Public Document Pack

Alcohol and Entertainment Licensing Sub-Committee

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:	Substitute Members Councillors:
Ahmed (Chair) Long (Vice-Chair) Collymore	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

recycle for Brent

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 of 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
1	**Apologies for absence and clarification of alternate members**	
2	**Declarations of Interests** Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.	
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 - 114

Date of the next meeting: Date Not Specified



Please remember to ***SWITCH OFF*** your mobile phone during the meeting.

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LICENSING ACT 2003

Application for the Review a Premises Licence

Name of Applicant:	John McGann – Licensing Enforcement Officer
Name & Address of Premises:	Vybz Bar, 1 Craven Park Road, NW10 8SE
Applicants Agent:	

1. Application

The application is for the review of a premises licence held by Kamika Samuel. The premises are known as Vybz Bar, 1 Craven Park Road, NW10 8SE.

2. Grounds for Review

The grounds for review are the Prevention of Crime & Disorder and the Prevention of Public Nuisance.

The premises has been causing anti-social behaviour to local residents, operating outside the permitted hours and are in breach of a number of conditions.

3. Relevant Representations

Representations have been received from the Licensing Enforcement Officer, the Police and a local resident.

4. Background

These premises are currently licensed for regulated entertainment, late night refreshment and the sale of alcohol and to remain open from 11am to 3am Monday to Sunday.

The Designated Premises Supervisor is Kamika Samuels.

5. Associated Papers

A. Review Application
B. Police Rep
C. Resident Rep
D. Current Licence
E. OS Map

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APPLICATION FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and written in **black ink**. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I……John McGann ……

…… *[insert name of applicant]* **apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).**

Part 1 – Premises or club premises details

Name and postal address of premises or, if none, ordnance survey map reference or description Vybz Bar 1 Craven Park Road	
Post Town LONDON	**Post Code (if known) NW10 8SE**

Name of premises licence holder or club holding club premises certificate (if known)
Kamika Samuel

Number of premises licence or club premises certificate (if known)
318510

Part 2 - Applicant details

I am

		Please tick ✓ Yes
1)	An individual, body or business which is not a responsible authority (Please read guidance note 1 and complete (A) or (B) below)	☐
2)	a responsible authority (please complete (C) below)	✓
3)	a member of the club to which this application relates (please complete (A) below)	☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title ☐ (for example, Rev)

Surname	**First names**

Please tick ✓ **Yes**

I am 18 years old or over ☐

Current postal address if different from premises address			
Post Town		**Postcode**	
Daytime contact telephone number			
E-mail address (optional)			

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address John McGann – Licensing Officer Regulatory Services London Borough of Brent, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ
Telephone number (if any) [redacted]
E-mail address (optional) [redacted]

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

1)	the prevention of crime and disorder	✓
2)	public safety	☐
3)	the prevention of public nuisance	✓
4)	the protection of children from harm	☐

Please state the ground(s) for review (please read guidance note 2)

This is an application to review the premises licence for Vybz Bar, 1 Craven Park Road, London, Brent, NW10 8SE.

The current Premises Licence, number 318510, has been in place since 16/01/2008 when it was transferred to Kamika Patrice Tate who then on 07/08/2020 notified the Licensing Authority of a change of name of the Premises Licence Holder to Kamika Samuel.

Kamika Samuel has also been the Designated Premises Supervisor (DPS) since 16/01/2008.

The licensable activities authorised by the licence are for live music, recorded music, provision of late night refreshment and sale of alcohol (On the premises) – late night refreshment times shown in brackets (2300-0300)

Monday 11:00 - 03:00 (2300-0300)

Tuesday 11:00 - 03:00 (2300-0300)

Wednesday 11:00 - 03:00 (2300-0300)

Thursday 11:00 - 03:00 (2300-0300)

Friday 11:00 - 03:00 (2300-0300)

Saturday 11:00 - 03:00 (2300-0300)

Sunday 11:00 - 03:00 (2300-0300)

The opening hours of the premises reflect the above Monday to Sunday 11:00 – 03:00

The Licensing Authority has received a number of complaints that Vybz Bar has been causing anti-social behaviour to local residents, operating outside the permitted hours and to be in breach of a number of conditions as shown on the Premises Licence. Most recently these complaints have related to;

Saturday 11th June 2022 at 5.36am (Friday night trading hours 11:00 – 03:00)

Sound audible from DJ playing. Patrons were still milling around on the street and one had even set up a sound system on the roof of their car to continue the party.

Saturday 28th May 2022 at 5.01am (Friday night trading hours 11:00 – 03:00)

Vybz Bar reported (by member of public) to be open with staff taking crowd control barriers inside. Loud music still playing from the venue. Over the next 15 minutes or so patrons continued to leave the premises.

Saturday 14th May 2022 at 5.04am (Friday night trading hours 11:00 – 03:00)

Vybz Bar reported (by member of public) to be open with loud music still playing from the venue. Patrons leaving the venue with a lot of cars parking on pavement area occurs due to the number of customers travelling by car. In the photo below, cars shown as parked on the right, block the pavement area outside 2 Craven Park Rd including pedestrian access to the Zebra Crossing



Since the above two incidents were reported to the Licensing Authority, these complaints are currently being investigated. I have made several attempts to contact Kamika Samuel by telephone, voicemail, email and text message but none of these have been returned.

On Friday 10/06/2022 I made a formal request by email to the Premises Licence Holder for a CCTV download from Vybz Bart o assist my licensing investigation.

I requested a CCTV download from **ALL cameras** at Vybz Bar to cover the following dates & times;

1. Saturday 28/05/2022 between 00.01am and 05.00am

2. Saturday 14/05/2022 between 00.01am and 05.00am

The premises has the following conditions attached in relation to CCTV.

Annex 2 – Conditions consistent with the operating schedule of the premises licence states;
1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

This request has neither been acknowledged nor complied with.

I am an "Authorised Person" empowered by the Licensing Act 2003 to carry out inspection and enforcement roles. The Premises Licence Holder's failure to comply with my request for CCTV is an offence under Section 136 of The Licensing Act 2003.

Enquires with a colleague in Environmental Health suggests that the Premises Licence Holder has told her that she no longer runs Vybz Bar. The Licensing Authority has had no notification of a transfer or surrender of the Premises Licence for this venue.

Enquiries with Brent Police Licensing reveals that they have had similar reports in relation to crime and anti-social behaviour linked with the premises and also the Premises Licence Holders refusal to engage with them and disclose CCTV when requested.

The promotion of the licensing objectives and achieving common aims relies on a partnership between licence holders, authorised persons, interested parties, responsible authorities and the Council. The Council's Licensing Authority is keen to work in partnership with licensees to develop a prosperous and well managed economy whilst promoting the licensing objectives. But, we must carry out our functions under the Licensing Act 2003 with a view to promoting the four licensing objectives. In reaching my decision to apply for a review of the Premises Licence for Vybz Bar I have taken into consideration the Councils Licensing Policy and the current guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

There is clear evidence and information that the Premises Licence Holder is failing to promote the Licensing Objectives relating to the Prevention of Crime and Disorder and the Prevention of Public Nuisance. If she is not currently running the bar then there is serious concern as to actually who is. Due to the ongoing issues caused by the Vybz Bar and the Premises Licence Holders refusal to engage with the Licensing Authority I ask that the Licensing Sub-Committee considers the ultimate sanction of Revocation to be appropriate.

The Licensing Authority reserve the right to give evidence on any further incidents where the licensing objectives have not been promoted which may take place at, or in the vicinity of the premises, between the service of the application and the hearing and/or during the time allowed for any appeal proceedings.

Please provide as much information as possible to support the application (please read guidance note 3)

Please tick ✓ **Yes**

Have you made an application for review relating to this premises before? ☐

If yes, please state the date of that application

Day		Month		Year			

If you have made representations relating to this premises before, please state what they were and when you made them

Checklist **Please tick ✓ Yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☐

- I understand that if I do not comply with the above requirements my application will be rejected ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature ……..……..

Date ……16/06/2022…..……

Capacity ……Licensing Inspector……..……

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	**Post code**
Telephone number	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Data Protection*: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. Further information can be found at www.brent.gov.uk/privacy*

You are providing your information to Brent Council, contact details business.licence@brent.gov.uk. The Council's Data Protection Officer can be contacted via dpo@brent.gov.uk, or 020 8937 1402.
Your information is collected for the purpose of processing your licence application as required to fulfil the council's duties under the following legislation, statutory or contractual requirement or obligation.

Legislation	***Context***
Licensing Act 2003	*For the processing of licensing applications and the prevention of fraud*

The information may be shared with the Metropolitan Police, London Fire Brigade and teams within Brent Council, as statutory consultees, the Home Office to ascertain the right to work and HM Revenue and Customs, at their request, to identify potential fraud. The information shall be retained until the licence is surrendered and shall be processed in adherence to your legal rights, including but not limited to the right to withdraw consent, right to copies of your information and right to be forgotten. You have a right to lodge a complaint with the Information Commissioner's Office

(www.ico.org.uk)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Please return the completed form and any accompanying documents to the following address with a copy to the premises licence holder / Club that the application relates to:-

Licensing Department
Brent Council
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359 Email: business.licence@brent.gov.uk

Please follow the instructions in the checklist to submit the relevant copies to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 8555 1200 x38778

Trading Standards
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5555

Environmental Health
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5252

Children's Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Licensing Authority
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ
Tel: 020 8937 5359

Area Planning Service
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5210

Public Safety Team
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

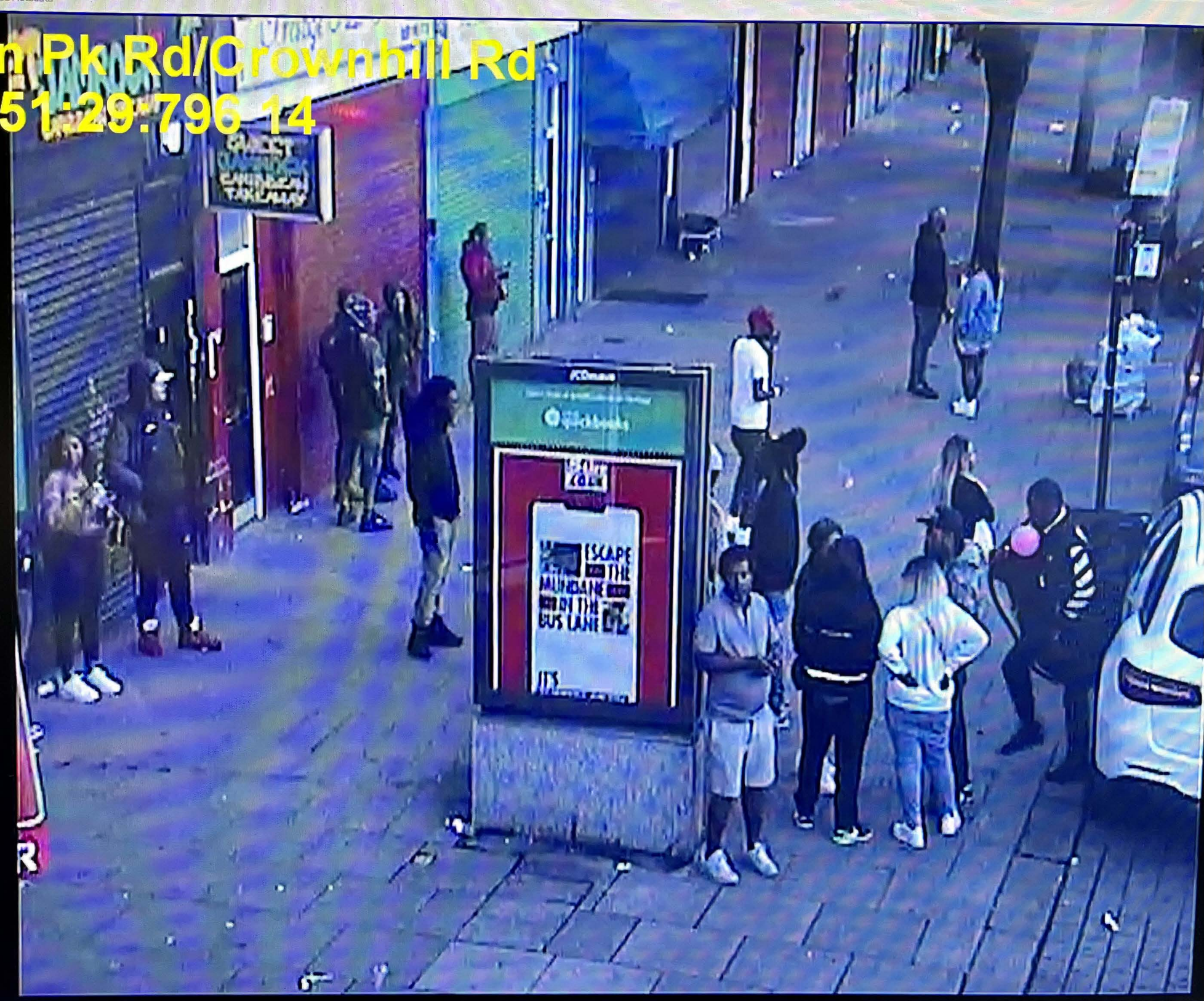
Tel: 020 8937 5359

DAAT
Public Health Directorate
Wembley Centre for Health and Care
116 Chaplin Road
Wembley
HA0 4UZ

Home Office Immigration Enforcement
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Cam29: Craven Pk Rd/Crownhill Rd
25/06/2022 04:51:29.796 14

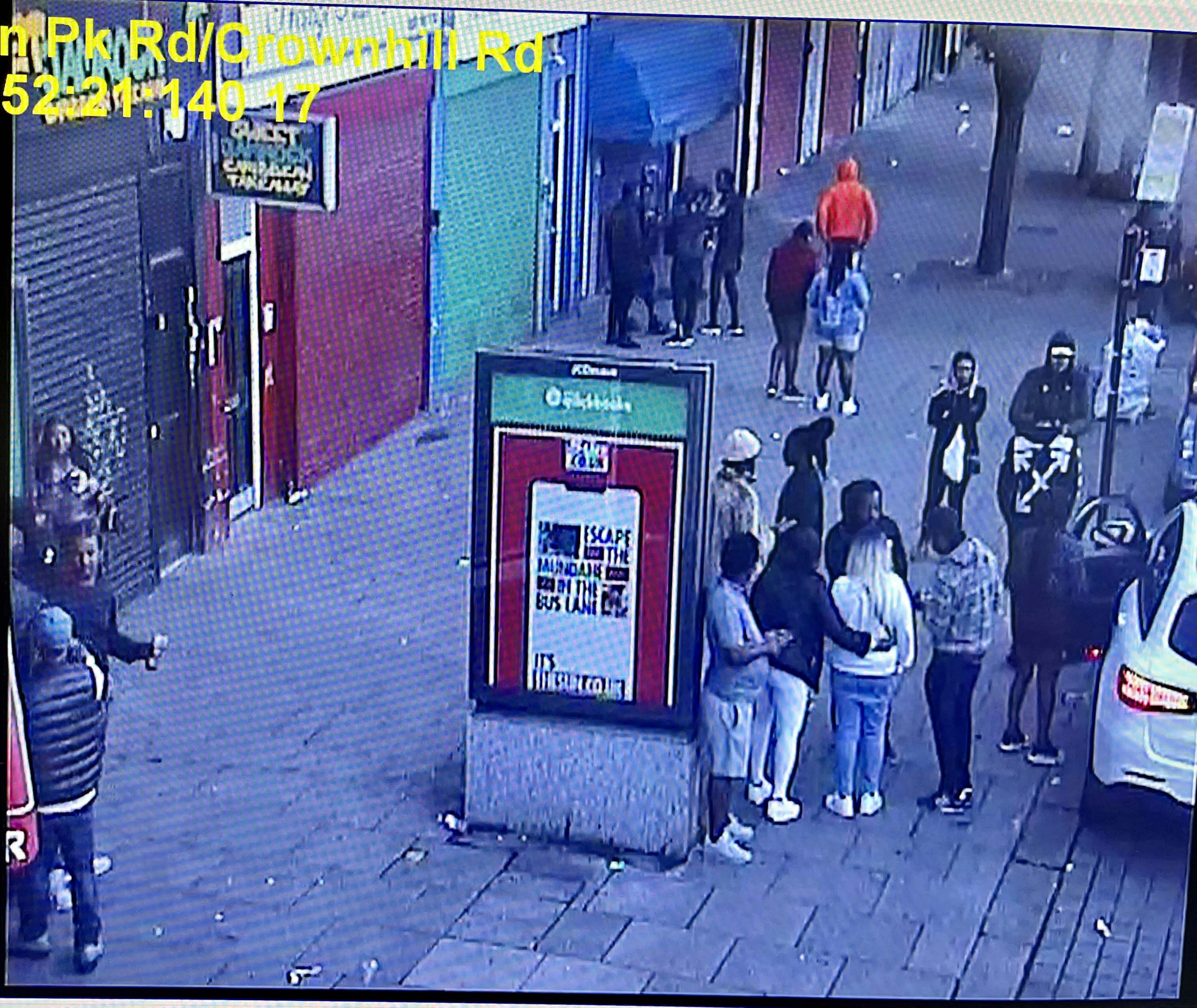
APPENDIX 1



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Cam29: Craven Pk Rd/Crownhill Rd
25/06/2022 04:52:21.140 17

APPENDIX 2



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Cam29: Craven Pk Rd/Crownhill Rd
25/06/2022 04:55:35:216 05

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Cam29: Craven Pk Rd/Crownhill Rd
25/06/2022 04:58:29:485 10

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Cam27: High St opp 37
25/06/2022 05:41:01:005 13

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Cam27: High St opp 37
25/06/2022 05:41:41:582 23

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Cam27: High St opp 37
25/06/2022 05:41:59:462 06

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Cam29: Craven Pk Rd/Crownhill Rd
18/06/2022 03:20:52:134 20

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Cam29: Craven Pk Rd/Crownhill Rd
18/06/2022 03:33:38:811 11

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Cam29: Craven Pk Rd/Crownhill Rd
18/06/2022 04:53:12:696 00

VIP BAR

VYBZ BAR

LOOKING FOR YOUR KEY PAD?

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Cam29: Craven Pk Rd/Crownhill Rd
18/06/2022 05:01:43:124 23

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Cam29: Craven Pk Rd/Crownhill Rd
18/06/2022 05:08:04:018 06

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Cam29: Craven Pk Rd/Crownhill Rd
18/06/2022 05:08:13:212 04

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Cam29: Craven Pk Rd/Crownhill Rd
18/06/2022 05:17:26:507 24

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Cam29: Craven Pk Rd/Crownhill Rd
11/06/2022 03:02:50:507 03

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Cam29: Craven Pk Rd/Crownhill Rd
11/06/2022 03:06:12:632 00

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Cam 29: Craven Pk Rd/Crownhill Rd
11/06/2022 05:09:03:575 19

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Cam29: Craven Pk Rd/Crownhill Rd
28/05/2022 03:00:19:802 21

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Cam29: Craven Pk Rd/Crownhill Rd
28/05/2022 05:12:06:529 21
VIBZ
BAR
VYBZ BAR
M18

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Cam29: Craven Pk Rd/Crownhill Rd
28/05/2022 05:14:10:182 08

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Cam29: Craven Pk Rd/Crownhill Rd
28/05/2022 05:18:36:222 21

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Cam29
14/05/2022 04:45:15:471 18

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Cam29
14/05/2022 04:54:43:793 18



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Cam29
14/05/2022 04:57:20:007 20
BAR
VYBZ BAR

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From: McGann, John
Sent: 10 June 2022 12:59
To: 'vybzbarlondon@gmail.com'
Cc: 'James.M.Clarke@met.police.uk'; 'Andy.J.LeGeyt@met.police.uk'; 'Paul.Scott9@met.police.uk'; Esther, Chan
Subject: CCTV request

Ms Samuel,

Further to my below email I am disappointed that you have refused to engage with me through email, return telephone calls/voicemails or text message. I have used the following as a means of communicating with you

[redacted] vybzbarlondon@gmail.com

My colleague Avril Nightingale from Environmental Health has been recently able to contact you on these contacts. You have indicated to Avril that you no longer run the club. Our records show that you are the current Premises Licence Holder and we have no record of this licence being surrendered or transferred to another person. So, you have the legal responsibility in relation to the premises licence.

Your failure to engage with the Licensing Authority is of great cause for concern and leaves me with no alternative but to apply for a review of your premises licence as there is sufficient grounds to prove that Vybz Bar, 1 Craven Park Road, NW10 8SE has been undermining the licensing objectives relating to;

1. The Prevention of Crime and Disorder
2. The Prevention of Public Nuisance

Failure to provide the requested CCTV will also be treated as an offence under Section 136 of The Licensing Act 2003 for which you may be prosecuted in addition to the review of your premises licence.

As always I am available on 07500578229 should you wish to speak with me.

Kind Regards

John McGann
Licensing Inspector
Regulatory Services
Brent Council

Tel: 0208 937 2054

www.brent.gov.uk
@Brent_Council

From: McGann, John
Sent: 08 June 2022 13:44
To: 'vybzbarlondon@gmail.com' <vybzbarlondon@gmail.com>

Cc: Esther, Chan <Esther.Chan@brent.gov.uk>; 'Andy.J.LeGeyt@met.police.uk' <Andy.J.LeGeyt@met.police.uk>; 'James.M.Clarke@met.police.uk' <James.M.Clarke@met.police.uk>
Subject: CCTV request

Ms Samuel,

I am making a formal request for a CCTV download from your premise at Vybz Bar, 1 Craven Park Road, NW10 8SE to assist my licensing investigation into complaints that your premise has been operating outside the permitted hours and to be in breach of a number of conditions as shown on Premises licence 318510. This has been communicated to you in a previous email.

I therefore request a CCTV download from **ALL cameras** at Vybz Bar to cover the following dates & times;

1. Saturday 28/05/2022 between 00.01am and 05.00am
2. Saturday 14/05/2022 between 00.01am and 05.00am

The premises has the following conditions attached in relation to CCTV.
Annex 2 – Conditions consistent with the operating schedule of the premises licence states;
1. CCTV shall be installed and maintained in a working condition.
2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested.

Please confirm when the CCTV is available for collection and I will make arrangement for this to be collected.

I must remind you that failure to comply with my request will leave you liable to be prosecuted under the Licensing Act 2003 and/or an application for a review of your premises licence.

Please do not hesitate to contact me should you require any further advice or information. My contact number is 07500578229

Kind Regards

John McGann
Licensing Inspector
Regulatory Services
Brent Council

Tel: 0208 937 2054

www.brent.gov.uk
@Brent_Council

From: McGann, John
Sent: 28 June 2022 15:13
To: 'Kamika Tate'
Cc: vybzbarlondon@gmail.com; Esther, Chan; Business Licence
Subject: RE: Review application

Hi Kamika,

Just to let you know that I will be attending Vybz Bar on this coming Thursday 30th June at 8.30pm to view and obtain CCTV as part of my licensing investigation.

I look forward to meeting you then.

Kind Regards

John McGann
Licensing Officer
Regulatory Services
Brent Council

Mob: 07500578229
Tel: 0208 937 2054

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From: Kamika Tate [redacted]
Sent: 17 June 2022 21:50
To: McGann, John <John.McGann@brent.gov.uk>
Cc: vybzbarlondon@gmail.com; McGann, John <John.McGann@brent.gov.uk>; Esther, Chan <Esther.Chan@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>
Subject: Re: Review application

Hi John,

Just saw your request, please be advised I have made you and many of your colleagues aware in the past that the vybzbarlondon@gmail.com email is not monitored and correspondence should be sent here hence why you have had no response to date.

Please let me know when you will be available to pick up the videos that have been placed onto a usb. The hours you requested cannot be copied because its far too large. Judging by what I managed to pull it's going to be about 4500GB for what you requested and as advised many times, we do not have the capacity to download such vast amounts of footage.

Also, about the noise complaints, I have myself and my team raised complaints to brent council and I am yet to see anything done or recieve a response or acknowledgement of the problem. These people do not come from vybz bar and we are not involved in noise pollution on that road.

Before opening the bar we have witnessed people from lords shoe shop up to kfc playing loud music with huge speakers, congregating around carboots and consuming alchol openly and excessively. I have witnessed people playing music so loud it literally shakes the walls of surrounding buildings yet I have witnessed on many occasions the police passing by . So I'm glad this has been brought to your attention.

Like I said, please advise when you will be free to collect footage.

Please note, we are only open from Thursday to Sunday from 8pm.

Kind Regards
Kamika Samuel

----- Forwarded message -----
From: "McGann, John" <John.McGann@brent.gov.uk>
To: "Business Licence" <business.licence@brent.gov.uk>, "vybzbarlondon@gmail.com" <vybzbarlondon@gmail.com>, '[redacted]'
Cc: "Esther, Chan" <Esther.Chan@brent.gov.uk>
Sent: Thu, 16 Jun 2022 at 10:33
Subject: Review application

Dear Sir/Madam,

LICENSING ACT 2003

Licence: Review application

Applicant: **John McGann – Brent Council Licensing Inspector**

Premises: **Vybz Bar, 1 Craven Park Road, Harlesden, NW10 8SE**

Please find attached an application for a review of a premises licence for above named premises.

Kind Regards

John McGann

Licensing Officer

Regulatory Services

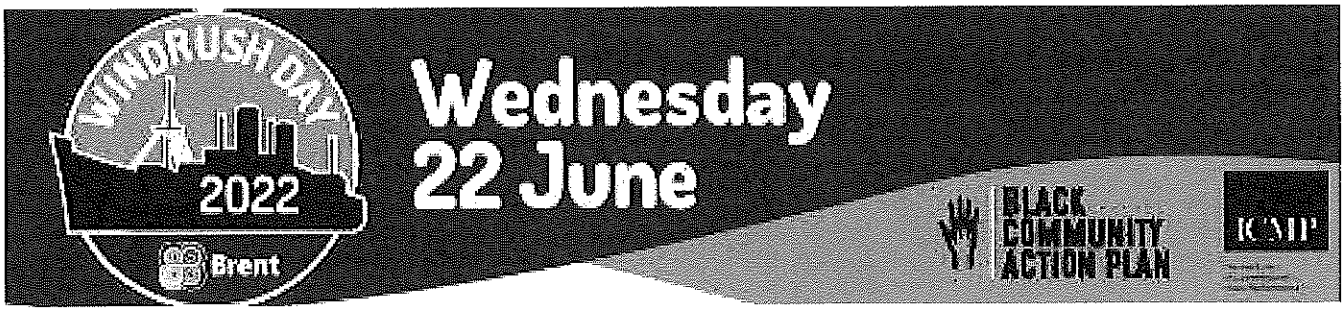
Brent Council

Mob: 07500578229

Tel: 0208 937 2054

www.brent.gov.uk

@Brent_Council



The use of Brent Council's e-mail system may be monitored and communications read in order to secure effective operation of the system and other lawful purposes.

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe

From: Kamika Tate [redacted]

Sent: 08 July 2022 17:14

To: McGann, John

Cc: vybzbarlondon@gmail.com; Esther, Chan

Subject: Re: CCTV Request

John,

Thursday could work will have to be after 5.30pm for me as I am at work in week from 9am til 5pm. I can check if manager will be free on Monday as he doesn't work on Mondays. The manager is Emma you should be able to get them on the number [redacted]

Kind Regards,

Kamika Samuel

On Friday, 8 July 2022, 17:04:19 BST, McGann, John <john.mcgann@brent.gov.uk> wrote:

Kamika,

Can you arrange for the manager to bring the cctv in on Monday. If not

Possible then I'll meet you at the civic centre on Thursday 21st July at 3.00pm.

Please confirm who will be in charge of the premises whilst you are away and their contact number in case we need to contact them.

Kind regards

John

Sent from my iPhone

On 8 Jul 2022, at 16:49, Kamika Tate [redacted] wrote:

Hi John,

Unfortunately I am travelling from Monday to Thursday next week and then from the 15th to the 20th July. In regards to your visit the bar manager was at the premises from 9pm and left at 2am and there was no sign of you so not sure what happened there, had you knocked the door?

I can however try and extract those times and days for you as requested and post it if that would help.

Kind Regards,

Kamika Samuel

On Friday, 8 July 2022, 16:19:50 BST, McGann, John <john.mcgann@brent.gov.uk> wrote:

Dear Kamika,

Following your failure to meet me at Vybz Bar last Thursday 30th June at 8.30pm – I remained there until 9.30pm, I would be grateful for CCTV download from all CCTV cameras to cover the following dates and times;

Saturday 02/07/2022 between hours of 05.00am to 05.30am

Saturday 25/06/2022 between the hours of 04.50am to 05.00am

I would be grateful if you could bring these downloads in a playable format to Brent Civic Centre, Engineers Way, Wembley on Monday 11th July 2022 at 3pm. When you are in reception please call me on 07500 578229 and I will come down to meet you.

Kind Regards

John McGann

Licensing Officer

Regulatory Services

Brent Council

Mob: 07500578229

Tel: 0208 937 2054

www.brent.gov.uk

@Brent_Council

From: McGann, John
Sent: 28 June 2022 15:13
To: 'Kamika Tate' [redacted]
Cc: vybzbarlondon@gmail.com; Esther, Chan <Esther.Chan@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>
Subject: RE: Review application

Hi Kamika,

Just to let you know that I will be attending Vybz Bar on this coming Thursday 30th June at 8.30pm to view and obtain CCTV as part of my licensing investigation.

I look forward to meeting you then.

Kind Regards

John McGann

Licensing Officer

Regulatory Services

Brent Council

Mob: 07500578229

Tel: 0208 937 2054

www.brent.gov.uk

@Brent_Council

From: Kamika Tate [redacted]
Sent: 17 June 2022 21:50
To: McGann, John <John.McGann@brent.gov.uk>
Cc: vybzbarlondon@gmail.com; McGann, John <John.McGann@brent.gov.uk>; Esther, Chan <Esther.Chan@brent.gov.uk>; Business Licence <business.licence@brent.gov.uk>
Subject: Re: Review application

Hi John,

Just saw your request, please be advised I have made you and many of your colleagues aware in the past that the vybzbarlondon@gmail.com email is not monitored and correspondence should be sent here hence why you have had no response to date.

Please let me know when you will be available to pick up the videos that have been placed onto a usb. The hours you requested cannot be copied because its far too large. Judging by what I managed to pull it's going to be about 4500GB for what you requested and as advised many times, we do not have the capacity to download such vast amounts of footage.

Also, about the noise complaints, I have myself and my team raised complaints to brent council and I am yet to see anything done or recieve a response or acknowledgement of the problem. These people do not come from vybz bar and we are not involved in noise pollution on that road.

Before opening the bar we have witnessed people from lords shoe shop up to kfc playing loud music with huge speakers, congregating around carboots and consuming alchol openly and excessively. I have witnessed people playing music so loud it literally shakes the walls of surrounding buildings yet I have witnessed on many occasions the police passing by . So I'm glad this has been brought to your attention.

Like I said, please advise when you will be free to collect footage.

Please note, we are only open from Thursday to Sunday from 8pm.

Kind Regards
Kamika Samuel

----- Forwarded message -----
From: "McGann, John" <John.McGann@brent.gov.uk>

To: "Business Licence" <business.licence@brent.gov.uk>,
"vybzbarlondon@gmail.com" <vybzbarlondon@gmail.com>,
[redacted]
Cc: "Esther, Chan" <Esther.Chan@brent.gov.uk>
Sent: Thu, 16 Jun 2022 at 10:33
Subject: Review application

Dear Sir/Madam,

LICENSING ACT 2003

Licence: Review application

Applicant: **John McGann – Brent Council Licensing Inspector**

Premises: **Vybz Bar, 1 Craven Park Road, Harlesden, NW10 8SE**

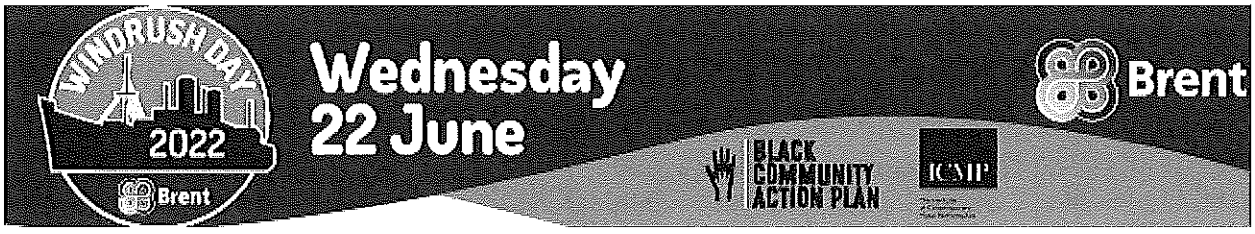
Please find attached an application for a review of a premises licence for above named premises.

Kind Regards

John McGann
Licensing Officer
Regulatory Services
Brent Council

Mob: 07500578229
Tel: 0208 937 2054

www.brent.gov.uk
@Brent_Council



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Regulatory Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

TEL: 020 8937 5359
EMAIL: business.licence@brent.gov.uk
WEB: www.brent.gov.uk

London Borough of Brent

Premises Licence

Part A

This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the ***Licensing Act 2003***

Original grant date: 16 January 2008 **Current issue date: 07 August 2020**    Authorised signatory

Premises licence number: **318510**

Part 1 – Premises Details

Postal address of premises, or if none, ordinance survey map reference or description **Vybz Bar** **1 Craven Park Road, London, Brent, NW10 8SE**

Where the licence is time limited the dates

Licensable activities authorised by the licence **Section E: Live music** **Section F: Recorded music**

Section I: Provision of late night refreshment: Indoors
Section J: Sale of alcohol: On the premises

The times the licence authorises the carrying out of licensable activities

Section E: Live music		
Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

This will be in the form of live interludes from performing artist singing to the customers or possibly a rendition (s) from a professional pianist playing a repertoire of wide and varied music, for example jazz music, popular music, show tunes and classical music to match the ambiance.

Section F: Recorded music		
Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

This will be in the form of background music from radio and television via an internal integrated stereo system using CD"s DVD"s etc.

Section I: Provision of Late Night Refreshments:Indoors		
Day	Start Time	End Time
Monday	23:00	03:00
Tuesday	23:00	03:00
Wednesday	23:00	03:00
Thursday	23:00	03:00
Friday	23:00	03:00
Saturday	23:00	03:00
Sunday	23:00	03:00

Section J: Sale or Supply of Alcohol: On the

premises

Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

The opening hours of the premises

Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

Kamika Samuel

[redacted]

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Kamika Patrice

[redacted]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Licence Number: [redacted]
Issuing authority: [redacted]

Annex 1 – Mandatory conditions

No Irresponsible Drinks Promotions

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

1. (a)games or other activities which require or encourage,

or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

Small Measures to be Available

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

Minimum Price of Alcohol

1.A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2.For the purposes of the condition set out in paragraph 1—

(a)—duty‖ is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b)—permitted price‖ is the price found by applying the formula—

P = D + (D x V)

where—

(i)P is the permitted price,

(ii)D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii)V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c)—relevant person‖ means, in relation to premises in respect of which there is in force a premises licence—

(i)the holder of the premises licence,

(ii)the designated premises supervisor (if any) in respect of such a licence, or

(iii)the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person‖ means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)—valued added tax‖ means value added tax charged in accordance with the Value Added Tax Act 1994.

3.Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day‖) would be different from the permitted price on the next day (—the second day‖) as a result of a change to the rat e of duty or value added tax.

(2)The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence-

(a)at a time when there is no designated premises supervisor in respect of the premises licence, or

(b)at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervisors and Security Staff to be Licensed by the SIA (when required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films

b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

(i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.

(ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority

under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the operating schedule

1. CCTV shall be installed and maintained in a working condition.

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

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.

5. The total number of people permitted on the premises including staff and performers shall not exceed 50.

6. 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.

7. Substantial food and non-intoxicating beverages (including free drinking water) shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.

8. The licensee or his/her deputy shall be a member of, and actively participate in the local pubwatch scheme.

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

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.

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.

12. Notices clearly explaining the licensee"s drugs policy shall be displayed at the entrance and at suitable places throughout the premises.

13. When prior notice has been given the licensee shall allow free and unimpeded access to police officers with drug sampling equipment and/or "sniffer"dogs, to test customers prior to entry, for drug use and possession.

14. If dancers are employed, their names, passport and visa details, including those of the band members, shall be supplied to the police no less than one month before they are due to start performing.

15. A residual current device (RDC), having a rated residual operating current not exceeding 30 milliamps, shall be provided to any socket or power supplies to be used for temporary stage, band or disco equipment, likely to be accessible to performers, staff or public. This protection shall be extended to gaming machines, cigarette machines and similar equipment used by the public.

16. The front inward opening doors shall be locked back in the open position while the public are on the premises.

17. The "Challenge 21" proof of age scheme or similar such scheme shall be adopted.

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

See attached

Sent: 10 July 2022 08:02
Subject: Re: Licensing Breaches at Vybz Bar 1 Craven Park Rd NW10 8SE

Hi

Vybz Bar premises licence says no entry or re-entry after midnight and closed by 3am however I frequently see people gaining entry after 12am and leaving later than 5am on Saturday and Sunday mornings, which is when the bouncers take the pavement crash barriers inside.

Vybz is supposed to be a wine bar and their premises licence only permits "background music" but they advertise as a nightclub and have a dancefloor, DJ booth, and play very loud club music while shouting over the PA. They continued to open as a nightclub even during Covid lockdown which was acknowledged by Trading Standards Senior Enforcement Officer Paul Lee on 1 Sept 2020
https://democracy.brent.gov.uk/documents/s101637/4.12%20Vybz%20-%20Trading-Standards-Rep.pdf

When the club is open, music can easily be heard outside on the pavement. This is in breach of Brent planning permission 06/3409 (1 Craven Park Road changed usage from a shop to a "Wine Bar") which set out certain conditions of approval including: condition 4, Ground floor only used as a wine bar. and condition 5, No music or PA to be audible at or beyond the premises boundary. Although this condition is set under planning regulations, it should be a material consideration for the licensing committee as the stricter condition takes precedence for the bar operator to abide by in order to avoid public nuisance.

When Vybz customers leave late at night they are very noisy, many of them continue drinking on the street and cars open their doors to provide music to continue the party. Cars park illegally three abreast on the pavement. I met a man and his young daughter one morning and he said living by Vybz was a nightmare because of the noise but he didn't complain because he thought nothing would be done. It's unreasonable that residents, particularly children trying to sleep, should have to put up with this, Vybz Bar is clearly trading as a nightclub which generates considerable direct and indirect noise and on-street ASB.

This tweet says everything about Vybz's constant after hours tradfing, it is common knowledge that: "5am in Harlesden = People going home after Vybz bar"

Around 6am 16 April 2022 there was still a large group of fairly rowdy customers around Vybz Bar, at approx 6:35am a disgruntled customer spent several minutes shouting and kicking the front door attempting to gain re-entry, threatening to search anyone who came out until he 'got his money back' ref CAD 1465/16Apr22
At 5:36am 11 June 2022 patrons were still milling around on the street and one had even set up a sound system on the roof of their car to continue the party ref CAD 1515/11Jun22
At 5:19am 25 June 2022 there was a man on the ground outside Vybz with what appeared to be a serious head injury. He was later taken to hospital and the area taped off by the police ref CAD1363/25Jun22

At 5:01am 3 July 2022 customers were leaving with beer bottles in hand and one man was urinating on a parking meter ref CAD1428/3Jul22
At 5:09am 9 July 2022 club doors still open, noisy crowd on the street, drinking alcohol, smoking cannabis, car revving engine, customers leaving club standing in the street so bus initially unable to pass ref CAD1332/9Jul22

LOVE and VYBZ

Sunday February 13th, 2022 from 8:00 pm to Monday February 14th, 2022 to 4:00 am @ Vybz Bar in London

1. Order Details — 2. Payment

Ticket type	Price	Quantity
Standard Standard tickets	**£22.00** 20.00 + booking fee	CLOSED

Subtotal: £0.00

BUY TICKETS

Tickets will be reserved for 10 minutes

 Official Ticket Agent

 100% Safe & Secure

 Refund on cancelled event

These tickets are on sale for LOVE and VYBZ . Shoobs.com is an **official ticket outlet** for this event. All credit card purchases you make at shoobs.com are encrypted through our Secure Server Technology

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VYBZ BAR ENTERTAINMENT
PRESENT

VYBZ

FRIDAY

~~2ND~~ / 9TH / 16TH

10PM - 4AM

OF FEBRUARY

MUSIC BY

JAH EYEZ
(NOTORIOUS INC)
K SPECIAL
SLIPEYBASHMENT
(LITTLE SAMPLE)
DJ SCANDALOUS
(MATRIXX SOUND)
DJ REMSTAR
(INTENSITY EVENTS)

PLUS MORE



LADIES FREE ALL NIGHT
MEN £5 AFTER MIDNIGHT
GOOD BEHAVIOUR IS A MUST. NO SEARCH NO ENTRY
DRESS CODE: SEXY CASUAL (NO HOODIES)

1 CRAVEN PARK ROAD LONDON NW10 8SE

CONTACT 07808503691. EMAIL VYBZBARLONDON@GMAIL.COM

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← **Tweet**



[redacted]



5am in Harlesden = People going home after Vybz bar

5:12 am · 12 Jun 2022 · Twitter for iPhone

1 Retweet **2** Likes






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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Andy Le Geyt

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

This statement (consisting of 2 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.

Witness Signature: Andy Le Geyt NW1040 Date: 08/07/2022

I am the above named person and I am the Police Inspector of Harlesden Town Centre Team. I have over 18 years' service. Prior to my appointment I was the Learning & Development Inspector for NW-BCU, this entailed training new Constables and delivering a new recruitment pathway, previous to this I worked as a Duty Officer on an Emergency Response Team in Hillingdon as well as being a Safer Neighbourhood Sergeant for three wards in Hammersmith and Fulham, previous to this St Margaret's Ward Sergeant in Richmond Borough and other specialist roles.

My team was newly created and launched on 14th February 2022 to help improve trust and confidence in the police, reduce violence, violence against women and girls and to reduce Anti-Social Behaviour. During the first 8 weeks of operation the team had achieved a 9.2% reduction in overall crime in the town centre and ASB related calls to High Street, Harlesden which is the focal point of the town centre reduced by 90%.

We know from these results and our increased visibility in the town centre, the community are informing us of the difference they are seeing and the fact that they are feeling safer to walk the streets. The chair of Harlesden Safer Neighbourhood Panel has said much the same after speaking with many community members.

In my role as Town Centre Team Inspector I am expected to do everything in my power to help the residents and community of Harlesden in reducing ASB, violence, drug dealing, licensing issues and to use various problem solving tools and initiatives to do this.

One of the main issues that was brought to my attention early on, relates to Vybz Bar, 1 Craven Park Road, Harlesden NW10 8SE. I was receiving information from residents, council and Safer Neighbourhood Panel members that Vybz Bar were breaching their licence every weekend, and that there were large groups of people outside the bar in the early hours of most Friday and Saturday nights with people going in and out of the bar at 4am, 5am and sometimes later. The groups associated with the bar were rowdy and noisy and keeping residents up at night.

Witness Signature: …… Andy Le Geyt NW1040 ……

Signature Witnessed by Signature:……

Continuation of Statement of:

I have since liaised with the Licensing Team at Brent Council and have conducted research on police systems which document issues relating to Vybz Bar as shown below:

1903327/22 S049/10 Other theft. VIW reporting that his phone and his wallet containing items were stolen at venue. VYBZ BAR on SAT 05/02/2022 between 00:10 hours and SAT 03:00hrs.

1908663/22 S008/06 ABH. "Male ejected from club, grabbed by neck. Police were called by the victim who initially stated that he was being ejected from the bar and was grabbed around the neck and thrown to the ground. He was told by the operator about lawful ejection but he felt as though they used too much force. On police arrival the bar was packed but was near to closing time" Vybz Bar SAT 02/04/2022 between 04:40 hours and SAT 04:40 hours.

1911567/22 S008/01 GBH/Wound. VIW1 stated she got to the club at approx. 0330hrs and has gone straight to the bar. SUS1 has assaulted VIW1 by throwing a glass bottle causing abh injuries. Vybz Bar SAT 30/04/2022 between 04:00 hours and SAT 04:30 hours.

1912851/22 Crime Related Incident. Informant calling stating they have been assaulted by the security. Vybz Bar MON 16/05/2022 at 00:01 hours.

1914165/22 S005/01 GBH W/I. Call regarding a victim of a stabbing needing help, no victim present on police arrival. 3 x females were in Vybz Bar with another group of suspects who managed to enter with a knife/knives. Threats were made by suspects inside venue and victim was stabbed by the group when she went outside. SAT 28/05/2022 at 22:30 hours.

1916830/22 S008/01 GBH/Wound. Male has been stamped on in the street causing a laceration to his face. Both victim and suspect inside Vybz Bar, heavily intoxicated, suspect had 3 Bottles of Ciroc Vodka. Victim walked outside and was immediately attacked with a bottle by the suspect and head stamped on. SAT 25/06/2022 between 05:30 hours and SAT 05:45 hours.

1930159/21 S030/83 Burg-Bus/Com. Burglary, money, laptops stolen from venue VYBZ Bar FRI 19/11/2021 between 21:30 hours and SAT 22:00 hours.

As you can see from the above data, the majority of these offences and incidents are taking place at a time considerably past when the club should be closed and are in clear breach of their licence. The management of Vybz Bar and the blatant disregard to the licensing laws has contributed to violence, ASB and assaults in Harlesden town centre.

Witness Signature: ……

……

Signature Witnessed by Signature:……

STATEMENT OF WITNESS

(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)

URN

Statement of: Constable Euan Varney
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:

Date: 29 Jun 2022

This statement refers to the 19th JUNE 2022, where I witnessed VYBZ BAR allowing access to patrons at 02:55.

On 19TH JUNE 2022, I was on mobile patrol in plain clothes in an unmarked police vehicle as callsign NW925L from the HARLESDEN TOWN CENTRE TEAM.

At around 02:50 I noticed an IC3 male dressed in an all green tracksuit stood outside VYBZ BAR, NW10. I could see him speaking with the door staff at the venue. As a result of my local knowledge of the area I knew that VYBZ BAR has licencing regulations to close at 03:00 in the morning, so I decided to stay in the area for a few minutes to observe whether or not anyone would be allowed access to the bar. I also noticed that nobody was leaving the venue, despite it being less than 10 minutes before the venue was due to shut.

At 02:55 I noticed that the previously mentioned male had taken out his bank card and was tapping it on a card reader being held by one of the door staff to complete a contactless payment. After this, the door staff allowed him to enter the venue.

I then stayed outside the venue for a further 5 minutes. No one left the venue during this time period.

Signature:

Signature Witnessed by:

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Brent Civic Centre
Engineers Way
Wembley
Middlesex HA9 0FJ

TEL 020 8937 2094

EMAIL john.mcgann@brent.gov.uk

WEB www.brent.gov.uk

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

08/06/2022

Our Ref: SR 6066

Dear Ms. Samuel

Licensing Act 2003 – Complaint
Re: Vybz Bar, 1 Craven Park Road, London, NW10 8SE

I am writing to inform you that we have received a complaint alleging of noise disturbance from your premises on 14th & 28th May 2022 at 5.00am on both days, which indicates that licensable activities are being carried out on your premises after the permitted hours stated on your premise licence.

Premise Licence – Noise Disturbance

It has been reported that loud music is enamating from your premise and your patrons are causing a nuisance with excessive noise when leaving the premises. It has also been reported that you are breaching certain conditions on your premises licence, namely;

Condition 5 - The total number of people permitted on the premises including staff and performers shall not exceed 50.

Condition 6 - 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.

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

According to the premise licence 318510, you are permitted to open from 11:00 – 03:00hrs on Sunday to Saturday.

May I remind you that the Premises Licence Holder and DPS are expected to know all the conditions on the premises licence and to have made provisions with your staff so that none of these conditions are breached. You are also required to know the hours you are authorised for the licensable activities you have been granted by the Licensing Authority.

In addition to licensing controls, the Council has a duty under the Environment Protection Act 1990, to investigate noise complaints and if a noise is found to exist, enforcement action will be taken against you. You must take appropriate steps to ensure that no noise is enamating from your premise.

Should you be found to be operating outside the permitted hours or to be in breach of any condition(s) on your licence then this may result in legal action taken against you. This could also result in an application being made for a review of your premises licence.

May I remind you that under Section 136 of the Licensing Act 2003 it is an offence to carry on or attempt to carry on a licensable activity on or from any premises other than under and in accordance with an authorisation. A person guilty of this offence is liable to be imprisoned for up to 6 months and/or an unlimited fine.

Please do not hesitate to contact me quoting the above reference should you require any further advice or information.

Yours faithfully,



John McGann
Licensing Inspector
Regulatory Services

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Wembley
Middlesex HA9 0FJ

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Ms. Kamika Samuel
[redacted]

14/07/2022

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

Dear Ms. Samuel,

Further to the review application that I have made in relation to your premises I submit the following in support of this review application.

Licence History:

The current premises licence was transferred to Ms Kamika Patrice Tate on 29/09/2017. On 07/08/2020 Ms Kamika Patrice TATE notified the Licensing Authority of a change of name to Ms Kamika Samuel who is also shown as The Designated Premises Supervisor.

Since having the premises licence Ms. Kamika Samuel has made two applications to vary the premises licence to extend hours for licensable activities to 05.00 hours 7 days a week;

27/10/2017 – application was rejected

07/08/2020 – application was withdrawn

The Licensing Authority has received a number of complaints that Vybz Bar has been causing anti-social behaviour to local residents, operating outside the permitted hours and to be in breach of a number of conditions as shown on the Premises Licence. Most recently these complaints have related to;

Saturday 25/06/2022 at 05.40 hours (Friday night trading hours 11:00 – 03:00)

A male was seriously assaulted where he was punched and then kicked to the head resulting in injuries consistent with Grievous Bodily Harm. Enquiries with Brent Council CCTV shows that the suspect male had been in Vybz Bar and is seen to exit the venue at 04.55 hours – premises should have been closed at 03:00 hrs, with a large group of people who had also been in the venue. The suspect male is seen to loiter outside the venue where he is seen to attend a nearby parked car and in then seen to be inhaling what is believed to be Nitrous Oxide from a balloon. He then moves away from the venue where he got

into an argument with the victim which subsequently led to the assault. Council CCTV has been viewed in relation to this and the following stills are produced.

Appendix 1 – 25/06/2022 @ 04.51.29 Customers exiting Vybz Bar, loitering in street and one male exiting a nearby car inhaling Nitros Oxide from Balloon.

Appendix 2 – 25/06/2022 @ 04.52.21 Male customer exiting Vybz Bar with bottle in hand.

Appendix 3 – 25/06/2022 @ 04.55.35 Suspect involved in later assault exiting Vybz Bar.

Appendix 4 – 25/06/2022 @ 04.58.29 Suspect involved in later assault inhaling Nitros Oxide from balloon outside Vybz Bar.

Appendix 5 – 25/06/2022 @ 05.41.01 Suspect gets into confrontation with victim prior to assault

Appendix 6 – 25/06/2022 @ 05.41.41 Further Suspect/Victim confrontation with bottle.

Appendix 7 – 25/06/2022 @ 05.41.59 Victim punched to ground by suspect

Saturday 18th June 2022 (Friday night trading hours 11:00 – 03:00)

Council CCTV has been viewed in relation to this night and the following stills are produced.

Appendix 8 – 18/06/2022 @ 03.20.52 Customers entering Vybz Bar

Appendix 9 – 18/06/2022 @ 03.33.38 Customers entering Vybz Bar

Appendix 10 – 18/06/2022 @ 04.53.12 Customers exiting Vybz Bar

Appendix 11 – 18/06/2022 @ 05.01.43 Customers exiting Vybz Bar and loitering in the street

Appendix 12 – 18/06/2022 @ 05.08.04 Customers exiting Vybz Bar and loitering in the street with bottle

Appendix 13 – 18/06/2022 @ 05.08.13 Customers from Vybz Bar loitering in the street – one with open drink container

Appendix 14 – 18/06/2022 @ 05.17.26 Fight near Vybz Bar

Saturday 11th June 2022 at 5.36am (Friday night trading hours 11:00 – 03:00)

Sound audible from DJ playing. Patrons were still milling around on the street and one had even set up a sound system on the roof of their car to continue the party. Council CCTV has been viewed in relation to this and the following stills are produced.

Appendix 15 – 11/06/2022 @ 03.02.50 - Customers loitering outside Vybz Bar

Appendix 16 – 11/06/2022 @ 03.06.12 – Customers queueing to enter Vybz Bar

Appendix 17 – 11/06/2022 @ 05.09.03 - Customers exiting Vybz Bar and loitering in the street. Crash barriers being taken inside.

Saturday 28th May 2022 at 5.01am (Friday night trading hours 11:00 – 03:00)

Vybz Bar reported (by member of public) to be open with staff taking crowd control barriers inside. Loud music still playing from the venue. Over the next 15 minutes or so patrons continued to leave the premises. Council CCTV has been viewed in relation to this and the following stills are produced.

Appendix 18 – 28/05/2022 @ 03.00.19 – Customers queueing to enter Vybz Bar

Appendix 19 – 28/05/2022 @ 05.12.06 - Customers entering Vybz Bar

Appendix 20 – 28/05/2022 @ 05.14.10 - Customers exiting Vybz Bar and loitering in the street

Appendix 21 – 28/05/2022 @ 05.18.36 - Customers exiting Vybz Bar and loitering in the street

Saturday 14th May 2022 at 5.04am (Friday night trading hours 11:00 – 03:00)

Vybz Bar reported (by member of public) to be open with loud music still playing from the venue. Patrons leaving the venue with a lot of cars parking on pavement area occurs due to the number of customers travelling by car. In the photo below, cars shown as parked on the right, block the pavement area outside 2 Craven Park Rd including pedestrian access to the Zebra Crossing. . Council CCTV has been viewed in relation to this and the following stills are produced.

Appendix 22 – 14/05/2022 @ 04.45.15 - Customers exiting Vybz Bar and loitering in the street

Appendix 23 – 14/05/2022 @ 04.54.43 – Customers exiting Vybz, loitering in street and crash barriers taken inside.

Appendix 24 – 14/05/2022 @ 04.57.20 – Males having exited Vybz Bar start fighting in the street (Grey hoodie)

On Wednesday 08/06/2022 I made a formal request by email to the Premises Licence Holder for CCTV download from the premises to investigate two of the above complaints.

1. Saturday 28/05/2022 between 00.01am and 05.00am
2. Saturday 14/05/2022 between 00.01am and 05.00am

A further email was sent on Friday 10/06/2022 to Ms Samuel requesting the CCTV– Both emails are on **Appendix 25.**

Ms. Kamika Samuel eventually replied to my email on 17/06/2022 stating that she was unable to download the requested CCTV due to the size. She then stated to advise when I was able to attend Vybz Bar and that it is only open from Thursday to Sunday from 8pm. I then emailed Ms. Kamika Samuel and arranged to attend the premises at 8.30pm on Thursday 30/06/2022 – **Appendix 26**. I attended at this time with police officers from the Harlesden town centre team. The premise shutters were down and the premises was closed. I remained in the area until 9.30pm but it still remained closed. Police officers pulled up one of the shutters and banged loudly on the window. I was later informed by police that the premises had opened at 10.00pm. I have viewed CCTV at Brent Council Civic Centre in relation to the above dates which clearly shows the premises to be operating beyond their permitted hours, breaching conditions and patrons causing anti-social behaviour in the immediate area outside the premises.

On 08/07/2022 I made a further attempt to secure a CCTV download from the Premises Licence Holder and to invite her to the Civic Centre to discuss the current situation at Vybz Bar. She replied stating that she was unavailable between 11th July and 20th July – **Appendix 27.**

From my dealings with the Premises Licence Holder it is clear that she is refusing to engage with the Licensing Authority but is continuing to run on a business that will continue to promote Anti-Social Behaviour, Crime and Disorder at and in the vicinity of Vybz Bar causing nuisance to local residents. She has made two unsuccessful attempts in the recent past to vary the premises licence until 05.00am 7 days

a week. It now appears that she has decided to go her own way and operate to whatever hours she likes. In relation to the Premises Licence the premises has and continues to breach a number of conditions that are attached, especially the following at Annex 2 – Conditions consistent with the operating schedule;

2. All CCTV recordings shall be kept for 31 days and shall be made available to police and licensing officers if requested – **CCTV has never been provided when requested**

3. A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each of the premises – **No summary present at the main entrance**

4. Customers shall not be permitted to take open glass containers outside the premises as defined on the plan submitted and approved by the Licensing Authority – **Brent Council CCTV shows patrons taking glass containers outside the premises**

9. No entry or re-entry shall be permitted after midnight – **Brent Council CCTV shows patrons being admitted and re-admitted between midnight and 03:00 hours on highlighted dates above**

Premises Licence with conditions attached at **Appendix 28**

I have made enquiries with other colleagues at Brent Council, one of which is Ms. Avril Nightingale who is an Environmental Health Officer. Ms. Nightingale informed me that in a recent communication with Ms. Kamika Samuel she stated that she no longer runs Vybz Bar. The Licensing Authority has had no application from Ms. Kamika Samuel to surrender or transfer the premises licence to another person.

Anonymous Representation

The Licensing Authority has received numerous complaints in relation to Vybz Bar and I am aware that there is a reluctance from local residents to make any representations for fear of reprisal and intimidation if their personal details are disclosed.

Section 182 Licensing Act Home Office Guidance re the disclosure of personal details of persons making representations states;

> *9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.*
>
> *9.27 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.*
>
> *9.28 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.*
>
> *9.29 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.*
>
> *9.30 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.*

I feel there is a strong case to protect the identity of any interested party because of the nature of the incidents that have taken place at or near the premises involving customers from Vybz Bar.

Appendix 29 – Redacted representation from Interested Party
This representation is consistent with a lot of the details described in the above incidents that I have covered.

Internet research shows events that have been advertised online to take place at Vybz Bar with a finish time of 04.00am.
Appendix 30 – Event advertised on Shoobs.com for Sunday Feb 13th 2022 from 8.00pm to 04.00am
Appendix 31 – Event advertised on Instagram on 9th and 16th February 2018 from 10.00pm to 04.00am.

Further research on internet shows a post created on 12/06/2022 at 5.12am where the user has posted "5am in Harlesden = People going home after Vybz Bar - **Appendix 32.**

Further Supporting Representation
Appendix 33 – Statement from Inspector Andy Le Geyt
Appendix 34 – Statement from PC Euan Varney

The promotion of the licensing objectives and achieving common aims relies on a partnership between licence holders, authorised persons, interested parties, responsible authorities and the Council. The Council's Licensing Authority is keen to work in partnership with licensees to develop a prosperous and well managed economy whilst promoting the licensing objectives. But, we must carry out our functions under the Licensing Act 2003 with a view to promoting the four licensing objectives. In reaching my decision to apply for a review of the Premises Licence for Vybz Bar I have taken into consideration the Councils Licensing Policy and the current guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
There is clear evidence and information that the Premises Licence Holder is failing to promote the Licensing Objectives relating to the Prevention of Crime and Disorder and the Prevention of Public Nuisance. Even after receiving a Warning Letter on 08/06/2022 – **Appendix 35** and then receiving the review application the Premises Licence Holder has failed to address the serious concerns that were raised in both.
Due to the ongoing issues caused by the Vybz Bar and the Premises Licence Holders refusal to engage with the Licensing Authority I ask that the Licensing Sub-Committee considers the ultimate sanction of **Revocation** on the Premises Licence to be appropriate.

Yours sincerely



John McGann
Licensing Officer
Regulatory Services

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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN | | | | |

Statement of: James Clarke

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

This statement (consisting of 2 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.

Witness Signature: James Clarke…….....Date: 14/07/2022

This statement is written about the Vybz club at 1 Craven Park in Kilburn and the issues the Licensing police have found with this venue over the last few years.

I am a Police Sergeant and have been in the Metropolitan Police for 19 years. Since January 2021 I have been posted to the Licensing team in the North West Basic Command Unit. My role is to supervise the three licensing teams of which is one of them.

Recently I have been made aware of issues at this premises and that Brent Council were applying for a review. As a result I checked through police indices and have found 36 reports where Vybz is mentioned over the period of the last two years. Our system that records calls does not allow me to look through in detail these records prior to October 2020, there are 12 that I found. Some reports were not substantiated or not directly linked and I have not included these. The following crime reports and incidents of note and I have included a brief description:

1XXX/04jul22: Report of the venue being open when call came in at 0518 hours. Smell of drugs in area and cars revving in street.
191XXXX/22: On 25/06/2022 report was made of an assault where two persons who had been in the venue had fought in the street where the victim was knocked unconscious. Victim was reported as drunk after being to the club.
191XXXX/22: 28/05/2022 Person stabbed in the street following an argument that was suspected to have started in Vybz
0XXX/28may22: Call regarding noise coming from the club at 0315 hours
191XXXX/22: 30/04/2022 victim assaulted by having glass thrown at them
1XXX/02apr22 and 1908663/22: Report of victim being assaulted by security staff at venue. Appears to have been the result of lawful ejection from the premises
190XXXX/22 05/02/2022: Report of theft at the venue.
1XXX/29jan2022: Report of noise from the Vybz at 0434 hours
1XXX/23jan22: 0556 hours report of an argument between persons at the venue. No criminal allegations made.
0XXX/08jan22: call at 0305 hours that a customer had been ejected from the venue.
0XXX/02jan22: report at 0301 hours of noise and cannabis smell.
1XXX/02jan22: Reports from noise from area referred to as the 'lounge' area of Vybz.
193XXXX/21: 19/11/2021 report of a burglary at the venue where there was no assistance given to officers in handing over CCTV.
192XXXX/20: 30/08/2020 group loitering outside venue, one report for possession of cannabis.
192XXXX/20: 15/08/2022 reports of a crime unrelated to the venue but does mention that it is open at 0400 hours.

As part of our role we follow a stepped approach to dealing with venues. At first we will look to intervene and contact the venue if there is an issue and there is an expectation that we will have a meaningful conversation with the owners or managers in order to deal with them.
Following some of the incidents above a member of our team, PC Gary Norton emailed the venue using the email address vybzbarlondon@gmail.com. From what I have seen the venue were replying to emails back in

Witness Signature: James Clarke PS 354NW…….....

Signature Witnessed by Signature:…….....

Continuation of Statement of:
2020 but has not done so since. One notable incident was when Vybz were emailed regarding an event on the 25th September 2021 where they a promoted event was suspected of taking place outside their licensed hours. They were asked to reply and for the CCTV to be supplied but never responded.

Another issue of concern is the lack of assistance given to officers investigating crime in and around Vybz nightclub:

193XXXX/21: Burglary report. The victim has provided CCTV but cancelled the visit by officers looking for forensic evidence. The officers has then left voicemails and written a letter to the venue, all with no response.
190XXXX/22: Two messages left by the investigating officer on voicemail regarding CCTV for a theft allegation. No response from anyone at Vybz.
191XXXX/22: Message left by officer regarding CCTV. No response from the venue is recorded.

From the information I have found it appears that the venue is operating outside of it licensable hours and needs to be managed in a more responsible manner. The venues staff do not appear to respond to emails or phone calls recently and there appears to be no effort made to have a good relationship with police. After all the calls and emails, these appear to be missed opportunities to work with us. If so we could offer advice and even training that would help them be a safer place for customers and staff. I would still be willing to do so and would encourage the owners and staff to make contact in order to work together in future.
I would also like to give notice that I may submit further supplementary information before the date of the hearing.

Witness Signature: …James Clarke PS 354NW……

Signature Witnessed by Signature:……

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London Borough of Brent

Premises Licence

Part A

This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the ***Licensing Act 2003***

Original grant date: 16 January 2008 **Current issue date: 07 August 2020**    Authorised signatory

Premises licence number: **318510**

Part 1 – Premises Details

Postal address of premises, or if none, ordinance survey map reference or description **Vybz Bar** **1 Craven Park Road, London, Brent, NW10 8SE**

Where the licence is time limited the dates

Licensable activities authorised by the licence **Section E: Live music** **Section F: Recorded music**

Section I: Provision of late night refreshment: Indoors
Section J: Sale of alcohol: On the premises

The times the licence authorises the carrying out of licensable activities

Section E: Live music		
Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

This will be in the form of live interludes from performing artist singing to the customers or possibly a rendition (s) from a professional pianist playing a repertoire of wide and varied music, for example jazz music, popular music, show tunes and classical music to match the ambiance.

Section F: Recorded music		
Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

This will be in the form of background music from radio and television via an internal integrated stereo system using CD"s DVD"s etc.

Section I: Provision of Late Night Refreshments:Indoors		
Day	Start Time	End Time
Monday	23:00	03:00
Tuesday	23:00	03:00
Wednesday	23:00	03:00
Thursday	23:00	03:00
Friday	23:00	03:00
Saturday	23:00	03:00
Sunday	23:00	03:00

Section J: Sale or Supply of Alcohol: On the

premises

Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

The opening hours of the premises

Day	Start Time	End Time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	03:00
Friday	11:00	03:00
Saturday	11:00	03:00
Sunday	11:00	03:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

Kamika Samuel
[redacted]

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Kamika Patrice
[redacted]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Licence Number: [redacted]
Issuing authority: [redacted]

Annex 1 – Mandatory conditions

No Irresponsible Drinks Promotions

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

1. (a)games or other activities which require or encourage,

or are designed to require or encourage, individuals to— (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

Small Measures to be Available

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

Minimum Price of Alcohol

1.A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2.For the purposes of the condition set out in paragraph 1—

(a)—duty‖ is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b)—permitted price‖ is the price found by applying the formula—

P = D + (D x V)

where—

(i)P is the permitted price,

(ii)D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii)V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c)—relevant person‖ means, in relation to premises in respect of which there is in force a premises licence—

(i)the holder of the premises licence,

(ii)the designated premises supervisor (if any) in respect of such a licence, or

(iii)the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) —relevant person‖ means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)—valued added tax‖ means value added tax charged in accordance with the Value Added Tax Act 1994.

3.Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (—the first day‖) would be different from the permitted price on the next day (—the second day‖) as a result of a change to the rat e of duty or value added tax.

(2)The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Requirement for a DPS

(1) No supply of alcohol may be made under the premises licence-

(a)at a time when there is no designated premises supervisor in respect of the premises licence, or

(b)at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

(2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door Supervisors and Security Staff to be Licensed by the SIA (when required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films

b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

(i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.

(ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority

under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the operating schedule

1. CCTV shall be installed and maintained in a working condition.

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

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.

5. The total number of people permitted on the premises including staff and performers shall not exceed 50.

6. 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.

7. Substantial food and non-intoxicating beverages (including free drinking water) shall be available during the whole of licensed hours in all parts of the premises where intoxicants are provided.

8. The licensee or his/her deputy shall be a member of, and actively participate in the local pubwatch scheme.

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

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.

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.

12. Notices clearly explaining the licensee"s drugs policy shall be displayed at the entrance and at suitable places throughout the premises.

13. When prior notice has been given the licensee shall allow free and unimpeded access to police officers with drug sampling equipment and/or "sniffer"dogs, to test customers prior to entry, for drug use and possession.

14. If dancers are employed, their names, passport and visa details, including those of the band members, shall be supplied to the police no less than one month before they are due to start performing.

15. A residual current device (RDC), having a rated residual operating current not exceeding 30 milliamps, shall be provided to any socket or power supplies to be used for temporary stage, band or disco equipment, likely to be accessible to performers, staff or public. This protection shall be extended to gaming machines, cigarette machines and similar equipment used by the public.

16. The front inward opening doors shall be locked back in the open position while the public are on the premises.

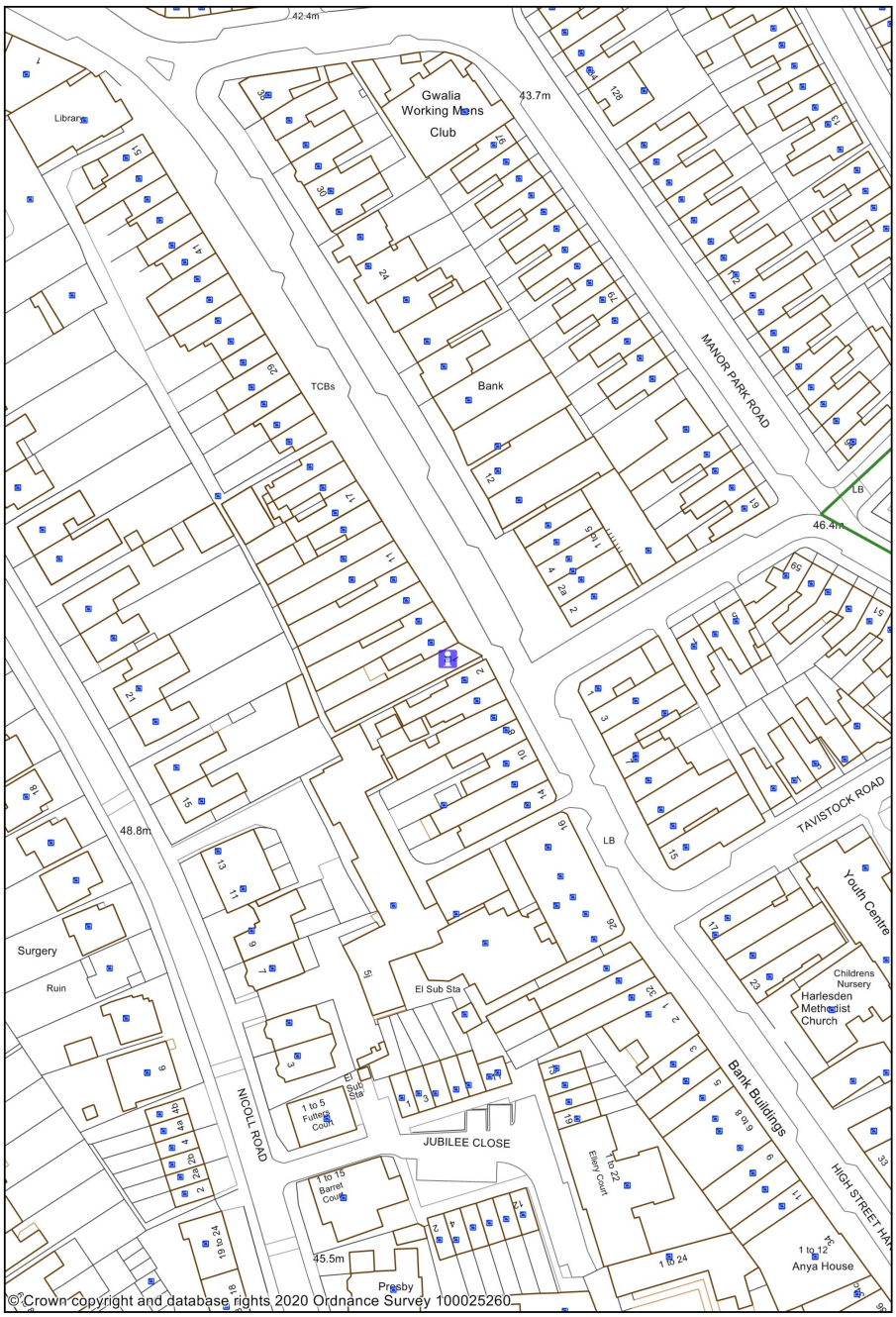
17. The "Challenge 21" proof of age scheme or similar such scheme shall be adopted.

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

See attached

Vybz Bar, 1 Craven Park Road, NW10 8SE



1:1250

0 0.02 0.04 kilometres

Brent

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