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The Licensing Authority

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Your ref: 19499

Our ref: NW/263/20/2965

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Date: 02/09/2020

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

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

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

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a ‘Responsible Authority’ under the Licensing Act 2003. The application has been made for a variation of premises licence under section 34 of the Licensing Act 2003.

Police licensing representations are primarily concerned with the four licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

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

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

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

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

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

The licence conditions breached include:

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

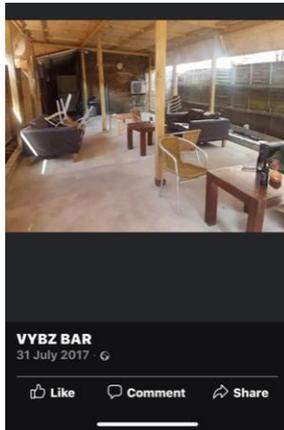


Photo of illegal structure in the unlicensed rear area of premises. Numerous residential flats and housing overlook this open sided area. The venue was ordered to take it down by the council, appealed the decision, but it was upheld and should have been taken down in February 2020. It's still there and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

FLYERS FOR UPCOMING/PREVIOUS EVENTS

12:44 | shoobs.com

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

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

Like 0 | Tweet

Ticket Type	Price	Quantity
BTO Limited	£5.00	0

Ends: 6th Sep

BUY TICKETS

Tickets will be reserved for 10 minutes

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

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VYBZ BAR ENTERTAINMENT PRESENTS

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

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



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

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

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

Yours Sincerely,

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

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