



Alcohol and Entertainment Licensing Sub-Committee – Supplementary

Wednesday 3 August 2022 at 10.00 am

This will be held as an online virtual Meeting

Details on how to access the link in order to view the meeting will be made available online via the following link: [HERE](#)

Membership:

Members

Councillors:

Ahmed (Chair)
Long (Vice-Chair)
Collymore

Substitute Members

Councillors:

Bajwa, Chappell, Chohan, Ethapemi, Georgiou,
Mahmood, Rubin

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 6841; Email: devbai.bhanji@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting as an online virtual meeting. The link to view the meeting will be made available via the following link: [HERE](#)

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item	Page
3 Application for the Review a Premises Licence by John McGann - Licensing Enforcement Officer for the premises known as Vybz Bar, 1 Craven Park Road, NW10 8SE, pursuant to the provisions of the Licensing Act 2003	1 - 20

Date of the next meeting: Date Not Specified



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.

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Ms. Kamika Samuel

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██████████

21/07/2022

Our Ref: Review application for **Vybz Bar, 1 Craven Park Road, Harlesden, NW10 8SE - 25236**

Dear Ms. Samuel,

Further to the review application and supplementary information that I have submitted for the review hearing on Wednesday 03/08/2022 at 10am I submit this as an additional supplementary due to recent events at your premises that the Licensing Sub-Committee should be aware of to assist with their determination.

Please find attached a MG11 statement dated 17th July 2022 from PC ██████████, **Appendix 36**, in relation to her attending outside Vybz Bar with other police colleagues at 04.54am on Saturday 16th July 2022. This gives details of police forming the impression that a fight had taken place as the officer states

“Me and PS ██████████ walked toward the groups of individuals lingering around VYBZ BAR. There were a couple males that were agitated. I did not get the names of the male however I am aware that a fight may have possibly taken place as the male had blood on his tshirt and another male had a lump on the right of his head. Many people around VYBZ BAR were very drunk and were told to go home. It appeared that VYBZ BAR was still open. There was still music coming from the BAR and small groups leaving the BAR. Outside VYBZ BAR there were individuals, mainly males drinking alcohol and smoking cannabis. PS ██████████ found a grinder with cannabis on the floor which I seized and booked in at HARLESDEN POLICE STATION”

PC ██████████ then goes on to state that she, police colleagues and myself attended VYBZ BAR on the following night 17/07/2022 at 3.00am and she states

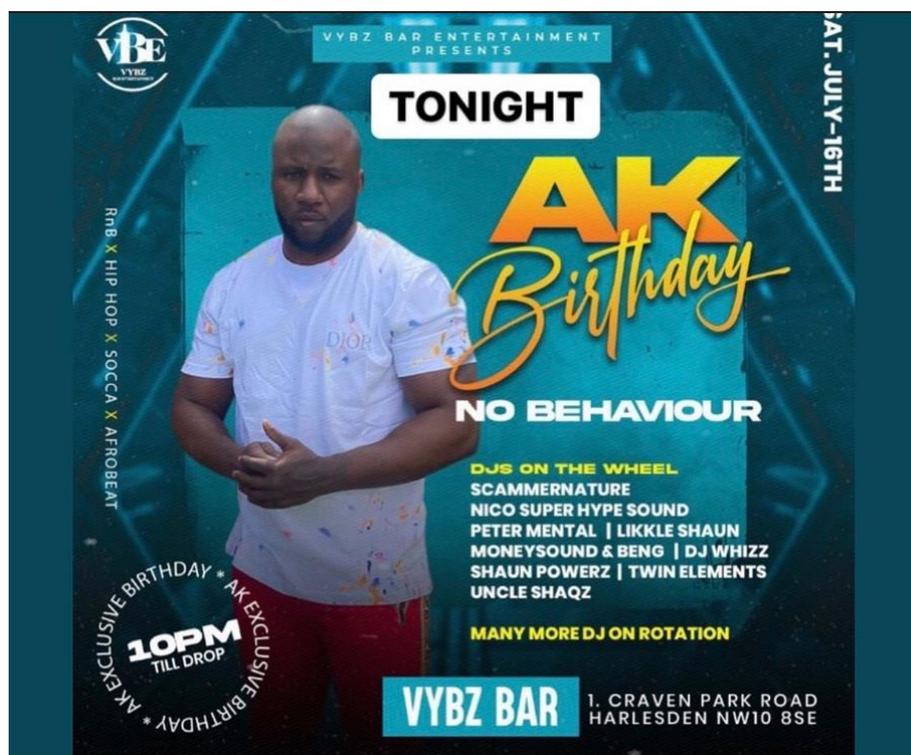
We then went back to VYBZ BAR at around 03:00hours where it was meant to be closed. There was the same male ██████████ outside who claimed who was the security on the door the night before however tonight he did not want to say whether he was security or not. There was music still coming from VYBZ BAR. JOHN MCGANN requested to speak to the manager where the doorman ██████████ said he would get someone however we waited around 10 minutes and no one came. It was pretty obvious that no one was going to come. There was individuals coming to the door of VYBZ BAR to go inside. VYBZ BAR was not closed at 03:00hours even though they were informed that their license states that they are to be closed at 03:00hours.

I also attach the statement of PS ██████████ who worked with PC ██████████ on the same

weekend of the 15th and 16th July 2022 – **APPENDIX 37.**

On 16/07/2022 I worked in partnership with PS [REDACTED] and PC [REDACTED] and two other police officers from the same Harlesden Town Centre. This was a pre-arranged operation to conduct joint licensing visits in the Harlesden, Willesden and Kilburn area.

On 16/07/2022 at 11.11pm I attended VYBZ BAR, 1 CRAVEN PARK ROAD. The shutter was up and the door to the front of the premises was closed but unlocked. I opened the door and entered the premises. I made my way towards a male who was stood behind that bar towards the middle of the building. As I approached the male I identified myself as a Licensing Officer from Brent Council and that I was in company with police officers doing licensing visits. The male gave his name as [REDACTED] and stated he was the Premises Licence Holders husband. I spoke briefly about the premises being subject to a licence review and that he should be complying with the hours that are authorised by the licence. I also stated that I would expect the premises to be closed at 3.00am and that I would be returning to check. I returned with the police officers at 2.54am and it was full of customers with very loud recorded music being played inside providing regulated entertainment. I spoke with the male on the door who refused to give me his name or to state if he was the SIA Door Supervisor. I asked to speak with the manager I had spoken with earlier in the night, [REDACTED]. The male who police stated was called [REDACTED] went inside to get [REDACTED]. He returned a short while later and stated that [REDACTED] would be out in a minute. Several minutes went by and [REDACTED] never appeared. I then asked [REDACTED] if he was the SIA Door Supervisor. He was not displaying any SIA Badge. But he kept saying "There is SIA". Condition 6 on the premises licence states "Door supervisors of a sufficient number and gender mix, shall be employed from 20:00 hours on any day when the premises are open for the sale of alcohol past midnight" – There was No SIA Door Supervisors confirmed to me as being present. Enquiries on the Facebook Page for VYBZ BAR showed the following artist performing at the venue on this particular night.



I have viewed Council CCTV in relation to the above dates 16/07/2022 and 17/07/2022 and have downloaded footage that I will be referring to the following in my presentation at the Licensing Hearing.

APPENDIX 38 – 16/07/2022 04:47:00 to 04:55:30

Two males who had been trying to get into VYBZ BAR get into an altercation with door staff. A fight ensues and one of the male gets a length of timber from nearby and starts to hit the door staff with this. Patrons can be seen exiting from the premises whilst this fight continues and then loiter in the street. Police then arrive on scene and the crowd slowly disperse.

APPENDIX 39 – 17/07/2022 04:37:00 to 04:42:30

Patrons seen to exit VYBZ BAR and when most of the crowd has left the crash barriers are taken inside.

APPENDIX 40 – 17/07/22 02:59:18 to 03:10:45

Clips from Police Body Worn Video showing Police Officers and LB Brent Licensing Officer arriving on scene at VYBZ BAR. Speak with door staff [REDACTED] and when asked if closing down at 3.00am he states "3 o'clock closing time. Is that the closing time? I'll have to have a check on that". Female exits the bar and very loud music heard from within.

The male then enters the bar to get the manager. The male returns a short while later and states that they are trying to get hold of the manager. When asked if he was security he asked "Why?" and when informed that the premises has a SIA Door Staff condition he states "There is security".

Group of males approach the entrance to the bar to get in. When told by police that the bar was closed at 3 one of the males states "Shut the fuck (up), your chatting shit, its 5 o'clock man". Another male then says "Why is it still going on, it's past 3".

The above footage from just one weekend is a reflection on how this premises has been operating for a number of years. In July 2020 the current Premises Licence Holder submitted a variation to extend the hours to 05.00am on Friday and Saturday nights but following a number of objection from Responsible Authorities the applicant withdraw the application. I attach two of the representations that were received in relation to this application.

APPENDIX 41 – Susanna Figueiredo Rep 04.09.20

APPENDIX 42 – Police Reps 02.09.20

Despite requests to the Premises Licence Holder, Kamika SAMUEL, for CCTV from the venue on several dates she has provided CCTV from one of the requested dates, 28/05/2022 between the hours of 04:42:29 and 04:43:33 - **APPENDIX 43**. The footage provided shows a lone female cleaning the inside of the premises and then putting rubbish bags outside in the street for collection.

But, the footage for this date from LB Brent CCTV for between the same date and time of 28/05/2022 between the hours of 04:42:29 and 04:43:33 shows patrons leaving the premises and does not show the cleaner putting the rubbish bags outside - **APPENDIX 44**.

The LB Brent CCTV casts some doubt on the date and time of the footage supplied by the Premises Licence Holder, Kamika SAMUEL.

The following photo shows an event that is being advertised to take place at VYBZ BAR on Saturday 23/07/2022. The poster is on a lamp post opposite VYBZ BAR and states entrance fee is £10 all night with ladies free before 12am. This would suggest that if ladies are entering after 12am then the entrance fee will be £10 and this would breach condition 9 on the Premises Licence

9. No entry or re-entry shall be permitted after midnight.



This 2nd supplementary adds further weight of evidence to show that this premises licence should be revoked.

Yours sincerely

John McGann
Licensing Officer
Regulatory Services

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

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Statement of: Constable [REDACTED]
 Age if under 18: Over 18
 Occupation: Police officer

This statement 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: [REDACTED]

Date: 17 Jul 2022

On FRIDAY 16th JULY 2022 I was in full uniform in a marked mini bus with PS [REDACTED] 376NW, PC [REDACTED] 2097NW, PC [REDACTED] 2701NW and PC [REDACTED] 2279NW. It was 04:54hours and we were driving down HARLESDEN HIGH STREET through CROWN HILL ROAD NW10. There was around 30 individuals standing outside VYBZ BAR and stretching down the HIGH STREET however still lingering around VYBZ BAR. There were a few males shouting at each other. We approached the males where a man who I now know as [REDACTED] was standing outside and said that there was a male causing nuisance and said he told the male to leave hence why he was injured on his knuckles. There was also a man who I remember as [REDACTED] and an IC3 woman who I did not get her name. The impression I got from [REDACTED] was that he was the door man and the IC3 woman worked on the door for entry.

Me and PS [REDACTED] walked toward the groups of individuals lingering around VYBZ BAR. There were a couple males that were agitated. I did not get the names of the male however I am aware that a fight may have possibly taken place as the male had blood on his tshirt and another male had a lump on the right of his head. Many people around VYBZ BAR were very drunk and were told to go home. It appeared that VYBZ BAR was still open. There was still music coming from the BAR and small groups leaving the BAR. Outside VYBZ BAR there were individuals, mainly males drinking alcohol and smoking cannabis. PS [REDACTED] found a grinder with cannabis on the floor which I seized and booked in at HARLESDEN POLICE STATION.

Then tonight SATURDAY 17th JULY 2022 I was in full uniform in a marked mini bus with PS [REDACTED] 376NW, PC [REDACTED] 2097NW, PC [REDACTED] 2279NW and JOHN MCGANN who is a licensing officer from BRENT COUNCIL. We attended VYBZ BAR at 23:08 to check their licence and make them aware they need to be closed at 03:00hours as per their license as the night before they were still open at 05:00hours. I did not get the name that of the male that JOHN MCGANN spoke to however the male said he understood and that VYBZ BAR would be closed at 03:00hours.

We then went back to VYBZ BAR at around 03:00hours where it was meant to be closed. There was the same male [REDACTED] outside who claimed who was the security on the door the night before however tonight he did not want to say whether he was security or not. There was music still coming from VYBZ BAR. JOHN MCGANN requested to speak to the manager where the doorman [REDACTED] said he would get someone however we waited around 10 minutes and no one came. It was pretty obvious that no one was going to come. There was individuals coming to the door of VYBZ BAR to go inside. VYBZ BAR was not closed at 03:00hours even though they were informed that their license states that they are to be closed at 03:00hours.

There is BODY WORN VIDEO for all 3 circumstances.

Signature: [REDACTED]

Signature Witnessed by:

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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of PS Christopher [REDACTED] URN:

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Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of: 4..... 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 in it which I know to be false, or do not believe to be true.

Signature: .. [REDACTED] Date: 21/07/2022

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named Police Officer currently attached to the Harlesden Town Centre Team based at Harlesden Police Station. This statement refers to my dealings with VYBZ BAR, 1 Craven Park Road NW10 8SE over the weekend of 16th-17th July 2022

The Harlesden Town Centre Team is one of 24 new town centre teams across The Met, they have been bought in to tackle violence in the 24 Town Centres with the highest rates of crime. In the first 2 weeks of February 2022 the Harlesden Team were met by a number of members of the community including Local Councillors, Ward Panels members and Youth leaders. All of these community members told me that they and the members of public they spoke with all had the same concerns about antisocial behaviour in Harlesden making it into somewhere people did not want to visit. The behaviour they listed included street drinking, loitering, the open supply and use of drugs, street prostitution and the open "cat calling" of women as they walked in the streets. I conducted research and found that the London Borough of Brent has in force Public Spaces Protection Orders till 19/10/2023 which mean that a Police Officer, PCSO or Council Official can require any person to stop drinking alcohol and surrender and open containers of alcohol.

On Saturday 16th July 2022 at about 0300 hours I was on duty in uniform as operator of a marked police minibus in company with [REDACTED] 2097NW, on patrol on HARLESDEN HIGH STREET NW10 and CRAVEN PARK ROAD NW10. As we passed VYBZ BAR 1 CRAVEN PARK ROAD NW10 I noted the shutters were up but doors were shut and there were 1 or 2 people outside in the street. They did not appear to be doing anything and they did not appear directly involved with VYBZ bar at that time but VYBZ was the only premises open.

Signature: [REDACTED] Signature witnessed by:

Continuation of Statement of

On the same day at about 0400 hours I was still on duty in uniform as operator of a marked police minibus in company with [REDACTED] 2097NW but now also with PC [REDACTED] 2701NW and PC [REDACTED] 1170NW. Again we passed VYBZ BAR. The shutters were still up and the doors were still closed and again there were still a couple of people loitering outside, one directly outside the doors.

On the same day at 0455 I was still on duty in uniform as operator of a marked police minibus in company with [REDACTED] 2097NW PC [REDACTED] 2701NW and PC [REDACTED] 1170NW but now also with PC [REDACTED] 2279NW on patrol on HARLESDEN HIGH STREET NW10 and CRAVEN PARK ROAD NW10. As we got to VYBZ BAR there were approximately 40 people in the street outside VYBZ BAR with people actively leaving through the front door of the bar. There were people strutting about aggressively and pushing and shoving happening. It appeared to me that a fight had either just taken place or was about to take place. I spoke to a few people outside the venue and ended up talking to a male holding a torch at the front door who appeared to be acting as a bouncer as he was standing with his arm across the front door controlling who could go into or out of the premises. He told me his name was [REDACTED]. I would describe him as a black male with a shaved head in his 30s of stocky build about five feet eight inches tall wearing all dark blue. [REDACTED] had cuts to the knuckles on his right hand, I asked him about this and he told me that a male had been trying to get into the bar and that he had had to take him to the floor to stop him getting in and had scraped his knuckles on the floor in doing so.

People who appeared to have come from VYBZ BAR were stood smoking cannabis outside. I took a spliff from one male who was openly smoking it. Another group dropped a cannabis grinder full of herbal cannabis as we approached a number of people who appeared to have left VYBZ BAR and were congregated outside were also street drinking. I seized alcohol including a glass bottle of Heineken Beer, a glass bottle of tonic wine (16.5% ABV) and a glass 70cl bottle of Wray & Nephew Overproof White Rum (63% ABV). I found the male who appeared to have been ejected by [REDACTED] he was a small black male in a white T shirt with blood on it. He was quite irate and nearly impossible to get any coherent answers to questions due to his rage.

We left after about 15 minutes when it had calmed down and the crowd appeared to have started to disperse. As we left it appeared more people were being let back out of VYBZ BAR by [REDACTED]

On Saturday 16th July 2022 at about 2310 hours I was on duty in uniform as operator of a marked police minibus in company with [REDACTED] 2097NW, PC [REDACTED] 1170NW, PC [REDACTED] 2279NW and John McGANN of Brent Council Licensing. We attended VYBZ BAR 1 CRAVEN PARK ROAD, HARLESDEN, NW10 8SE to conduct a licensing

Signature: [REDACTED] ... Signature witnessed by:

Continuation of Statement of

check. There were no customers inside and only a couple of staff. Mr McGANN spoke to the staff. Walking round the bar the premises is only about 4 meters wide at it's widest. The doors open onto a dance floor about 4m by 6m with an elevated DJ Booth at the back right corner. Next to this there are 3-4 stairs up to the bar area that is situated in a narrow thoroughfare, at this point the building is only about 3m wide. The bar is about 3m long but appeared well stocked with a range of beer and spirits including Wray & Nephew rum and small bottles of tonic wine. Back from this were the toilets that I did not enter and an exit to the right to the garden to the rear garden that appeared to be set up with outside seating, a BBQ and seven 3m gazebos giving cover to most of the garden. I estimated the garden to be 21m long by 4m wide. There appeared to be more space outside than inside. PC [redacted] checked by the front door and told me there was not a sign about the premises drug policy as required in their license. Mr McGANN had talked to the staff at the venue and I heard him telling them we would be back to check again at their 3am closing time.

On Sunday 17th July 2022 at about 0300 hours I was still on duty in uniform as operator of a marked police minibus and still in company with [redacted] and John McGANN of Brent Council Licensing. We attended VYBZ BAR 1 CRAVEN PARK ROAD, HARLESDEN, NW10 8SE to conduct a licensing check. Upon arrival there were a few people outside in the street, [redacted] was outside now in all grey with his torch in his front right pocket. When asked by Mr McGANN [redacted] said he was security however backtracked slightly when asked for his license and could not show one. [redacted] said he would go and get the manager of the premises for us, as he went in I could see people inside. After about a minute [redacted] came back out and told us the manager was coming and would be a couple of minutes.

I could hear music coming from inside and see through the window to the right of the door that was not fully covered. From my restricted view I could see it was quite dark inside with flashing disco lights. I could see a number of heads moving on the dance floor, somebody up in the DJ booth and a number of people in the bar area. I estimated that even with my narrow view in a thin strip diagonally across the premises I could see about 20 people and assumed there were more around them that I could not see.

We had been outside for 5 minutes at this point. I asked [redacted] how long the manager would be and he said "A COUPLE OF MINUTES". While we were waiting a group of 5 males turned up appearing to be looking for entry. I told them the bar was closed as it was supposed to close at 3am and one of said words to the effect of "NO, IT CLOSES AT 5". I pointed out to the males that none of them met the dress code advertised outside the bar including "NO HOODS/HATS" "NO TRACKSUITS" and "NO SPORTS TRAINERS" and they laughed and one replied

Signature: [redacted]

Signature witnessed by:

Continuation of Statement of

“MONEY TALKS”. I assumed this meant that they would bribe their way in. We waited 5 minutes from [REDACTED] saying “A COUPLE OF MINUTES” and nobody had come out so we left.

I was equipped with bodyworn video during all of these incidents except the first, I have reviewed some of the footage prior to writing these notes. I am not currently exhibiting any of the footage but have saved it in case it needs to be exhibited later. [REDACTED]

Signature:

[REDACTED]

Signature witnessed by:

Kamika Samuel
Vybz Bar
1 Craven Park Road
Harlesden
London
NW10 8SE

4 September 2020

Our Ref: 19499

Dear Kamika Samuel,

Licensing Representation to the Variation Application for the Premises Licence at Vybz Bar, 1 Craven Park Road, Harlesden, London, NW10 8SE

I certify that I have considered the application shown above and I wish to make a representation that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.

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 for a variation application of a Premises Licence under section 34 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.

The Premises

The premises, namely Vybz Bar is located at 1 Craven Park Road, Harlesden, London, NW10 8SE.



Key: ● Premises location for Vybz Bar, 1 Craven Park Road, NW10 8SE

Premises Licence

The premises is currently permitted to carry out licensable activities including recorded music, live music, late night refreshment and supply of alcohol until 03.00hrs with a closing time of 03.00hrs to members of the public.

The current licence holder transferred the premises licence into their name in August 2017.

Complaints

A number of complaints have since been received in relation to the premises.

On 27th August 2018 a complaint was received which stated that the venue closed the shutters and stayed open until 7am. A request for CCTV was made in writing to the licence holder requesting the CCTV footage from the 26th, 27th and 28th August 2018 (sf000).

On 14th December 2018, a visit undertaken by a Licensing Inspector resulted in a warning letter regarding breaches of licence conditions and a rear patio area which was not included on the premises licence (sf001). Footage was viewed from the venue of 17th & 18th November 2018 which clearly showed the bar open to the public, alcohol sales, music and dancing after authorised hours of 0300 hours. The premises licence condition preventing no entry/re entry to the premises after midnight was being breached. The rear garden had also been used for licensable activities and smoking constituting further offences.

On 11th August 2019 a complaint was received to state the premises was opening until 05.30hrs on 10th and 11th August 2019. A warning letter was sent to the premises from the Licensing Police regarding this matter and CCTV footage was requested relating to the allegation (sf002).

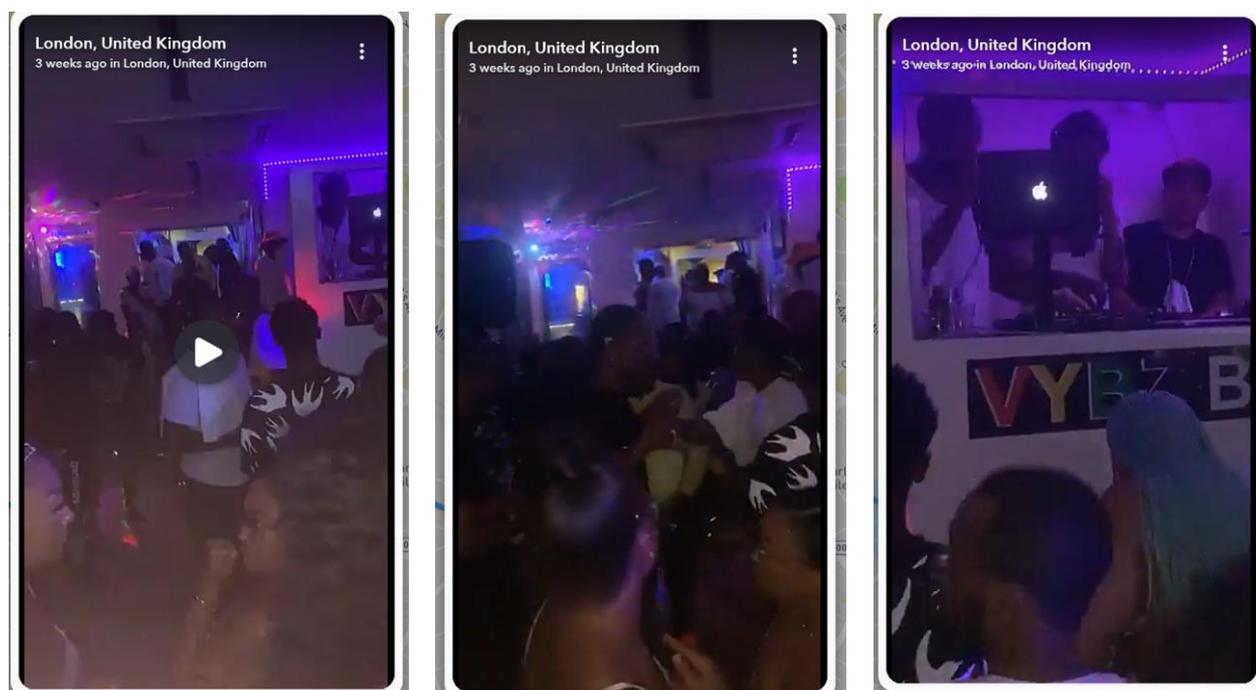
On 28th July 2020 a complaint was received to state the premises was opening until 05.00hrs on 26th July.

On 2nd August 2020 a complaint was received to state the premises had opened on Friday 31st and Saturday 1st August 2020. The premises' social media was advertising what appears to be a 'nightclub'. This would at the time, contravene government guidelines on the opening of such venues.

On 4th August 2020 a warning letter was sent to the premises regarding its operation as a nightclub and the exceeding of operating hours. This included adverts posted on social media for particular events (sf003 and sf004).

On 11th August 2020 a complaint was received that the premises had again been open on the weekend. A link was provided to a social media video from Snap Chat demonstrating that the premises is operating as a nightclub. Customers can be seen dancing and a DJ playing in the background. The link to this is provided below together with screenshots from the footage

https://map.snapchat.com/ttp/snap/W7_EDIXWTBiXAEEniNoMPwAAYuTjiK7mV-AikAXPV66FhAXPV658zAO1OAA/@51.538496,-0.255006,14.13z



On 15th August 2020, a prohibition notice was served on the premises regarding dancing and loud music.

On 3rd September 2020, CCTV footage was viewed in Brent Council's CCTV control room to ascertain whether there was any coverage of the premises over recent weekends. The attached log identifies some of the activities that took place and includes what appears to be the associated advertisements for some of the relevant events (sf005).

At the time of writing this representation on 4th September 2020, it was brought to the Licensing Team's attention that an event is to take place at the venue from 23.00hrs on Saturday 5th September 2020 until Sunday 6th September 2020 at 05.00hrs. A warning letter has today been hand delivered and sent via email to the licence holder regarding this (sf006). The extract from the website which permits the purchasing of tickers for the event is included in the warning letter.

Summary

The premises has failed to uphold the licensing objectives, has clearly breached licence conditions and has continued to allow access to customers after the permitted closing time.

I understand the premises has requested to increase their licensable activities and opening times until 05.00hrs. I am surprised that during the period of consultation to vary the premises licence, they have chosen to open until the later time of 05.00hrs without the relevant permission first being granted, therefore indicating non-compliance.

There isn't any current control over the patrons when they are exiting the premises, to the contrary many patrons remain outside for long periods of time, which is then affecting the neighbouring residents. Patrons have also been witnessed entering the premises after the no entry/re-entry time.

It is on this basis, that the Licensing Authority ask that the application for a variation of the premises licence is **refused** by the Licensing Sub-Committee.

The Licensing Authority reserve the right to include any further evidence, should this come to light up until the date of the hearing.

Yours faithfully



Susana Figueiredo
Licensing Inspector
Regulatory Services



TERRITORIAL POLICING

The Licensing Authority

*Brent Civic Centre
Engineers Way
Wembley
Middlesex
HA9 0FJ*

Your ref: 19499

Our ref: NW/263/20/2965

Brent Borough Licensing Department

*Harrow Police Station
74, Northolt Road
Harrow
Middlesex
HA2 0DN*

E-mail: Gary.L.R.Norton@met.police.uk

Web: www.met.police.uk

Date: 02/09/2020

Police Representations to a Variation of Premises Licence application for “Vybz Bar, 1 Craven Park Road, Harlesden, London, NW10 8SE”.

I certify that I have considered the application shown above and I wish to make **representations** that the likely effect of the grant of the application is detrimental to the Council’s Licensing Objectives for the reasons indicated below.

**Police Officer: Gary Norton
Licensing Team PC 2965NW**

An officer of the Metropolitan Police, 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 for a variation of premises licence under section 34 of the Licensing Act 2003.

Police licensing 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.

Vybz Bar is a bar/Nightclub premises, referred to on social media as an “after party” venue, suggesting very late night operation. It consists of a dance floor area with a few tables and chairs close to the walls, overlooked by a Dj sound station. A small set of stairs lead up to the narrow bar galley. This in turn leads to two toilets and an outer area which does not form part of the licensable area. It is one of ways out of the venue in the event of a fire. However, this is now encumbered by a fire hazard outhouse wooden construction, seating and tables. This area of Harlesden is now recognised as a Cumulative Impact Zone (CIZ), which means new “off” licence applicants need to show they are going above and beyond to avoid negatively impacting on the existing issues of crime, disorder, public nuisance and associated issues. From a police licensing perspective, it underlines the issues that all existing licensed premises face in the densely packed residential and business area of Harlesden. However,

some of these issues are not helped by the existing premises. Sadly, Vybz has not only added to existing issues, such as disorder, public nuisance and public safety concerns (especially during the Covid crisis); but consciously ignored advice offered to rectify its non-compliance to its existing premises licence conditions.

Since Kamika (Tate) Samuel took over the role of DPS 3 years ago, the premises has consistently breached its licensing conditions. Despite both police and council licensing team's engagement during this time, the same issues and problems arise. Numerous complaints about ASB and public nuisance; licensable activities continuing beyond those agreed; ironically regulated entertainment, supply of alcohol and late night refreshments beyond the 0300hrs deadline, regularly going until 0500hrs and on occasion, 0700hrs. In 2017, Vybz bar took it upon themselves to build a wooden outbuilding without the required planning permission. They then used this area for licensable activities as well as inside the premises. This has led to continued regular complaints from local residents about late night noise and ASB. I do not solely blame the venue for all these complaints, but it is clear that a large number are specifically made in relation to the venue. What doesn't help is the continued operation of unlicensed activities beyond the 0300hrs closing time.

I visited the venue on Thursday 27th August 2020 with a colleague, PC Paul Scott. I met with Kamika Samuel and an employee, Jason, who was described as the CCTV engineer. My reason to visit was to obtain the 3 times requested CCTV, view other dates to check licensable activity and discuss the premises operation. The CCTV clip I specifically requested was now expired, but nor could they provide us with a viewing of any day/date or time.

During the meeting, I made Kamika aware of licensing concerns, but also the complete disregard for public safety; she had opened the premises as if COVID was no longer an issue, without taking on board government guidance. The only thing she was clear about was the opening date for pubs, bars and restaurants, but stated she was "fuzzy" about her responsibilities to ensuring the public's health and safety by putting in place measures to do so. I suggested she familiarise herself with them, and also stated the manner the premises should be open: Social distancing measures, reduced capacity, background music (so you can hold a conversation without raising your voice), cleaning stations, tables and chairs covering the dance floor areas, no nightclub style DJ sets, no communal dancing. She said she needed to get to grips with it, that I was right and gave reassurances it would be sorted out. I explained, the venue had adverts for nightclub style regulated entertainment over the August 2020 Bank Holiday weekend from Friday through until Monday and if it went ahead with the same format, I would have to consider taking further action. The message I gave was clear: public's health and safety takes precedence over profit. She said she understood. I had central licensing aid the next day and re-attended the venue quite early in the afternoon. Nothing had changed. Whilst the venue didn't have more than a few customers in due to the early hour, the venue layout, lighting and sound system were all the same. Essentially geared up for a nightclub style environment. I couldn't be heard when I spoke inside, even when I raised my voice. I went inside to speak with Kamika, who I was told was in and Jason came out and let me in, after I was initially told I couldn't go in by door staff. She was not there and I was told whilst I walked to the rear of the premises and could be heard that she must have popped out. I spoke with Jason outside and discussed the loudness of the music and he said he didn't think it was that loud. I reiterated the idea of background music but clearly discussing these things seems to get nowhere. He even stated he expected a crowd of 40 to 45, which clearly doesn't make sense if the maximum allowed under existing license conditions (including staff, is 50). Yet again, ignoring COVID concerns.

The licence conditions breached include:

1. CCTV shall be installed and maintained in a working condition.
(I requested a copy of CCTV for a GBH violent crime incident that took place in July 2020. I made the request on three separate occasions and even arranged a meeting to come in and view footage as someone would attend who could work it on 27th August 2020. The footage deleted due to the time that had past. Therefore, I requested to view the CCTV for the previous weekend to check the premises was adhering to its licensing conditions. I was told they didn't have the code to get in to view footage.)
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested. *(I refer again to the three CCTV requests for the July footage that were made prior to its expiration from the hard drive. The same outcome has been experienced over the past three years by my colleagues and the Council.)*
3. 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.
4. 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. *(The rear patio area does not form part of the licensable area. It has been used by customers to smoke, drink alcohol and soft drinks in open glass containers, cook food via barbecue under a roofed illegally erected wooden structure that must be a fire hazard; and also impact on the evacuation of the building in the event of a fire.)*
5. The total number of people permitted on the premises including staff and performers shall not exceed 50. *(The premises does not have a counter system to check numbers going in and out and since re-opening following the loosening of COVID lockdown restrictions, has wholly ignored all government health and safety guidelines of how to open: no communal dancing, no loud music, no DJ/nightclub style regulated entertainment, no social distancing and no restriction on numbers to assist in social distancing.)*
8. The licensee or his/her deputy shall be a member of, and actively participate in the local pubwatch scheme. *(The DPS is not taking part in any Pubwatch scheme)*
9. No entry or re-entry shall be permitted after midnight. *(Council CCTV has shown the venue not only operates beyond its licensable hours, but it contravenes the entry/no re-entry policy. The advertising for the venue also reflects this. Please see the flyers at the bottom of this letter)*
10. The Licensee shall undertake a risk assessment of any significant promotion or event, using the Metropolitan Police Service Promotion/Event Risk Assessment Form (Form 696) or an equivalent and provide a copy to the Metropolitan Police and Brent Council's Licensing Unit not less than 14 days before the event is due to take place. *(Whilst the use of 696 is no longer relevant, no risk assessments are received by the Police licensing team with regards to the weekend events documented in the flyer advertising).*
11. 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 Council's Licensing Unit within 3 days of the conclusion of the event. *(I refer to previous comments).*

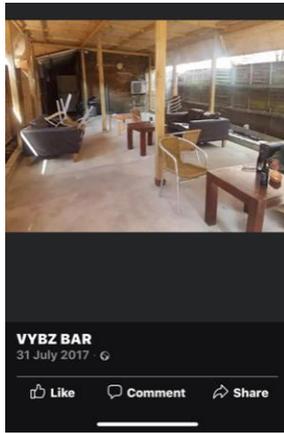


Photo of illegal structure in the unlicensed rear area of premises. Numerous residential flats and housing overlook this open sided area. The venue was ordered to take it down by the council, appealed the decision, but it was upheld and should have been taken down in February 2020. It's still there and still being used. Footage online shows a baby shower event in August 2020, as well as its continued use as an extension to unlicensed activity in the early hours.

FLYERS FOR UPCOMING/PREVIOUS EVENTS

12:44 | shoobs.com

Covid-19 Update: This event is currently set to go ahead. All ticket holders will be contacted if this changes. Stay safe and thanks for your continued support.

Clubbing
BTO
 @ Vybz Bar in London
 Saturday September 5th, 2020 from 11:00pm to Sunday September 6th, 2020 5:00am (BST)
 Genres: Hip Hop, R&B, All Urban.

Like 0 | Tweet

Ticket Type	Price	Quantity
BTO Limited	£5.00	0

Ends: 6th Sep

BUY TICKETS

Tickets will be reserved for 10 minutes

Restrictions:
 Age: 21+ | Last entry: 3:00am

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VYBZ BAR ENTERTAINMENT PRESENTS

PINE & GINGER
 FRIDAY 22ND FEBRUARY 2019 11PM TILL LATE
 ON THE NIGHT YOU WILL BE ENTERTAINED BY LONDON'S FINEST:
 DJ SKINNY | DJ RODNEY
 DJ FIRE LERRY & CHAPPAZ - TWIN ELEMENTS
 SPECIAL GUESTS ALL THE WAY FROM NORTHAMPTON WHO HEAD THE VERY SUCCESSFUL YEARLY EVENT CALLED ST. ELIZABETH LINK UP
 TOORUDE AND TK SOUNDS
 A NIGHT NOT TO BE MISSED. IT'S GONNA BE A MOVIE
 £10 ENTRY FEE ALL NIGHT
 1ST 25 LADIES GET A FREE COCKTAIL UPON ENTRY B4 1AM
 TAKING PLACE @ VYBZ BAR, 1 CRAVEN PARK ROAD, LONDON NW10 6S

Please note entry time comments on the flyer adverts. The “BTO” event is one week after Licensing discussed the COVID crisis advice with the DPS.



These are just some of the events, which clearly indicate the ongoing licensing breaches and it is something that can no longer be accepted. It is ironic the DPS is bothering to apply for an extension to the licensable hours as she clearly hasn't adhered to license conditions since she took over in 2017.

To grant the variation would compound the issues already experienced by the residents in terms of disorder and public nuisance. The COVID crisis continues with no end in sight and each time the venue opens in the manner it has is risking the safety of the public, those that attend might spread the infection and pass on to others, including family members.

Police request this application be rejected and will also be taking further action as required to ensure the licensing objectives are upheld.

Yours Sincerely,

PC Gary Norton 2965NW
Barnet/Brent/Harrow Licensing
North West Partnership & Prevention

Gary.L.R.Norton@met.police.uk