is evident post club nights; within one mile of the venue there have been three stabbings in the last few weeks. The area has more than its fair share of violent crime already and judging by the shouting and arguing that occurs every weekend outside the club, it seems quite possible that more violence will

28/07/2014

Email response from noise team to resident

Dear Ms*****

This is more of a Licensing issue. I will make a referral to the Licensing Police regarding this. While they may not be on duty at that time in the morning, they may be able to proactively visit the club during their duty hours and give advice to management. Any antisocial behaviour at street level may also be reported to the Police (dial 101).

The Licensing Team are currently looking into your complaint and may be able to enforce any conditions on the licence regarding crowd dispersal. However, the individual Teams will decide on the best course of action and update you accordingly. I have copied the relevant





erupt in the near future. teams into this email. I fully appreciate that people need to The Nuisance Control Team have somewhere to qo will continue dealing with entertainment, but the management is any complaints about loud clearly not responsible enough to music. handle such a late license in a primarily residential area. Added to this there is Regards no public transport at the time the club closes or a local cab office in the Ketan Joshi vicinity, so I do wonder the extent to which drink/drug-driving is being encouraged, and drug dealing within very close proximity to the school on Furness/Palermo Road. I'd be keen to know on what basis a late license has been granted to this club, what checks are made to ensure that it is operating in a professional manner, and what steps will be taken to reduce the extent to which the club is disturbing its residential neighbours. It is simply not fair that my weekends (and I expect those of many other local residents) should be ruined on a regular basis. Please acknowledge receipt of this email and let me know by when you will respond to the points above. If I should send it to a different team, please let me know. Kind regards 04//08/2014 Compliant received via noise team: 08/08/2014 -Response email from Police to resident regarding the two previous Dear Ketan complaints I would like to register another complaint about the noise from Club Jet Advising resident to keep a Set, again this Saturday. I was able to disturbina of anv hear music from the club at various activities points during the night and early morning. And as usual there was See Exhibit EC05 considerable disturbance as the club emptied and people congregated on the street to shout at each other. 27/04/2015 Premises Licence expedited review 29/04/2015 hearing 223339770 **Expedited review hearing** outcome Modified conditions on the

licence.





		See Exhibit EC06
16/05/2015	Visit carried out by the licensing authorities following receipt of the review	See Exhibit EC07
21/05/2015	Full review decision	Conditions added
21/02/16	Compliant received from resident	See Exhibit EC08 29/02/2016
	Dear all I am finally writing with a complaint about the JET SET CLUB, which is situated at the start of Harlesden High Street	Email was sent to the licence holder regarding the complaint received. He was advised that
	I live at an and have noticed that there is an increasing amount of debris in Rucklidge avenue and in Furness road whenever the Jet Set Club is open. There is an increase in cars parking on	He was advised that although there was no direct link to his premises he should be mindful of the activities taking place in the surrounding area.
	the double yellow lines on Harlesden High street, starting at the traffic lights with Furness Road. I am pretty shocked that these cars never ever receive parking tickets. These cars are a hazard at the traffic lights.	The licensee advised that the canisters are not from his clients as they don't use such things and it could be a possibility that they are from The Lodge clients as they park in the vicinity. He stated that he will keep a
	Last night at 11.45pm, I walked back from Willesden Junction tube station to my house in Rucklidge Avenue as usual there where cars parked all the way down the high street, on double yellow lines. Rucklidge avenue and Furness road	
	were clear of debris. I walk down at 10am and there ground was littered with laughing gas canisters.	
05/07/2016	Visit to the premises by licensing officers	Monitoring of the premises:
		Visit to the premises was undertaken by a licensing officer on Saturday 25 th June 2016 at approx. 02:00hrs.
		 2 male SIA staff members were conducting checks outside the venue Approx. 30-40 customers (a large crowd) were waiting
		to be searched before entering the





r		T
		premises. These customers were spilling onto the pavement and a few were seen perching over the barriers to talk to friends. The pavement was blocked. Advise given -
		 Ensure that SIA staffs continue to monitor and control the crowds who are entering the premises and customers who are outside smoking. The smoking customers should remain in an area that is cordon off and should not be outside making a nuisance during this time. Condition 4 of your licence states: 4. No entry or re-entry shall be permitted after 01:00 hours. SIA staff searching customers for entry at 2am and allowing them into the venue is a clear breach of your licensing condition. It is imperative that you enforce this condition onto your SIA door staff. A clear breach of this nature will have an impact on your premises licence.
12/04/2017	Premises licence review application received via Police.	





Licensing Visit

As a result of the review application made by the Licensing Police, a meeting with the company director MCS INC Ltd / DPS, Mr Antonio Eugenio Martins was held at the premises on Thursday 27th 2017 at approximately 11:00hrs. The premise was not open to the public at the time of inspection. Based on my visit, the foolwing outcome was found based on the exisitng conditions:

Condition 1 - Admission to club by Club Scan, photographic ID to be produced by all patrons (driving licence, passport, oyster card) to staff and electronic records to be kept on Club Scan and checked every time a patron attends the premises.

Mr Martins confirmed that he had ordered a club scan machine from America, which arrived 2 weeks ago but had not been able to operate the machine as the format of the programme was not compatable with the UK. He is awaiting new software but in the meantime, he is using a temperarory machine which takes pictures of ID cards and stores the images on a memory card via a camera.

Condition 2 - At least 2 door supervisors shall be employed after 22:00 hours on any day when the premises are open for the sale of alcohol past midnight.

Mr Martins stated that he employs five to six door supervisors (all males) and they are on duty from 23:30hrs.

Condition 3 A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

Mr Martins presented a register, however there were no indication when the door supervisors end their shifts as the 'Out' column was not filled in. Secondly, the register confirms that door supervisors start their shift beween 23:30hrs to 00:00hrs (See Exhibit EC09 & EC10).

Condition 5 - CCTV shall be installed and maintained in a working condition.

Condition 6 - All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

In relation to Conditions 5 & 6, Mr Martins was not able to show me footage to demonstrate CCTV recordings are kept for 31 days in order to prove the CCTV system is in good working order. Mr Martins stated he would normally request a CCTV technician to retrieve any required footage.

Condition 11 - Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.

There were no visible notices displayed at the entrance to explain the licensee's policy on admission

Condition 12 - The Portman Group proof of age scheme or similar such scheme shall be adopted.

Mr Martins stated that he does not supply alcohol to anyone under 18, however there were no prominent Portman Group proof of age scheme posters displayed at the point of sale or around the premises. Mr Martins stated that he wants to adopt Challenge 25 as he believes this will attract a maturer crowd. He is aware that the younger crowd are more prone to instigating physical fights. Mr Martins employs two members of staff to manage the bar and one to two members of staff to manage the floor. However, staff training is not recorded.





Condition 17 - One toilet attendant in each of the male and female toilets at all times during licensing hours.

Mr Martins admitted that this condition has not been fulfilled for the past 4 months as he is experiencing difficulties in hiring long term toilent attendants. He stated they do not tend to stay due not to receiving enough tips from customers.

Condition 18 - The management reserve the right to refuse entry to all persons not in smart casual dress. Smart casual dress not to include football tops, hooded tops, sports tops, jeans or trainers.

Mr Martins admitted that customers are permitted to enter premises in jeans as long as they are smartly dressed.

Summary

The premises is only open every Saturday and on rare occasions on a Friday. Mr Martins stated that this business is his only source of income and he endevours to keep this 'community club' in operation. His main clientele are regular customers and the majority are from London.

Based on my assessment, there is evidence that the premises is poorly managed. In light of the number of complaints which the Licensing Authority have received and the number of breaches identified during my visit, the Licensing Authority suggest that Mr Antonio Eugenio Martins is **removed** as the **DPS** and a new appointment is made.

To assist the new DPS further in maintaining adequate control over the venue and its customers, the following changes would be neccesary and appropriate in order to promote the licensing objectives.

The Licensing Authority suggest that the following conditions be **removed** from the current premise licence:

Condition 2 - At least 2 door supervisors shall be employed after 22:00 hours on any day when the premises are open for the sale of alcohol past midnight.

Condition 5 - CCTV shall be installed and maintained in a working condition.

Condition 6 - All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

Condition 12 - The Portman Group proof of age scheme or similar such scheme shall be adopted.

Condition 17 - One toilet attendant in each of the male and female toilets at all times during licensing hours.

Condition 18 - The management reserve the right to refuse entry to all persons not in smart casual dress. Smart casual dress not to include football tops, hooded tops, sports tops, jeans or trainers.

Condition 42 - Regular announcements be made from 03:00 hours reminding patrons to leave in a quiet and orderly manner from the premises.

All of the above are out dated.





The Licensing Authority suggest that the following conditions shall **remain** on the current premise licence:

Condition 1 - Admission to club by Club Scan, photographic ID to be produced by all patrons (driving licence, passport, oyster card) to staff and electronic records to be kept on Club Scan and checked every time a patron attends the premises.

Condition 3 - A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

Condition 7 - Police officers shall be given unhindered access via the internet to view live images from the CCTV at any time when the premises is open to the public.

Condition 8 - Customers shall not be permitted to take open glass containers outside the premises as defined on the plan submitted to and approved by the Licensing Authority.

Condition 9 - A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

Condition 10 - The total number of people permitted on the premises including staff and performers shall not exceed 236 (180 in the main club area and 56 in the restaurant).

Condition 11 - Notices explaining the licensee's policy on admission and searching shall be placed at each entrance.

Condition 13 - Notices clearly explaining the licensee's drugs policy shall be displayed at the entrance and at suitable places through out the premises.

Condition 14 - The front smoking area is to be limited to 10 persons at any one time and there is to be no consumption of alcohol, soft drinks or food. Area to be monitored by door staff.

Condition 15 - The rear fire exit is to remain closed and only be used in the case of emergency.

Condition 16 - No persons are to be permitted to remain at the rear of the club premises.

Condition 19 - All furniture and soft furnishings shall comply with relevant fire safety standards.

Condition 20 - A fire detection and warning system together with suitable and sufficient fire extinguishers shall be installed and maintained.

Condition 21 - An emergency lighting system shall be installed and maintained in good order.

Condition 22 - Public transport information including night time travel options shall be made available.

Condition 23 - All windows and doors shall remain closed during licensed activities. Where a door is used for patrons to enter or exit the premises the door shall be fitted with a self closing device and shall not be propped open.

Condition 24 - Windows and doors shall be fitted with an alarm that instructs staff when the window or door has been opened.





Condition 25 - Entrance exit to the premises shall be via a lobbied door.

Condition 26 - All speakers shall be mounted on anti-vibration mountings.

Condition 27 - No music shall be audible at or within the site boundary of any residential property.

Condition 28 - All entertainments shall utilise the in-house amplification system, the maximum output of which shall be controlled by the duty manager.

Condition 29 - The level of amplified entertainments shall be controlled by a sound limiting device set at a level agreed with the licensing authority.

Condition 30 - No Music shall be played in the beer garden or other external area of the premises.

Condition 31- No form of loudspeaker or sound amplification shall be sited on or near the exterior of the premises or in any foyer, doorway, window or opening to the premises.

Condition 32 - Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

Condition 33- Management to have a dedicated cab firm and must ensure that all cabs are booked via the in-house booking system.

Condition 34 - Notices explaining the licensee's policy on admissions and searching shall be placed at each entrance.

Condition 35 - All deliveries shall take place during the normal working day (i.e. 09:0 to 18:00 daily).

Condition 36 - No children shall be admitted unless accompanied by a responsible adult.

Condition 37 - Nudity, striptease and other entertainment of an adult nature shall not be permitted on the premises.

Condition 38 - The licensee shall undertake a risk assessment agreed by the police and licensing authority of any significant promotion or event, using the Metropolitan Police Service/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Licensing Unit not less than 14 days before the event is due to take place.

Condition 39 - Where an event has taken place the licensee shall complete a Debrief Risk Assessment Form (Form 696A) and submit this to the Metropolitan Police and Brent Licensing Unit within three days of the conclusion of the event.

Condition 40 - There shall be a minimum of two SIA qualified supervisors wearing high visibility jackets deployed at the front of the premises away from the door on Friday and Saturday nights. They shall remain in position until the crowd has fully dispersed so as to ensure the safe and quiet dispersal from the premises.





Condition 41- Facilities within the premises shall be made available for customers to await taxis.

Condition 43 - The Premises Licence Holder shall adhere to all existing conditions on the licence including timings.

Condition 44 - The Premises Licence Holder shall continue to work in partnership with the Police.

The Licensing Authority suggest the following conditions be **added** to the current premise licence:

CCTV

- 1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council. This must comply with the Data Protection Act including signage.
- 2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulder image of every person entering or leaving the premises.
- 3. The licence holder, DPS or nominated duty manager must inspect and test that the CCTV is operational and working correctly on a weekly basis. A signed and dated recorded of the CCTV examination and any findings shall be kept on the premises and made available to the police and licensing authority upon request.

Proof of Age

- 4. A "Challenge 25" policy shall be adopted and adhered to at all times.
- 5. Regular documented staff training on licensing legislation and operating procedures shall be given. The training shall be signed and dated and a copy of these training records available for inspection by Police and local authority enforcement officers.
- 6. A refusal book detailing date and time of the refused sale and the name of the person refusing the sale shall be kept and maintained and made available for inspection at the premises.

Drugs & Weapons

- 7. Toilets shall be checked every 1 hour for the use of drugs and other illegal activities.
- 8. A toilet checklist shall be displayed on the wall in all toilets. Staff shall use these checklists to record their name and certify the time of the check. Checklists are to be replaced daily and all old checklists must be retained and made available for inspection by the police and authorised officers from Brent Council.
- 9. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder





(e) all seizures of drugs or offensive weapons

 (f) any faults in the CCTV system or searching equipment or scanning equipment

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service

General

- 10. Substantial food and non-intoxicating beverages shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.
- 11. A personal licence holder shall be present on the premises and supervise the sale of alcohol throughout the permitted hours for the sale of alcohol.
- 12. At least 3 door supervisors shall be employed after 21:00 hours on any day when the premises is open for the sale of alcohol past midnight.
- 13. No entry or re-entry shall be permitted after 00:00 hours (midnight).
- 14. Regular announcements be made from 01:00 hours reminding patrons to leave in a quiet and orderly manner from the premises.

Reduction of Permitted Hours.

The Licensing Authority suggest the committee consider a reduction of permitted hours in order to prevent any late night incidents and public nuisance.

The Licensing Authority suggest the following hours are applied:

All Permitted Regulated Entertainment:

Monday - Sunday: 10:00hrs to 01:30hrs

Provision of Late Night Refreshment:

Monday – Sunday: 10:00hrs to 01:30

Supply of Alcohol:

Monday - Sunday: 10:00hrs to 01:30hrs

The Opening Hours of the Premises:

Monday – Thursday: 10:00hrs – 02:00hrs (no change) Friday: 10:00hrs – 02:00hrs (changed)

Saturday:

10:00hrs - 02:00hrs (changed)

Sunday:

10:00hrs - 02:00hrs (changed)

The above hours would allow customers half an hour of drinking up time.

In order for the Licensing Team to withdraw this representation, it will be necceasing for you to confirm in writing that you are willing to accept the above conditions and carry out any neccesary works.





Yours faithfully,



Esther Chan Licensing Inspector Planning, Transportation & Licensing



