



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

Date:

Classification:

Title of Report:

Report of:

Policy context:

Financial summary:

Report Author:

Contact Details:

22/01181/LIREVP

22 April 2022

For General Release

Ma Dames
58 Porchester Road
London
W2 6ET

Director of Public Protection and Licensing

City of Westminster Statement of Licensing Policy

None

Karyn Abbott
Senior Licensing Officer

Telephone: 0207 641 6500
E-mail: kabbott@westminster.gov.uk

APPLICATION DETAILS

Application Type:	A review of premises licence application under the Licensing Act 2003.		
Applicant:	Alex Juon – Interim Head of Service Public Protection and Licensing South West	Date Application Received:	7 February 2022
Premises Name and Address:	Ma Dames 58 Porchester Road London W2 6ET		
Ward Name:	Bayswater	Cumulative Impact Area:	None
Description of Premises:	The premises currently operates as a nightclub.		
Preliminary Note:	None		

2. SUMMARY OF APPLICATION

- 2.1 An application submitted by the Licensing Authority for a review of the premises licence for Ma Dames, 58 Porchester Road, London, W2 6ET was received on 7th February 2022 on the grounds of the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance. A full copy of the application can be found at **Annex 1**.
- 2.2 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 2.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations. The requirement to hold a hearing is mandatory in nature.
- 2.4 The premises currently benefits from a premises licence that permits:

Performance of Dance

Monday to Wednesday: 09:00 to 23:30
 Thursday to Saturday: 09:00 to 01:30
 Sunday: 09:00 to 22:30

Provision of facilities for Dancing

Monday to Wednesday: 09:00 to 23:30
 Thursday to Saturday: 09:00 to 01:30
 Sunday: 09:00 to 22:30

Provision of facilities for making Music

Monday to Wednesday: 09:00 to 23:30
 Thursday to Saturday: 09:00 to 01:30
 Sunday: 09:00 to 22:30

Performance of Live Music

Monday to Wednesday: 09:00 to 23:30
 Thursday to Saturday: 09:00 to 01:30
 Sunday: 09:00 to 22:30

Playing of Recorded Music

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Provision of facilities for entertainment of a similar description to making music or dancing

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Late Night Refreshment

Monday to Wednesday:	23:00 to 23:30
Thursday to Saturday:	23:00 to 02:00

Sale by Retail of Alcohol

Monday to Wednesday:	10:00 to 23:30
Thursday to Saturday:	10:00 to 01:30
Sunday:	12:00 to 22:30

- 2.5 Further documents that were submitted as part of the review application can be found at **Annex 1 (Appendix 1-9)**
- 2.6 On submission of this application, the applicant provided an in-depth description of the issues relating to the premises which stated the following:

Westminster City Council have had City Inspectors officers deployed to this premises since August 2021 to witness the dispersal procedure, and to monitor for incidents of noise and other anti-social behaviour.

There have been at least 19 visits made to the premises between August 2021 and February 2022. Most of these visits have found no issues of concern at the time of visit; although the visit made on the 3rd of October 2021 at 02.30 found a group of customers gathered outside and the officers feared a disturbance would take place. The officers did engage with the DPS who was present at the time.

Since the premises reopened following the pandemic there has been a significant increase in complaints from residents of the local area, in particular Westbourne Park Road and Celbridge Mews, regarding noise, anti-social behaviour, litter, urination, and human excrement, and use of nitrous oxide cannisters.

The original licence was issued in 2012 to a restaurant/entertainment venue. The use of the venue has changed over the years and the licence has remained the same. The premises with its current use is no longer suitable for the location it is in. A private event nightclub in a quiet residential area.

The council has recorded cases of noise on the Uniform secure data system as well as deploying resources to the area every weekend when a TEN has been in place. This deployment to reduce public nuisance, and the investigation of numerous complaints from local residents, impacts on the council ability to task resources elsewhere in WCC.

The local Metropolitan Police Service (MPS) dedicated ward officers have partnered the council officers to assist in the reduction of crime and disorder as well as public nuisance. The local officer has submitted evidence to this review through a disclosure request to share intelligence. He has also commented on the use of resources and in particular the time of the officers dedicated to preventing and investigating complaints from residents.

- 2.7 Additional submissions received from the applicant can be found at **Annex 2**. These are in the form of an updated review submissions, a review summary, submissions from a visit dated 5-6 March 2022, and additional photos. The applicant has also submitted video evidence which will be shown at the Licensing Sub-Committee. The video evidence has been circulated to all parties prior to the hearing.
- 2.8 At the time of producing this report the Premises Licence Holder has yet to submit his submissions. However, any late written submissions will be presented to the Licensing Sub-Committee prior to the hearing taking place.

3. REPRESENTATIONS:

- 3.1 The application has also received a representation in support of the review from the Environmental Health Service on the 7th March 2022 on the grounds of Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance and can be found at **Annex 3**.
- 3.2 The application has also received a representation in support of the review from the Metropolitan Police Service on the 2nd March 2022 on the grounds of Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance and can be found at **Annex 4**.
- 3.3 The application has also received representations in support of the review from interested parties on the grounds of crime and disorder, public nuisance and public safety and can be found at **Annex 5**.
- 3.4 The application has also received representations in support of the premises from an interested party and the Licence Holder and can be found at **Annex 6**.

4. OPTIONS:

- 4.1 The applicant is seeking revocation of the licence due to the amount of evidence that has been submitted and that the premises fails to promote the licensing objectives
- 1) The potential for crime and disorder
 - 2) The potential for public nuisance

The applicant believes that a nightclub style of operation is not appropriate for this location.

- 4.2 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months;
 - (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.

- 4.3 In accordance with section 52(6) of the 2003 Act, if the authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months)

as it may specify.

- 4.4 The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

5. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

List of Appendices:	Annex 1 – Application for Review <ul style="list-style-type: none">• Appendix 1 – Full Current Premises licence and map showing location of premises• Appendix 2 – List of Noise Complaints• Appendix 3 – Meeting held at WCC 19th October 2021• Appendix 4 – Resident Meeting plus email showing CI Inspection of SIA.• Appendix 5 – Metropolitan Police Service ASB Disclosure (Redacted)• Appendix 6 – Statements from Residents• Appendix 7 – Resident Photos• Appendix 8 – Correspondence between DPS and WCC Environmental Sciences• Appendix 9 – Temporary Event Notice Full Decision - Ma Dames Annex 2 – Applicant Further Submissions Annex 3 – Environmental Health Service representation in support of review and list of complaints Annex 4 – Police representation in support of review plus Evidence of 9 Incident Reports, Summary of 9 Cad Reports, 4 Crime Reports and Statement of PC Burgin. Annex 5 – Interested Parties representations in support of the review plus supplementary documentation Annex 6 – Interested Party and Licence Holder representations in support of the Premises Annex 7 – Licence and Appeal History Annex 8 – Licensing Sub-Committee Decision 8 th November 2012 Annex 9 – Magistrates Court Appeal Decision Annex 10 – Residential Map and list of premises in the vicinity
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Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (October 2021)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (April 2018)



City of Westminster

APPLICATION FOR REVIEW

Please forward one copy of your completed application and any supporting documentation to:

Licensing Service
REVIEWS
Westminster City Council
Westminster City Hall
15th Floor
64 Victoria Street
London
SW1E 6QP

AND

Please give one copy of your application and any supporting documentation to the Holder of the Premises Licence and each of the following responsible authorities on the same day that the application is served on the Licensing Service.

1. The Chief Officer of Police
Westminster Police Liaison Team
15th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP
2. Fire Safety Regulation: South West Area 4
169 Union Street London SE1 0LL
3. Premises Management (Environmental Health; Health & Safety; Weights and Measures)
Westminster City Council
Environmental Health Consultation Team
15th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP

Continued.....

4. Development Planning Services
Westminster City Council
64 Victoria Street
London
SW1E 6QP

5. Area Child Protection Committee
Head of Commissioning – Child Protection & Quality, Social and Community
Services – Children and Families
4 Frampton Street
NW8 8LF

6. Director of Public Health
Inner North West London Primary Care Trusts
(Hammersmith and Fulham, Kensington and Chelsea, Westminster)
15 Marylebone Road, London
NW1 5JD

For boats only

The Navigation Authority (for vessels not permanently moored)

Tidal Thames
The Harbour Master
The Port of London Authority, 7 Harp Lane, London EC3R 6LB

Non Tidal Thames
The Environment Agency Recreation and Navigation, Thames Region, Kings
Meadow House, Kings Meadow Road, Reading, RG1 8DQ

Canals
The Leisure Manager
British Waterways Board
1 Sheldon Square, Paddington Central, London W2 6TT

And

The Surveyor General
The Maritime & Coastguard Agency, Orpington Marine Office, Central Court, 1 Knoll
Rise

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 **Alex Juon, Interim Head of Service Public Protection and Licensing South West**

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Ma Dames 58 Porchester Road Bayswater	
Post town London	Post code (if known) W2 6ET

Name of premises licence holder or club holding club premises certificate (if known) Jennifer Cassandri Son Des Guitares Limited 869 High Road London N12 8QA

Number of premises licence or club premises certificate (if known) 15/09364/LIPDPS
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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)

X

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 ✓ yes

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

Post Code

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 Alex Juon Interim Head of Service; South West Westminster City Council Public Protection and Licensing 64 Victoria Street London SW1 6QE
Telephone number (if any)
E-mail address (optional) pking@westminster.gov.uk

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

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

This review is sought in relation to Ma Dames 58, Porchester Road, W2 6ET Premises Licence No. 15/09364/LIPDPS refers, a full copy of the Licence is attached at **Appendix 1**. Included in Appendix 1 is a google map of the premises location and a visual google image showing Ma Dames and Celbridge Mews entrance.

This review is sought to prevent:-

- 1) The potential for crime and disorder,**
- 2) The potential risk to public safety,**
- 3) The potential for public nuisance**

The full circumstances are set out below with key documents held with Appendices attached.

Information regarding personal data has been redacted from the documents and statements to protect individuals personal data under the General Data Protection Regulation (UK GDPR) Data Protection Act 2018.

This premises is a private nightclub in Porchester Road. The premises has private events and hiring with named guests. When the customers leave they do so into quiet residential street. The club is predominately open on a Saturday/Sunday night and has applied for a Temporary Event Notice (TEN) to extend the permitted hours from 02.00hrs to 03.00hrs.

The current owner/director has held the premises licence since October 2015. The director of the company leasing the property is Jennifer Cassandri, and she has a Personal Licence as the Designated Premises Supervisor that she granted from Lambeth Licensing Department Reference **Licence Number: pers3524**

Westminster City Council have had City Inspectors officers deployed to this premises since August 2021 to witness the dispersal procedure, and to monitor for incidents of noise and other anti-social behaviour.

The premises had been closed for several months due to the Government restrictions around the coronavirus pandemic.

There have been five proactive visits made to the premises since August, when the club has been operating. Most of these visits have found no issues of concern at the time of visit; although the visit made on the 3rd of October 2021 at 02.30 found a group of customers gathered outside and the officers feared a disturbance would take place. The officers did engage with the DPS who was present at the time.

Since the premises reopened there has been a significant increase in complaints from residents of the local area, in particular Westbourne Park Road and Celbridge Mews, regarding noise, anti-social behaviour, litter, urination, and human excrement, and use of nitrous oxide cannisters.

The original licence was issued in 2012 to a restaurant/entertainment venue. The use of the venue has changed over the years and the licence has remained the same. The premises with its current use is no longer suitable for the location it is in. A private event nightclub in a quiet residential area.

The council has recorded cases of noise on the Uniform secure data system as well as deploying resources to the area every weekend when a TEN has been in place. This deployment to reduce public nuisance, and the investigation of numerous complaints from local residents, impacts on the council's ability to task resources elsewhere in WCC.

The local Metropolitan Police Service (MPS) dedicated ward officers have partnered the council officers to assist in the reduction of crime and disorder as well as public nuisance. The local officer has submitted evidence to this review through a disclosure request to share intelligence. He has also commented on the use of resources and in particular the time of the officers dedicated to preventing and investigating complaints from residents.

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

The problems around dispersal from the club during the early hours of the morning has been addressed by WCC previously in December 2019. Due to an increase in noise complaints (**22 reports in 2019**) the DPS/Director of Ma Dames was invited into the Council for a meeting around the problems, and what she and the club could do to control the noise/anti-social behaviour. Recorded minutes taken from Uniform data base shown below (names redacted and initials used):

A meeting took place at WCC on the 3rd of December 2019

Meeting took place today in the WCC Canteen. Persons present were DN Regulatory Services Environmental Health Officer, GF Senior City Inspector, JC and S Director/DPS, FH City Inspector

The use of the TEN's licence was discussed and the DPS responsibilities.

JC and S, explained the steps they were taking to reduce/minimise the disturbance to the residence in that locality.

- o Bar closed prior to closing, no further sale of alcohol*
- o Music turned off;*
- o Small groups let-out from the club to help to reduce noise and let out to get their Uber/Taxi's*
- o SIA staff on site helps to encourage a quick quiet dispersal;*
- JC and S, both state that they are reluctant to take bookings from any promoter's not known to them or 18yr olds.*

DN & GF's outlined the way in which the DPS should apply for a TEN and suggested best practice. GF advised that the DPS should make notes of what steps and changes have been made and that these should be recorded on each TEN when making an application.

- o Avoid making late TEN's applications;*
- o Only allowed 21 clear working days between each TEN application;*
- o Ensure that applications are submitted at the earliest opportunity;*
- o Describe in detail, what event you're holding;*
- o Engender good relations between the club and the residence of Porchester Road;*
- o Draw up contract between guest and club;*

GF's went on to add that in the event of a TEN being refused, that they are entitled to appeal. Keeping a record of all they've done, will help the panel to make a decision.

The Directors also discussed, utilising the club for other non-licensable activities, such as a 'Comedy night' with French comedian's and catering to a specific crowd.

This meeting did have an impact on controlling dispersal from the premises. Customers were held in the foyer of the premises and dispersed in smaller groups and when a taxi had arrived for pick up. In January 2020 the premises closed due to the pandemic.

It should be noted that the use of Temporary Event Notices (TEN) was a cause of complaint back in 2019 as they have been recently in 2021.

Noise Complaints Associated to Ma Dames

There have been two Freedom of Information requests to WCC in 2021.

The first one was for a local newspaper, My London. This request was to find how many noise complaints there were relating to Ma Dames. However, the wording of the request was such that it asked for noise complaints in Porchester Road. The results were not accurate as there is a very high number of noise complaints submitted by an anonymous complainant regarding another premises in Porchester Road.

A second request was more specific and requested noise complaints that WCC had received and recorded directly connected to Ma Dames over a 5-year period. This document is in **Appendix 2**.

In total since 2015 there have been 37 recorded noise complaints. (05.12.2015 – 03.10.2021)

1 complaint 2015
1 complaint 2017
1 complaint 2018
22 complaints 2019
4 complaints 2020
8 complaints 2021

Since the Freedom of Information request there has been **four** further recorded noise report in 2021.

Residents had reported that they found the Westminster City Council system to report noise complaints was causing issues, as was reporting anti-social behaviour. Following a meeting with local councillors Carman and Payne the links were sent to residents as to how to report on the WCC system and the MPS 101 number reporting ASB.

It should be noted that both 2020 and 2021 figures will have been affected by the closure of the premises due to the coronavirus pandemic.

Noted also that a resident of Celbridge Mews vacated the private address when a TEN event was advertised so the noise from the club would not affect their sleep. The complaints could have been higher.

When the Freedom of Information details were released, it was observed by a resident that some reports were missing. The search of the WCC recording system by the officer conducting the FoI search had not included Celbridge Mews. There were an additional 3 reports regarding noise from Ma Dames that should be included in the 2021 figures. A WCC Noise Monitoring Device installed by an Environmental Health Officer was offered to this resident but declined.

Each individual case number has been shown on the Freedom of Information request. However, some cases are linked, and this will reduce the number of reports further.

Condition 12 and 13 of the Premises Licence state that sound level in the premises is controlled by a noise monitoring device and that no noise shall emanate from the premises

12. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of an officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.

13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

There is a breach of condition 13. Reports made by a resident with a party wall. However, no officer has been inside the private property to hear the noise. WCC Noise Monitor declined.

At a resident meeting inside Ma Dames on 5th November 2021 this problem was discussed between the resident and DPS. A speaker had already been removed from the party wall following a meeting with DPS at WCC to discuss several concerns of the residents on 19th October 2021 (minutes of meeting in **Appendix 3** and circulated to all those who attended, ward councillors and two residents.)

At the meeting in Ma Dames on 5th November 2021 a resident and DPS agreed to privately funding a structural engineer to inspect the party wall and make recommendations for improvements to soundproof the wall. This was agreed and a resident paid the deposit. The DPS cancelled the meeting at the last minute and no inspection took place.

Referral of Case to Richard Brown Citizens Advice Bureau, Licensing Solicitor

The residents were referred to Richard Brown for advice regarding the licence. A resident sent an email into CAB WCC Licensing officer on 16.09.2021 and received a reply from Richard Brown on 24.09.2021. In the response the CAB Licensing officer replied.

If these noise issues are evidenced and corroborated by a Council officer it may i) increase the chances that the Council would institute their own licence review; or ii) increase chances of a successful licence review by residents which addresses the various issues experienced.

He had highlighted sections 12 and 13 of the Licence. The resident reported that Celbridge Mews had been used as a toilet both urination and excrement. Pictures were taken and submitted. These are in **Appendix 7**

Some of these pictures were shown to the DPS when she attended a meeting at WCC on 19th October 2021. The DPS had no idea this was happening and was disgusted by people's behaviour. As a result, at the meeting it was agreed that a SIA officer from Ma Dames would be positioned at the entrance of the Mews and this would be part of the premises dispersal plan. Dispersal Plan was requested with the addition of this agreed condition. Dispersal Plan has not been submitted to WCC despite this request.

Residents Meeting 5th November 2021 at Ma Dames

At the DPS meeting on the 19th October 2021 the DPS agreed to a residents meeting. Two residents representing the communities of Celbridge Mews and Westbourne Park Road Residents Association agreed to attend. There was a pre meet in a private resident's property before going to Ma Dames with area Team Manager Paul King.

On arriving at Ma Dames, the DPS had invited six residents. These residents supported the premises. Also in attendance was the premises security manager and director of a SIA company called My Brother's Keeper. His name was AJ.

Various points were discussed. A summary of the meeting and actions are shown in **Appendix 4**.

One action that still has not been completed is the updating and sending to the area manager of the Dispersal Plan. This was also requested at the meeting with DPS on 19th October.

Noted that an SIA officer does now stand at entrance of Celbridge Mews as agreed.

All SIA staff to wear high visibility jackets and display their accredited SIA badge. They have been issued with bodycam.

WCC officer conducted an unannounced inspection of SIA at midnight on night of 23rd October 2021 and all correct. He inspected 4 SIA. It is a condition of the licence that the premises has a minimum of 4 SIA.

Parking in Westbourne Park Road

Discussed at Residents Meeting.

There are breaches of conditions.

52. No customers who park vehicles on Westbourne Park Villas or Westbourne Park Road will be permitted to enter the premises.

53. The premises shall offer free parking in Arthur Court NCP to customers arriving after 9pm Thursday, Friday and Saturday nights.

54. From opening to the public on Thursday, Friday and Saturday nights, two street marshals shall be stationed on or at the junction at Westbourne Park Villas and Westbourne Park Road (or such lesser numbers as agreed with Environmental Health).

We have seen evidence from residents, in Westbourne Park Road, that customers are parking and, in

some cases, obstructing residents parking areas. One resident has submitted video evidence and on one occasion was verbally abused and, on another occasion, assaulted.

The video evidence is to be supplied by residents during the licence consultation period. If possible, on a memory stick so it can be shown at the licence review. This is the evidence of the residents and should be provided by the residents.

Condition 53 states the premises shall offer free parking in Arthur Court NCP. WCC have checked with NCP who stated this had been closed for 2-3yrs and has reopened in the last few months. No exact date from NCP Customer Services.

These are unusual conditions on a premises licence. Primarily as this premises is isolated away from commercial night-time economy areas, and in the locality of residential premises. There is a TFL tube station nearby, Royal Oak, but customers will be leaving Ma Dames at 2am or 3am, and therefore transport to and from the premises is a problem not experienced in areas such as Soho and Covent Garden for customers of the night-time economy.

There are clear breaches of these conditions. A resident has been threatened and assaulted.

The MPS have had reported incidents of alleged customers returning to their vehicles and opening the car boot to carry on drinking.

The noise from customers returning to their vehicles in the early hours, talking loudly, opening and closing car doors disturbs residents sleep and quality of life,

Police Reports – ASB and Disclosure of Information Request

As a result of two Community Triggers, under the Anti-Social Behaviour Crime and Policing Act, being submitted to WCC an information disclosure request was sent to the local MPS ward officer.

The results are shown in **Appendix 5**, and names have been redacted for data protection.

In total the MPS have recorded 17 cases on their database from 27.11.2016 to 12.12.2021

The local MPS ward officer comments;

As local ward officer for Bayswater, I have been in regular contact with residents in Westbourne Park Road and Celbridge Mews in relation to their complaints around noise and general ASB described in the above reports.

*After reviewing all the calls and listening to the nature of the complaints, I can confirm that I believe the club has not been operating in accordance with their licences conditions or objectives. I can also confirm that although the list above (**Appendix 5**) contains a list of recorded calls, I have also personally received many direct emails and phone calls from residents complaining about similar issues as described above. These complaints also have been backed up by video evidence from residents of customers clearly coming from the club and being loud and disruptive along Porchester Road and Westbourne Park Road on occasions between 0100- 0330hours in the morning.*

The nature of the complaints to me directly involve

- Customers from the club urinating and defecating in Celbridge mews*
- Customers from the club street drinking and gathering around parked cars in Westbourne Park Road*
- Reports that the club is operating without approved SIA door staff and are operating with less door staff than stated on their licence.*
- Reports that the club's owner has a criminal record and has not disclosed this when obtaining a licence.*
- General noised transference from the club into neighbouring properties through party walls.*

The ASB caused is that which you would usually get from a club, however this may be tolerable in a non-residential area but this club is situated in a highly populated residential street with no other licensed premises similar to this one operating in the immediate vicinity. This club is not fit for the area it is located and therefore I strongly believe that a licence review should be considered in moving forwards with this address.

Lambeth Licensing Decision – Undeclared Criminal Conviction

As a result of information from a resident that the DPS had a criminal conviction, that was evidenced in online newspaper reports, the DPS was asked at a meeting in WCC on 19th October 2021 if the story in the newspaper related to her. This was confirmed.

The DPS had not declared the foreign conviction in **breach of section 132 Licensing Act 2003**

The personal licence was issued by Lambeth Licensing Department. They were informed of the conviction. DPS was sent a form to complete disclosing the conviction.

The decision by Lambeth Licensing Department was not to revoke the personal licence. A request has been made for Lambeth Licensing to write to WCC re their reasoning for decision. Currently at the time of this report WCC have not received any correspondence.

TENs

The premises has applied on a near weekly basis since it reopened. This has extended the premises licence to a closure time of 03.00hrs.

WCC Licensing, Area team manager and Head of Service have monitored when a TEN was applied for. City Inspectors on night shift were tasked to attend and observe dispersal every weekend a TEN had been approved.

A TEN was applied for on Halloween weekend of 2021. The local police ward officer and the local WCC ward team requested that the TEN not be granted based on recent residents' complaints. This TEN was for a publicised event through a promoter and ticket only. It was to start on Sunday 31st and the TEN extended the hours into Monday 1st November at 03.00hrs closure.

MPS Licensing found no grounds to object. WCC Licensing Regulatory Services were approached regarding objecting and there was not enough recorded data on the WCC data system to warrant an objection at this particular time.

Since this date the residents were, and have, increased the number of recorded complaints on the WCC noise report data system.

The use of TEN application has only escalated the problem for the residents since August 2021 and noted that the use of TEN resulted in the DPS being requested to come into WCC in 2019.

Community Trigger

Residents have submitted two separate Community Triggers under the Anti-Social Behaviour Crime and Policing Act to have the WCC process reviewed. The threshold for a Community Trigger was met.

On Friday 7th January 2022 there was a review with partners involved with the premises. Also, at a pre-review a local councillor and member of South East Bayswater Residents Association were invited to make a statement to the review panel on the impacts the premises was having on the local community.

At this stage of writing the Licence Review the review panels report has not been finalised and sent to those victims who requested it. The Community Trigger is a victim-based review and a means of having WCC and partners process reviewed. The findings and recommendations from the review will only be shared with the victims who submitted.

One recommendation is the submission of the Licence Review.

Community Statements

Statements had been taken previously from residents by the MPS and WCC, and these were used to increase the area covered by a Community Protection Impact Zone. This is a signed area designated for the issuing of Community Protection Warnings/Notices under the Anti-Social Behaviour Crime and Policing Act. It is used to stop persistent and continuous behaviour affecting people's quality of life. A breach of a Community Protection Notice is a criminal offence. The area of Ma Dames has only recently been included in this zone and no warnings or notices have been served.

Statements from residents regarding anti-social behaviour that has impacted on their quality of life are in **Appendix 6** and have been redacted.

Management Responsibilities of the Director/DPS of Ma Dames.

The DPS has been asked to attend WCC on two occasions regarding the management of the premises and in particular the dispersal and noise nuisance of the customers. Both meetings had minutes recorded.

The first occasion was in 2019 when there were 22 recorded noise complaints on the WCC Data system. Following the meeting in 2019 the same issues were raised as in 2021, that dispersal was not being handled well and that the use of a TEN was only taking the issues further into the early hours of the morning and disturbing residents sleep and quality of life.

The club was closed for a substantial period due to the pandemic and government restrictions on licensed premises.

The meeting of 19th October 2021 followed a disturbance in the street in August 2021 and increase in residents' complaints via email, phone and reporting systems to the MPS and WCC.

The DPS has been asked twice to provide a Dispersal Plan for the premises. Once at the meeting at WCC on 19th October 2021, and again following the residents meeting at the club in November 2021. **The plan has not been provided to the Council.**

It was the DPS responsibility to inform the licensing authority where she obtained her Personal Licence of the criminal conviction, she had acquired in France 2018. This was not done. Lambeth Licensing were only informed following information obtained from a resident and from WCC Licensing Department. As a result, the DPS was sent a form by Lambeth Licensing to declare the offences under the provisions of the Licensing Act.

Failure to comply with the legislation.

One of the residents most affected by noise from the premises attended the residents meeting in the premises in November 2021. During this meeting a discussion took place regarding the party wall and sound insulation. The DPS had already removed a speaker from the party wall as a result of the meeting at WCC in October 2021.

Condition 13 of the licence is that no sound shall emanate through the fabric of the building causing nuisance. A private agreement was made between the resident and the DPS to pay privately for a structural engineer with sound engineer experience to attend and give a professional opinion and recommendation. The DPS acknowledged she would do all she could and pay for works.

However, on the date of the proposed meeting the DPS cancelled for personal reasons. The resident had paid deposit. DPS apologised and would reimburse the deposit to the resident.

On the 29th November the area manager submitted a request form to WCC Environmental Sciences team to have a noise monitoring device used to measure the disturbing noise so that a sound engineer could be called to adjust the noise control device inside the club premises. This request to the DPS was acknowledged but DPS replied they would not be able to assist and did not have the finances to pay for a sound engineer. **This not allowing access has not assisted the investigation into noise nuisance and the breach of section 13 of the Licence.**

There are emails and a WhatsApp message response evidencing this in **Appendix 8** as well as the WCC form requesting the equipment be installed

Below is a cut and paste from a resident email dated 27th September 2021. Evidences the behaviour of customers from Ma Dames and supported by the pictures in **Appendix 7**

*Whilst the overall levels were much quieter than usual, it is impossible to get a night's sleep with the constant thudding beat through **Redacted**; I am working weekends at the moment and to have the nightclub constantly operating outside the licensed hours with apparent impunity, is intolerable. It should not be the case that we have to turn up the radio full volume in order to stand any chance of getting sleep at the weekends.*

On Saturday morning as usual they spilt out into Celbridge Mews at 3am when the nightclub finally closed, and continued to drink and shout for another half an hour. They left vomit and toilet paper in the entrance to the mews.

I have dozens of photos of people urinating and vomiting on my house wall. Residents, including the young children who live here, have to walk past human faeces and rubbish including broken bottles, used condoms and tampons. Nightclub goers use our porches for sex, smoking and drug dealing. Mine appears to be used regularly as some sort of drop off/pick up point for packages.

29th September 2021 email from resident

My family have lived in the Mews for over 30 years and there has never been this extent of anti-social behaviour until Ma Dame opened.

I did complain on several occasions about the previous club, Cherry Jam. There were serious noise issues with them but never the human fouling of the mews, drug abuse and fighting which we have seen since Ma Dame reopened.

29th September 2021 email from resident

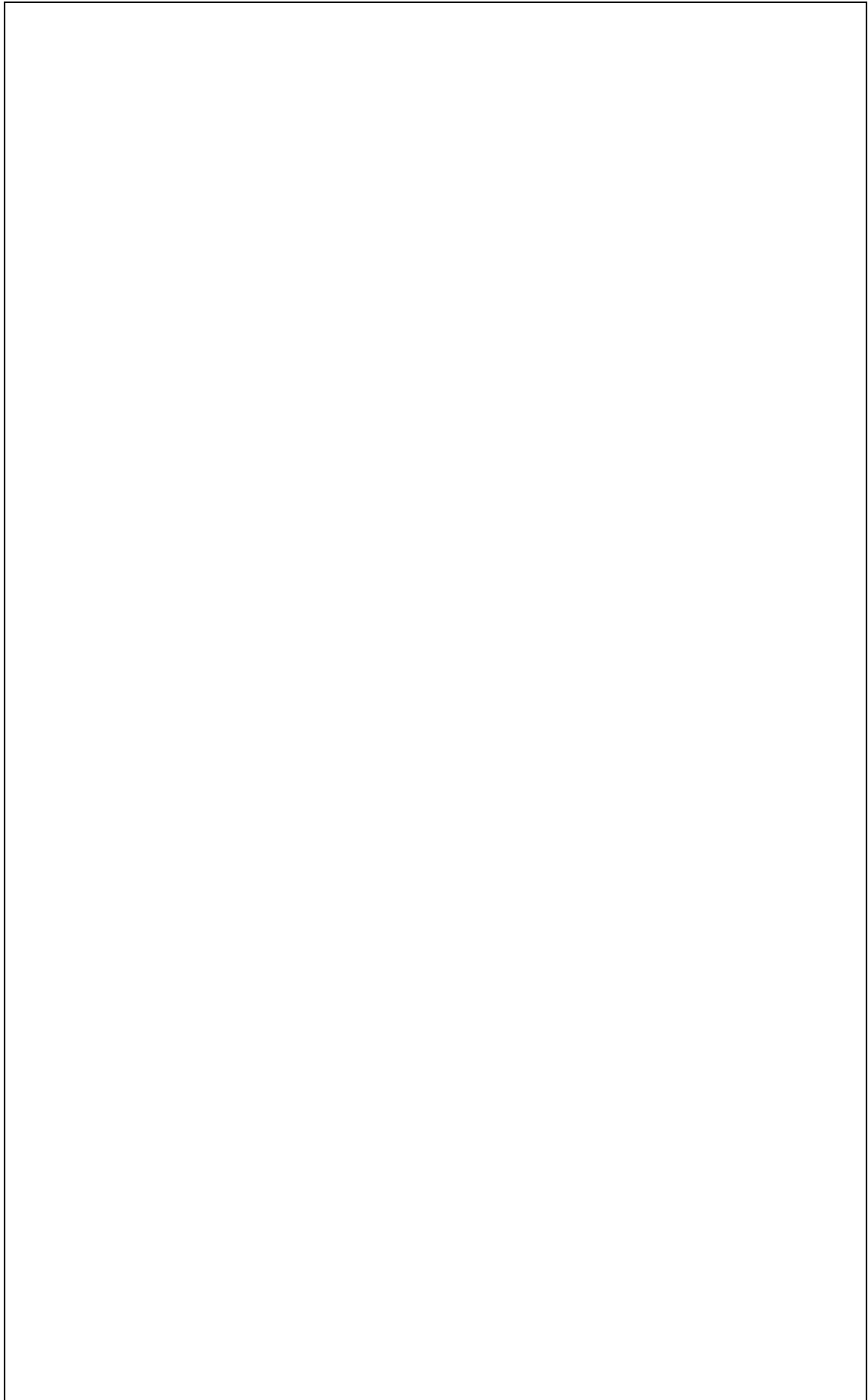
I am dreading this weekend with more late night carousing in the mews in the early hours of the morning and cannot understand why Temporary Events Notices continue to be issued under the circumstances. I do not have children, but several people in the Mews and adjoining areas do... a matter of grave concern for all of us.

6th October 2021 email from resident

We have been here now for 25 years, and I have never before felt the need to raise concerns specifically about women's safety around Celbridge Mews, in spite of the increasing antisocial behaviour on nights when this nightclub is open; it is ironic that what feels most threatening is an incident involving just the presence of a 'bouncer/ street marshal' from Ma Dame nightclub, talking on the phone inside the tunnel to the mews.

However, I cannot understand why, in the current climate, with so many concerns about women being unable to walk safely to and from their own homes, the council do not appear to have taken any note of the contents of my emails.

Please reconsider these TENs applications, so that children do not have to hear the type of abusive language used by REDACTED 'door supervisor', residents can get some respite from the noise and antisocial behaviour, and women do not have to worry about getting home safely at weekends.



Please tick ✓ yes

Have you made an application for review relating to the premises before

YES

If yes please state the date of that application

Day	Month	Year
2	9	12
2	2	01
2		

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

Uniform Reference 12/08010/LIREVP relates to a review of this venue, whilst operating under the same Licence but with a different operator.

The grounds for the review were very similar to the current circumstances; residents had made complaints in relation to noise and nuisance. The decision made by the LSC was to reduce the hours of operation to 11pm and 11.30pm.

Subsequently, the operator appealed the decision at the Magistrates Court; here the new operator argued that since his control of the venue; the complaints were not being received and therefore the hours should be restored to those as before.

The District Judge allowed the appeal on the basis that improvements had been made and the hours of operation were restored to those that exist now.

Please tick ✓ yes

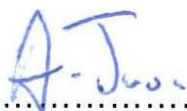
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

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

Signature



Date **07.02.2022**

Capacity **Interim Head of Service**

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 any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

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.

Appendix 1 – Full Premises Licence and map showing location of premises



Schedule 12
Part A

WARD: Bayswater
UPRN: 100023484305

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/09364/LIPDPS

Original Reference:

05/1 1022/LIPC

Part 1 – Premises details

Postal address of premises:

Ma Dames
58 Porchester Road
London
W2 6ET

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Provision of facilities for Dancing

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Provision of facilities for making Music

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Performance of Live Music	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Playing of Recorded Music	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Late Night Refreshment	
Monday to Wednesday:	23:00 to 23:30
Thursday to Saturday:	23:00 to 02:00
Sale by Retail of Alcohol	
Monday to Wednesday:	10:00 to 23:30
Thursday to Saturday:	10:00 to 01:30
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

The opening hours of the premises:	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:	
Alcohol is supplied for consumption on the Premises.	

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Son Des Guitares Limited 1 Kings Avenue London N21 3NA

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

08845330

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

Name: Jennifer Cassandri

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

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

Licence Number: pers3524
Licensing Authority: London Borough Of Lambeth

Date: 24 January 2022

This licence has been authorised by Daisy Gadd on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
 2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
 3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
 4.
 - (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—
 - (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 a disability).
 5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 6.
 - (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.

7. 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.

A responsible person in relation to a licensed premises means the holder of the premises licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) 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.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (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 -

$$P = D + (D \times V)$$

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) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above 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.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above 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 rate 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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.
-

Annex 2 – Conditions consistent with the operating Schedule

None

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

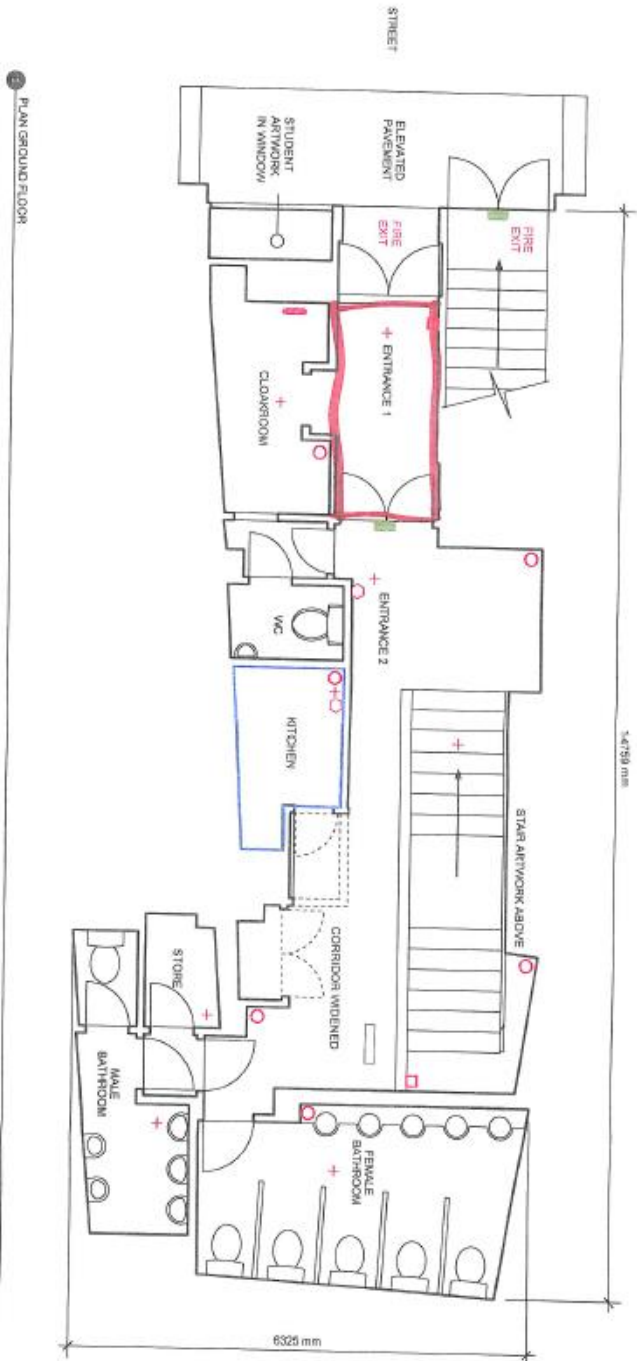
10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001, with the exception of Rule of Management Number 6.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of an officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
15. Whenever the premises are in use under this licence the internal lobby doors shall remain closed except for immediate access and egress.
16. No music of any kind shall be provided on the ground floor of the premises.
17. No tables and chairs shall be provided outside the premises.
18. Patrons shall not be permitted to eat and drink outside the premises.
19. A registered door supervisor shall be employed at the premises from 21:30 on every day of the week when entertainment is provided.
20. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
21. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
22. Notices shall be displayed at the exit requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

-
23. Staff shall be contractually bound to leave the premises quietly and shall not drink whilst on duty.
 24. Refuse shall not be placed outside the premises until 30 minutes before the specified refuse collection time.
 25. The licensee shall use his best endeavours to ensure that refuse shall not be collected from the premises other than between the hours of 09:00 and 17:00.
 26. No take-away food shall be provided at the premises.
 27. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
 28. The provision of public entertainment under this licence shall remain as an ancillary part of the lawful Class A3 use of the premises.
 29. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
 30. The operators shall provide the necessary facilities within the premises for patrons to telephone and wait for minicabs, from a designated company, to collect them.
 31. The operators shall use their best endeavours to discourage minicabs and taxis, other than those from the designated company, collecting patrons outside the premises.
 32. The operators shall request that mini cabs from the designated companies refrain from using Celbridge Mews, Westbourne Park Villas and Westbourne Park Road as a turning circle, taxi rank or blocking the entrance to the Mews/Roads when collecting or waiting for patrons.
 33. Whenever the premises are in use under this licence, a minimum of four registered door supervisors shall be situated outside the premises. Two of these door supervisors shall be responsible for supervising any queue at the premises and shall as far as is reasonably practicable, ensure that patrons queue in a quiet and orderly fashion. Those patrons who do not co-operate with the door supervisors in this regard will be refused entry to the premises. A notice to that effect shall be clearly displayed so that all patrons queuing at the premises are notified of this requirement.
 34. The two other door supervisors shall be responsible for supervising patrons leaving the premises and as far as is reasonably practicable, they shall ensure that any patrons who leave in a loud or disorderly fashion will be prohibited from entering the premises on future occasions. A notice to that effect shall be displayed accordingly.
 35. Patrons found urinating in Porchester Road or in the vicinity of the premises shall be prohibited from entering the premises on that or future occasions.
 36. The number of persons accommodated (excluding staff) in the basement shall not exceed 110.
 37. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

38. No entertainment, performance, service, or exhibition involving nudity or sexual entertainment shall be provided except under the authority of a Sexual Entertainment Venue licence pursuant to the Local Government Miscellaneous Provisions Act 1982 as amended.
39. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
40. The premises can remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
41. The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
42. There shall be no sales of alcohol for consumption off the premises.
43. Patrons permitted to temporarily leave and then re-enter the premises, e.g to smoke, shall be limited to 10 persons at any one time.
44. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
45. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
46. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
47. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
48. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
49. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
50. Representatives of the premises licence holder shall hold a quarterly residents meeting to encourage dialogue and comments on the operation. Notice of these meetings shall be given to local residents in advance to encourage attendance.
51. There shall be no 'R n B' or 'hip hop' promoted events held at the premises.
52. No customers who park vehicles on Westbourne Park Villas or Westbourne Park Road will be permitted to enter the premises.

53. The premises shall offer free parking in Arthur Court NCP to customers arriving after 9pm Thursday, Friday and Saturday nights.
 54. From opening to the public on Thursday, Friday and Saturday nights, two street marshals shall be stationed on or at the junction at Westbourne Park Villas and Westbourne Park Road (or such lesser numbers as agreed with Environmental Health).
-

CHERRY JAM - GROUND FLOOR PLAN



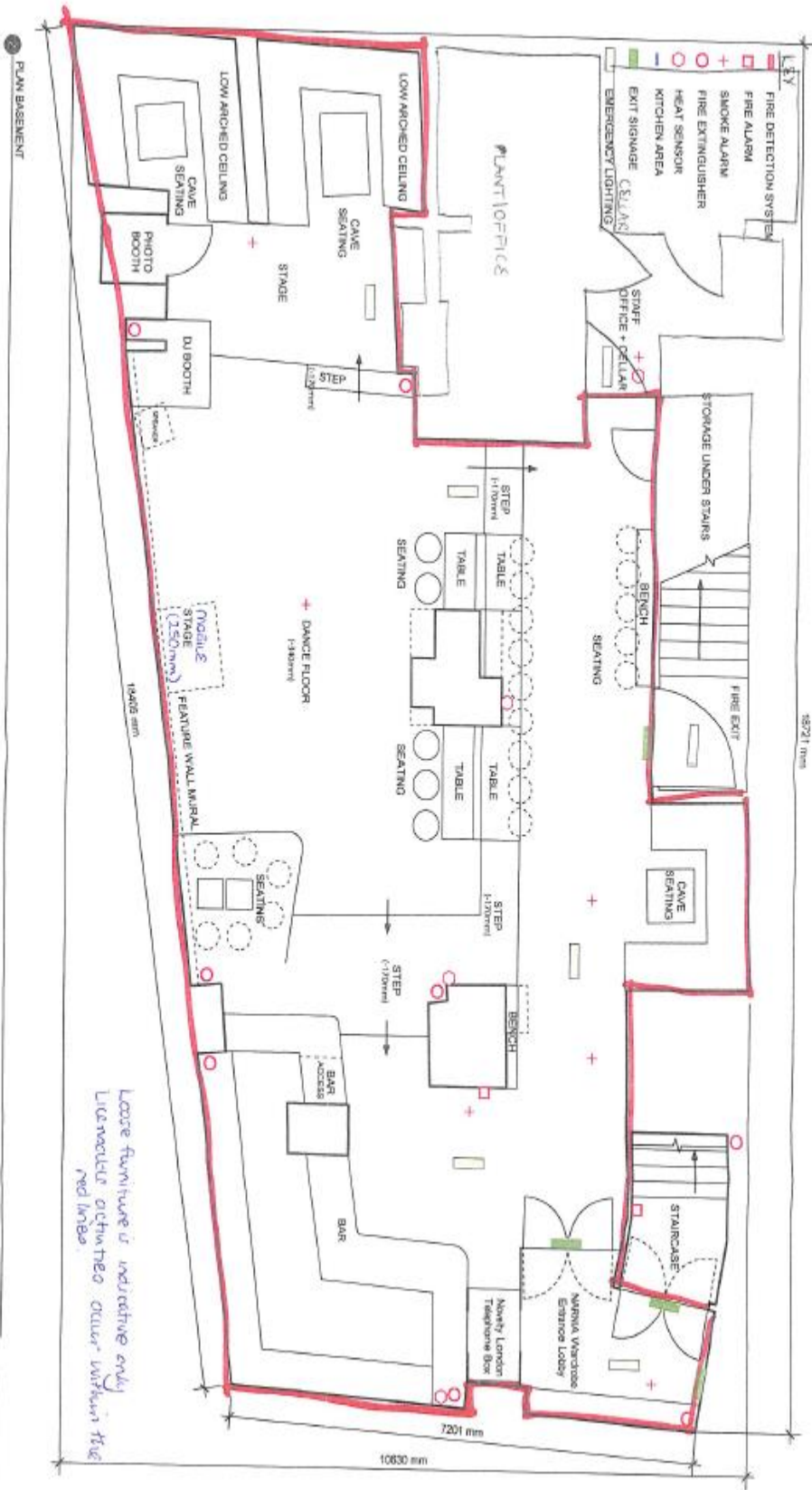
Not for construction - All dimensions in mm unless otherwise stated

- EMERGENCY LIGHTING
- FIRE DETECTION SYSTEM
- FIRE ALARM
- + SMOKE ALARM
- FIRE EXTINGUISHER
- HEAT SENSOR
- KITCHEN AREA
- EXIT SIGNAGE

*Loose furniture is indicative only
 Utensile activities occur within
 the red lines*

THOMAS TONG	
DATE	15/01/2024
BY	THOMAS TONG
FOR	CHERRY JAM
PROJECT	1:50 N.A.J
PAGE	PAGE-01

CHERRY JAM - BASEMENT FLOOR PLAN



Not for construction - All dimensions in mm unless otherwise stated

Client	THOMAS TONG
Project	CHERRY JAM
Date	02/07/2013
Scale	1:50 (A3)
Page	PAGE-02



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: Bayswater
UPRN: 100023484305

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/09384/LIPDPS

Part 1 – Premises details

Postal address of premises:

Ma Dames
58 Porchester Road
London
W2 6ET

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Provision of facilities for Dancing

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Provision of facilities for making Music

Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30

Performance of Live Music	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Playing of Recorded Music	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 01:30
Sunday:	09:00 to 22:30
Late Night Refreshment	
Monday to Wednesday:	23:00 to 23:30
Thursday to Saturday:	23:00 to 02:00
Sale by Retail of Alcohol	
Monday to Wednesday:	10:00 to 23:30
Thursday to Saturday:	10:00 to 01:30
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

The opening hours of the premises:	
Monday to Wednesday:	09:00 to 23:30
Thursday to Saturday:	09:00 to 02:00
Sunday:	09:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption on the Premises.

Name and (registered) address of holder of premises licence:
Son Des Guitares Limited 1 Kings Avenue London N21 3NA

Registered number of holder, for example company number, charity number (where applicable)
08845330

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Jennifer Cassandri

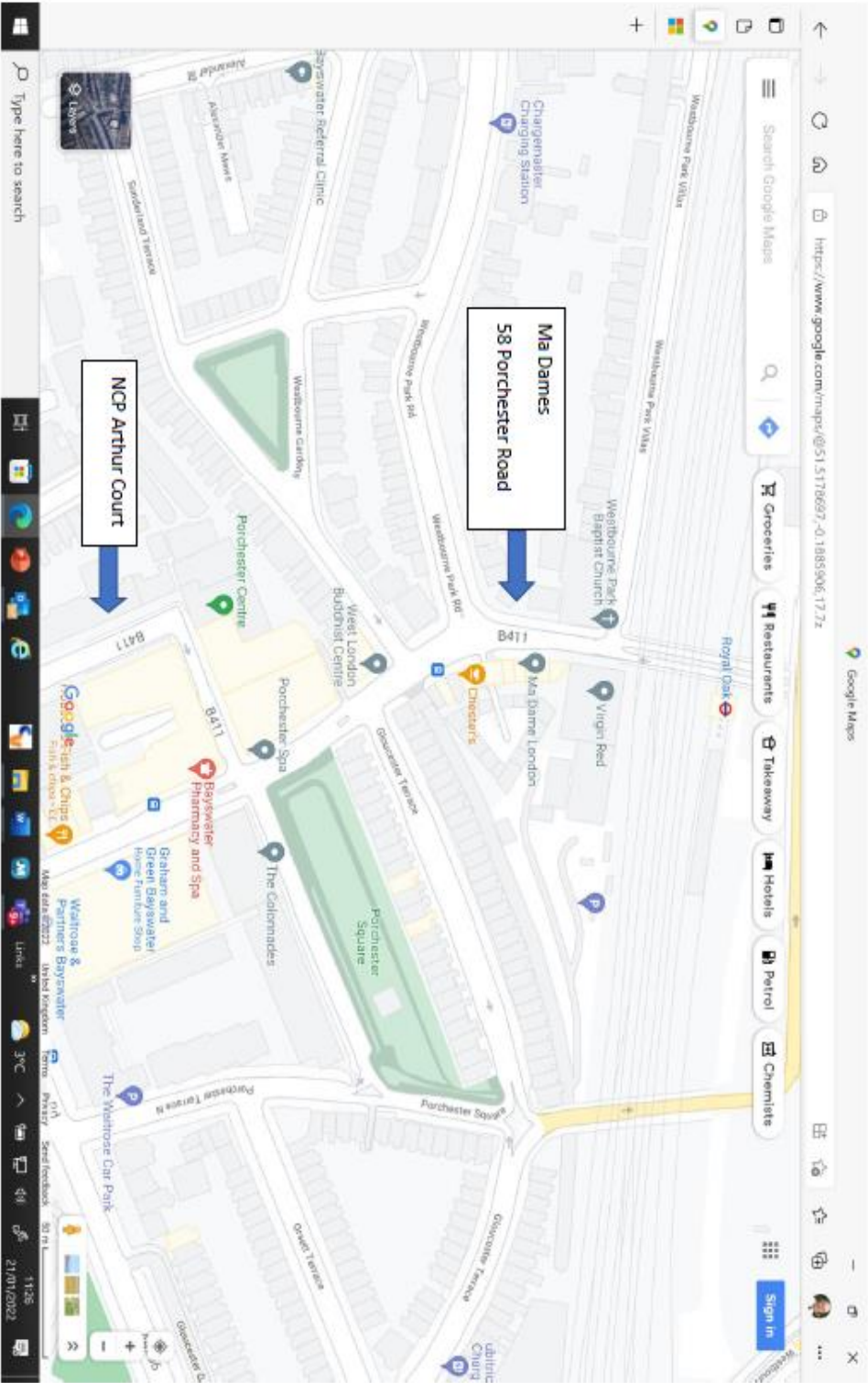
State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 24 January 2022

This licence has been authorised by Daisy Gadd on behalf of the Director - Public Protection and Licensing.

Map showing Location of Premises



Appendix 2 – List of Noise Complaints

Please could you tell me the total number of complaints made about Ma Dame on Porchester Road, for the past 5 years.

Could you please also break these complaints down by complaint type (noise, anti social behaviour, etc) and the department which received the complaint.

58 Porchester Road
London
W2 6ET

1	03.10.2021 Location: Out side the front of the Night Club Known as "Madame" Notes: The location was the frontage outside the night club and across the road in Westbourne Park Road out side our home. This started when the revellers were leaving. A small fight, glass braking and cars engines and wheel spins.	Noise	Central City Inspectors
2	03.10.2021 Location: On the corner of Porchester and Westbourne Park road Notes: Ma dames night club Complainant contcted - he req that his complaint be logged. I stated that this is an ongoing issue and that reports and further investigation will be carrie out by local CI's and licensing team.	Noise	Central City Inspectors
3	03.10.2021 Responsible party: Ma Dame London Notes: Loud music and shouting.	Noise	Central City Inspectors
4	22.08.2021 Location: Ma Dame nightclub Notes: Ma Dame nightclub. They overserved alcohol a girl last night and she vomited outside my front door. They kick everyone out at 2.30am and then they stand under my window shouting and whooping waiting for their taxis. Then the taxis are beeping to let people know they're there. Then the traffic is beeping because the taxis block the road.	Noise	Central City Inspectors
5	22.08.2021 Responsible party: Ma Dame London Notes: Loud shouting outside the night club incorrrect tel number. Emailed to notify him.	Noise	Central City Inspectors
6	14.08.2021 Crowds of people congregating on porchester and westbourne park road from Ma Dames night club from 1.50 am now 2.45am. Shouting screaming cars revving. Chaos! Notes: Ma Dames club. Started 1.50am and continuing now 2.45am.	Noise	Central City Inspectors
7	14.08.2021 Ma Dame London Club, 58 PORCHESTER ROAD,W2 6ET Responsible party: Ma Dame London Club, 58 PORCHESTER ROAD,W2 6ET Notes: Further to Case: CAS-209212-R4M7Q4, Please do not visit Caller's address, as has baby sleeping. This was only mentioned after the case was submitted.	Noise	Central City Inspectors
8	14.08.2021 Ma Dame London Club, 58 PORCHESTER ROAD,W2 6ET Responsible party: Ma Dame London Club, 58 PORCHESTER ROAD,W2 6ET Notes: Attendes to Club are parking on double yellow lines, occupants of care shouting, litter left, i.e glass bottles.	Noise	Central City Inspectors

9	16.02.2020	Noise	Central City Inspectors
	<p>Outside Ma Dames nightclub continuing along Westbourne Park Road W2 5ph</p> <p>Notes: Groups of drunk clubbers going to Ma Dames on Porchester Road between 11.30...12.30am . Continuing intermittently with most noise after 3am as people began dispersing from the club onto the streets.</p> <p>Customer did not want to be contacted. Phone call re noise from partons from Ma Dames last night. No visit required.</p>		
10	16.02.2020	Noise	Central City Inspectors
	<p>Caller has rang to report noise from passers by being loud and shouting as they leave the club, also people being loud waiting for transport. Called informant who said the noise has stopped.</p>		
11	16.02.2020	Noise	Central City Inspectors
	<p>Ma dame nightclub - pouring out onto the streets</p> <p>Notes: Yet again, ma dame night club had an event and a huge number of very drunk very belligerent guests stumbled out at 3 am and made a huge and disturbing set of noises outside, waking up our whole house</p>		
12	07.02.2020	Noise	South & West City Inspectors
	<p>Every week people leaving ma dame nightclub make a terrible noise, and rev their cars for a long time on Westbourne Park road. Why is this allowed in a residential area?</p> <p>Call back attempted at 09:17, no facility to leave voicemail.</p>		
13	16.12.2019	Noise	Central City Inspectors
	<p>Location: The problem as ever originated at madame – the nightclub. I live at XX Westbourne Park Road and was awoken at 1:55 am on Sunday morning by loud raucous revellers leaving the club. There was such a dinner outside and I looked out to see three cars doing three-point turns in an almost orchestrated sequence – it was the most bizarre and totally dangerous thing. They then sped off. The noise continues further down the road towards the club and it was a while before I could get back to sleep. And when I finally did I was almost immediately awakened by cars hooting. I can't prove it but it is to me beyond reasonable doubt that this was caused by leaving the club – who else needs to hoot when driving on empty roads in the middle of the night? Residents really have had enough of this club. It is time for action.</p>		
15	15.12.2019	Noise	Central City Inspectors
	<p>Location: shouting, swearing, cars honking, engines revving, music playing from cars very loudly</p> <p>Notes: groups of revellers dispersing from Ma Sames nightclub. Cars honking, engines revving, ,music loudly playing from cars, screaming and shouting,..began shortly before 2am and continue until around 2.45</p>		
16	15.12.2019	Noise	South & West City Inspectors
	<p>Location: Ma Dame night club</p> <p>Notes: It is currently 1:56 am and my ENTIRE household including young children were woken up and hugely frightened by massive noise, profanity, loud music, yelling, and drunken and unruly behavior outside</p>		
17	02.11.2019	Noise	Central City Inspectors
	<p>Landmarks: Along Westbourne Park Road, from Porchester Road to Westbourne Park Road. Further Details: In early morning of 2 Nov 2019, there was very considerable noise disruption on Westbourne PK Rd from 03:00 to 04:00 when Ma Dame's Nightclub, 58 Porchester Rd, let out. Large number of revellers were lingering on the street, talking very loudly, playing car radios full blast & shouting down the street. They appeared intoxicated & unbalanced. Outrageous level of noise for a prolonged period of time. This has gone on repeatedly on weekends for over a year. We cannot sleep when this happens.</p>		

18	03.11.2019	Noise	Central City Inspectors
	A crowd of clubbers leaving the night club gathering outside our property at the junction of Porchester Road and Westbourne Park Road. street. They were shouting, dropping glass bottles on the floor and taking in NOS canisters and discarding them on the street. cars were illegally parked with stereos on full. No regard for residents. This went on until 3,40am. It is not possible to sleep through this noise.		
19	02.11.2019	Noise	Central City Inspectors
	Landmarks: Ma dame noise complaints. Unacceptable and keeps happening Person Responsible: Ma dame club Further Details: Unacceptable noise from the club ma dame of people walking out of the club. It keeps happening		
20	04.11.2019	Noise	Central City Inspectors
	This awful establishment that only seems to attract drunks and druggies yet again had an event that ran to 3 am yet again and after it closed the quantity of drunk people that came out of the club making huge noise and yelling profanities, waking up our whole household (including two young children) and frightening all of us. This KEEPS happening and we KEEP reporting it, and yet nothing seems to change and they continue to operate and host events. This must be brought to an end. NIR - Initial 45 minute response		
21	10.08.2019	Noise	Central City Inspectors
	Disturbances began as gangs of predominantly young males began to gather in the street outside our house and neighbouring properties, drinking and shouting before wandering down to Ma Dames on Porchester road. The major disturbance began around 3am as people began to leave the premises. they continued to loiter in the street in groups along the road ..Loud shrieking, cars honking, glasses smashing, music blaring from parked cars in the street, continuing until after 4am. Phoned - advice given. Customer just wanted the complaint logged as she has already contacted the service on previous occasions and premises are already being investigated		
22	10.08.2019	Noise	Central City Inspectors
	Landmarks: Along the street, approximately [REDACTED] Westbourne Park Road Further Details: Shouting, partying, and general noise from 0315 until after 0400. Intermittent, but loud (>60dB at about 10 meters). Constantly felt like it was about to end, but it didnt. Sleep impossible. Frustratingly, it appears to be a regular Friday/Saturday affair, as its been occurring nearly every weekend since June, and appears to coincide with activity at the Ma Dame nightclub nearby. Phoned customer - advice given re calling out service to witness		
23	10.08.2019	Noise	Central City Inspectors
	Landmarks: Loud people front of a nightclub Further Details: A lot of people are loud and also I can smell cigarette and other substances in my room. phoned cust but no naswer, no facility to leave a message.		
24	28.07.2019	Noise	Central City Inspectors
	Mat Dame Night club Further Details: Mat Dame Night club. People outside the and on the street. 60 People hanging around SMS replied nuisance ongoing (28/07/2019 04:00) Telephone call after drive by. Club closed but door supervisors outside the premises. But groups of largely male youths in the street making alot of noise by shouting. A car was parked in the middle of Westbourne Park Road on the junction with Porchester Road. Lots of males around the cars shouting. Other cars were having to navigate around this car. Assumption made the males had come from the club. Drive by again at 04:35 and fewer people in the street but the car with occupants still in the road. Did not appear to be a break down. I telephoned the customer at 04:10. He said he had gone outside to film the club and was assaulted and the police were called. I advised that he contacts licensing. Was very unpleasant in the street and too hazardous to stop get out of the car and make enquiries.		
25	28.07.2019	Noise	South & West City Inspectors
	Landmarks: Ma Dames Nightclub Further Details: Yet again, huge disruption and abhorrent behavior spilling out of Ma Dames Nightclub at an ungodly hour of the morning (3:30 am) on Saturday night / Sunday morning. I've complained before about this, as have our neighbors, as this is simply UNACCEPTABLE. Same as always, hoards of people, predominantly people of color, clearly incredibly drunk from the nightclub, yelling, screaming, music blaring, cars honking, and even fights breaking out. It woke up our whole house, including two young kids. Noise not happening now. Customer should contact the service when being disturbed in order for the duty officer to attend and investigate.		

26	28.07.2019	Noise	Central City Inspectors
	<p>Landmarks: Ma Dame nightclub Person Responsible: Ma Dame Nightclub Further Details: I live in XXXXX on Westbourne Park XXXX W2 . At 03:30 I was woken by shouting, screaming, car doors constantly slamming and car engines revving. This went on for at least 10 minutes. It woke me up.</p> <p>Customer contacted. Voicemail left with advice to contact when noise occurs,</p>		
27	28.07.2019	Noise	Central City Inspectors
	<p>Landmarks: Pedestrian at the corner of XXXX, Westbourne Gardens Further Details: People shouting on the pedestrian in early morning (3-4 AM) plus someone keep pressing the doorbell randomly trying to enter XXXXX.</p> <p>It has been happening (i.e. people randomly pressing the doorbell) which is tolerable on normal working hours but not at midnight/early morning</p> <p>We have an infant at home so it is really really disturbing</p> <p>Lastly, there have been an increase of loud noise from exhaust of the passing by cars and motorcycles, as well as ridiculous honking on Porchester Road.</p>		
28	28.07.2019	Noise	Central City Inspectors
	<p>Landmarks: █████ Further Details: People keep ringing my door and are very loud in the street.</p>		
29	28.07.2019	Noise	Central City Inspectors
	<p>Landmarks: Noise from Ma dame club porchester road Further Details: Lots of people from the Ma Dame club on Porchester road</p>		
30	28.07.2019	Noise	Central City Inspectors
	<p>Landmarks: Mat Dame Night club Further Details: Mat Dame Night club. People outside the and on the street. 60 People hanging around</p>		
31	14.07.2019	Noise	City Inspector
	<p>Landmarks: Ma Dame's night club Person Responsible: Ma Dame's Further Details: Noise of patrons leaving Ma Dame's nightclub. Congregating in Westbourne Park Road in groups. Engines revving, cars honking, doors slamming, shouting continually until almost 3am. The club is supposed to have security to shepherd clients away from the residential areas. There should be no cars private or mini cabs waiting in the neighbouring streets. This is is another of many incidents where the club abuses it's license.</p>		
32	06.05.2019	Noise	Central City Inspectors
	<p>Landmarks: Ma Dame night club Person Responsible: Ma Dame Further Details: At 3:30 am there was a crazy amount of noise / yelling / bottles smashing / cars honking on the street as very drunk and loud people piled out of the Ma Dame nightclub. Its completely unacceptable as its now SEVERAL times that this is happening and has been reported. This nightclub needs to be shut down. Its dangerous and entirely inappropriate for a neighbourhood with so many families and children. It woke up our whole household and our children were frightened as were we.</p>		
33	06.05.2019	Noise	Central City Inspectors
	<p>Landmarks: Ma Dames nightclub Person Responsible: Ma Dames Nightclub Further Details: Large numbers of people screaming, shouting, smashing bottles were milling around int he street yet again following an event at this club. Cars were revving up and down the street, horns honking between the hours of around 3.15 to 4am. This is not the first time an incident like this has occurred. This behaviour is totally without respect to the fact that this is a quiet residential area with many families with young children residing here. The level of noise made it impossible to sleep.</p> <p>Called customer. No noise. I said we are 24 hours service and to call back when noise in progress.</p> <p>Initial 45 minute response</p> <p>Telephone call, noise stopped.</p>		

- | | | | |
|----|--|-------|-------------------------|
| 34 | 25.02.2019 | Noise | North City Inspectors |
| | <p>Landmarks: Ma Dames Further Details: There was a major disturbance between approx 1.30 to 2.30 am as people poured out of Ma Dames. Crowds of clubbers were in the street, drinking, shouting, throwing glasses and many cars were honking horns, blaring out music and blocking the road. Police were called but informed us they have limited powers and advised us to report this to you. We have photographs and video evidence and wish this incident to be logged in case of possible re occurrences. We have informed the nightclub directly.</p> <p>spoke to the customer and advise her to contact us when the noise is happening.</p> | | |
| 35 | 09.11.2018 | Noise | Central City Inspectors |
| | <p>up to 10 people outside her club drinking and shouting in the street Telephone call, no answer, left a message on voice mail.</p> | | |
| 36 | 14.01.2017 | Noise | Central City Inspectors |
| | <p>Caller does not believe that the night club has properly soundproofed the dance area as she can hear the music coming through her back wall.</p> | | |
| 37 | 05.12.2015 | Noise | City Inspectors |
| | <p>People yelling in the streets, drunken, peeing...Chatting in the street, loud music from a very noisy recently opened club
Logged via the WCC website and no contact name or details were given</p> | | |

Appendix 3 – Meeting held at WCC 19th October 2021

Please find below a summary of the meeting held at WCC 2pm 19th October 2021

Introductions

Paul King (PK) Team Manager PPL West
Andy Burgin (AB) MPS Dedicated Ward Officer Bayswater
Daisy Gadd (DG) Senior Practitioner WCC Licensing
Jennifer Cassandri (JC) Owner and DPS Ma Dames Porchester Road

Purpose of the Meeting

To discuss various issues reported by local residents since the premises re opened post CV19. To look at the Premises Licensing Conditions.

Dispersal of Customers

There was a discussion regarding the noise and antisocial behaviour outside the premises when closing and in the surrounding streets. The responsibility of the premises to manage the dispersal was highlighted. DG went through conditions 32, 33, 34 and 35 as areas where the premises were responsible and that taxis/cabs should not be gathering. In particular it was raised by AB that the police were receiving complaints from residents of customers going back to vehicles in Westbourne Park Road and continuing to drink alcohol and cause a disturbance. Condition 33 states *'The two other door supervisors shall be responsible for supervising patrons leaving the premises and as far as is reasonably practicable'*. JC asked how she or the SIA were to deal with customers who refused to leave the area, and how far from the premises is 'reasonably practicable'. AB informed her to call the police if a disturbance was being caused and they refused to leave the area.

A Dispersal Plan was requested from the premises. JC stated that she already had one and that she will send PK/DG a copy of the plan. This Dispersal Plan will now include an SIA standing at the entrance of Celbridge Mews to stop any customers leaving Ma Dames from entering the Mews (see next agenda item)

Celbridge Mews

JC was shown images that residents had sent into WCC regarding the use of the Mews for urinating/excreting/vomitting. She was disgusted and appalled and had no idea this behaviour was taking place. As a result of this discussion JC agreed to have SIA stand at entrance of Mews and refuse entry to Mews when premises closing and customers dispersing. JC was also shown photos of nitrous oxide canisters on the road and she had seen these on Ma Dames premises floor. She has a no drug policy and she and her staff monitor very closely to see if a customer is using drugs. JC was shown pictures of waste around the entrance of the premises after closing time. These were of alcohol bottles in a plastic bag and other items. JC explained that these could not have been supplied by Ma Dames as they do not sell bottles and that all the drinking vessels in the premises were red in colour.

SIA

JC informed the meeting of the SIA company name she uses, all are accredited and it is usually the same staff members that attend. This helps as she does not have to explain all procedures for dispersal and door supervision. The Premises Licence states that 4 SIA officers should be employed at the entrance of the premises. JC said that she very rarely has less than 5 SIA, and on occasions has employed 8 SIA for larger events. This has been confirmed by a WCC officer who attended on one occasion to witness dispersal and any problems. JC stated this was extra cost to the premises but a decision she took to help control dispersals and keep the peace.

The SIA wear their badges on their arm. WCC officers tasked to visit the premises have seen this. A WCC officer has been tasked on the next visit to check the accreditation of SIA staff is still in date.

Premises Noise Monitoring Control

JC confirmed that Ma Dames has a noise volume control and it is kept in her office within the premises. The device was newly installed in 2019 and she took advice from WCC Environmental Science officer re the volume setting, and at the same time she took advice regarding placing a bass vibration dampener under speakers. This was done. PK/DG will arrange for a new inspection to ensure device is still set at right level.

PK informed JC that a resident had complained of the thumping of the bass still coming through the walls and affecting her sleep. JC was not aware and told the meeting she knew what speakers were causing this to happen, they are next to the bar area and for this Friday/Saturday TEN these speakers would be switched off.

Foreign Conviction

JC was asked about a criminal conviction in France. This conversation contained personal information that I will not put in these minutes, and the matter has been referred to the local authority (Lambeth) where the personal licence was issued.

Other Use of the Premises

A discussion took place regarding the premises being used for other entertainment purposes. This is a business decision for the owner JC and should she wish to change the usage then she could get further advice from WCC Licensing.

Meeting between Ma Dames and Residents

JC was willing for this to take place and for it to be facilitated by PK/AB/DG. She said that she had arranged a residents meeting previously pre lockdown but no one had attended.

Meeting concluded 3.40pm

Appendix 4 – Resident Meeting plus email showing CI Inspection of SIA.

Summary of residents meeting at Ma Dames - Friday 5th November.

There was a pre meet with [REDACTED] in Celbridge Mews at 2.45pm to discuss some of the issues that they wished to be discussed with the premises owner. This included the continued abuse of the Mews and the location where customers were parking and causing nuisance/ASB and [REDACTED] gave more details on a threat he received the previous weekend when asking people not to park and obstruct residents drives.

4pm the meeting started in Ma Dames.

In this meeting there was the premises owner (DPS) Jennifer Cassandri, and her security manager AJ from the company MBK. In addition to [REDACTED] there were 6 local residents who were there, at the invite of Ms Cassandri, all of whom supported the night club. I have recorded their first names on my written notes and the location they live, but not in the summary below.

Meeting started with introductions and where residents lived, and how long they had lived in the area.

Issues discussed were;

1) SIA and deployment. AJ explained to the meeting his role. He has introduced bodycams for his staff plus the wearing of hi viz. He explained the difficulty of engaging with people unknown to check if they were parking and using the club. The SIA can refuse entry to the club if they know that people have not parked in the correct locations. He informed meeting he had 4 SIA as a minimum working the club, though this may have to be 5 now the Mews needed an SIA there on dispersal. He has 2 SIA on door, 1 Westbourne Park Road, 1 Celbridge Mews and 1 at Westbourne Villas.

Some residents asked how it was known that problems were from customers of the premises as there were other locations nearby that held events such as the Porchester Centre and The Cow PH.

AJ said that if a person asked to leave the club prior to closing time then a SIA would follow for a short time to ensure they were away from the premises. It was also noted that no alcohol would be allowed to be taken outside the club to be consumed on the street. Any alcoholic cans or crisp packets etc would not have come from the club.

It was agreed that prevention was better than cure and some steps had to be taken before customers enter the premises. Action - It was agreed that on the terms and conditions of hiring the club that the key conditions on the licence regarding parking and taxi pick up would be included on the contract. Event organiser to ask all listed guest members to note areas that could not be used to

park private vehicles. SIA would ask before entry to the club where vehicles had been parked. Entry would be refused if private vehicles were parked in contravention of the licensing conditions. Action AJ and DPS to rewrite hiring conditions.

██████████ explained to group the incident he had experienced with customers parking outside his address the previous week, when he was verbally threatened, to highlight the problem for some residents due to the club being where it is. ██████████ asked if more SIA could be employed to assist with ensuring licence conditions were being adhered to. This would be an additional cost to the club but one that AJ and the DPS would discuss.

Action ██████████ would report back to his residents association on the proposed actions from the meeting and would feedback to Paul King the thoughts of the meeting to be discussed further if required with AJ.

2) Celbridge Mews being used as a toilet by customers of the club. A resident told the meeting that he lives opposite the entrance of the Mews and often sees people going in there when the club isn't open. Rough sleepers and drug users. He said he did not think it was club users. It was responded to that CCTV in the Mews had captured images of people smartly dressed as if they had just come from the club. The comment was made that the Mews is a 'stopping point' for people getting off the tube or from other local premises that had held an event. Action – The Mews will continue to be monitored at dispersal and an SIA will remain at the entrance until customers had dispersed. Action - Paul King will ask City Inspectors and MPS officers to pay attention to the Mews during the week.

3) Party Wall Before the start of the meeting the DPS, AJ and ██████████ stood by the party wall next to the bar and discussed the removal of the speakers and how to stop any noise nuisance. Discussion re an independent surveyor being involved to assess what was required to sound proof this wall better. Original plans to be looked at as it was thought an additional internal wall was erected to help with soundproofing. Various options were discussed to help. Action – Paul King to have original plans checked with Regulatory Services EHOs.

4) Noise Monitoring device within the premises. Questions were asked as to how this worked, and if the decibel level was set or could be adjusted by the premises owner. The equipment was explained to the meeting and ██████████ was shown the device. The device is set and cannot be adjusted. Once a certain level is breached then the device cuts the sound dramatically and all DJs are aware of this.

The meeting closed at 6pm. These notes do not reflect all the conversations that took place and are my comments and recollection of what was said from the notes I took.

PM: Ma Dornis Friday, 7:01 AM - Message (HTML)

File Message Insert Draw Options Format Text Review Help Tell me what you want to do

Copy Paste Undo Redo Bold Italic Text Color Background Color Font Face Font Size Font Color Font Style Font Color Font Style Font Color Font Style

Send To Cc

Subject: PM: Ma Dornis Friday, 7:01 AM

From: REDACTED
Sent: 23 October 2021 00:37
To: King, Paul; WCC; spking@westminster.gov.uk; REDACTED
Cc: REDACTED
Subject: RE: Ma Dornis Friday, 7:01 AM

Hi all

I visited Ma Dornis at 00:30 and did a licence check on the door staff - the checks are available on public register on the SA website to anyone to check. There were 6x SA doorman on duty, one of them was stationed at the entrance of the Mews, all 4 on high vis jackets |

All 4 badges came back ACTIVE as per attachment and valid. At the time of my visit I had counted 26 customers inside and none outside.

I will pay another visit round 3am and witness the closing and drop another update then

Regards,
REDACTED

REDACTED
South East team 1
Public Protection and Licensing
Westminster City Council
15th Floor

Type here to search

13:31 27/10/2021

Appendix 5 – Metropolitan Police Service ASB Disclosure (Redacted)

I have conducted a closed intel search on MET Police Databases, referencing the below calls which involve ASB in relation to Ma Dame Night Club.

Below is the list of calls and reports made in date order.

734/12DEC21 at 0130hours – REDACTED has called police requesting assistance to deal with customers in the street. Police attended and stated that REDACTED explained she has it in hand and doesn't need assistance.

806/12DEC21 at 0158hours – Resident has complained about the noise and witnessed the above disturbances, then has alleged he was shoved by a security guard at the club. This was reported on CRIS 6553257/21 whereby the informant has then stated he does not wish to proceed with a formal investigation. VIW does have images of the SUS.

7242/09DEC21 @ 1023hours – REDACTED logging a complaint that the door staff at the venue are not wearing SIA badges and that there is not 4 door staff there.

4708/27NOV21: REDACTED recording that at around 0030hours whilst the club is operating, a group of young male adults gathered in Celbridge Mews to street drink and consume nitrous oxide through balloons. They were loud and shouting causing ASB.

895/13NOV21 @ 0217hours: member of staff from within the club has called police to state that they have closed the club and dispersed guests. However they are not leaving and causing a disruption to the street. Requesting police assistance to leave.

859/13NOV21@ 0214hours: unknown caller, suspected REDACTED has called police requesting assistance as the guests leaving the club were allegedly fighting. Police attended no fight. REDACTED not on scene, group were around 30 in numbers and slowly dispersing.

3793/01NOV21: REDACTED reporting that in the early hours of the morning, whilst the club was still operating, she witnessed several people coming into Celbridge Mews and urinated by her doorstep.

On this occasion REDACTED also reported the following, but did not obtain a separate REF number:

1. Sunday 31 October 00:11; four/five drunk women "dancing" in the entrance to Celbridge Mews; all collapsed and just lay in the middle of the road.
2. Sunday 31 October 23:47; woman urinating on front wall/porch of no REDACTED Celbridge Mews
3. Monday 1 November 00:31; two women urinating outside no.REDACTED Celbridge Mews

CWRT01045442 – Sunday 31st October 21 @ 0215hours: REDACTED has reported that a male has entered Celbridge Mews with a baseball bat walked around then left after a few minutes. Believed linked to the club.

6544191/21 – 1st November at 0100hours. REDACTED went out to record the ASB in the street – one of the guests from the club threatened AVIS stating “I know where you live ill come and smash up your cars ETC, investigation is still underway.

954/16OCT21 @ 0239hours: REDACTED reported that the club is still operating loud music past its licence times. The noise is coming through her party wall.

1519/26SEPT21 @0416hours: REDACTED has reported that guests from the club are still outside on the street, drinking and shouting loitering around cars parked up. He stated this is an ongoing occurrence and disturbance that he sees regularly as a result of the club.

656/20JUN20 @ 0130hours: REDACTED reported that at 0130hours a group of around 15 individuals were entering the club – this was in breach of lockdown legislation. Police attended at 0330hours, no gatherings could be found.

6551025/19 – 28th July 21 @ 0330hours: REDACTED was gathering evidence on the street of the club operating past its allowed times. When a customer from the club approached REDACTED from behind and attacked him physically. Police investigated as far as possible and circulated a picture of the suspect whom is yet to be identified.

6553171/18 – 30th September 2018 @ 0300hours: female reporting a theft of her bag, believed in the club however no evidence to proceed. Note the time of the allegation – 0300hours.

6522205/17 – 12 May 17 at 2330hours – Officers were called to the club as a fight was at the location. 2 arrests were made for affray.

6553149/16 – 27th November 16 at 0330hours – reports of a male assaulting door staff – was closed down as staff did not want to proceed. – However note the time of the call – 0330hours still operating.

1507/27th November 2016 – at 0300hours – ASB related call – No further DETS

Appendix 6 – Statements from Residents

8 A MG11 – Ma Dame4

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

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

Statement of

URN:

Age if under 18

N/A

(if over 18 insert 'over 18') Occupation:

This statement (consisting of: 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:

Date:

15/11/21

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

I am the above named person and I am resident of [REDACTED]. I have lived in [REDACTED] [REDACTED] for the past 27 years. This statement is in relation to antisocial behaviour in the area that I have been experiencing in recent years.

I have been experiencing antisocial behaviour in the area for the past 10 years which has got progressively worse since the opening of Ma Dame nightclub at 58 Porchester Road in 2015. The premises licence runs until 01:30 from Thursday to Sunday, however there are often Temporary Event Notices which run until around 04:00 at weekends. When customers leave the nightclub, many individuals come into our road in the early hours of the morning under the influence of alcohol and / or drugs. It is a residential area, which is normally quiet, and we are frequently exposed to shouting and screaming. On a number of occasions, there have also been fights taking place in the street. There are also groups of individuals who congregate in resident doorways smoking and drinking. They also use nitrous oxide cannisters which are left in the street littering the pavements.

I am disturbed by this behaviour at least once a week, predominantly at the weekend when the club is open, from around 02:00 or even later when a Temporary Event Notice is taking place. There are a number of families with young children who are disturbed by this behaviour. I approached a group of individuals in July 2019 to request that they keep the noise to a minimum and was physically attacked by an individual. This was reported to Police at the time of the incident but unfortunately no action was taken. One month ago I asked people to

Signature:

Signature witnessed by:

RESTRICTED (when complete)

Continuation of Statement of

move their vehicles as they were blocking our driveway and received threats of violence. A number of residents on the street feel intimidated and frightened by this behaviour.

I would support any action that the Council would take to prevent to tackle these issues.

Signature: Signature witnessed by:

Witness contact details

Home address:
 Postcode:
 Home telephone number Work telephone number
 Mobile/pager number Email address:
 Preferred means of contact:
 Male / Female (delete as applicable) Date and place of birth:
 Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: Yes No N/A
(obtained in accordance with local practice)
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
 Signature of parent/guardian/appropriate adult: Print name:
 Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

RESTRICTED (when complete)

MG 11(T)

WITNESS STATEMENT

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

Statement of [redacted]

URN: [] [] [] []

Age if under 18 (if over 18 insert 'over 18') Occupation:

This statement (consisting of: 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 21/12/21

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

I am the above named person and I have lived in [redacted] since 1994. I have been experiencing intermittent antisocial behaviour in the area since the first nightclub opened at 58 Porchester Road in 2001. This statement is in relation to the antisocial behaviour I have recently experienced since the opening of Ma Dame nightclub at 58 Porchester Road.

Since Ma Dame nightclub opened, residents have been experiencing regular antisocial behaviour caused by patrons of the venue. There were no issues of antisocial behaviour during COVID lockdown whilst the venue was closed and we are now again experiencing issues since the reopening of the venue, suggesting a strong pattern between the club operating and antisocial behaviour in the area.

On the nights that the club is open, activity begins at around 23:00 when we experience a significantly higher increase in footfall in the area. Groups of individuals regularly congregate directly in front of our property, shouting loudly and causing a disturbance. The behaviour quietens down for a few hours whilst patrons are in the nightclub and then begins again at around 02:00 when the individuals leave the venue and work their way down [redacted] is frequently used by vehicles picking up patrons and patrons who have parked their cars on our road. There is often loud revving of engines and shouting by individuals, which wakes up residents and causes a significant

Signature: Signature witnessed by:

RESTRICTED (when complete)

[]

Continuation of Statement of

disturbance. These individuals also leave a quantity of bottles and litter on the road after they have been in the area.

This behaviour makes me feel on edge as it regularly disturbs my sleep. I have dogs in my property that are also disturbed by the noise and results in a lot of barking, causing further disturbances. I am worried to ever approach these individuals about their behaviour as I am uncertain as to how they will react. My neighbour has been out to speak to these groups on several occasions and was met with aggressive responses.

This venue is not appropriate in such a residential area and the issues we experience go beyond the hours of operation. The venue takes no responsibility for the patrons that cause the issues once they have left the nightclub. I would support action taken by Westminster Council to address the above issues.

Signature: Signature witnessed by:

Witness contact details

Home address:
 Postcode:
 Home telephone number Work telephone number
 Mobile/pager number Email address:
 Preferred means of contact:
 Male / Female (delete as applicable) Date and place of birth:
 Former name: Ethnicity Code (16+1): Religion/belief:
 Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
 Signature of parent/guardian/appropriate adult: Print name:
 Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT	
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1	
Statement of	Samantha Farrer..... URN: <table border="1" style="display: inline-table; width: 150px; height: 20px; vertical-align: middle;"></table>
Age if under 18	Over 18..... (if over 18 insert 'over 18') Occupation: ASB Case Worker, Westminster City Council.....
<p>This statement (consisting of: pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.</p>	
Signature:	Date:
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)	
<p>I am employed by Westminster City Council as an Anti-Social Behaviour Caseworker. My role includes gathering evidence from and providing support to identified witnesses and victims of anti-social behaviour. On 16th December 2021 I spoke to a resident of the residential area near Porchester Road. This person told me of the anti-social behaviour of people who gather on Porchester Road and then, late at night, attend nearby residential roads and cause a nuisance. The behaviours include noise nuisance, litter, public defecation, urination and vomiting in the street. On a few occasions such behaviour has been witnessed in the daytime. The resident also told me of aggression displayed by some of the people who frequent the area, whom they can be sure are not residents of the street they live on. The resident also had concerns regarding drug use, which they believe they have witnessed on the street.</p> <p>The resident believes much of these anti-social behaviours relate to a club on Porchester Road known as "Ma Dames". The resident has noticed that incidents of anti-social behaviour correspond with times the club is open. The resident was only happy to provide a statement detailing their experience if they could remain anonymous. They stated that they have witnessed aggression in the street and due to that would be concerned about retaliation should their identity be known. For this reason, I am producing this hearsay statement. I have confirmed the incidents described in this statement are ones that this individual has witnessed directly and are known first-hand to them.</p>	

Signature: Signature witnessed by:

RESTRICTED (when complete)

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Continuation of Statement of

This is their account:

I moved in to my current address in 2019. I did notice that a number of cars would often park down my street and people who I would describe as dressed to go out for the evening would cause some noise as they parked their cars. I think that on some occasions there was also some sexual activity in these cars late at night. During lockdown, things were quiet, however when things opened up again I noticed more people on the road I live on and much more noise. I can tie the people seen in my residential road to a venue on Porchester Road called "Ma Dames". I have noticed that when the venue is open and has the red ropes up outside, we can expect to be disturbed by noise later that night.

After being disturbed by noise as people come down our road having left Ma Dames, the following morning I will often have to avoid trash and human deposits in the street, this can be vomit, urine and faeces and the smell is awful. On one occasion I witnessed a female urinating in the street in broad day light. When challenged and asked what she was doing she shouted: "having a piss".

Usually, I would say that the anti-social behaviour occurs between around 10pm and midnight, it could be later, but I go to bed and put ear plugs in. Sometimes the noise is loud talking but sometimes it is aggressive, like there is going to be a fight and I am aware of an occasion when there was a physical fight in the street. It happened in the Summer when a group of young adults ganged up on one person and were fighting and being very violent to one another, I believe the victim was a girl. When I see people causing a nuisance on the road I live on, I am worried about what would happen if I asked them to move- I would never do that I am worried that they would be aggressive towards me.

I have also had three bikes stolen and am aware that neighbours have also had similar thefts. I would say that the number of non-residents frequenting the street late at night could be linked to the thefts.

Along with the waste left behind to be found in the morning, I have also seen balloons littering the street where I live, I saw the same balloons in Ma Dames when I walked by the venue and

Signature: Signature witnessed by:



Continuation of Statement of

believe it must have been people attending the venue who then wandered down our residential street with the balloons.

On another occasion I saw a couple hunched over in the street with foil and a pipe. I believe they were using drugs and this made me feel very uneasy and worried.

I have noticed that a lot of people loiter outside Ma Dames even when they are closed in the afternoon, it seems to be a convenient place for them to sit and have a drink and just hang-out from around 3pm in the afternoon. It can be intimidating walking by these groups as they can become aggressive- I imagine either because of drink or drugs they have been taking. I do question the licencing decisions for a venue like Ma Dames in such a residential area and notice that a sushi place nearby is now extending their opening hours. It is already quite busy in the area at night and particularly at the weekends and I worry about the mix of late-night venues in the area.

I have found that I now expect to discover evidence of Ma Dames being open in the street where I live the next day and I have to actively avoid walking in defecation, vomit, urine and other waste. I now think twice about when I leave my home in the evening as I wish to avoid the groups of people who do not live on my street but are frequently there causing a nuisance.

I would support any action Westminster City Council can take to improve the situation as it would improve the quality of life for my neighbours and myself.

Signature: Signature witnessed by:

Witness contact details

Home address:
 Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
b) I have been given the Victim Personal Statement leaflet	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
c) I have been given the leaflet 'Giving a witness statement to police — what happens next?'	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
d) I consent to police having access to my medical record(s) in relation to this matter: <small>(obtained in accordance with local practice)</small>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
e) I consent to my medical record in relation to this matter being disclosed to the defence:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services:				<input type="checkbox"/>	

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

RESTRICTED (when complete)

MG11(D)

WITNESS STATEMENT					
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1					
Statement of [REDACTED]	URN: <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> <td style="width: 25%;"></td> </tr> </table>				
Age if under 18	(if over 18 insert 'over 18') Occupation:				
<p>This statement (consisting of: 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.</p>					
Signature:	Date: 22/11/21				
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)					
<p>I am the above named person and I am a resident of [REDACTED]. My family and I have resided in this area for the past 25 years. I would like to comment on the increasingly high levels of antisocial behaviour that seem to have become common whenever the Ma Dame nightclub is open at 58 Porchester Road.</p> <p>We used to have problems with Cherry Jam, the previous occupant of 58 Porchester Road, in the past but it was mainly noise and drunken behaviour at dispersal time. There has been a marked difference in the nightclub clientele when Ma Dame opened in its place in 2015. We had a noticeable level of respite from noise - and interestingly from ASB - during lockdown when Ma Dame was closed. But since July it seems to have increased again with incidents captured on my CCTV almost every night the nightclub is open.</p> <p>The impact of this ASB is particularly felt by residents of [REDACTED] because of our close proximity to the Club; the noise, fights and drunken behaviour/partying at dispersal time is particularly bad, especially as the club often operates until 3am at weekends, way beyond Westminster's core licensing hours. This is extremely difficult for those of us who live and work here, and sleep deficit is a huge problem. However, because [REDACTED] is hidden away, out of sight from normal public use, it has recently also become a place for drug dealing and drug use; people stand under the vents into my bathroom and kitchen smoking drugs which then fills my house, and I am forced to keep windows closed even in the middle of summer due to the noise and smell; people have sex in our porches, and urinate and defecate in the mews. It is perhaps this type of ASB that has a particular impact on</p>					

Signature: Signature witnessed by:

RESTRICTED (when complete)

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Continuation of Statement of

families living here, as the evidence is always there the next morning as children and parents have to pick their way through vomit, human faeces, litter, broken bottles and nitrous oxide canisters.

The change this has brought to a quiet residential area is horrendous. Before walking the dogs in the evening, I now check my CCTV for anyone who may be 'lurking' in the entrance to [REDACTED]. Many of us choose to leave our homes at weekends if we have the option, and my life is entirely governed by whether the Ma Dame nightclub is operating on any given weekend, due to noise, and antisocial behaviour that seems to have become part of standard behaviour for 'guests'.

I would support the use of this statement to include [REDACTED] within the local Community Protection Notice zone.

Signature: Signature witnessed by:

Witness contact details

Home address:
 Postcode:
 Home telephone number Work telephone number
 Mobile/pager number Email address:
 Preferred means of contact:
 Male / Female (delete as applicable) Date and place of birth:
 Former name: Ethnicity Code (16+1): Religion/belief:
 Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>		
b) I have been given the Victim Personal Statement leaflet	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>		
c) I have been given the leaflet 'Giving a witness statement to police — what happens next?'	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>		
d) I consent to police having access to my medical record(s) in relation to this matter: <small>(obtained in accordance with local practice)</small>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
e) I consent to my medical record in relation to this matter being disclosed to the defence:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>		
g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services:				<input type="checkbox"/>		
Signature of witness:	Print name:					
Signature of parent/guardian/appropriate adult:	Print name:					
Address and telephone number if different from above:						

Statement taken by (print name): Station:

Time and place statement taken:

RESTRICTED (when complete)

MG11(D)

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

Statement of [REDACTED]

Occupation: Architect

This statement (consisting of: 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 21/12/21

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

I am the above named person and I have resided in Bayswater for over 50 years, currently residing in [REDACTED]. This statement is in relation to the ongoing anti-social behaviour that I have been experiencing caused by patrons of Ma Dame nightclub, 58 Porchester Road, Bayswater.

Since 2015 we have experienced issues of antisocial behaviour which is related to nightclubs that have been located within 58 Porchester Road, London W2. Over the past couple of years despite Covid 19 restrictions the nightclub known as 'Ma Dame' has been the cause of many a sleepless night for our family. The sort of behaviour that we have experienced ranges from car racing in the street to drug taking/ selling, NOS (Nitrous Oxide) canisters, refuse, drinking on the street, smashing bottles, loud music from car stereos, shouting/ screaming and fighting. All taking place on or around the junction of Porchester Road and Westbourne Park Road as well as further on down Westbourne Park Road as clubbers hang around before going in to, or after being ejected from the club usually between the hours of 1am to 3am and in some cases up to 4am.

We have logged complaints with the council noise team either at the time or the following morning. Below are some of the more recent dates where we have had experienced evenings/early mornings of excessive noise and anti-social behaviour:

Signature: Signature witnessed by:

RESTRICTED (when complete)

Continuation of Statement of

13th - 14th August 2021 *(on this date this behaviour was reported to me directly from my son, who was residing in our property, whilst I was on holiday)*

21st - 22nd August 2021 *(on this date this behaviour was reported to me directly from my son, who was residing in our property, whilst I was on holiday)*

15th - 16th October 2021

12th - 13th November 2021

27th - 28th November 2021

We have security guards hanging around outside our front gate talking on their phones all evening. They have been employed by the club in an attempt to address the issues but to no effect.

I have lived in the area for 55 years and on our street for 18 years and during this time I have not experienced such a level of anti-social behaviour. As we live in a heavily populated part of the city it would be unreasonable to expect no noise or incidents but to experience what we do on such a regular basis is unacceptable, especially when the cause can be easily identified. How can a venue gain a permission to legally behave this way in a predominantly residential area. This is not reasonable and should be looked into by the council who have granted the license for a Night Club in a building surrounded by residential uses.

I would also question the suitability of the building form which historically has been residential, with a retail use at ground floor with ancillary basement storage. This later became a restaurant use. How can this slowly morph into a full-on night club. This needs to be re-evaluated.

I trust that from the above points you can appreciate that we are very unhappy and need the council to consider this matter further and question the suitability of the site for its current use and license.

Signature: Signature witnessed by:



Witness contact details

Home address:
 Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
b) I have been given the Victim Personal Statement leaflet	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
c) I have been given the leaflet 'Giving a witness statement to police — what happens next?'	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
d) I consent to police having access to my medical record(s) in relation to this matter: <small>(obtained in accordance with local practice)</small>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
e) I consent to my medical record in relation to this matter being disclosed to the defence:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services:				<input type="checkbox"/>	
Signature of witness:	Print name:			
Signature of parent/guardian/appropriate adult:	Print name:			
Address and telephone number if different from above:					

Statement taken by (print name): Station:

Time and place statement taken:

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1	
Statement of [REDACTED]	URN: [] [] [] []
Age if under 18	(if over 18 insert 'over 18') Occupation: [REDACTED]
<p>This statement (consisting of: 3 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.</p>	
Signature:	Date: 06/01/22
Tick if witness evidence is visually recorded <input type="checkbox"/> (supply witness details on rear)	
<p>I am the above named person and I have lived in [REDACTED] for the past 3 years, having moved in December 2018. I am not new to this area; as a member of Westbourne Park Baptist Church (located on the corner of Westbourne Park Villas and Porchester Road), I have been coming regularly to the church for the past 19 years, attending various meetings throughout the week, and volunteering for Westbourne Park Family Centre, a charity set up by my church which serves the local community. I currently work for this family centre as an Early Years Worker. The main reason that I am mentioning my past link to the area is because I remember how safe and quiet (and clean!) this area was many years ago, and even felt comfortable coming to my church's monthly all-night prayer meeting on a Friday night, entering the building at about 11pm/midnight, and leaving at 5am. On some of those all-night meetings I would confidently bring my children, and they would have a sleepover in the room next to where we were praying.</p> <p>Nowadays [REDACTED] is very busy on weekend nights, with cars half parked with waiting drivers, some with their headlights on and/or motors running, either waiting for something or talking to someone, next to and near my home. I wasn't sure about what was going on, until a neighbour down the</p>	

Signature: Signature witnessed by:

RESTRICTED (when complete)

[]

Continuation of Statement of

road told me two years ago that there were drug dealings going on at the weekends. Ever since I found out about this, I have felt even more uncomfortable.

My flat is located near to the church and Paddington Children's Library fire exit, an exit that the library regularly uses as an entrance and exit for children and their parents, especially on Saturdays. This entrance is continually trashed during a Friday and Saturday night, with revellers using its gate as a toilet, dumping food and beverage containers, and a large amount of empty nitrous oxide containers, which children must avoid stepping on when entering and exiting the library on a Saturday morning. ■

■, we are directly affected and have to put up with the constant rubbish, smell of urine and faeces, and quite often loud arguments which happens past midnight, using ■ low wall as a convenient place to sit. All of this happens on Friday and Saturday nights, when the nightclub is in operation.

I also find myself feeling very uneasy about walking outside after 10pm on weekends, whether it is to go to the local shops, taking my dog out to go to the toilet (which I do at around midnight every night) or just returning home late, especially if I had to walk right past the nightclub or the opposite kerb. This feeling is equally shared with my upstairs neighbour in number 2. The following specific incidents have made me feel extremely uncomfortable as a resident:

- I had an incident involving someone walking down to my flat entrance and urinating against my front door- I confronted the nightclub people when this happened but felt intimidated by the bouncer so returned home. I now feel uneasy every weekend and end up sleeping very late, wondering if someone will come down those steps again.
- Another was having to clean up human faeces from the church's fire exit.
- Also constantly cleaning up Saturday night trash outside the church entrance on Sunday

Signature: Signature witnessed by:



Continuation of Statement of

mornings.

- I recently witnessed a patron urinating near my property and asked what they were doing, which immediately caused me to feel extremely scared for fear of repercussions.

What really bothers me is that as a Family Centre worker I wonder what effect it might have on the children's library, the family centre children's club on Friday evenings, and especially the youth club which finishes at 9pm Fridays (some exit building at about 10pm). The behaviour from the nightclub and its patrons is not fair on residents who live in, visit and want to enjoy the area.

Signature: Signature witnessed by:

Witness contact details

Home address:

Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability:

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
b) I have been given the Victim Personal Statement leaflet	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
c) I have been given the leaflet 'Giving a witness statement to police — what happens next?'	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
d) I consent to police having access to my medical record(s) in relation to this matter: <small>(obtained in accordance with local practice)</small>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
e) I consent to my medical record in relation to this matter being disclosed to the defence:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services:				<input type="checkbox"/>	

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

RESTRICTED (when complete)

MG11 (T)

WITNESS STATEMENT

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

Statement of
Chelsea COLEMAN

URN:

--	--	--	--

Age if under 18 (if over 18 insert 'over 18') Occupation:
Neighbourhood Coordinator

This statement (consisting of: 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 21/12/21

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

I am employed by Westminster City Council as a Neighbourhood Coordinator. My role includes managing and leading on medium to long-term problem-solving activity on local crime, anti-social behaviour and public realm issues. On 21st December 2021, I spoke to a Bayswater resident. This person told me of the ongoing anti-social behaviour they have been experiencing in relation to Ma Dame nightclub, 58 Porchester Road. This person does not wish their name or address to be identified as they are concerned that there may be repercussions for them if it is known they have provided a statement. For this reason I am producing this hearsay statement. I have confirmed the incidents described in this statement are ones that this individual has witnessed directly and are known first-hand to them. This is their account:

I have lived in Bayswater for over 14 years and have been experiencing antisocial behaviour in the area for the past five years. The antisocial behaviour I describe below relates to disturbances caused by patrons of Ma Dame nightclub at 58 Porchester Road.

I am regularly woken up, normally on a weekend but occasionally during the week, from around 02:00 by individuals shouting and arguing in the street, causing a great deal of noise. There have also been fights that have taken place in the street in the past. This always takes place during the nights that Ma

Signature: Signature witnessed by:

RESTRICTED (when complete)

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Continuation of Statement of

Dame is in operation and the disturbances begin once the patrons have left the venue after it closes.

There were no disturbances when the premises was closed during lockdown, however these disturbances have now started back up again now that the nightclub has reopened. These individuals are often intoxicated and do not care that there are residential properties surrounding them. The disturbances carry on for approximately 45 minutes and I sometimes find it difficult to get back to sleep. Myself, my wife and one of my children have our bedrooms at the front of our property and we have all been disturbed by this behaviour on a number of occasions.

In the morning after these events have taken place, there are also a quantity of silver nitrous oxide cannisters littering the street everywhere. I have never attempted to approach these individuals as I am aware that one of my neighbours has tried to confront the groups on several occasions and was met with aggression and abuse. I do not believe that this area is an appropriate location for a busy nightclub as it is heavily residential and there is a complete lack of care for residents from Ma Dame and its patrons.

Signature: Signature witnessed by:



Witness contact details

Home address:
 Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6.
- What can be done to ensure attendance?
- Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
b) I have been given the Victim Personal Statement leaflet	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
c) I have been given the leaflet 'Giving a witness statement to police — what happens next?'	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
d) I consent to police having access to my medical record(s) in relation to this matter: <small>(obtained in accordance with local practice)</small>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
e) I consent to my medical record in relation to this matter being disclosed to the defence:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services:					<input type="checkbox"/>

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT					
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1					
Statement of Chelsea COLEMAN	URN: <table border="1" style="display: inline-table; width: 100%;"><tr><td style="width: 25%; height: 20px;"> </td><td style="width: 25%; height: 20px;"> </td><td style="width: 25%; height: 20px;"> </td><td style="width: 25%; height: 20px;"> </td></tr></table>				
Age if under 18	(if over 18 insert 'over 18') Occupation: Neighbourhood Coordinator				
This statement (consisting of: 2 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.					
Signature:	Date: 22/12/21				
Tick if witness evidence is visually recorded <input type="checkbox"/> <i>(supply witness details on rear)</i>					
<p>I am employed by Westminster City Council as a Neighbourhood Coordinator. My role includes managing and leading on medium to long-term problem-solving activity on local crime, anti-social behaviour and public realm issues. On 22nd December 2021, I spoke to a Bayswater resident. This person told me of the ongoing anti-social behaviour they have been experiencing in relation to Ma Dame nightclub, 58 Porchester Road. This person does not wish their name or address to be identified as they are concerned that there may be repercussions for them if it is known they have provided a statement. For this reason I am producing this hearsay statement. I have confirmed the incidents described in this statement are ones that this individual has witnessed directly and are known first-hand to them. This is their account:</p> <p>Unfortunately there has been a severe increase in antisocial behaviour in the vicinity of my property in the last few months, which seems to be the result of partying clients leaving the Ma Dame nightclub on Porchester Road every weekend. At around 3am when the club closes, the party continues outside of my property.</p> <p>There is often a large quantity of nitrous oxide capsules and hypodermics littered across the pavements the morning after the nightclub has been in operation. This is extremely concerning and a health and</p>					

Signature: Signature witnessed by:

RESTRICTED (when complete)

--

Continuation of Statement of

safety risk, particularly as we have young children who play out in the street. There are also, what I believe to be, a quantity of the roach ends of cannabis cigarettes littering the pavements, suggesting that a considerable amount of drug taking occurs. I have also experienced people defecating on our street and urinating in our doorway, as well as creating a huge amount of noise. Although there are allegedly private security officers employed to manage the dispersal of patrons, this seems to have little or no effect.

I have recently been unwell and the disturbances have become so severe that I now regularly leave at the weekends to stay with family outside of the area in order to get some sleep. It is outrageous that one is forced to leave home in order to avoid this disturbing behaviour every weekend.

Signature: Signature witnessed by:

Witness contact details

Home address:
 Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability:

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG-6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
b) I have been given the Victim Personal Statement leaflet	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
c) I have been given the leaflet 'Giving a witness statement to police — what happens next?'	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
d) I consent to police having access to my medical record(s) in relation to this matter: <small>(obtained in accordance with local practice)</small>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
e) I consent to my medical record in relation to this matter being disclosed to the defence:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A <input type="checkbox"/>
f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to <u>decline</u> their services:				<input type="checkbox"/>	

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): Station:

Time and place statement taken:

Appendix 7 – Resident Photos























Appendix 8 – Correspondence between DPS and WCC Environmental Sciences

A - Email to WCC from EnviroSciences from DPS

The screenshot displays an email client window titled "FW: Sound limiter setting at Ma Dame - Message (HTML)". The interface includes a top ribbon with tabs for File, Message, Insert, Draw, Options, Format Text, Review, and Help. Below the ribbon are various toolbars for clipboard operations, text formatting, and navigation. The email header shows:

From: REDACTED DPS CONTACT EMAIL
Sent: 02 December 2021 07:31
To: Crookford, John: WCC <fcrookford@westminster.gov.uk>
Subject: Re: Sound limiter setting at Ma Dame

The main body of the email contains the following text:

Dear John

Thank you for your email.

As we are entering the Christmas period I am extremely busy with my business, personal life and so many other external issues.

I would definitely like to accommodate you unfortunately for this month I could only do that on the days that I'm actually open having said that I have already spent £270 for a visit set up by the neighbour last month due to unforeseen reason I couldn't attend I cannot afford to pay another engineer if you could provide one this will be very helpful I am currently crawling over debts and cannot afford another invoice at the moment.

Please let me know if you can assist thank you for your cooperation.

REDACTED
Director
Ma-Dame London

REDACTED CONTACTS

The email signature block includes the name *Ma Dame* and a search bar with the placeholder text "Type here to search". The Windows taskbar at the bottom shows the time as 13:32 on 27/01/2022.

DATE REQUESTED BY:
(at least 2 weeks notice) 15th December 2021

APPROVED BY ASSISTANT SERVICE MANAGER _____
OR SENIOR PRACTITIONER:

SIGNED: _____ **DATE:** _____

Email – regarding Sound Limiter checked 2018

The screenshot shows an email client window titled "FW: Sound limiter setting at Ma Dame - Message (HTML)". The interface includes a top menu bar with options like File, Message, Insert, Draw, Options, Format Text, Review, Help, and Tell me what you want to do. Below the menu is a rich text editor toolbar with various icons for text formatting, alignment, and insertion. The email body contains the following text:

Dear Andrew

I hope this email finds you well.

Could you kindly call my Manager REDACTED on REDACTED.

We would like to get this matter sorted and hopefully keep everyone happy.

Kind Regards

redacted

discussed with the manager redacted premises only opens for 1-3 nights a month, advised of issue, she is keen to resolve and asked if the complainant can contact her to when convenient to set the levels. advised would ask the complainant if they are happy for this otherwise EH to reset limiter.

spoke to the complainant he would prefer us to be present. called club back have difficulty attending when they are not open, advised in there interests too be there, any more complaints received covid result in s80. Club advised they will contact me when they are next open to try to see if we can attend they asked if we can attend this Saturday but advised not possible due to busy time of day for us. limiter set at property with consultation team

The last entry says that the limiter was set with the consultation team. This entry was from April 2018 but there is no record of levels set. The premises only appear willing to set the limiter when they are trading. Typically the limiters are set when the premises are not open since it is far easier to test levels and make adjustments to the sound system.

John

From: Watson, Ian: WCC <iwatson@westminster.gov.uk>
Sent: 06 December 2021 17:34
To: Crockford, John: WCC <ccrockford@westminster.gov.uk>; King, Paul: WCC <pking@westminster.gov.uk>; Juon, Alexander: WCC <ajuon@westminster.gov.uk>
Subject: RE: Sound limiter setting at Ma Dame

Search bar: Type here to search

System tray: 13:45, 27/01/2022, 4°C

Subject FW: Sound limiter setting at Ma Dame

From: Crockford, John: WCC<jcrockford@westminster.gov.uk>
Sent: 07 December 2021 08:16
To: Watson, Ian: WCC<iwatson@westminster.gov.uk>; King, Paul: WCC<pking@westminster.gov.uk>; Juon, Alexander: WCC<ajuon@westminster.gov.uk>
Subject: RE: Sound limiter setting at Ma Dame

Ian,

I set the limiter back in November 2013 when the premises re-opened as Shimmy (after Cherry Jam). At that point the premises had an XTA DP 226 limiter which does have the capability to limit specific frequencies. Music noise level set to 98 dB(A). From checking Uniform back then there were limited complaints about music noise from Cherry Jam. The complaints mainly revolved around customers in the street. I have to admit at that time I did not realise that properties in Celbridge Mews shared a party wall with the venue.

Later in November 2017 Andrew Bolton dealt with a noise complaint (17/36391/ENC45) from the resident at REDACTED. The IVA from this complaint reads as follows:-

10/11/17 at 14:38 by abolton?

minor bass audible in lounge and bedroom not nuisance but levels just need tweaking slightly, advised complainant would get in touch with the venue and arrange to reset limiter / levels

called venue REDACTED no answer or voicemail service, email sent to REDACTED

Desc: REDACTED

We received a complaint regarding loud music coming from your premises on the 4th November 2017, I visited the complainants' property and some low level bass was audible in the complainants lounge and bedroom at 23:40 hours.

In the first instance please ask the manager / manageress to contact me to discuss the issue and look for a solution to resolve it. I think you have sound limiter at the venue and I'm of the opinion that the noise levels in the premises would only need to be tweaked slightly to resolve the issue.

I look forward to your response.

Appendix 9 – Temporary Event Notice Full Decision - Ma Dames

WESTMINSTER CITY COUNCIL LICENSING SUB- COMMITTEE N0.3 **("The Committee")**

Thursday 27 January 2022

Membership: Councillor Jim Glen (Chairman) Councillor Barbara Arzymanow
and Councillor Aicha Less

Officer Support: Legal Adviser: Vivienne Walker
Policy Officer: Kerry Simpkin
Committee Officer: Sarah Craddock
Presenting Officer: Roxsana Haq

Application for a Temporary Event Notice in respect of Ma Dames 58
Porchester Road London W2 6ET 22/00354/LITENP

FULL DECISION

Premises

Ma Dames
58 Porchester Road
London W2 6ET

Premises User

Miss Jennifer Cassandri

Ward

Bayswater

Cumulative Impact Zone

None

Special Consideration Zone

Queensway and Bayswater

The Committee has considered objections from Environmental Health Service and the Metropolitan Police Service to a Temporary Event Notice ("TEN") which been given by Miss Jennifer Cassandri ("The Applicant") in relation to an event taking place on 30th January 2022 between the hours of 00:01 and 03:00 ("The Event").

The Applicant is proposing to provide the sale of alcohol, the provision of regulated entertainment and late-night refreshment.

The Committee has considered the committee papers and the submission made by all the parties, both orally and in writing. In reaching its decision the Committee has

had regard to the relevant legislation, the Secretary of State's Guidance ("The Guidance") and the Authority's Statement of Licensing Policy ("SLP").

The Committee has decided, after taking into account all of the individual circumstances of this application, the prevention of public nuisance, crime and disorder and the protection of children from harm licensing objectives:

To issue a Counter Notice under section 105 of the Licensing Act 2003 for the event. This notice means permission for the licensable activities requested in the Temporary Event Notice has not been approved.

SUBMISSIONS AND REASONS

Ms Roxsana Haq, the Presenting Officer, outlined the application.

Ms Soraya Zidoun on behalf of the Applicant stated that this was an application to hold a 40th birthday party for the wife of a regular client at the Premises. She highlighted that it would be a private event held for friends and family and that they had held events for this particular client in the past with no issues occurring. She explained that they would employ four to six SIAs who will help control the departure of the customers to prevent noise nuisance to residents. She emphasised that this was not a ticketed event. She further stated that the Premises had not accepted any private bookings since the 15 December 2021, to avoid trouble over the Christmas period and that the bills were now piling up which needed to be paid. She mentioned that the Premises wished to convert into a comedy club but wanted to also keep their late-night licence to hold events for their regular customers only.

Ms Zidoun explained that Ms Cassandra (the Applicant) was unable to be present at the hearing today as she had to travel to France to bury her father. She confirmed that she would be back in the UK by the date of the private event. She also confirmed, when questioned by the Sub-Committee that the Premises had been open as per their Premises Licence on Thursday, Friday and Saturday evenings to the general public.

Ms Zidoun advised that she was the Events Manager for the Premises and that to prevent nuisance at the Premises they requested clients provide their passport or driving licence and there is a guest list. She emphasised that the client who had booked the event on Sunday was a regular customer who had previously held events at the Premises with no issues or cause for concern for the Premises or residents.

In response to questions from the Sub-Committee, Ms Zidoun confirmed that they had received complaints regarding a couple of events that had been held at the Premises as it had been a struggle to get everyone to leave the Premises quietly. She confirmed that the Police had been called and eventually everyone had stopped making a noise and left the Premises. She explained that the Premises had introduced a new policy which stated that they would not hold events to new customers and that their preference was to hold birthday parties/end of school year parties for under 18s (where there would be no alcohol and parents were present) and which would finish at midnight. She confirmed that nine out of ten enquires for bookings were refused as they were very careful on who held events in their

Premises because of their previous bad experiences. She again emphasised that there would be no anti-social behaviour on Sunday as the event was being hosted by a regular customer and was by invitation only. There would be security present who would control the guests leaving at the end of the night. She explained that guests would be allowed to leave in groups of 5 to avoid causing noise nuisance to the residents. Ms Zidoun alleged that her clientele had received threats from residents.

Ms Zidoun stated that that Environmental Health Service had been unable to visit the Premises to check the noise limiter (there had been 14 complaints regarding noise transference through the party walls) because the Applicant had been tending to her father who was very ill and who lived in France. She added that as the Premises had no events booked it had not been an emergency. She advised that the Applicant would be back in the UK on Friday and a visit could be arranged before the event on Sunday.

Mr Watson, representing the Environment Health Service (EHS), stated that previously EHS had not objected to any temporary event notices (TENS) from these Premises. However, complaints had been received by residents, there was concern regarding the noise transference through the party walls and that the noise limiter and party walls had not been inspected by EHS (even though requests for a visit to the Premises had been requested by EHS). He stated that the last TENS event held at the Premises had been a 30th birthday party (not an event from a promotor) and that complaints had still been received regarding noise nuisance on the street and noise transference through the party walls. Mr Watson referred to the plans of the Premises and advised that previously there had been a false wall erected to prevent noise transfer to resident's premises.

In response to questions from the Sub-Committee, Mr Watson advised that the noise limiter should be under management control and that the noise limiter should not form part of the necessary amplification. He explained that another concern was that visiting DJs could potentially bring their own equipment and not route it through the noise limiter.

Mr Watson called Alex Juon, City Inspector, as a witness.

Mr Juon stated that a number of complaints had been received about the operation of these Premises since the 19 July 2021, which was when nightclubs had been allowed to re-open again following the pandemic lockdown. He advised that complaints had been received by numerous people including from the Ward Councillors, the Police, local residents and council officers. He explained that photographs and video evidence had been received illustrating ASB activity outside of the Premises as well as in the immediate surrounding residential area of Celbridge Mew (inhalation of nitrous oxide) and on Westbourne Park Road.

Mr Juon stated that these complaints were received when TENs had been granted to the Premises and he had been informed that residents were now spending weekends away because of their concern around noise nuisance and for fear of disturbance. He added that he had written personally to Miss Cassandri in December 2021, suggesting three alternative dates to visit the Premises. However, no date had been secured to visit the venue. He further advised that there had been a meeting held on the 5 November 2021, with the Applicant who reassured him that she was putting measures in place to improve the operation of the

Premises, including a dispersal plan, however, since then he had seen videos that suggested these measures had been ineffective, and no dispersal plan had been sent to the Council. He confirmed that since the last event held under a TEN at the Premises no complaints had been received from residents.

In response to questions from the Sub-Committee, Mr Juon advised that the noise limiter and party walls needed to be inspected before any further TENS were granted to the Premises. He further added that there was also the ongoing issue of people creating noise nuisance leaving the Premises especially in Westbourne Park Road as the Premises still did not have a dispersal plan.

PC Reaz Guerra, representing the Metropolitan Police Service, stated that there had been nine TENS in 2021 (four birthday parties and five externally promoted events). He advised that from his perspective it did not make much difference whether the event was a promoted event or a birthday party as the concerns raised were particularly related to the later hours when people were dispersed from the Premises. He stated that the Applicant had not provided any information regarding additional controls that had been put place to prevent anti-social behaviour and disturbance to residents. He stated that he was concerned that the Applicant was out of the country and might not be present at the event scheduled to be held this Sunday.

PC Reaz Guerra called PC Andy Burgin as a witness.

PC Burgin stated that he had been liaising with the community regarding the Premises for a few months and advised that he had received an extensive list of complaints about the Premises, all occurring after 01.30am. The complaints included:

- loud conversations and partying on Westbourne Park Road.
- the playing of loud music and the revving of car engines.
- smoking nitrous oxides or drug taking.
- shouting, drinking, vomit in the surrounding roads
- urination and defecation in the mews behind the club.
- people having sex in the mews behind the club.

PC Burgin advised that residents were distraught and were leaving their homes whilst events were taking place. He confirmed that it was clear from the videos that he had viewed that the ASB activities (mentioned above) were being caused by customers from attending the nightclub. He strongly advised the Sub-Committee that this was not normal behaviour from people leaving a nightclub and that it their behaviour was unacceptable in such a residential area. He stated that the location was not fit for purpose. In response to questions from the Sub-Committee, he advised that the Premises already had an extensive set of conditions on its Premises Licence to promote the Licensing Objectives which if followed would prevent ASB occurring in the surrounding residential area. However, in any event, the Applicant did not seem able to ensure that the conditions already on the licence were enforced and therefore, he was still of the view that the licensing objectives would be undermined.

Conclusion

The Committee agreed with the concerns raised by the Environmental Health Service and the Police that they did not have sufficient reassurance that the application would promote the licensing objectives. Indeed, having heard the evidence as stated above, the Committee decided that allowing the Temporary Event Notice would undermine the prevention of crime and disorder and prevention of public nuisance licensing objectives and it determined to issue a counter notice under section 105 of the Licensing Act 2003.

**This is the full decision reached by the Licensing Sub-Committee
This Decision takes immediate effect.**

**Licensing Sub-Commission
27 January 2022**

**Annex 2
Applicant Further Submissions**

Updated Review Submissions

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Service
15th Floor, Westminster City Hall

FROM Alex Juon
Interim Head of Service
Public Protection and Licensing
15th Floor Westminster City Hall
ajuon@westminster.gov.uk

REF 22/01181/LIREVP

RE Ma Dame, 58 Porchester Road, W2 6ET

I refer to the application for a review of the Premises Licence. I have checked the information provided in the review documentation and have identified that some information needed either updating or correcting for accuracy.

Correction 1 – Page 6

There have been five proactive visits made to the premises since August, when the club has been operating. Most of these visits have found no issues of concern at the time of visit; although the visit made on the 3rd of October 2021 at 02.30 found a group of customers gathered outside and the officers feared a disturbance would take place. The officers did engage with the DPS who was present at the time.

Correction – Following review of our records we have identified that officers have visited Ma Dame (though not entered) on at least 19 occasions between 27th August 2021 and 12th February 2022. There may have been further visits not properly recorded and at least one that took place during the week following up a cleansing request linked to Celbridge Mews. None of these visits were what we would determine as a full inspection that went inside the premises. These visits were often short and did not look at (or were too late to observe) specific issues that we were aware were going on from evidence provided by third parties.

Correction 2 – Page 8

A WCC Noise Monitoring Device installed by an Environmental Health Officer was offered to this resident but declined.

Correction – No resident has refused an offer to assess the noise nuisance emanating from the premises. Residents have tried a number of times to support evidence gathering around noise emanating from the premises. The issue as referenced elsewhere has been our inability to access the venue to check the sound limiter which we have been requesting since the beginning of December 2021. We are still awaiting confirmation from the venue as to when the sound limiter can be checked.

Correction 3 – Page 11

TENs - The premises has applied on a near weekly basis since it reopened. This has extended the premises licence to a closure time of 03.00hrs. WCC Licensing, Area team manager and Head of Service have monitored when a TEN was applied for. City Inspectors on night shift were tasked to attend and observe dispersal every weekend a TEN had been approved. A TEN was applied for on Halloween weekend of 2021. The local police ward officer and the local WCC ward team requested that the TEN not be granted based on recent residents' complaints. This TEN was for a publicised event through a promoter and ticket only. It was to start on Sunday 31st and the TEN extended the hours into Monday 1st November at 03.00hrs closure. MPS Licensing found no grounds to object. WCC Licensing Regulatory Services were approached regarding objecting and there was not enough recorded data on the WCC data system to warrant an objection at this particular time.

Correction - TENs were granted on the following dates in 2021, the TENs asked for hours to be granted to 3am - 29/8, 25/9, 26/9, 2/10, 9/10, 16/10, 23/10, 31/10, 1/11, 28/11

We know that the venue has been open on other occasions when it has operated to its licensed hours, with the last date of operation being 26/02/2022, however it has largely been closed since December 2021.

A TEN (22/00354/LITENP) was applied for 30th January 2022, however this was objected to by both WCC and the Metropolitan Police. This was heard at LSC on 27/01/2022 – the summary of this is contained within the review submission.

Correction 4 – Page 9

In notes referred to from 5th November meeting with residents - Noted that an SIA officer does now stand at entrance of Celbridge Mews as agreed. All SIA staff to wear high visibility jackets and display their accredited SIA badge. They have been issued with bodycam. WCC officer conducted an unannounced inspection of SIA at midnight on night of 23rd October 2021 and all correct. He inspected 4 SIA. It is a condition of the licence that the premises has a minimum of 4 SIA.

Correction – This is disputed as on other visits not all SIA staff have been visible outside of the venue and some reports haven't referred to SIA staff being present at all.

Update 1 – Page 7/8

In total since 2015 there have been 37 recorded noise complaints. (05.12.2015 – 03.10.2021

Update – There have been several checks of noise complaints reported against the premises as we have been made aware that previous responses to this question have been incorrect or incomplete. This has been due to different address data being contained in some noise reports which did not specifically reference the premises but on further investigation the name of the premises has been found within the free text contained in the complaint.

Between 05/12/15 and 28/11/2021 there were at least 53 noise complaints that related to Ma Dame, however these were concentrated in 2019/2020 (pre pandemic) when there were 26 noise complaints (the vast majority of these were between July 2019 and February 2020), and 2021 (post re-opening of nightclubs) when there were 25 noise complaints between August and December 2021. For a significant period in 2020 and 2021 Ma Dame was not permitted to open as a result of Corona virus regulations so unsurprisingly there were no noise complaints received during this period.

We received an additional noise complaint about noise from the premises on 27th February 2022. We have confirmed that the premises was open for a private event that night. Officers visited but the event had drawn to a close by the time they were able to get to the premises.

These noise complaints repeatedly identify disturbance outside the premises in the early hours of the morning, particularly sound transference and noise caused by patrons, outside the venue, returning to their vehicles disturbing residents with use of car horns, people continuing to 'party' as they return to their vehicles, playing music, patrons inebriated and/or inhaling nitrous oxide. The text details provided with the noise complaints we have received have identified significant noise concerns raised in these noise complaints.

Review Summary submitted by the Applicant Alex Juon – Licensing Authority

22/01181/LIREVP

Ma Dame, 58 Porchester Road, W2 6ET

Summary

Ma Dame is a venue within the Bayswater Ward. It is a licensed premises that operates as a night club, predominantly for private or promoted events. The premises is currently able to provide licensable activities until 1.30am (Thursday-Saturday) with a late night refreshment licence to 2am on these nights. In addition the venue has been regularly able to open to 3am operating under a Temporary Events Notice (TEN)

I first became aware of the premises on 25th August 2021, however we have received complaints about the operation of the premises and impact on local residents prior to that date. Between mid-2019 and early 2020 and since mid-2021 the venue has been subject to a sustained number of noise complaints and complaints about ASB and persistent nuisance, including breaches of many of its licensed conditions.

In my view, a nightclub is not and never was a suitable venue to be operating in a largely residential area until 2 (or 3am) in the morning. This is supported by the frequency and type of complaints and concern raised by residents, showing the venue has directly impacted on their welfare and ability to enjoy their own homes. In addition, I do not have confidence that the management of the premises can adhere to the 54 conditions placed on the venue's operation as evidenced by an inadequate response to actions at meeting held with the venue management. Nor have I seen evidence that the venue has made serious attempts to reduce the impact it has had on residents, or efforts to mitigate noise and nuisance have only happened after it has already taken place.

Given the nuisance, noise and asb experienced by residents, over a sustained period of time, I believe there is sufficient evidence for the licence to be revoked and I believe that the premises fails to promote the following licensing objectives.

- 1) The potential for crime and disorder
- 2) The potential for public nuisance

I do not believe a simple reduction to core nightclub hours will resolve the long-term issues experienced by residents, especially given that the venue would be able to continue to apply for TENs to 3am if only the hours of licensable activities are limited. Despite Westminster Council and the Metropolitan Police meeting with and corresponding with the premises a number of times since becoming aware of the most recent issues, the premises owner has failed to take sufficient corrective action to mitigate the impacts on residents and/or take the necessary action that would give the Council confidence in the management of the venue.

Whilst Ma Dame is on a main road, much of the area around it is residential, and it is these residents that have felt the impact of this venue for a number of years. Reviewing noise complaints, the venue appears to have become increasingly problematic pre-pandemic, with many of these issues continuing once Nightclubs were allowed to reopen in July 2021.

As well as the issues presented whilst the premises has been operating as Ma Dame, the venue was reviewed previously when operating as Cherry Jam (2012), with many of the same issues raised. The review reduced the hours of operation however this was successfully appealed. That local residents

are still experiencing similar issues, if not worse, some ten years later reinforces my believe that a nightclub style of operation is not appropriate in this location.

Key concerns

I have listed key concerns around the activities of the premises as identified and evidenced by residents

1. Noise complaints including –
 - 1.1.Noise escape from the venue – particularly impacting on residents of Celbridge Mews, to the rear of the venue some of whom share a party wall with the venue.
 - 1.2.Noise caused by patrons of the venue in Celbridge Mews, particularly at the entrance, during hours of operation.
 - 1.3.Noise caused by patrons of the venue in Westbourne Park Road going back and forth to vehicles and returning to vehicles when the venue closes.
2. ASB -
 - 2.1.ASB caused by people attending the venue, taking place outside the venue including in Celbridge Mews. Evidence of inhaling nitrous oxide, urination and other nuisance.
 - 2.2.ASB caused by people attending the venue, parking vehicles in Westbourne Park Road and returning to those vehicles whilst the venue is operating and post operation causing additional noise and asb.
3. Confidence in Management –
 - 3.1.Failure by management to uphold licensing objectives
 - 3.2.Breaches of licensing conditions
 - 3.3.Failure by management to deliver agreed actions following meetings with venue management
 - 3.4.Criminal conviction of DPS/Personal Licence holder.

Noise complaints

Westminster City Council has received at least 53 noise complaints relating to the operation of the between 2019/early 2020 and August 2021 onwards excluding the pandemic. In addition, reports of ASB to the police via 101 (or online) and from emails from residents to Council officers, Ward Councillors, and the Metropolitan Police have further highlighted noise as one of the key issues experienced by residents. Through speaking with residents they have repeatedly told us of the disturbance to their sleep and feelings of intimidation.

It is of concern that noise complaints that we received in 2019 are not dissimilar to those received in 2021 and show that the situation has not improved.

It is also worth noting that we do not receive noise complaints or have other issues raised when the premises is not open.

On 24th August, 2021 MyLondon published an article relating to Ma Dame and disturbance caused to residents in a nearby property - <https://www.mylondon.news/news/zone-1-news/central-london-street-clubbers-kept-21388828> . Whilst this article did not specifically mention times it identified

continued nuisance caused by patrons of the venue over a sustained period which mirror many of the issues experienced by other residents. Please note that the numbers of noise complaints referred to in the article would contain noise complaints relating to Ma Dame, but the numbers are reflective of complaints along the whole of Porchester Road.

Residents have repeatedly told us of the disturbance to their sleep and feelings of intimidation, and on occasion they have spent the night away from their property when they knew an event was taking place. This causes significant as to this type of premises operating in a largely residential area.

Whilst referred to in other submissions and elsewhere in my report, the escape of noise from the premises has particularly impacted on residents in Celbridge Mews, and whilst this issue was identified sometime ago, it has to this date not been rectified, with no effort by the premises to bring this matter to a satisfactory conclusion. The late hours of operation only exacerbate this issue.

Limited public transport at 2/3am means that there is inevitable use of private vehicles and taxis to convey patrons to and from the venue, further questioning the operation of a night club at this location. This has clearly had an impact on residents in nearby streets, with a number of noise complaints and other communications (including videos provided by residents) highlighting noise from patrons returning to their vehicles at 2/3am. This noise has amounted to more than people simply returning to their vehicles with people having continued, loud conversations at their vehicles. Noise complaints also refer to music being played and people continuing to carry on partying. I have quoted some examples below of the type of noise being reported.

Noise complaints example text below also shows issues raised in 2019 were like those still being experienced in 2021.

2019

2/11/2019 - Large number of revellers were lingering on the street, talking very loudly, playing car radios full blast & shouting down the street. They appeared intoxicated & unbalanced. Outrageous level of noise for a prolonged period of time. This has gone on repeatedly on weekends for over a year. We cannot sleep when this happens.

6/5/2019 - At 3:30 am there was a crazy amount of noise / yelling / bottles smashing / cars honking on the street as very drunk and loud people piled out of the Ma Dame nightclub. Its completely unacceptable as its now SEVERAL times that this is happening and has been reported

2021

22/8/2021 - They overserved alcohol a girl last night and she vomited outside my front door. They kick everyone out at 2.30am and then they stand under my window shouting and whooping waiting for their taxis. Then the taxis are beeping to let people know they're there. Then the traffic is beeping because the taxis block the road.

14/8/2021 - Crowds of people congregating on porchester and westbourne park road from Ma Dames night club from 1.50 am now 2.45am. Shouting screaming cars revving. Chaos! Notes: Ma Dames club. Started 1.50am and continuing now 2.45am.

ASB

Contained within emails and following conversations we have been provided a number of videos and photos illustrating ASB in and around the venue. Much of the noise experienced would also in my opinion constitute ASB not least because it has been consistent over a sustained period.

ASB is closely linked to the noise issues particularly those experienced at the entrance to Celbridge Mews and in Westbourne Park Road.

These show noise nuisance, inhaling of nitrous oxide, inebriation, and various other anti-social behaviours all impacting on residents living in the area. Evidence has been supplied of individuals gathering around cars and talking at volume in the early hours of the morning (post 3am). We believe it is reasonable to assume a direct connection between these vehicles and the venue as it is the only late-night venue in the vicinity, and the premises has at no point suggested these issues were caused by anyone other than their patrons.

Confidence in Management

Licensing Objectives

Licensed Premises must promote the four licensing objectives. Given the issues I have highlighted however, I do not believe the premises is taking the relevant steps to promote the prevention of public nuisance, crime and disorder and possibly public safety. Nuisance and ASB evidenced by residents clearly evidence public nuisance and ASB contrary to the licensing objectives. This activity has been ongoing for a number of years and has not improved.

Breaches of Licensing Conditions

The venue has 54 licensing conditions, which for a premises outside of the traditional night time economy areas of Westminster raises a number of concerns. Only 9 of these conditions are mandatory, with the other 45 being specific to the venue. That a small venue in a residential area has this many conditions governing its operations is of significant concern, notwithstanding the issues experienced by residents. That it appears many of these conditions are routinely breached causes concern about the management of the venue and the ability to comply with the objectives of the Licensing Act.

Conditions broken -

Through the evidence provided by residents and facts established by WCC I believe the following conditions are being routinely broken or have been broken. There are other conditions that we suspect are not adhered to.

12 – Whilst a sound limiter is in place we have not been able to check the sound limiter despite requesting to do so since the beginning of December 2021.

13 – We believe this is routinely being breached during hours of operation

20 – though a CCTV system is in operation we identified that it was not registered with the Information Commissioners Office which is a legal requirement

23 – Previous complaints highlight staff leaving the premises creating noise and nuisance.

30 – though this may happen, we have witnessed patrons waiting outside the venue for collection by taxi or private vehicle.

31 – Evidence would suggest taxi's/minicabs do continue to drop off on Porchester Road and outside the venue

32 – We believe this condition is routinely broken on nights the venue is open.

33, 34 – Evidence provided to us suggests that the required SIA staff are not always in place outside the venue, not displaying SIA accreditation and, given video and photographic evidence, not controlling patrons outside the venue in such a way to minimise noise and disturbance.

37 – No evidence provided to confirm this

50 – Only one meeting (November 2021) between July 2021 and now – I do not know if any such meetings were organised or held prior to the Pandemic though I have no evidence to suggest they were.

51 – I believe promoted events at the venue could be classified as such

52 – Routinely broken and witnessed by residents

53 – Though Arthur Court was shut at one point, it has reopened and does not appear that patrons have been offered this as an option, nor any other parking options that would reduce impact on residents.

54 – We have no evidence this has taken place. The only evidence we have seen is that the DPS has had to leave the venue to try and get people to depart quietly, often after a disturbance has been caused already.

Agreed actions following meetings with premises management

Due to issues raised by residents we have brought in the management of Ma Dame twice, once pre-pandemic and once after the pandemic. In addition, a meeting was held with Ma Dame and residents on 5th November 2021. Actions were agreed at both the latter meeting with WCC and at the resident's meeting.

These corrective actions included -

- 1) Provide a dispersal plan to highlight how the venue would safely and quietly ensure disperse patrons away from the venue - We have still not been provided any dispersal plan that was requested at both the most recent meeting with the premises owner and at the subsequent meeting with residents.
- 2) Make efforts to remedy the issue of noise escape - Failure to resolve the ongoing sound transference issues from the premises and failure to support the Council's approach to check the sound limiter despite efforts by others to agree a date for this work to take place. Though numerous efforts have been made to arrange a visit these have been met with avoidance by the premises owner. Since the TEN hearing on 30th January, the premises did not contact the Council to arrange a visit until after the review was submitted, on 2nd March.

The premises has provided a number of unsatisfactory reasons for the unavailability of anyone to allow us entry to the premises.

- 3) SIA doorstaff – complying with licence and managing patrons outside of premises – whilst visits conducted by officers have seen some improvement and SIA door staff stopping people from entering Celbridge Mews, there are still concerns raised by residents that either the incorrect number of SIA doorstaff are present, that they are not clearly identifiable and are not effectively preventing nuisance and disturbance. We have on occasion been informed that the DPS has had to go outside the venue to ask people to depart quietly though it is likely too late to prevent nuisance by the time this has happened.

Criminal Conviction of DPS

During the course of our investigations it was highlighted to us that the DPS received a criminal conviction in France in 2018 relating to a range of fraud charges. This was not highlighted to the issuing authority of her personal licence (Lambeth) though when it was they declined to remove her personal licence. We have asked the Metropolitan Police to ask further questions about this decision.

Ma Dame Visit 5-6 March 2022

REPORT 5-6 March 2022 / Ma Dame (Porchester Road) – F Keegan.

Adam and I attended the location at midnight (Sat/Sun) and parked around the corner so that our vehicle would not be seen

At 00.05 we walked past the venue, on the other side of the road. I saw that there were 40 (plus) young people congregating outside the entrance of Ma Dame. Directly opposite the venue were four cars were seen parked right up over the kerb each with two wheels on the footpath, which would make it difficult for someone with a wheelchair or pushchair to pass.

Reaching the bridge, we looked back and observed the venue for a few moments. Then I walked back on the same side of the road as the licensed venue, whilst Adam walked back on the opposite side of the road, watching out for me. As I approached the venue, there was still a large group of young people (all under 20 ?) and I noticed that the lady walking in front of me was forced to walk in the roadway/traffic to get past, which was potentially dangerous. I just about squeezed by without having to step into the roadway because two young men stepped back slightly when they saw me, I heard no music escaping from the venue. A short distance from the venue I found a further two cars parked largely on the footpath.

I have no doubt that most/all of the six cars I saw parked unlawfully on the footpath were there to pick up or drop off customers for Ma Dame. I also witnessed a minicab double parked, making it difficult for other vehicles (including buses) to pass by

It was very cold and so Adam and I returned to our vehicle and moved it to Westbourne Gardens and parked it very close to the junction of Porchester Road where we had a very good view of the venue. I witnessed the large group of young people slowly dissipate, but the young people were quite loud and some of them were clearly "excited". Only occasionally did the security staff and a lady (the DPS ?) intervene and ask small groups to be quiet and/or to move on. I saw no real effort to encourage them to "move on". I also saw several cars and buses having to slow down or even stop because of the numerous cars and minicabs stopping on both sides of the road close to the venue to pick up customers, and several pedestrians being forced into the roadway because the pavement directly outside the venue was fully occupied by young people

But by 00.50 the last small group of young people standing near the bus stop climbed into a large car and were driven off

Driving past the venue slowly it seemed to be shut with several black bags (of waste ?) deposited on their small private forecourt.

Ma Dame Saturday 10th August 2019 Photo AJ 1



Ma Dame Saturday 10th August 2019 Photo AJ 2



Ma Dame Saturday 10th August 2019 Photo AJ 3



Ma Dame Saturday 10th August 2019 Photo AJ 4



Summary of Videos and Photos

Video Submitted – Ma Dame Sunday 12th December 2021 01:43 – AJ

Video Submitted – Ma Dame Sunday 12th December 2021 01:47 – AJ

Video Submitted – Ma Dame 2021 WPR 14th November 2021 AJ2

Additional submission by Alex Juon, Interim Head of Service South & West, Public Protection & Licensing, Westminster City Council

The below refers to a series of videos and pictures that identify activity believed related to Ma Dame, 58 Porchester Road. These are examples of footage supplied to WCC and not exhaustive.

- 1) Sunday 28th November 2021 0040hrs – footage of entrance to Celbridge Mews – people appear to be inhaling nitrous oxide, significant noise, referring to club. Additional unknown people stood around entrance to Celbridge Mews.
- 2) Sunday 12th December 2021 0155hrs – footage of entrance to Celbridge Mews – people stood at entrance, gradually moving away with other people stood at entrance. Also cars parked/parking up in Westbourne Park Road. Associated noise.
- 3) Sunday 12th December 2021 0143 hrs & 0147hrs – footage of entrance to Celbridge Mews – people stood at entrance, gradually moving away. Significant noise.
- 4) Sunday 14th November 2021 0232 hrs - showing people standing outside cars on Westbourne Park Road in early house of morning. Sustained talking and shouting across street and by vehicles. Residents believe these cars relate to people who have left the club, as nothing else in local area open this late.
- 5) Series of photos taken pre-pandemic 10th August 2019 showing numerous people stood/sat at entrance to Westbourne Park Road believe having been in or going to Ma Dame.

Cassandri criminal convictions and links to organised crime

The Telegraph

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'Grand pere' gangster stands trial over France's heist of the century after blowing his own cover in 'novel'

By Henry Samuel [@HSALES](#)
12 February 2018 - 7:25pm

Twitter Facebook Messenger Email Print

The Daily Telegraph
12 February 2018



Jacques Cassandri, the alleged 'brain' in the case of the 1976 spectacular burglary of the Societe Generale bank of Nice | GREGG DEGENS/GETTY

A "retired" Marseille gangster stood trial on Monday for being the brains behind the most notorious bank robbery in modern French history after spilling the beans about his alleged leading role in a recent book.

In an apparent act of hubris, Jacques Cassandri, 73, had boasted about being the mastermind of the Heist of the Century - a £24 million robbery by a gang who burrowed into Société Générale bank in central Nice, southern France, from the sewers.

In *The Truth about the Nice Heist*, Cassandri - writing under the pseudonym Amigo - said he was tired of living in the shadow of the man assumed to have run the Ocean's Eleven-style bank job, Albert Spaggiari, who he claims in fact only played a minor role.

On 16 July 1976, after two months of drilling through the underlying sewers, a commando of 13 robbers finally broke into the vaults of the heavily-guarded bank.

They spent the next six days clearing 317 coffers of gold ingots, jewellery and cash amounting to 50 million francs - today worth around £24 million - before making their getaway just as the rising sewage waters began to flood the bank.



When police arrived, they found the words "neither weapons, nor violence, nor hatred," scrawled on the walls.

The treasure was never recovered, but police soon arrested Spaggiari, who first denied involvement then claimed to be the mastermind, saying he got the sewer idea from a novel.

In a *coup de theatre*, the former member of OAS, the shadowy French far-right nationalist group managed to escape; he jumped out of a 20ft-high window in the judge's office, was whisked away by a waiting motorbike, travelled to Paris in the boot of a Rolls-Royce and left France.

He spent the rest of his life on the run, making occasional appearances, including one in Rio in the company of Ronald Biggs, the notorious British train robber. From then on, the police spoke of him with almost affectionate respect. His own book on the heist was a bestseller, the story was turned into a film, and he died in Italy in 1989.

The plot thickened in 2010, however, when Cassandri published his book in which he set himself up as the mastermind behind the job – safe, he thought, in the knowledge that the robbery took place too long ago for him to be tried under French law.

However, he hadn't banked on [judges accusing him the following year of laundering the proceeds, charges which had not hit the statutes of limitations.](#)

He is accused of using his ill-gotten gains from the heist to buy a villa in Savoie, a night club in Marseille, land in his native Corsica and hundreds of thousands of euros-worth of fur coats owned by him or his family. The judges also point to his use of "seven gold bars" as a guarantee in one business venture.

Dubbed "the shorn one" due to his bald head, Cassandri is a well-known figure of the Marseille underworld with previous convictions for pimping, extortion and involvement in the notorious "French Connection" drug ring with South America in the 1970s.

In the Marseilles court in a suit and rectangular glasses, Cassandri described himself as a simple "pensioner" before the judge, who read out a dozen charges, including organised fraud, misuse of funds and aggravated money laundering.

"Jacques Cassandri's fortune and in consequence the Cassandri family appears to draw its hidden origin from the Nice heist bounty," concluded magistrates in their indictment, pointing out the "considerable estate" for a man who has never officially worked.

They said that the wealth of details in the book he admitted writing after police found the manuscript in his computer could only have been known by someone present during the robbery and who played a leading role in the notorious heist.

However, his lawyer, Frédéric Monneret said: "A novel is not a source of proof."

"He is the victim of a terrible boomerang effect," said Mr Monneret. "He always said that it was a novel and I don't think a court can convict on a novel."

During questioning, Cassandri confessed to playing a minor part in the heist, but told investigators he was "only" paid two million euros and quickly spent all the money.

He risks ten years in prison if found guilty.

The trial continues.

The Daily Telegraph
12 February 2018

rfi.fr

rfi

#COVID-19 #UKRAINE FRANCE AFRICA INTERNATIONAL SCIENCE & TECHNOLOGY CULTURE

Text by: RFI [Follow](#)

A 74-year-old French gangster was given a 30-month jail sentence by a Marseille court on Wednesday for crimes including influence peddling, misuse of company assets and undeclared work. But prosecutors failed to find definitive proof of his involvement in a 1976 bank raid, despite the fact that he claimed to have planned it in his memoirs.

Jacques Cassandri, who was convicted of extortion, pimping and drug trafficking after the dismantling of part of the French Connection drug-smuggling network in the 1970s, claimed to have been the brains behind the raid in his memoirs published in 2010.

But in court last month he said the claim was an empty boast.

In what was dubbed the "bank job of the century" at the time, thieves dug a tunnel under the Nice branch of the Société Générale bank, even installing hundreds of metres of electrical cable to provide lighting, and made off with 46 million francs (27 million euros) stolen from about 300 safes.

Crime historians have generally attributed the planning to Albert Spaggiari, who died in 1976.

But in 2010 Cassandri claimed he was the real Mr Big, prompting investigators to search for some of the proceeds in his various and complex business interests.

Prosecutor Etienne Perrin told the court that there was corroborating evidence indicating Cassandri's involvement and called for a five-year prison sentence and 300,000-euro fine.

But he was finally convicted of lesser offences and given a 200,000-euro fine and 30-month sentence.

Having already served six months in preventive detention, he is unlikely to serve any more time behind bars.

Irish connection

One of the convictions involved an Irish connection - an agreement that Irish estate agent Paul Blanchfield would pay Cassandri up to a million euros to obtain permission to build tourist accommodation in the Corsican district of Conca, partly in an area that was liable to flooding.

Blanchfield in court denied he was a victim of racketeering in court, saying that the sum of 65,000 euros that was finally paid was an "entry ticket".

Conca mayor François Mosconi was given a two-year suspended sentence and 200,000-euro fine and banned from holding public office for five years for his role in the affair.

Four of Cassandri's family were also convicted.

His wife, Marianne, was given a two-year suspended sentence, his son Antoine 12-months suspended, his daughter Jennifer two years suspended, and Antoine's wife, Vanessa, 18 months suspended for various crimes including misuse of company assets and fraud.

But a prosecution bid to close the Son des Guitares bar for three years failed.

At the age of 74, Marianne Cassandri works at the bar, outside which off-duty police officer Claude Da Luz shot dead a young man who was allegedly illegally employed to provide security there in January in an exchange of fire.

RFI
 French media coverage
 Cassandri family trial
 4 April 2018



Jacques Cassandri, qui s'était auto-proclamé dans un livre confession "cerveau" du casse de Nice en 1976 avec Albert Spaggiari, a été relaxé sur ce volet de l'affaire par le tribunal correctionnel de Marseille mais a tout de même été condamné sur un autre volet, moins médiatique.



Jennifer Cassandri with her father on trial in April 2018

Jacques Cassandri lors de son procès. © Maxppp - ROBERT Georges

Cassandri French Accounts 2020

PROCES VERBAL D'ASSEMBLEE GENERALE

L'an 2020, le 13/01/2020 à 10 H. les associés de la société AJC, Société à Responsabilité limitée, aRL au capital de 7 500,00 €, se sont réunis au siège social n°18 158 rue Diderot à 93500 PANTIN, en assemblée ordinaire, faite par convocation.

Etaient présents :

Mlle CASSANDRI Jennifer, Titulaire de 250 parts sociales,
Mr CASSANDRI Jacques, Titulaire de 470 parts sociales,
Mme CASSANDRI Marianne, Titulaire de 30 parts sociales,

Cassandri family
business accounts
signed by all 3
directors January
2020

L'Assemblée est présidée par Mme CASSANDRI Marianne.

Le président constate que les associés présents possèdent ensemble 750 parts qui représentent la totalité des parts et qu'en conséquence l'assemblée est habilitée à prendre toutes décisions ordinaires. Le président dépose sur le bureau et met à la disposition de l'assemblée :

- 1) Les doubles des lettres de convocation signés par les associés.
- 2) Le rapport de gestion du gérant.
- 3) Les textes de Résolution soumis à l'approbation de l'assemblée.
- 4) Le bilan, le compte de résultat et l'annexe.

Lecture est donnée de l'ordre du jour qui est le suivant :

- * Approbation des comptes 2019
- * Affectation du résultat 2019


- Lecture est donnée du rapport de gestion.
- La discussion est ouverte. Après discussion, le Président met successivement aux voix les résolutions suivantes à l'ordre du jour :
- 6et donne quitus à la gestion.
- Cette résolution est adoptée à l'unanimité.
- **2^{ème} Résolution** : Il est décidé par la collectivité, que le résultat constaté pour l'année 2019 est affecté au compte report à nouveau.
- Cette résolution est adoptée à l'unanimité.

- L'ordre du jour étant épuisé, la séance est levée à 11H00.
- Le présent procès verbal est signé par la gérance et visé par tous les associés présents à l'assemblée.
- Les doubles des lettres de convocation signés par les associés.

Mlle CASSANDRI Jennifer
Gérante et Associée

Mr CASSANDRI Jacques
Associé

Mme CASSANDRI Marianne
Associée



**Annex 3
Environmental Health Service representation in support of review**

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 22/01181/LIREVP

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson

TELEPHONE

DATE 7th March 2022

The Licensing Act 2003

Re: 58 Porchester Road, W2

I refer to the application for review of the Premises Licence.

The review of the premises licence follows the outcomes of the community trigger served on Westminster City Council by residents.

The review application has been submitted by the Licensing Authority due to the premises not supporting the licensing objectives of Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance.

The premises operate under licence number 15/09364/LIPDPS.

The applicant has not stated the remedial action or desired outcome sought from the review that is no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

Environmental Health as a responsible authority will submit a full list of complaints, visits and outcomes prior to the sub-committee hearing in line with the timescales recorded under the review.

Should you wish to discuss the matter further please do not hesitate to contact me.

**Ian Watson
Senior Practitioner Environmental Health (Licensing)**

List of Complaints

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 22/01181/LIREVP

FROM EH Consultation Team

REFERENCE BEING DEALT WITH BY Ian Watson

TELEPHONE

DATE 4th April 2022

The Licensing Act 2003

Re: 58 Porchester Road, W2

I refer to the application for review of the Premises Licence.

The following is a list of complaints made against the premises and officer visits since 2015.

Sunday 27th February 2022 @ 00.18 hours. Complaint of extremely loud music from Ma Dame Nightclub. Customer does not want to be called back. Incident logged only.

Sunday 12th December 2021 @ 01.04 hours. Complaint of noise coming from the nightclub through the party wall and are breaching licensing conditions - this is an ongoing issue - has been reported previously on many occasions. Customer reporting noise through party wall but does not want a call back.

Sunday 5th December 2021 @ 00.33 hours. Complaint of cabs and cars pulled up either on the pavement or blocking Porchester Road. Horns beeping, shouting. No security or street marshals at the nightclub moving the traffic on. Premises visited by city inspectors @ 01.20 hours and area all quiet.

Friday 3rd December 2021. ECHO request - litter and drug paraphernalia reported within Celbridge Mews W2. Area visited by city inspector @ 13.11 hours and attended Celbridge Mews, no litter or evidence of drug usage found.

Sunday 28th November 2021 @ 17.31 hours. People leaving the night club Madame at between 3:05 AM and 3:25 AM getting into cars and hanging around, engines running, hooting car horns, shouting in the street and drinking on the street. Noise officer states, historical noise; spoke to customer previous day.

Sunday 28th November 2021 @ 14.46 hours. Group of youths linked to Madams (6 or 7) using hippy crack and urinating and noise in Mews at 00.34. No visit required linked to previous reports.

Sunday 28th November 2021 @ 14.46 hours. Noise from Madams - bass music through party wall on 27/28 until 3.00am. No visit required linked to previous reports.

Sunday 28th November 2021 @ 13.01 hours. Loud music was being played on the 26/11/2021, 27/11/2021. Customer contacted @ 13.17 and advised that Licensing and Alex Juon is dealing with ongoing issue.

Sunday 28th November 2021 @ 11.13 hours. I realised we were probably in for yet another rough Saturday night at Ma Dame when I saw numerous cars pulling up and dropping people off opposite our house in Westbourne Park Road at 11:30 p.m. there is always an element of cockiness and aggressiveness to the arrival of these people as they invade our territory late in the evening. I was not to be disappointed because sure enough at about 3:30 a.m. The noise started, cars revving their engines, people shouting at each other across the street, even from the doorways of houses where I know they have no right to be trespassing. This sort of behaviour would be a nuisance at the best of times but at 3:00 in the morning it is totally out of order and shows no respect for any of the residents of the road who are trying to get a night's sleep. These complaints are ongoing as I'm sure you are aware, the only respite many of us have had from these activities was sadly during lockdown. I think that says it all. Customer contacted @ 11.19 hours and discussed issues and advice given.

Sunday 28th November 2021 @ 08.52 hours. Patrons leaving Ma Dames nightclub at 3.00/3.30 am getting into cars parked on Westbourne Park Road. Horns honking, shouting, cars engines revving, patrons loitering on doorsteps drinking. Customer contacted @ 09.20 hours and main issues relate to noise from patrons and vehicles leaving. Advised to log incident rather than report at time of call. Advised it would be helpful if officers could attend and witness activity at time of occurrence. Refer to Area Team. On-going issue, talks have been held with P King and local residents. Nights team have been doing ad-hoc visits to the premises.

Sunday 28th November 2021 @ 08.33 hours. MA DAM night club customers screaming shouting abusive language from 11pm last night until 3 am today this has gone on for years and they should lose their licence this is not the area for a nightclub. Customer contacted @ 09.19 hours and discussed issues - mainly cars and patrons. Ongoing for several years. Customer advised to report at time to enable officers to attend and witness activity. Customer stated he doesn't want to call at the time as he doesn't want to be disturbed by a call back. Customer advised that he can report on line and request not to be called.

Saturday 27th November 2021 @ 17.00 hours. A crowd of people who appears to be leaving the club. Customer contacted @ 17.23 hours and advised I will forward to area team to follow up for him. On-going issue, talks have been held with P King and residents. Nights team have been doing ad-hoc visits to the premises.

Saturday 20th November 2021 @ 16.50 hours. A crowd of people leaving the night club Madame. Duplicate complaint - referred to area team.

Saturday 20th November 2021. Pro-active visit made @ 22.05 hours to premises following recent meeting with residents. Club was closed and not operating. Further visit made 26th November @ 01.30 hours and club was not operating, although there was a large private party taking place nearby in Gloucester Terrace.

Saturday 13th November 2021 @ 08.55 hours. The noise came from patrons of the night club leaving and dispersing into Westbourne Park Road. Groups of people screaming and shouting. Cars parking, doors slamming. People gathering to take drugs together. This went on from just after 2am until 2.45am. I have filmed an example of the activity.

Customer contacted @ 09.54 hours and said he called to log the issue as he was told by Paul King to call the next day. Visit not required no further action.

Friday 22nd October 2021. Pro-Active visit by City Inspector @ 00.00 hours. Visit was a licence check on the door staff, the checks are available on public register on the SIA website to anyone to check. There were 4x SIA doorman on duty, one of them was stationed at the entrance of the Mews, all 4 on high viz jackets. All 4 badges came back ACTIVE as per attachment and valid. At the time of my visit, I head counted 26 costumers inside and none outside.

Sunday 3rd October 2021 @ 14.04 hours. The location was the frontage outside the night club and across the road in Westbourne Park Road outside our home. This started when the revellers were leaving. A small fight, glass breaking and cars engines and wheel spins. Customer contacted @ 14.40 hours and unable to make contact, no visit required.

Sunday 3rd October 2021 @ 09.16 hours. On the corner of Porchester and Westbourne Park Road. Complainant contacted @ 10.00 hours and he requested that his complaint be logged. I stated that this is an ongoing issue and that reports, and further investigation will be carried out by local CI's and licensing team.

Sunday 3rd October 2021 @ 01.39 hours. Complaint of loud music and shouting. Customer contacted and ongoing visit required. Responding to a noise complaint, we visited outside the premises there was a large group of people outside. E-mail to owner on return to office.

Hi Jennifer

Thank you for your time earlier, when arrived opposite your premises this morning, 03.10.21, at around 02.25 hrs.

As we discussed, when we arrived and turned onto Westbourne Park Road, it looked to us like there had, or was potentially about to be some disorder between about 15 persons. Some of security staff were already in the road attempting to move people along, as cars seemed to be coming and going to collect people etc. As we continued to drive down Westbourne Park Road, 5 males ran away, one of whom was reaching for his waist band and seemed to be holding an item. I can understand why a resident may have concerns and as I explained, we were actually called there to deal with a noise complaint.

Please as agreed already, save the CCTV footage from this morning, 03.10.21 between 0100hrs and 0230hrs so that we can ensure there was no issues inside the club, which spilled onto the street. This can then be shared with my colleague Mr Franks from Westminster and the Police licensing team to review. If there is any footage that covers what occurred as people left the premises, please include this also.

I note you had a TEN for last night, 02.10.21, can you please confirm this was correct and should not have been used for tonight instead? 21/08999/LITENP

It also appears you owe your annual fees for 2020 and 2021, which should be paid immediately, using our website.

Many thanks, please reply to all in the email chain as I work shifts and Glyn will take forward any issues from Westminster.

Saturday 18th September 2021. Pro-Active visit @ 02.00 hours. Spoke with one of the SIA'S (Bobby) and he was controlling approx 15 young people on leaving the premises. He called out the manageress (Jennifer) and I said I was pleased with how the staff were operating especially asking for leaving customers to keep the noise down.

Sunday 5th September 2021. Pro-Active visit to check dispersal following complaints. We observed the dispersal at 02:00, about 30-40 people were scattered along the footway outside the club waiting for a cab, this went on for about 15 or so minutes and was managed by the DPS the entire time, she was actively dispersing the crowd and ensuring there was no noise. During this time there was audible chatter but no excessive behaviour.

Saturday 28th August 2021. Pro-Active visit with regard to noise complaints. I was at the location from 01:35 until 02:10 and there was no noise to report. There were 4 SIA doorman on duty as well as manager and the DPS, only 50 people turned up for the event No issues to report.

Sunday 22nd August 2021 @ 07.50 hours. They overserved alcohol a girl last night and she vomited outside my front door. They kick everyone out at 2.30am and then they stand under my window shouting and whooping waiting for their taxis. Then the taxis are beeping to let people know they're there. Then the traffic is beeping because the taxis block the road. Customer contacted @ 19.10 hours as job not picked up by day shift. Customer said very drunk lady came out of the club and was sick on her doorstep. They went to the club and asked they clear it up and they refused. Said I would refer to GF.

Sunday 22nd August 2021 @ 02.16 hours. Complaint of loud shouting outside the night club. Tried to contact customer @ 02.49 hours but incorrect telephone number. E-mail to GF.

Saturday 14th August 2021 @ 02.44 hours. Complaint of crowds of people congregating on Porchester and Westbourne Park Road from Ma Dames night club from 1.50 am now 2.45am. Shouting screaming cars revving. Chaos! Started 1.50am and continuing now 2.45am. Customer contacted @ 03.25 hours and no visit required. Customer stated the venue was now closed and I advised I would raise his concerns with licensing.

Saturday 14th August 2021 @ 00.20 hours. Complaint of attendees to Club are parking on double yellow lines, occupants of cars shouting, litter left, i.e glass bottles. SMS sent to customer @ 00.40 hours no contact required.

Sunday 16th February 2020 @ 10.38 hours. Complaint of groups of drunk clubbers going to Ma Dames on Porchester Road between 11.30...12.30am. Continuing intermittently with most noise after 3am as people began dispersing from the club onto the streets. Customer does not want to be contacted.

Sunday 16th February 2020 @ 03.24 hours. Complaint of noise from passers by being loud and shouting as they leave the club, also people being loud waiting for transport. Customer contacted @ 03.30 hours and informant said the noise has stopped.

Sunday 16th February 2020 @ 03.18 hours. Complaint of huge number of very drunk very belligerent guests stumbled out at 3 am and made a huge and disturbing set of noises outside, waking up our whole house. SMS sent to customer @ 03.38 hours.

Monday 10th February 2020 @ 08.48 hours. Event happened on the 7th February 2020 when people leaving ma dame nightclub make a terrible noise, and rev their cars for a long

time on Westbourne Park road. Why is this allowed in a residential area? Call-back attempted @ 09.17 hours but no facility to leave voicemail.

Friday 7th February 2020. Pro-Active visits requested for observations on noise nuisance at terminal hour, plus waste disposal. Visit on 23rd February @ 02.45 hours and premises closed due to COVID. Visit on 7th and 8th March @ 17.62 and 01.26 respectively and premises closed on both occasions. Visited 19th March 2020 @ 23.11 and 23.23 and business closed.

Saturday 25th January 2020 @ 22.45 hours. Pro-Active visit and DPS approached regarding late night dispersal and waste issues. Venue hosting a birthday party with the dispersal at 01:30. Waste presentation issues discussed as staff seen depositing black bags on the pavement.

Monday 16th December 2019 @ 09.52 hours. Complaint of loud raucous revellers leaving the club. There was such a dinner outside, and I looked out to see three cars doing three-point turns in an almost orchestrated sequence – it was the most bizarre and totally dangerous thing. They then sped off. The noise continues further down the road towards the club and it was a while before I could get back to sleep and when I finally did I was almost immediately awakened by cars hooting. I can't prove it but it is to me beyond reasonable doubt that this was caused by Morava is leaving the club – who else needs to hoot when driving on empty roads in the middle of the night? Residents really have had enough of this club. It is time for action. SMS sent to customer.

Sunday 15th December 2019 @ 22.26 hours. Complaint of groups of revellers dispersing from Ma Dames nightclub. Cars honking, engines revving, music loudly playing from cars, screaming and shouting. Began shortly before 2am and continue until around 2.45. Customer contacted and no call back, prioritisation- no visit.

Sunday 15th December 2019 @ 01.58 hours. Customer states, It is currently 1:56 am and my ENTIRE household including young children were woken up and hugely frightened by massive noise, profanity, loud music, yelling, and drunken and unruly behaviour outside. SMS sent to customer.

Tuesday 3rd December 2019. Meeting at City Hall between council officers and representatives of the premises. The use of the TEN's notifications was discussed and the DPS responsibilities. Sorrora and Jenifer, explained the steps they were taking to reduce/minimise the disturbance to the residence in that locality.

- Bar closed prior to closing, no further sale of alcohol
- Music turned off.
- Small groups let-out from the club to help to reduce noise and let out to get their Uber/Taxi's
- SIA staff on site helps to encourage a quick quiet dispersal.
- Reluctant to take bookings from any promoter's not known to them or 18yr olds.
- DN & GF's outlined the way in which the DPS should apply for a TEN and suggested best practice. GF advised that the DPS should make notes of what steps and changes have been made and that these should be recorded on each TEN when making an application.
- Avoid making late TEN's applications.
- Only allowed 21 clear working days between each TEN application;
- Ensure that applications are submitted at the earliest opportunity.
- Describe in detail, what event you're holding;
- Engender good relations between the club and the residence of Porchester Road.

- Draw up contract between guest and club

GF's went on to add that in the event of a TEN being refused, that they are entitled to appeal. Keeping a record of all they've done, will help the panel to make a decision. The Directors also discussed, utilising the club for other non-licensable activities, such as a 'Comedy night' with French comedian's and catering to a specific crowd.

Sunday 24th November 2019. Pro-Active visit by city inspector @ 01.00 hours. Attended Ma Dame and was met by both DPS licensees. 2 x SIA members on site. Small group smoking upstairs and at the time of our visit, all generally quiet. Also of note was the fact that Porchester Hall had a Cambridge & Oxford black tie function with over 400 guests, who had arrived by coaches, event going on at the same time. Returned at 01:10hrs and met with SIA staff no incidents and no disturbance.

Tuesday 5th November 2019 @ 16.05 hours. Complaint of early morning of 2 Nov 2019, very considerable noise disruption on Westbourne Pk Rd from 03:00 to 04:00 when Ma Dame's Nightclub, 58 Porchester Rd, let out. Large number of revellers were lingering on the street, talking very loudly, playing car radios full blast & shouting down the street. They appeared intoxicated & unbalanced. Outrageous level of noise for a prolonged period of time. This has gone on repeatedly on weekends for over a year. We cannot sleep when this happens. Customer contacted and left message on vim that a CI will visit to advise licensed premises. Passed to Senior CI responsible for the area.

Tuesday 5th November 2019 @ 08.55 hours. Complaint of a crowd of clubbers leaving the night club gathering outside our property at the junction of Porchester Road and Westbourne Park Road. They were shouting, dropping glass bottles on the floor and taking in NOS canisters and discarding them on the street. cars were illegally parked with stereos on full. No regard for residents. This went on until 3,40am. It is not possible to sleep through this noise. City Inspector response, this is an historical complaint, as the event has already passed. However, the venue concerned has generated 3 complaints since 1/11/2019 to 4/11/2019 not to mention the various complaints received by this office in the months before. The licensee has engaged with the City Inspectors and is obviously concerned regarding how she can move forward. I have emailed her with a view to get together and give advice on what further steps are available to her. A major concern is the dispersal of patrons once the club is ending and the noise nuisance this generates. I will speak to Customer and update them with actions taken and proposed. I subsequently received a reply from licensee and contacted her as a result. She is clearly upset by the recent events and feels that, despite her efforts, she is being unnecessarily put upon. She also claimed that the recent TEN's application she submitted has been refused and believes that this is due to the recent noise complaints. I spoke with Licensing and the number of TEN's submitted by Ma Dame, have exceeded 21 in the year 2019. I have email Jennifer again in regard to this.

Monday 4th November 2019 @ 23.14 hours. Noise complaints. Unacceptable noise from the club ma dame of people walking out of the club. It keeps happening. Visit made @ 23.30 and premises closed. Referred to G Franks.

Monday 4th November 2019 @ 23.08 hours. This awful establishment that only seems to attract drunks and druggies yet again had an event that ran to 3 am yet again and after it closed the quantity of drunk people that came out of the club making huge noise and yelling profanities, waking up our whole household (including two young children) and frightening all of us. This KEEPS happening and we KEEP reporting it, and yet nothing seems to change, and they continue to operate and host events. This must be brought to an end. Visit made @ 23.30 and premises closed. Referred to G Franks.

Sunday 27th October 2019 @ 01.30 hours. Pro-Active visit This late-night venue has been the subject of numerous complaints about the noise caused by customers at dispersal time; some of these instances have been witnessed by WCC officers. Tonight, was the only night this weekend the venue has been trading, operating under a TEN. The DPS was present as required by a condition on the Licence. Walked through the venue no evidence of drunkenness or any breaches; the event is due to finish at 03.00. No complaints received at the time of this report!

Sunday 6th October 2019. Pro-Active visit after 01.00 hours. They should not be operating, no TEN application. The club have contacted us to suggest that they won't be open but are still receiving complaints from residents. Visit to the club @ 01.35 hours and premises closed.

Saturday 10th August 2019 @ 11.43 hours. Complaint of disturbances as gangs of predominantly young males began to gather in the street outside our house and neighbouring properties, drinking and shouting before wandering down to Ma Dames on Porchester road. The major disturbance began around 3am as people began to leave the premises. they continued to loiter in the street in groups along the road. Loud shrieking, cars honking, glasses smashing, music blaring from parked cars in the street, continuing until after 4am. Customer contacted @ 00.20 hours and advice given. Customer just wanted the complaint logged as she has already contacted the service on previous occasions and premises are already being investigated.

Saturday 10th August 2019 @ 09.44 hours. Complaint of shouting, partying, and general noise from 0315 until after 0400. Intermittent, but loud (>60dB at about 10 meters). Constantly felt like it was about to end, but it didn't. Sleep impossible. Frustratingly, it appears to be a regular Friday/Saturday affair, as it's been occurring nearly every weekend since June, and appears to coincide with activity at the Ma Dame nightclub nearby. Customer contacted and advice given regarding calling out service to witness.

Saturday 10th August 2019 @ 01.07 hours. Complaint of a lot of people are loud and also I can smell cigarette and other substances in my room. Customer contacted @ 01.35 hours but no answer, no facility to leave a message.

Friday 9th August 2019. Pro-Active visit @ 03.00 hours. Visit with South team. Main purpose of visit is to see how the premises operate at dispersal (TEN in place so closing at 3am), however, noticed some disturbance at this time. Returned at 3am & observed until 4am. A lot of disturbance, customers parked cars in the road with music escape, people all over pavement & road, a lot of noise from talking, laughing etc. Full details sent to the relevant officer.

E mail from City Inspector on the 5th August 2019 to owner/DPS

Good Afternoon, Jennifer

I am writing to you as the DPS for the above club.

I see that you intend to hold an event on Friday the 9th of August, under the authority of a Temporary Event Notice. I note that you intend to comply by the conditions of your Premises Licence, which are quite onerous.

However, despite these conditions, we have evidence of noise and nuisance arising from your venue; specifically, most recently on the 28th of July.

The nuisance being generated by your club contravenes the principles of the Licensing Objectives and could make you vulnerable to a review of your Licence.

I hope that by contacting you prior to the event, you are able to manage this weeks party without such nuisance.

Kind Regards

Glyn Franks

Friday 2nd August 2019. Pro-Active visits organised by City Inspectors. Visited on the 3rd August and premises closed and not trading. Visited on the 4th August 2019. Club trading with a private 40th birthday party: 68 customers. I spoke with the DPS whilst SB and FHA had a walk through the premises. No issues at the time. Later we returned at around 01.20 to observe the dispersal. The club closed at 01.30 and the customers were seen to loiter in the area; no drunkenness or bad behaviour but the general conversational noise was audible from 50 metres away. The SIA staff and management tried to move the guests towards Queensway, which proved a little bit confrontational in itself. By 01.55 the area was pretty clear, and we discussed any lessons learned back at the club.

Thursday 1st August 2019 @ 18.28 hours. Complaint of huge disruption and abhorrent behaviour spilling out of Ma Dames Nightclub at an ungodly hour of the morning (3:30 am) on Saturday night / Sunday morning. I've complained before about this, as have our neighbours, as this is simply UNACCEPTABLE. Same as always, hordes of people, predominantly people of color, clearly incredibly drunk from the nightclub, yelling, screaming, music blaring, cars honking, and even fights breaking out. It woke up our whole house, including two young kids. Customer contacted @ 18.56 hours and noise not happening now. Customer should contact the service when being disturbed in order for the duty officer to attend and investigate.

Unidentified date 2019. Pro-Active visit. Arrived at venue at 3am. There was nothing of note in the area – it was quiet. However, shortly after arriving people started to leave the club in small groups & left the area without causing any noise issues. After that people were leaving but staying in the area & by 3.15 there were about 30 people gathered outside, opposite & some in the island in the middle of the road. With the people gathered all around the premises cars were unable to pass by easily. There were no SIA moving people along. The customers did not seem intoxicated but were staying around to continue the party, talking, laughing etc. 03.20 – crowd built up to about 50, on both sides of the road & also on the far side junction of Westbourne Park Road & Porchester Road. 03.33 – light rain, the crowd reduced to approx. 35 – laughing loudly, standing & dancing in road (danger from cars). One car parked right by the zebra crossing, customers sitting on the front of the car having photographs taken, music coming from car (quite loud); party atmosphere. 3.43: Quite loud cheering – no sign of SIA (Picture taken by MA). Cars beeping due to people in the road. 3.48: increase of music volume / beeping / shouting. Customers showing no awareness to surroundings. 03.50: Slight decrease in numbers but still more than 25 – cars causing problems at zebra crossing as one car parked & playing music while people gathered around it – difficult for other cars to pass. 4.00: No real improvement. It appeared that the premises was closed, no sign of SIA or premises management. Enough information obtained so left the area.

Note: At about 3.15 five men, possibly Arabic, were walking on the pavement opposite the premises. A small altercation took place with some of the group trying to calm the situation. It didn't really amount to anything but fyi as they were definitely not customers and if they caused a disturbance, it could be assumed that they were.

Monday 29th July 2019 @ 09.48 hours. Complaint of shouting, screaming, car doors constantly slamming and car engines revving. This went on for at least 10 minutes. It woke me up. Customer contacted @ 09.59 hours and voicemail left with advice to contact when noise occurs.

Monday 29th July 2019 @ 09.48 hours. Complaint of I live in Clifford Court on Westbourne Park Villas W2. At 03:30 I was woken by shouting, screaming, car doors constantly slamming and car engines revving. This went on for at least 10 minutes. It woke me up. Customer contacted @ 09.59 hours and voicemail left with advice to contact when noise occurs.

Sunday 28th July 2019 from 3am till approx.4.30am. Complaint from resident. We were awoken, yet again, around 3 am as large numbers of clubbers began to disperse out of Ma Dames into Porchester Road. Many were lingering outside the venue, others on the corners of Westbourne Park Road, Westbourne Gardens and Westbourne Park Villas. Most showed no signs of doing anything other than continuing to party outside. There was much of the same...screams and shouts, cars parking, engines revving, music blaring etc. Following our previous complaints to Westminster Noise team, we were advised to record any disturbances as they were happening whenever possible and to phone them at the time of the event.

My husband went to the corner of the Westbourne Park Road by the zebra crossing with his phone to do this. Whilst recording, a woman approached him, demanded he stop filming and lunged at him grabbing his phone and knocking his glasses off his head. As he wrestled to regain his phone, other males from behind then joined in to kick and punch him. The security guards on the door witnessed this and ran over to try and pull people away. This was no easy task as there were as many as 50, 60 people...maybe more. At this point, around 3,30am, he called the police who arrived shortly after. He has made a full statement and will provide them with video footage.

I have a series of photos that I took witnessing cars and people milling around outside our house, number xx WP Rd, which I can provide as evidence also.

Having spoken to the Noise patrol, the only thing that we can all repeatedly do is to report these incidents. There are already a number of complaints that have been logged. The more people who respond to these disturbances the better if we are to stand any chance of preventing this from reoccurring. Westminster can do nothing about the street disturbances per se (their remit is noise emanating directly from the club), but have assured us that we have a strong case which they will support through the evidence of complaints should we pressure the council to review the operator's licence at review, which we think is yearly.

Sunday 28th July 2019 @ 04.57 hours. Complaint of people shouting on the pedestrian in early morning (3-4 AM) plus someone keep pressing the doorbell randomly trying to enter Vere Court. It has been happening (i.e., people randomly pressing the doorbell) which is tolerable on normal working hours but not at midnight/early morning. We have an infant at home so it is really disturbing. SMS sent to customer @ 05.17 hours and noise had stopped. See investigation below. Source of disturbance believed to have originated from the club.

Sunday 28th July 2019 @ 04.24 hours. Complaint of people keep ringing my door and are very loud in the street. Complaint not logged against the club but source of problem originated from the club. See below for actions.

Sunday 28th July 2019 @ 03.32 hours and 04.03 hours. Complaint of people outside the end on the street. 60 people hanging around. Customer contacted @ 03.53 hours and officers in the area who drove by club, closed but door supervisors outside the premises. Groups of largely male black youths in the street making a lot of noise by shouting. A car was parked in the middle of Westbourne Park Road on the junction with Porchester Road. Lots of males around the cars shouting. Other cars were having to navigate around this car. Assumption made the males had come from the club. Drive by again at 04:35 and fewer people in the street but the car with occupants still in the road. Did not appear to be a break down. I telephoned the second customer at 04:10. He said he had gone outside to film the club and was assaulted, and the police were called. I advised that he contacts licensing. DS contacted who said the club had a TEN and had a TEN for next week. MJ and then GF emailed. Was very unpleasant in the street and too hazardous to stop get out of the car and make enquiries.

Friday 19th July 2019 @ 01.00 hours. Proactive visit by City Inspectors. Large crowd outside the club on pavement and road. Spoke to doormen and DPS.

Sunday 14th July 2019 @ 23.20 hours. Complaint of noise from patrons leaving Ma Dame's nightclub. Congregating in Westbourne Park Road in groups. Engines revving, cars honking, doors slamming, shouting continually until almost 3am. The club is supposed to have security to shepherd clients away from the residential areas. There should be no cars private or mini cabs waiting in the neighbouring streets. This is another of many incidents where the club abuses its licence. Tried to contact customer @ 23.55 hours and number did not connect. No visit made.

Saturday 11th May 2019 @ 03.00 hours. Pro-Active visit by City Inspectors as venue received a complaint the previous week regarding noise and nuisance by customers at terminal hour. Visited the venue with RA at the same time as previous complaint related too, however, the club was closed and not trading. There is no particular set pattern to when this venue is open and trading. Indeed, RA visited the next two nights and the premises were closed each time. Matter closed, but to continue to monitor.

Tuesday 7th May 2019 @ 20.31 hours. Complaint that at 3:30 am there was a crazy amount of noise / yelling / bottles smashing / cars honking on the street as very drunk and loud people piled out of the Ma Dame nightclub. This is completely unacceptable as SEVERAL times that this is happening and has been reported. This nightclub needs to be shut down. It is dangerous and entirely inappropriate for a neighbourhood with so many families and children. It woke up our whole household and our children were frightened as were we. Customer contacted @ 20.40 hours and no visit required. Complaint relates to noise occurring 03:00 on Monday morning. Customer wanted to make us aware of the issue. Team responsible for area have been notified to follow up on a licensing visit to premise.

Monday 6th May 2019 @ 12.39 hours. Complaint of large numbers of people screaming, shouting, smashing bottles were milling around in the street yet again following an event at this club. Cars were revving up and down the street, horns honking between the hours of around 3.15 to 4am. This is not the first time an incident like this has occurred. This behaviour is totally without respect to the fact that this is a quiet residential area with many families with young children residing here. The level of noise made it impossible to sleep.

Customer contacted @ 13.01 hours and noise had stopped. Advised her we are 24 hours service and to call back when noise in progress.

Monday 4th March 2019 @ 11.39 hours. Complaint of a major disturbance between approx 1.30 to 2.30 am as people poured out of Ma Dames. Crowds of clubbers were in the street, drinking, shouting, throwing glasses and many cars were honking horns, blaring out music and blocking the road. Police were called but informed us they have limited powers and advised us to report this to you. We have photographs and video evidence and wish this incident to be logged in case of possible re occurrences. We have informed the nightclub directly. Customer contact @ 11.54 hours and advised her to contact us when the noise is happening.

Friday 9th November 2018 @ 19.54 hours. Complaint of up to 10 people outside her club drinking and shouting in the street. Customer contacted @ 20.25 hours and telephone call, no answer, left a message on voice mail.

Friday 24th November 2017 @ 22.00 hours. Proactive visit for New Year activities. No details recorded on system.

Saturday 4th November 2017 @ 22.49 hours. Complaint of loud music coming from the property. Customer contacted and visit made @ 23.40 hours and minor bass audible in lounge and bedroom not nuisance, but levels just need tweaking slightly. Advised complainant would get in touch with the venue and arrange to reset limiter / levels. Discussed with the manager Soraya 0788xxxxx premises only opens for 1-3 nights a month, advised of issue, she is keen to resolve and asked if the complainant can contact her to when convenient to set the levels. advised would ask the complainant if they are happy for this otherwise EH to reset limiter. E-mail sent to owner.

Dear Jennifer,

We received a complaint regarding loud music coming from your premises on the 4th November 2017, I visited the complainants' property and some low level bass was audible in the complainants lounge and bedroom at 23:40 hours.

In the first instance please ask the manager / manageress to contact me to discuss the issue and look for a solution to resolve it. I think you have sound limiter at the venue and I'm of the opinion that the noise levels in the premises would only need to be tweaked slightly to resolve the issue.

I look forward to your response.

Kind Regards

Andrew

Dear Andrew

I hope this email finds you well.

Could you kindly call my Manager Soraya on 07884xxxxx.

We would like to get this matter sorted and hopefully keep everyone happy.

Kind Regards

Monday 20th November 2017 @ 13.41 hours. Spoke to the complainant he would prefer us to be present. Called club back have difficulty attending when they are not open, advised in their interests to be there, any more complaints received could result in s80. Club advised they will contact me when they are next open to try to see if we can attend. they asked if we could attend this Saturday but advised not possible due to busy time of day for us. Limiter set at property with consultation team.

Thursday 15th June 2017. Pro-Active visit by licensing enforcement officers but no actions noted on system.

Friday 2nd June 2017 @ 22.50 hours. Pro-Active visit by licensing enforcement officers as a result of an incident on 12.05.17 when a fight occurred during a private function at the club. The club manager was not available at the time, but the assistant manager was conversant with the details and CCTV coverage of the incident was seen. Security staff employed on the night in question adequately managed the situation at the time and no further action is to be taken at this time.

Friday 12th May 2017 @ 23.40 hours. Pro-Active visit by licensing enforcement officers. We saw a big crowd outside venue as we were driving past. There were police in attendance and there was a lot of shouting and shoving. 2 arrests appeared to be made. The DPS for the venue (Jennifer Cassandri) stated there had been an 18th birthday party and it all kicked off outside the premises she also said it had been a mistake to have an event for such a young crowd. We spoke briefly to the police but left them to it. 13.05.17 FWK - sent query to Police Licensing Team to see if they have more information. Matter passed over to Team 5 for follow up visit.

Tuesday 24th January 2017 @ 13.04 hours. Caller does not believe that the night club has properly soundproofed the dance area as she can hear the music coming through her back wall. Customer contacted @ 13.48 hours and left voicemail that may be better to call during a night shift.

Friday 21st October 2016 @ 23.45 hours. Pro-Active visit by licensing enforcement officers regarding an objected TEN. Spoke to DPS, Jennifer Cassandri, who submitted the TEN. After a lengthy conversation and viewing a series of emails from Gemma Hanson and Steve Rowe on her phone, it became apparent that a second application for a late TEN (16/11194/LITENP) had been submitted. 20.10.16 - Email from Steve Rowe in Licensing concerning TEN (16/11336/LITENP) made invalid due to being received too late. The event in question was scheduled to take place between 21:00 on 22.10.16 and 03:00 on 23.10.16. This in effect would extend the venue's terminal hour (01:30) by an hour and a half.

Friday 4th March 2016 @ 21.50 hours. Pro-Active visit by licensing enforcement officers due to some noise complaints in the earlier part of the year, but due to the club being closed was unable to visit until now. Spoke to manger/DPS Jennifer Cassandri License number 13/xxxxx/PERSON, she advised me that they were closed during the month of January as December was very quiet, she also has a noise limiter on her sound equipment as stated in her license. I have left her my business card as there were no other issues in the business. Also spoke to the head door man SIA badge 083061716xxxx- Piotr Pawelec. Also discussed changing the name from Shimmy to Ma Dame on the license which she said she has done and awaiting the new license.

Monday 7th December 2015 @ 10.31 hours. Complaint of people yelling in the streets, drunken, peeing...Chatting in the street, loud music from a very noisy recently opened club. Anon complaint no contact details.

Wednesday 6th November 2013. Noise limiter set by Environmental Science team.

Ian Watson
Senior Practitioner Environmental Health (Licensing)

Annex 4
Police representation in support of review

Your
Our **22/01181/LIREVP**
Date: 2nd March 2022



**METROPOLITAN POLICE
SERVICE**

Police Constable Reaz Guerra
Westminster Police Licensing Unit
Westminster City Hall
Fourth Floor
64 Victoria Street
London
SW1E 6QP

Telephone: 020 7641 1705
Facsimile: 020 7641 4236
Email: rguerra@westminster.gov.uk

Application to Review Premises Licence
22/01181/LIREVP - Ma Dames - 58 Porchester Road, London, W2 6ET

With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting in support of this review application as it is our belief that the use of the premises undermines and fails to promote the Licensing Objectives.

Further additional evidence will be submitted in support of this review.

Should you wish to discuss the matter further please contact PC Reaz Guerra on 0207 641 1709 or via email, rguerra@westminster.gov.uk.

Yours sincerely,

Reaz Guerra
Police Constable
Westminster Police Licensing Team

Summary of 9 CAD Incident Reports plus the 9 Incident Reports

CAD Number	Date /Time	Incident Details
734	12/12/21 0130 hrs	Manager of MA DAM has called police requesting assistance to deal with customers in the street. Police attended and stated that Cassandri explained she has it in hand and doesn't need assistance.
806	12/12/21 0158hrs	Resident has complained about the noise and witnessed the above Disturbances, then has alleged he was shoved by a security guard at the club. This was reported on CRIS 6553257/21 whereby the informant has then stated he does not wish to proceed with a formal investigation. VIW does have images of the SUS.
7242	09/12/21 2230hrs	A resident has called logging a complaint that the door staff at the venue are not wearing SIA badges and that there is not 4 door staff there.
4708	27/11/21 0030hrs	A residents recording that at around 0030hours whilst the club is operating, a group of young male adults gathered in Celbridge Mews to street drink and consume nitrous oxide through balloons. They were loud and shouting causing ASB
895	13/11/21 0217hrs	Member of staff from within the club has called police to state that they have closed the club and dispersed guests. However they are not leaving and causing a disruption to the street. Requesting police assistance to leave.
859	13/11/21 0214hrs	unknown caller, suspected Manager of MA DAM has called police requesting assistance as the guests leaving the club were allegedly fighting. Police attended no fight. The manager was not on scene, group were around 30 in numbers and slowly dispersing.
3793	01/11/21	A resident reporting that in the early hours of the morning, whilst the club was still operating, she witnessed several people coming into Celbridge Mews and urinated by her doorstep.
954	16/10/21 0239 hours	A resident reported that the club is still operating loud music past its licence times. The noise is coming through her party wall.
1519	26/09/21 0416hrs	A resident has reported that guests from the club are still outside on the street, drinking and shouting loitering around cars parked up. He stated this is an ongoing occurrence and disturbance that he sees regularly as a result of the club.
656	20/06/20 0130hrs	Residents reported that at 0130hours a group of around 15 individuals were entering the club – this was in breach of lockdown legislation. Police attended at 0330hours, no gatherings could be found.

Crime Number	Date	Details
6544191/21	01/11/21 0100hrs	A residents went out to record the ASB in the street – one of the guests from the club threatened this residents stating "I know where you live ill come and smash up your cars ETC, investigation is still underway.
6551025/19	28/07/21 0330 hrs	A resident was gathering evidence on the street of the club operating past its allowed times. When a customer from the club approached from behind and attacked him physically. Police investigated as far as possible and circulated a picture of the suspect whom is yet to be identified.

6553171/18	30/09/2018	Female reporting a theft of her bag, believed in the club however no evidence to proceed.
------------	------------	---

Ref	Date	Details
CWRT01045442	31/10/2021	Criminal intelligence report – Sunday 31st October 21 @ 0215hours: A resident has reported that a male has entered Celbridge Mews with a baseball bat walked around then left after a few minutes. Believed linked to the club.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 734:12DEC21

INCIDENT No. 734 entered at 01:51 on 12DEC21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :E (Emergency)
Call Tel : [REDACTED]
Call Name: [REDACTED] - MANAGER
Call Type:S (Staff on Duty)
Call Mail:
Cntct Tel:
Att Locn :58 PORCHESTER RD, W2:MADAME

[REDACTED]

Opening 1:215 (ASB - Nuisance)
2:202 (Rowdy Or Inconsiderate Behaviour)
3:600 (Alcohol)

Open Text:
Urgency :E (Extended)
Major :
VRMs :
Proposal :
Assigned :
DeAssign :AW6N, AW20N
TOA :01:59:00/12DEC21

DO Name :
DO Tel :
CRIME REF:
Class 1 :215 (ASB - Nuisance)
Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)
Res 1 :703 (No Offences Disclosed)
Clo Text :ASB URN NOT REQUIRED P215303
O Dealing:
Metops :
CHS Demid:20211212025803

Linked :explicitly to 806:12DEC21
Linked :implicitly to (none)

CONTINUED ...

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 734:12DEC21

Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

No Comments for this Location

Remarks:

Time Date Opid Termid

12DEC21 CHS CHS (pre 1st routing)
01:53:49 CREATED IN: CHS AT: 2021-12-12 01:51:41 CAD AT: 2021-12-12

=====

ENTERED BY: CHS (p215918) AT: 2021-12-12 01:53:24
^INFT - THERE IS A LOT OF CUSTOMERS THAT ARE NOW OUT ON THE
STREET
BEING NOISY, DISTURBING THE NEIGHBOURS
APPROX 30 MALE AND FEMALE
01:58:56 12DEC21 098748 H2720 #2
AWN CIRC PR #1
02:03:48 12DEC21 098748 H2720 #3
^4518AW THE SECURITY HAVE THIS IN HAND UNIT TO HOLD BACK POLICE
WOULD
POSSIBLE AGGREVATE THE SITUATION CURRENTLY NO OFFENCE
02:48:14 12DEC21 098748 H2720 #4
** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":
STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE
PAY NO
RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT
REQUIRED
THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION
MAKER
** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **

Previous Actions:

Time Date Opid Termid ACTION

01:53:49 12DEC21 CHS CCC:CCH O() 215:ASB - NUISANCE,202:ROWDY OR
INCONSI
01:53:49 " " " O& 600:ALCOHOL
" " " PI
01:53:52 " 098748 DIV:AWN AK
01:59:21 " " " AV/AW6N

02:01:21 " " " AV/AW20N

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
 PAGE 3

INCIDENT No. 734:12DEC21

Time	Date	Opid	Termid	ACTION
-----	-----	-----	-----	-----
02:01:31	12DEC21	"	DIV:AWN	TOA/AW20N/0159
02:07:15	"	084312	"	DA/AW20N
02:48:07	"	098748	"	CTX()
02:48:13	"	"	"	AC()
02:48:14	"	"	"	AQ()
"	"	"	"	AR()
02:48:32	"	"	"	CTX(ASB URN NOT REQUIRED)
02:48:36	"	"	"	DA/AW6N
02:48:39	"	"	"	PS/CM
02:51:59	"	062716	"	CM
"	"	"	"	XP/CM/C215
15:08:06	16DEC21	253407	CCC:CADL	VI/p253407
14:28:18	20DEC21	260535	"	VI/p260535
11:31:19	22DEC21	240265	"	VI/p240265
13:44:23	29DEC21	258141	"	VI/p258141
11:50:14	07JAN22	"	"	VI/p258141
12:48:02	23JAN22	207028	"	VI/p207028
12:48:07	"	"	"	IP//p207028/1/p207028@met.police.uk

... END OF

PRINT ...

INC00806-12DEC21

PRINTED AT 12:48 23:JAN:22 p207028

207028

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 806:12DEC21

INCIDENT No. 806 entered at 01:58 on 12DEC21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By : y)

Call Tel :

Call Name:

Call Type:

Call Mail:

Cntct Tel:

Att

Openi The Person)

Open Text:

Urgency :R (Referred)

Major :

VRMs :

Proposal :

Assigned :

DeAssign :

TOA :

DO Name :

DO Tel :

CRIME REF:6553257/21

Class 1 :001 (Violence Against The Person)

Qual 1 :701 (Assistance Requested / Rendered)

Res 1 :710 (Crime Entry/Updated)

2 :710 (Crime Entry/Updated)

Clo Text :

O Dealing:

Metops :

CHS Demid:20211212025854

Linked :explicitly to 734:12DEC21

Linked :implicitly to (none)

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 806:12DEC21

Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments
** Attendance and Incident Location **

No Comments for this Location



Remarks:

Time	Date	Opid	Termid
02:07:17	12DEC21	CHS	CHS (pre 1st routing)
	CREATED IN: CHS AT: 2021-12-12 01:58:27 CAD AT: 2021-12-12		

=====

ENTERED BY: CHS (c743578) AT: 2021-12-12 02:01:29
 ^INFT WE HAVE HAD LOTS OF ISSUES WITH THIS CLUB, IM A LOCAL
 RESIDENT
 AND HAVE ISSUES WITH THE NOISE AND ROWDINESS
 -
 SOMEONE WAS TAKING PHOTOS OF ME, SAID HE "WILL DEAL WITH ME" -
 HE THEN
 SHOVED ME
 02:07:17 12DEC21 CHS #2
 ENTERED BY: CHS (c743578) AT: 2021-12-12 02:01:54
 ^INFT THE F STAFF SAID THE M WORKS FOR THE CLUB
 -
 I WANT TO REPORT THIS - I WONT BE THREATENED LIKE THIS
 02:07:17 12DEC21 CHS #3
 ENTERED BY: CHS (c743578) AT: 2021-12-12 02:02:04
 ^INFT IM OK AND NOT INJURED
 02:07:17 12DEC21 CHS #4
 21-12-12 02:03:20
 [REDACTED]

I HAVE A PHOTO OF HIM
 02:07:17 12DEC21 CHS #5
 ENTERED BY: CHS (c743578) AT: 2021-12-12 02:06:13

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 806:12DEC21

Time Date Opid Termid

02:07:17 12DEC21 CHS #6
Passed to CRIME: Crime Allegation data will follow as Intel

ENTERED BY: CHS (c743578) AT: 2021-12-12 02:06:13

Crime Allegation:
=====

Type: S008/06 - Violence Against The Person

Committed on/from: 12/12/2021 01:45

Committed to: 12/12/2021 01:50

Notified via: Phone Call

Allegation Details:
=====

CHS 12/12/2021 02:01:29 [REDACTED]

RESIDENT ^INFT WE HAVE HAD LOTS OF ISSUES WITH THIS CLUB, IM A LOCAL
AND HAVE ISSUES WITH THE NOISE AND ROWDINESS

HE THEN SOMEONE WAS TAKING PHOTOS OF ME, SAID HE "WILL DEAL WITH ME" -
SHOVVED ME

CHS 12/12/2021 02:01:54 [REDACTED]

^INFT THE F STAFF SAID THE M WORKS FOR THE CLUB

I WANT TO REPORT THIS - LIKE THIS

CHS 12/12/2021 02:02:04 [REDACTED]

^INFT IM OK AND NOT INJU

CHS 12/12/2021 02:03:20 [REDACTED]

^INFT AFRO CARRIBEAN M, 6FT3, AA30

I HAVE A PHOTO OF HIM

Allegation location:
=====

Business name: MA DAME

W2 6ET Location text: 58 PORCHESTER ROAD, LONDON, CITY OF WESTMINSTER,

Vicinity: Outside

CCTV present: Not Known

Victim person details:
=====

[REDACTED]

CONTINUED ...

NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT

PAGE 1

INCIDENT No. 7242:09DEC21

INCIDENT No. 7242 entered at 22:23 on 09DEC21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
Call Tel :
Call Name:
Call Type:
Call Mail:
Cntct Tel:
Att

[REDACTED]

Openi 2:202 (Rowdy Or Inconsiderate Behaviour)
3:301 (Licensing)

Open Text:
Urgency :R (Referred)
Major :
VRMs :
Proposal :
Assigned :
DeAssign :
TOA :
DO Name :
DO Tel :
CRIME REF:NOT CRIMED
Class 1 :215 (ASB - Nuisance)
Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)
2 :676 (Resolved by LRT)
Res 1 :703 (No isclosed)
Clo Text :ASB URN
O Dealing:
Metops :
CHS Demid:20211209034062

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 7242:09DEC21

Phone Field : (For previous Incidents from this phone use
action:PHD or PHL - use DARIS to extend search)
Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

No Comments for this Location

** Caller Location **

CELBRIDGE MEWS,W2
E OFF PORCHESTER RD, NEAR GLOUCESTER TER AND BISHOPS BRIDGE RD

Remarks:

Time Date Opid Termid

09DEC21 CHS CHS (pre 1st routing)
22:32:22 CREATED IN: CHS AT: 2021-12-09 22:23:33 CAD AT: 2021-12-09

=====

ENTERED BY: CHS (c744811) AT: 2021-12-09 22:25:45
^OP - SILENT LINE, CHALLENGED LINE.
WILL HANG UP AND CALL BACK
^OP - RESPONSE
22:32:22 09DEC21 CHS #2
ENTERED BY: CHS (c744811) AT: 2021-12-09 22:27:43
^INFT - WANTS TO REPORT Madame nightclub. The doormen at the
front of
the club are not licensed. There is meant to be 4 licensed
bouncers,
and I did not see anyone with any licenses.
They normally wear their ID on their arms, the ones at the door
look
like guests, smoking.

22:32:22 09DEC21 CHS #3
ENTERED BY: CHS (c744811) AT: 2021-12-09 22:29:45
^inft - some glasses outside, breach of licence conditions. I do
have
some video footage. Nightclub owner has a criminal record and
have not
yet investigated.
No disturbances at the moment. No temporary event notice for
tonight.

22:32:22 09DEC21 CHS #4
ENTERED BY: CHS (c744811) AT: 2021-12-09 22:32:15
Sometimes the night goes on, people defecate and deal drugs.

^inft - they have a huge log of calls. Pepole tend to report ont
he

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 7242:09DEC21

Time Date Opid Termid

following day. Safer neighbourhood Team had said to report anything ASB related.

We've been asked to keep complaining. Council lost all the complaints

that we had made in the last 3 years.

22:32:22 09DEC21 CHS #5
ENTERED BY: CHS (c744811) AT: 2021-12-09 22:32:22
^OP - passed for information

22:39:17 09DEC21 CHS #6
ENTERED BY: CHS (c744811) AT: 2021-12-09 22:33:32
SMF ASB (For All Incidents Of Anti-social Behaviour)
Always consider whether the circumstances of the incident render

the person concerned as vulnerable.

1. Has anything like this happened before?: Yes
2. Has the caller spoken to police about this or any other

matter relating to ASB?: Yes
3. If the answer to 2 is 'Yes', when were police called (approximately)? : last weekend 4708 27/11/2021
4. Prior to this call, has the person sought help from elsewhere

(e.g. Local Authority, Security, Housing Association, Samaritans, Citizens

Advice, BT, etc.)?: Yes
5. If the answer to 4 is 'Yes' please state who? : Local

Authority, EHO, and SNT
6. Are there any health or welfare issues we need to be aware of

that could help us deal with your call? (VULNERABILITY)?: No
7. If the answer to 6 is 'Yes' record details of how/why

vulnerable.
Record any other relevant information? :
** For 'ASB' calls, you are no longer required to complete the

'REPEAT' or 'VULNERABLE' SMFs **
22:39:17 09DEC21 CHS #7

[REDACTED]

and [REDACTED] record in France

tied to money laundering.
22:39:17 09DEC21 CHS #8
ENTERED BY: CHS (c744811) AT: 2021-12-09 22:39:12
SMF THRIVEPLUS (All ThrivePlus Related Incidents)

*** This SMF to be used for ThrivePlus Related Incidents ***.
T: no immediate threat, but caller believes that bouncers are
not
licensed
H: no immediate harm

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 7242:09DEC21

Time Date Opid Termid

R: no immediate risk
I: passed to CAD on R grade for information as ASB
V: no vulnerabilities stated
E: n/a
Plus: n/a

22:46:56 09DEC21 198472 H2629 #9

** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":

STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY NO
REQUIRED
MAKER
RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT
THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **

[REDACTED]

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

[REDACTED]

... END OF

PRINT ...

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 4708:27NOV21

INCIDENT No. 4708 entered at 16:05 on 27NOV21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
Call Tel :
Call Name:
Call Type:
Call Mail:
Cntct Tel:
Att Locn :58 PORCHESTER RD, W2:MA DAME
Map :Page 140, Grid Reference 525823,181339

[Redacted]

Opening 1:215 (ASB - Nuisance)
2:202 (Rowdy Or Inconsiderate Behaviour)
3:601 (Drugs Related)

Open Text:
Urgency :R (Referred)
Major :
VRMs :
Proposal :
Assigned :
DeAssign :
TOA :
DO Name :
DO Tel :

CRIME REF:
Class 1 :215 (ASB - Nuisance)
Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)
2 :601 (Drugs Related)
Res 1 :704 (Inf nformed)

Clo Text :ASB URN [Redacted]
O Dealing:
Metops :
CHS Demid:20211127030835

Linked :

CONTINUED ...

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 4708:27NOV21

Phone Field : (For previous Incidents from this phone use
action:PHD or PHL - use DARIS to extend search)
Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments
** Attendance and Incident Location **

No Comments for this Location

** Caller Location **
CELBRIDGE MEWS,W2
E OFF PORCHESTER RD, NEAR GLOUCESTER TER AND BISHOPS BRIDGE RD

Remarks:

Time Date Opid Termid

27NOV21 CHS CHS (pre 1st routing)
16:10:38 CREATED IN: CHS AT: 2021-11-27 16:05:37 CAD AT: 2021-11-27

=====
ENTERED BY: CHS (c723886) AT: 2021-11-27 16:08:45
^INFT- DRUG USE AND ASB. HAPPENED EARLY HOURS OF THIS MORNING
ADVISED TO KEEP REPORTING THIS - HAS HAPPENED BEFORE
HAPPENS AROUND 5-10 YARDS TO ENTRANCE TO SELBRIDGE MEWS
I HAVE VIDEO CLIP OF IT. ABOUT 5-6 GUYS WITH BALOONS AND AEROSOL
CANS.
HEARD SHOUTING PAST NIGHTCLUB ENTRANCE. HAPPENED AROUND 00:40
THIS
MORNING. HEARD NOISE OF CANNISTARS, ALL BALOONS AND CANS STILL
THERE
16:10:38 27NOV21 CHS #2
ENTERED BY: CHS (c723886) AT: 2021-11-27 16:10:37
SMF ASB (For All Incidents Of Anti-social Behaviour)
Always consider whether the circumstances of the incident render
the
person concerned as vulnerable.
1. Has anything like this happened before?: Yes
2. Has the caller spoken to police about this or any other
matter
relating to ASB?: Yes
3. If the answer to 2 is 'Yes', when were police called
(approximately)? : 01/11/2021
4. Prior to this call, has the person sought help from elsewhere
(e.g.
Local Authority, Security, Housing Association, Samaritans,
Citizens

Advice, BT, etc.)?: Yes

5. If the answer to 4 is 'Yes' please state who? : SNT AND
COUNCIL

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 4708:27NOV21

Time Date Opid Termid

6. Are there any health or welfare issues we need to be aware of that

could help us deal with your call? (VULNERABILITY)? : No

7. If the answer to 6 is 'Yes' record details of how/why vulnerable.

Record any other relevant information? : LITTER IS STILL THERE ON THE

ROAD - NO IMMEDIATE CONCERN

** For 'ASB' calls, you are no longer required to complete the 'REPEAT'

or 'VULNERABLE' SMFs **

16:10:56 27NOV21 741112 H2721 #3

** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":

STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR

PAY NO HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

REQUIRED RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT

MAKER THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **

16:12:02 27NOV21 CHS #4

ENTERED BY: CHS (c723886) AT: 2021-11-27 16:11:39

SMF THRIVEPLUS (All ThrivePlus Related Incidentts)

*** This SMF to be used for ThrivePlus Related Incidentts ***.

T: NO THREAT

H: DRUGS TAKING

R: ONGOING MATTER

I: COUNCIL AND SNT DEALING

V: NONE

E: PASSED TO BCU / SNT

Plus:

16:12:02 27NOV21 CHS #5

ENTERED BY: CHS (c723886) AT: 2021-11- 16:12:01

CAN ^OP- PLEASE PASS TO SNT - CALLER STATES [REDACTED] HAS A VIDEO CLIP SHE

FORWARD ON

REF NUMBER ADVISED

16:13:49 27NOV21 086615 H2629 #6

ASB DESK^METCC Contrl

without URN Consideration for ASB/URN. ALL ASB cads must not be closed

use the or sufficient rational. Once the incident has been dealt with,

**"ASB closing text box to enter either the BCU ASB URN in the format

URN 123456" OR ***"ASB URN NOT REQUIRED*** & the police / staff
number
of the decision maker. FOR STRICT COMPLIANCE No other wording
should
be used.

10:59:25 02DEC21 220828 AW607 #7

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 895:13NOV21

INCIDENT No. 895 entered at 02:17 on 13NOV21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By : [REDACTED] y)
Call Tel : [REDACTED]
Call Name: [REDACTED] AFF
Call Type: [REDACTED] 3rd Party)
Call Mail:
Cntct Tel:
Att Locn :58 PORCHESTER ROAD, W2:MADAME CLUB
Map :Page 140, Grid Reference 525823,181339
GPA :CA Division: [AWN:CNW]
Inc Locn :58 PORCHESTER ROAD, W2:MADAME CLUB
Map :Page 140, Grid Reference 525823,181339
GPA :CA Division: [AWN:CNW]
Call Locn:58 PORCHESTER ROAD, W2:MADAME CLUB
Map :Page 140, Grid Reference 525823,181339
GPA :CA Division: [AWN:CNW]
Opening 1:215 (ASB - Nuisance)
2:202 (Rowdy Or Inconsiderate Behaviour)
Open Text:
Urgency :R (Referred)
Major :
VRMs :
Proposal :(CCC at 02:23/13NOV21):
TJ3S TJ200A TJ200B TJ201 TJ211 TJ3N TJ400F U533 U541 U544
Assigned :
DeAssign :
TOA :
DO Name :
DO Tel :
CRIME REF:
Class 1 :506 (Duplicate)
Qual 1 :701 (Assistance Requested / Rendered)
Res 1 :720 (Linked)
Clo Text :
O Dealing:
Metops :
CHS Demid:20211113025938

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 895:13NOV21

Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

No Comments for this Location

Remarks:

Time Date Opid Termid

13NOV21 CHS CHS (pre 1st routing)
02:21:50 CREATED IN: CHS AT: 2021-11-13 02:17:16 CAD AT: 2021-11-13

=====
ENTERED BY: CHS (c743331) AT: 2021-11-13 02:18:28
^INFT I AM WORKING IN A CLUB AND WE ARE TRYING MAKE OUR
CUSTOMERS
LEAVE. THEY HAVE LEFT THE PREMISES BUT ARE STILL PARKED UP AND
STOPPED
ON YTHE STREET REFUSING TO LEAVE
02:21:50 13NOV21 CHS #2
ENTERED BY: CHS (c743331) AT: 2021-11-13 02:18:57
INFT WORRIED THAT ROAD IS OBSTRUCTED AND THERE ARE HIGH LEVELS
OF NOISE
02:21:50 13NOV21 CHS #3
ENTERED BY: CHS (c743331) AT: 2021-11-13 02:20:10
OP NOTES LINKED CAD 859 AND UNIT ON SNCENE NOW
02:22:33 13NOV21 CHS #4
ENTERED BY: CHS (c743331) AT: 2021-11-13 02:22:32
OP PASING TO TC FOR INFO AS CONCERNS ABOUT TRAFFIC / OBSTRUCTION
02:24:13 13NOV21 CHS #5
ENTERED BY: CHS (c743331) AT: 2021-11-13 02:23:12
Met Police: Your Call/Crime Ref No is 895 13/11/2021 Do not
reply to
this text
02:24:13 13NOV21 CHS #6
ENTERED BY: CHS (c743331) AT: 2021-11-13 02:23:54
SMF THRIVEPLUS (All ThrivePlus Related Incidents)
*** This SMF to be used for ThrivePlus Related Incidents ***.
T: LOW - INFT REPORTING CUSTOMERS REFUSING TO LEAVE AND BLOCKING
STREET
H: LOW - INFT REPORTING CUSTOMERS REFUSING TO LEAVE AND BLOCKING
STREET
R: LOW - INFT REPORTING CUSTOMERS REFUSING TO LEAVE AND BLOCKING
STREET
I: GAVE CAD REF, UNIT ON SCENE ATTENDING LINKED
V: NA
E: GAVE CAD REF, UNIT ON SCENE ATTENDING LINKED

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

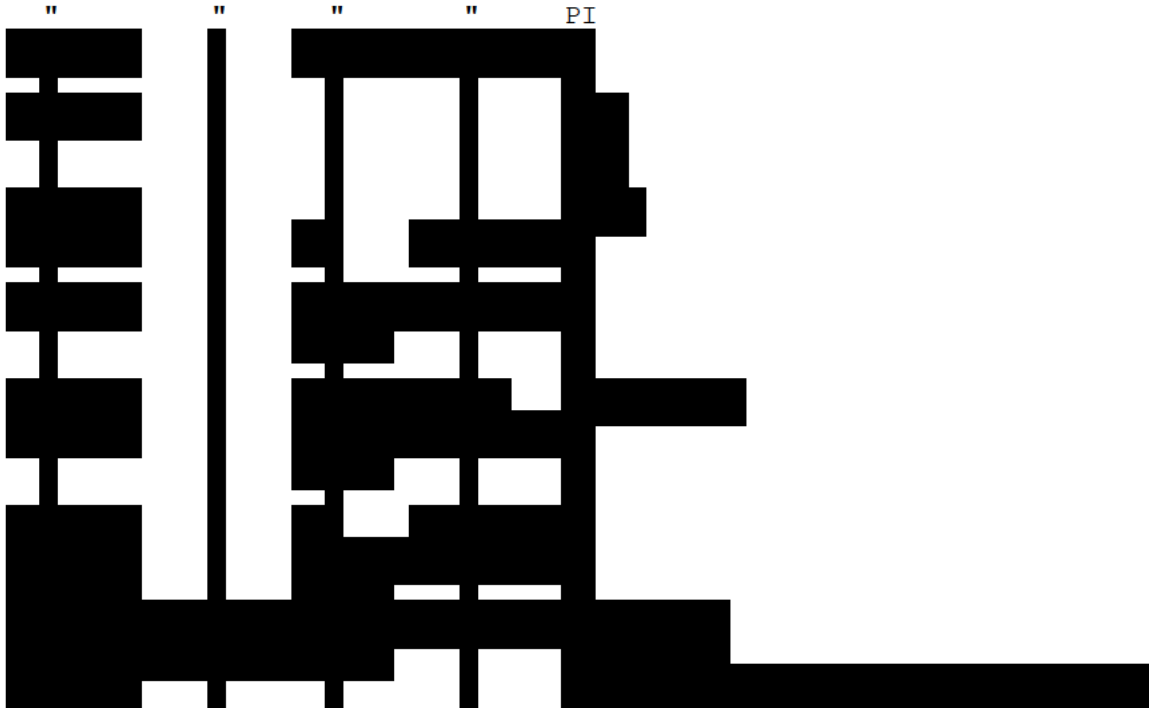
SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 895:13NOV21

Time	Date	Opid	Termid
Plus: NA			

Previous Actions:

Time	Date	Opid	Termid	ACTION
				SYSTEM(EXTERNAL)
02:21:50	13NOV21	CHS	CCC:CCB	O() 215:ASB - NUISANCE,202:ROWDY OR INCONSI
				DERATE BEHAVIOUR
"	"	"	"	PI



... END OF

PRINT ...

INC00859-13NOV21

PRINTED AT 12:50 23:JAN:22 p207028

207028

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 859:13NOV21

INCIDENT No. 859 entered at 02:14 on 13NOV21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :
Call Tel :
Call Name :
Call Type:T (Third Party)
Call Mail :
Cntct Tel :
Att Locn :58 PORCHESTER RD, W2
Map :Page 140, Grid Reference 525823,181339
GPA :CA Division: [AWN:CNW]
Inc Locn :58 PORCHESTER RD, W2:MA DAME
Map :Page 140, Grid Reference 525823,181339

Opening 1:001 (Violence Against The Person)
Open Text:
Urgency :I (Immediate)
Major :
VRMs :
Proposal :(CCC at 02:16/13NOV21):
TJ3S TJ200A TJ200B TJ201 TJ211 TJ3N TJ400F U533 U541 U544
Assigned :
DeAssign :
TOA :02:19:08/13NOV21
DO Name :
DO Tel :
CRIME REF:NOT CRIMED
Class 1 :507 (Contact Record)
Qual 1 :701 (Assistance Requested / Rendered)
Res 1 :703 (No Offences Disclosed)
Clo Text :VENUE OWNER JUST WANTED HELP MOVING PEOPLE ON FROM O/S
O Dealing:
Metops :
CHS Demid:20211113025918

Linked :

Phone Field : (For previous Incidents from this phone use

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 859:13NOV21

Location Field : (For previous Incidents at this location use
action:PHD or PHL - use DARIS to extend search)
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

No Comments for this Location

Remarks:

Time Date Opid Termid

13NOV21 CHS CHS (pre 1st routing)
02:16:06 CREATED IN: CHS AT: 2021-11-13 02:14:22 CAD AT: 2021-11-13

=====
ENTERED BY: CHS (c744574) AT: 2021-11-13 02:16:05
^INF THERE IS A HUGE GROUP THAT ARE FIGHTING MTF
02:16:27 13NOV21 717547 H2720 #2
^AWN...PLS GET INFMTS NUMBER
02:16:36 13NOV21 CHS #3
ENTERED BY: CHS (c744574) AT: 2021-11-13 02:16:36
^INF THERE IS 50 PEOPLE AND CAN HEAR A FEMALE SCREAMING
02:17:12 13NOV21 CHS #4
ENTERED BY: CHS (c744574) AT: 2021-11-13 02:17:12
^OP INF DIDNT WANT TO GIVE DETAILS AND HAS CLEARED THE LINE
02:19:39 13NOV21 722279 H2722 #5
^3241AW - A LOT OF PEOPLE ON SCENE NO ONE FIGHTING AT THIS TIME.
02:20:36 13NOV21 717547 H2720 #6
^2006AW...THIS IS A LARGE GROUP OUTSIDE FROM A PUB SHUTTING FOR
THE
NIGHT...NO FIGHT APPARENT AND NO ONE COMING FORWARD TO ALLEDGE
ANYTHING
02:21:41 13NOV21 722279 H2722 #7
^3241AW - SPOKEN TO THE INFT THERE WAS NO FIGHT, PREMS HAS
CLOSED
THERE IS A GORUP OF PEOPLE OUTSIDE AND SHE WANTED HELP MOVING
PEOPLE
ON.

Previous Actions:

Time Date Opid Termid ACTION

02:16:06 13NOV21 CHS CCC:CCL O() 001:VIOLENCE AGAINST THE PERSON
" " " " PI
02:16:13 " 722279 DIV:AWN AK
02:16:15 " CHS CCC:CCL LOCA(58 PORCHESTER RD, W2) (CA)

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 3793:01NOV21

INCIDENT No. 3793 entered at 13:32 on 01NOV21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
 Call [REDACTED]
 Call [REDACTED]
 Call [REDACTED]
 Call Mail:
 Cntct Tel:
 Att [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 Call [REDACTED]
 [REDACTED]

Opening 1:215 (ASB - Nuisance)
 2:202 (Rowdy Or Inconsiderate Behaviour)
 Open Text:
 Urgency :R (Referred)
 Major :
 VRMs :
 Proposal :(BOCU at 21:06/03NOV21):191VF 48VF 291VF
 Assigned :
 DeAssign :
 TOA :
 DO Name :
 DO Tel :
 CRIME REF:
 Class 1 :215 (ASB - Nuisance)
 Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)
 Res 1 :709 (CRIMINT Entry)
 Clo Text :ASB URN BACW213015
 O Dealing:2058AW
 Metops :
 CHS Demid:20211101029698

Linked :

Phone Field : (For previous Incidents from this phone use

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 3793:01NOV21

Location Field : (For previous Incidents at this location use
action:PHD or PHL - use DARIS to extend search)
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident and Caller Location **

CELBRIDGE MEWS,W2
E OFF PORCHESTER RD, NEAR GLOUCESTER TER AND BISHOPS BRIDGE RD

Remarks:

Time Date Opid Termid

13:52:10 01NOV21 CHS CHS (pre 1st routing)
CREATED IN: CHS AT: 2021-11-01 13:32:34 CAD AT: 2021-11-01

=====
13:52:10 ENTERED BY: CHS (p241030) AT: 2021-11-01 13:40:15
^INFT - LAST NIGHT SEVERAL PEOPLE FROM THE CLUB NEARBY HAVE BEEN
URINATING ON MY PORCH. THIS HAPPENED 3 TIMES LAST NIGHT.
13:52:10 01NOV21 CHS #2
ENTERED BY: CHS (p241030) AT: 2021-11-01 13:40:48
^INFT - THIS IS AN ONGOING PROBLEM THAT WE ARE HAVING WITH THE
NIGHTCLUB.
13:52:10 01NOV21 CHS #3
ENTERED BY: CHS (p241030) AT: 2021-11-01 13:41:39
^INFT - MADDAME NIGHCLUB, 58 PORCHESTER ROAD, W2 6ET
13:52:10 01NOV21 CHS #4
ENTERED BY: CHS (p241030) AT: 2021-11-01 13:52:01
^OP - BOOKING AN APPOINTMENT
13:54:05 01NOV21 740993 H2722 #5
^AWN PLEASE CONFIRM IF A VEHICLE IS ALSO AN ISSUE?
13:55:10 01NOV21 CHS #6
ENTERED BY: CHS (p241030) AT: 2021-11-01 13:55:10
AWN^OP - THER IS NO VEHICLE WHICH IS AN ISSUE
13:56:33 01NOV21 CHS #7
ENTERED BY: CHS (p241030) AT: 2021-11-01 13:56:33
^OP - 1.5 APPT BOOKED WITH AW61 @ AW61 AT 19:00 ON 03/11/2021
HRS
13:56:51 01NOV21 740993 H2722 #8
^AWN AMENDED QUALIFIER TO T202
13:59:27 01NOV21 082229 H2661 #9
SCHEDULED APPOINTMENT AT 1800 ON 03NOV21
AW61L

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 3793:01NOV21

Time Date Opid Termid

14:03:44 01NOV21 CHS #10
ENTERED BY: CHS (p241030) AT: 2021-11-01 14:02:44
^INFT - CALLER HAS SEVERAL INCIDENTS TO REPORT. SHE WANTED REF
FOR EACH PERSON THAT URINATED IN THE STREET. SHE ALSO WANTS TO REPORT
SEEING SOMEONE WALKING IN THE STREET WITH A BASEBALL BAT LAST NIGHT.
-

THIS IS AN ON GOING PROBLEM WITH THE FALLOUT FROM THE NIGHT CLUB

14:03:44 01NOV21 CHS #11
ENTERED BY: CHS (p241030) AT: 2021-11-01 14:03:41
SMF ASB (For All IncidentS Of Anti-social Behaviour)
Always consider whether the circumstances of the incident render

the person concerned as vulnerable.
1. Has anything like this happened before?: Yes
2. Has the caller spoken to police about this or any other

matter relating to ASB?: Yes
3. If the answer to 2 is 'Yes', when were police called
(approximately)? : THERE ARE RECENTS CALLS TO POLICE MADE
4. Prior to this call, has the person sought help from elsewhere

(e.g. Local Authority, Security, Housing Association, Samaritans,
Citizens Advice, BT, etc.)?: Yes
5. If the answer to 4 is 'Yes' please state who? : LOCAL COUNCIL
6. Are there any health or welfare issues we need to be aware of

that could help us deal with your call? (VULNERABILITY)? : No
7. If the answer to 6 is 'Yes' record details of how/why
vulnerable.

Record any other relevant information? :
** For 'ASB' calls, you are no longer required to complete the
'REPEAT'

or 'VULNERABLE' SMFs **
20:47:06 03NOV21 741098 H2722 #12
^2058AW - CRIMNT AND AIRSPACE TO FOLLOW

20:47:26 03NOV21 741098 H2722 #13
** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":
STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY NO RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT
REQUIRED THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION
MAKER

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
21:55:30 03NOV21 253828 #14
ENTERED BY: CADL (p253828) AT: 2021-11-03 21:55:30
Crimint - CWRT01045442

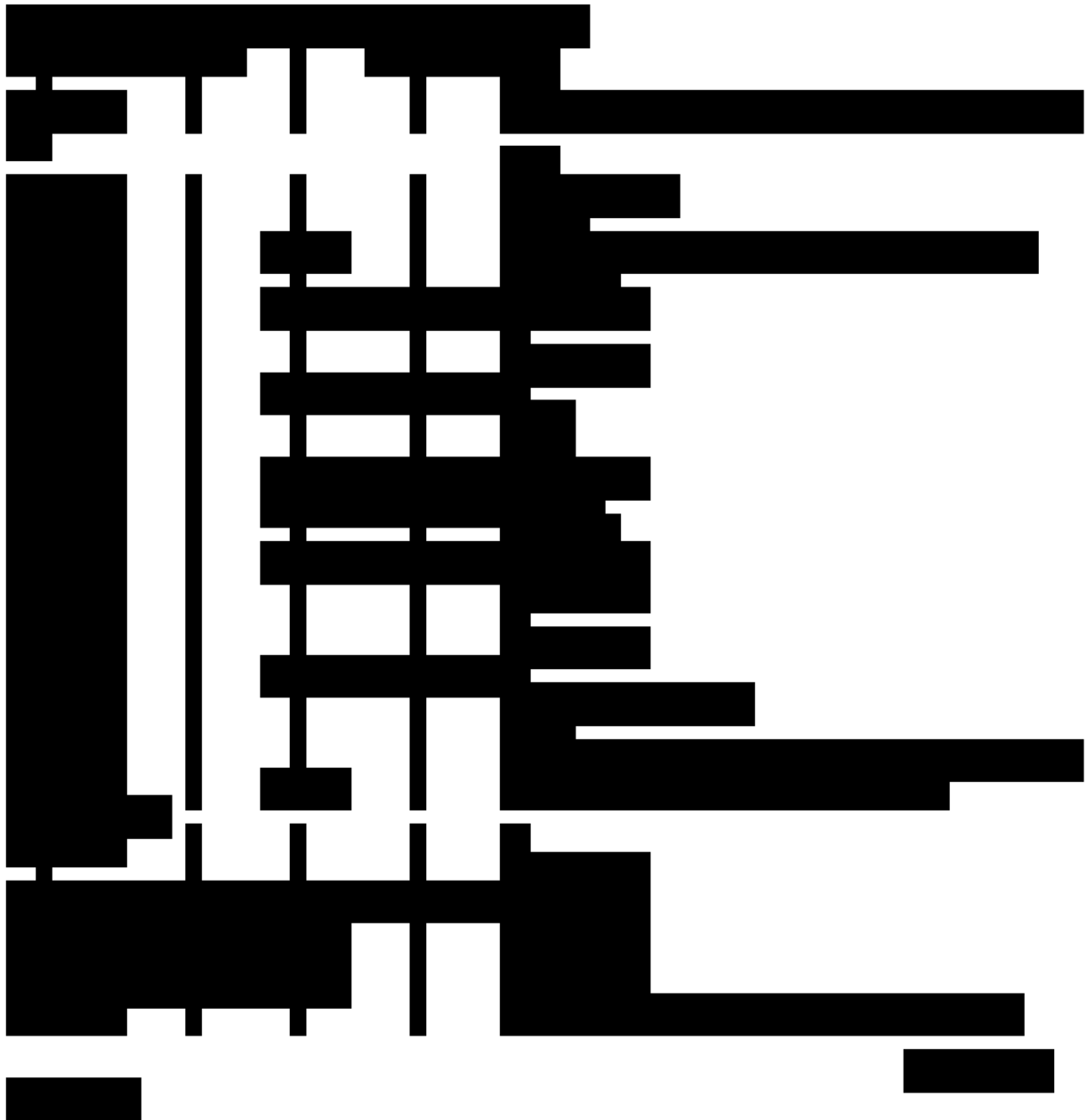
CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 5

INCIDENT No. 3793:01NOV21



SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 954:16OCT21

INCIDENT No. 954 entered at 02:39 on 16OCT21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
 Call Tel :
 Call Name:
 Call Type:
 Call Mail:
 Cntct Tel:
 Att Locn : (SNT) 56-58 PORCHESTER ROAD,W2
 Map : Page 140, Grid Reference 525823,181339
 GPA : CA Division: [AWN:CNW]
 Inc Locn : 56-58 PORCHESTER ROAD,W2
 Map : Page 140, Grid Reference 525823,181339
 GPA : CA Division: [AWN:CNW]
 Call Locn:
 Map :
 GPA :
 Opening 1:215 (ASB - Nuisance)
 2:202 (Rowdy Or Inconsiderate Behaviour)
 3:638 (Quality Of Life)
 Open Text:
 Urgency :R (Referred)
 Major :
 VRMs :
 Proposal :
 Assigned :
 DeAssign :
 TOA :
 DO Name :
 DO Tel :
 CRIME REF:
 Class 1 :215 (ASB - Nuisance)
 Qual 1 :701 (Assistance Requested / Rendered)
 2 :676 (Resolved by LRT)
 Res 1 :703 (No Offences Disclosed)
 Clo Text :VACW212861
 O Dealing:
 Metops :
 CHS Demid:20211016025968

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 954:16OCT21

Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

No Comments for this Location

Remarks:

Time Date Opid Termid

16OCT21 CHS CHS (pre 1st routing)
02:40:59 CREATED IN: CHS AT: 2021-10-16 02:39:03 CAD AT: 2021-10-16

=====

ENTERED BY: CHS (c743913) AT: 2021-10-16 02:40:55
^ INFT - MADAM NIGHT CLUB AT LOC ASB OCCURING
==
NIGHT CLUB MUSIC IS STILL COMING THROUGH INFT PARTY WALL AND
HAPPENS
EVER WEEK END
==
SHOULD HAVE STOPPED AT 0100HRS
==

02:41:39 16OCT21 740081 H2720 #2
^AWN NOTED PLS GET INFT TO CALL EHO

02:54:21 16OCT21 CHS #3
ENTERED BY: CHS (c743913) AT: 2021-10-16 02:41:56
==
==

02:54:21 16OCT21 CHS #4
ENTERED BY: CHS (c743913) AT: 2021-10-16 02:41:58
SMF ASB (For All IncidentS Of Anti-social Behaviour)
Always consider whether the circumstances of the incident render

the
person concerned as vulnerable.
1. Has anything like this happened before?: Yes
2. Has the caller spoken to police about this or any other
matter
relating to ASB?: Yes
3. If the answer to 2 is 'Yes', when were police called
(approximately)? : PREVIOUS CALLS
4. Prior to this call, has the person sought help from elsewhere
(e.g.
Citizens
Local Authority, Security, Housing Association, Samaritans,
Advice, BT, etc.)?: Yes
5. If the answer to 4 is 'Yes' please state who? :
6. Are there any health or welfare issues we need to be aware of
that
could help us deal with your call? (VULNERABILITY)?: No

7. If the answer to 6 is 'Yes' record details of how/why vulnerable.

Record any other relevant information? :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 954:16OCT21

Time Date Opid Termid

** For 'ASB' calls, you are no longer required to complete the
'REPEAT'

or 'VULNERABLE' SMFs **

02:54:21 16OCT21 CHS #5
ENTERED BY: CHS (c743913) AT: 2021-10-16 02:42:02

====
====

02:54:21 16OCT21 CHS #6
ENTERED BY: CHS (c743913) AT: 2021-10-16 02:54:21
AWN ^ FC OP EHO USELESS ACCORDING TO INFT BEEN REPORTED FOR

LONG

TIME
==

INFT WOULD LIKE THE LICENCEING OFFICER INFORMED ABOUT THIS ALSO
==

02:57:07 16OCT21 CHS #7
ENTERED BY: CHS (c743913) AT: 2021-10-16 02:55:36
WOULD BE WORTH WHILE PASSING CALL TO SNT TO MAKE CONTACT WITH

THE INFT

THIS IS STARTING TO EFFECT HER QUALITY OF LIFE AND IS GETTING
FRUSTRATED BY COUNCIL INACTION AND POL ALSO
==

14:50:18 17OCT21 233486 #8
ENTERED BY: CADL (p233486) AT: 2021-10-17 14:50:18
LRT - ASB URN VACW212861-P233486
PLEASE CLOSE USING CODE 676

14:50:44 17OCT21 219933 H2723 #9
** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":
STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY NO

RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT

REQUIRED

THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION

MAKER

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **

Previous Actions:

Time Date Opid Termid ACTION

02:40:59 16OCT21 CHS CCC:CCL O() 215:ASB - NUISANCE,202:ROWDY OR
INCONSI

DERATE BEHAVIOUR

" " " " PI
02:41:10 " 740081 DIV:AWN AK

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT

PAGE 4

INCIDENT No. 954:16OCT21

Time	Date	Opid	Termid	ACTION
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]:ROWDY
"	"	"	"	INCONSIDERATE BEHAVIOUR, & O& 638:QUALITY OF LIFE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED].uk

... END OF

PRINT ...

SINGLE INCIDENT PRINTOUT

PAGE 1

INCIDENT No. 1519:26SEP21

INCIDENT No. 1519 entered at 04:16 on 26SEP21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)

Call Tel : [REDACTED]

Call Name: [REDACTED]

Call Type: [REDACTED]

Call Mail:

Cntct Tel:

Att Locn :WESTBOURNE PARK VILLAS, W2

Map :Page 140, Grid Reference 525516,181542

GPA :CA Division: [AWN:CNW]

Inc Locn :(HOLON) WESTBOURNE PARK VILLAS, W2

Map :Page 140, Grid Reference 525516,181542

GPA :

Call [REDACTED]

[REDACTED]

[REDACTED]

Openi 2:202 (Rowdy Or Inconsiderate Behaviour)

3:211 (Noise)

Open Text:

Urgency :R (Referred)

Major :

VRMs :

Proposal :(CCC at 08:50/27SEP21):

TJ100D TJ21A TJ300A TJ300B TJ72B TJ72C U441 U513 U514 U515

Assigned :

DeAssign :

TOA :

DO Name :

DO Tel :

CRIME REF:NOT CRIMED

Class 1 :215 (ASB - Nuisance)

Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)

2 :676 (Resolved by LRT)

Res 1 :704 (Inform / Informed)

Clo Text :ASB URN VACW212580

O Dealing:

Metops :

CHS Demid:20210926026617

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 1519:26SEP21

Linked :

Phone Field : (For previous Incidents from this phone use
action:PHD or PHL - use DARIS to extend search)
Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **
WESTBOURNE PK VILLAS,W2
** DURING CARNIVAL TIME, PASS ALL INCIDENTS "PI/GT" - SECTOR 5 **

** Caller Location **

No Comments for this Location

Remarks:

Time Date Opid Termid

26SEP21 CHS CHS (pre 1st routing)
04:20:10 CREATED IN: CHS AT: 2021-09-26 04:16:55 CAD AT: 2021-09-26

=====

ENTERED BY: CHS (c742212) AT: 2021-09-26 04:17:05

[REDACTED]

04:20:10 [REDACTED]S #2

ENTERED BY: CHS (c742212) AT: 2021-09-26 04:17:14

Submitted
26/09/2021 01:12
Form Ref
BCA-106658-21-0101-00
Form Name
Report something else
Items of interest
Your role
Are you under 18 years of age?
No
Do you have any health, mobility or welfare issues that are
making this
situation more difficult?
No

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 1519:26SEP21

Time Date Opid Termid

Incident details

Do you feel race, ethnicity, sex, gender, sexuality, disability
or

religion were a factor in this crime?

No

Evidence

Has the suspect clearly left something at the scene; such as
clothing,

blood, any other bodily fluids, discarded items, obvious
fingerprints

or footprints? Or has the suspect caused any damage or made a
mess

[REDACTED]

04:20:10

P21 CHS

#3

ENTERED BY: CHS (c742212) AT: 2021-09-26 04:17:14

[REDACTED]

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 1519:26SEP21

Time Date Opid Termid

No
Have you experienced any other crimes in the past 12 months?
Yes
Please describe what happened on these other occasions

04:20:10 26SEP21 CHS #4
ENTERED BY: CHS (c742212) AT: 2021-09-26 04:17:14
Anti social behaviour on our road. There are people screaming,
standing
around in their vehicles, with music turned-up so loud that it s
happens
keeping both my wife and I up at 1 am in the morning. This
almost every Saturday because of a location called Ma Dame on
and MP. I
Porchester road. I have reported this to our local counsellor
will be grateful if we have police for our wellbeing and safety.
making this
Do you have any health, mobility or welfare issues that are
situation more difficult?
No
Would you like to be contacted by Victim Support?
No
Do you have a disability?
No
Ethnic background
White-British
today?
Did you do any of the following before you used the website
about
None of the above; this is the first time I'm contacting you
would
this
If you hadn't been able to use the website do you think you
have:
Called 101
Incident details
Incident details
Has anyone reported this already?
I don't know
When did it happen?
When did it happen?
26/09/2021 - 26/09/2021
Start time

04:20:10 26SEP21 CHS #5
ENTERED BY: CHS (c742212) AT: 2021-09-26 04:17:14
00:30
End time
01:05
If you re unsure about the date or time, please give a few
details

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 5

INCIDENT No. 1519:26SEP21

Time Date Opid Termid

below
not given
Where did it happen?
Lat long
51.5190789,-0.1928925
Easting northing
525478,181565
Address
Westbourne Park Villas, London W2, UK
M



ReadOnly
Origin
Triage
You gave us this map location earlier. Is the address correct?

Can you tell us anything else to help pinpoint the exact location?
The cars which are parked straight after the Church on

Westbourne Park
Villas, W2.
At any point, were you on public transport?

No
What happened?
04:20:10 26SEP21 CHS #6
ENTERED BY: CHS (c742212) AT: 2021-09-26 04:17:14
Please tell us what happened, and the events leading up to it,

to help us identify if an offence has been committed.
standing Anti social behaviour on our road. There are people screaming,

around in their vehicles, with music turned-up so loud that it s
happens keeping both my wife and I up at 1 am in the morning. This

almost every Saturday because of a location called Ma Dame on
and MP. I Porchester road. I have reported this to our local counsellor
will be grateful if we have police for our wellbeing and safety.

This is extremely ridiculous.
or Do you feel race, ethnicity, sex, gender, sexuality, disability

religion were a factor in this crime?
No
Evidence
Evidence
clothing, Has the suspect clearly left something at the scene; such as

blood, any other bodily fluids, discarded items, obvious
fingerprints
or footprints? Or has the suspect caused any damage or made a
mess

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 6

INCIDENT No. 1519:26SEP21

Time Date Opid Termid

searching?

No

Do you have any video, audio or photo evidence?

No

Does another person, business or company have video evidence

such as

CCTV or mobile phone footage?

I don't know

Witness details

Witness details

Did anyone else see what happened?

I don't know

Suspect details

Suspect details

Suspect 1

Do you know this person?

No I don't know anything about them

04:21:06 26SEP21 707601 H2720 #7

^AWN NOTED INC HAPPENED AT 0030

04:21:08 26SEP21 722541 H2722 #8

** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":

STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE

HAS AN ASB URN BEEN SHOWN? OR

HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY

NO

RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT

REQUIRED

THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION

MAKER

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **

11:23:16 27SEP21 233486 #9

ENTERED BY: CADL (p233486) AT: 2021-09-27 11:23:16

LRT - ASB URN VACW212580-P233486

PLEASE CLOSE USING CODE 676

Previous Actions:

Time Date Opid Termid ACTION

SYSTEM(EXTERNAL)

04:20:10 26SEP21 CHS CCC:CCL O() 215:ASB - NUISANCE,202:ROWDY OR
INCONSI

DERATE BEHAVIOUR,211:NOISE

" " " " PI

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

4 Crime Reports
CR6544191-21

Data Protection Act - Dispose Of As Confidential Waste
 PC RG GUERRA 1614AW 207028
 CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a
 GLU:CW

General Information

Screening Decision: IN

Main

IU: AWBCU AW Basic Command Unit
 Crime Type: B H/O Crime Type: 7
 Allegation (Prefix):
 Allegation:
 Committed on/from Date: MON 01/11/2021 00:05
 Committed to Date: MON 01/11/2021 01:00
 Reported Date: MON 01/11/2021 14:42
 How Notified: NP Phone Call to Police
 Restricted? By: Date:
 Restriction Reason:

Flags

CW

Borough

Branch

Service

Area (Historical)

CJ Pass to TDIU (MetCC USE ONLY)
 TS T/Phone skeletal report made
 PI Pathfinder OnlineInvestigation
 CH Created by CHS User

OIC

Is OIC Same As Reporting Officer ?
 Investigating Officer's Rank: PC
 Surname: GOODCHILD Initials: A
 Warrant Number: 242560 Div/D Number: 2101AW Usual Relief:
 Duty: AA Borough Uniform
 Station/Branch: AWERAWS
 Allocated Date/Time: 11/11/2021 05:49
 Allocation Noted? Y Noted Date/Time: 11/11/2021 23:01
 BWV Noted? BWV Noted Date/Time:

Previous OIC Details

Usual Relief	Duty	Station Branch	Allocated Date/Time	Noted Date/Time	BWV Noted Date/Time
APS	237487 S MARSHALL	1115AW			
	AA Borough Uniform	AWERAWN		08/11/2021 11:43	

ADMIN AW00001 XX AW ERPT
 AA Borough Uniform FH 07/11/2021 16:50

CIV 743131 K WARWICK
 BB TP Central Unit TPTIU-D 07/11/2021 16:29 07/11/2021 16:29

PC METCHS1 CH CHS GENERIC ACCOUNT

General Information

OA Other duty(Uniform) TPHQ 01/11/2021 14:42

OIC Supervisor: APS2217AW/243735 J LILLEY

Press

Suitable for Press? Y
Restrictions:
Is this a Specrim? N
Date/Time:
Was a Firearm Used? N
Was other Weapon Used? N
Are there Terrorist Implications? N
Was a Suspect present on Police arrival? N
No. of Suspects Present:
Was the Suspect(s) arrested? N
No. of Suspects Arrested:

Source System References

Source System Name	Source System Reference	Entered Date/Time	Entered By
CHS	202111010030426	01/11/2021 14:42	PC /METCHS1 CH CHS GENERIC ACCOUNT

Totals

Total Values:

Stolen £: Outstanding £: Damaged £:
Recovered £: Damaged On Recovery £:

Total:

VIW(s):	1	Property	0	Vehicles(s):	1
Accused:	0	Suspect(s):	0	CAIT Subject(s):	0

Drugs/Fraud

Is this CR for an arrest for possession etc. (not theft) of controlled drugs?
If Fraudulent Use-Item Used: N

DV/Hate Crime

Is this a Hate Crime/Domestic Incident/Carer Abuse? N

Domestic Incident? Forced Marriage?

Honour Based Violence? Hate Crime?
Carer Abuse?

Initial Risk Assessment (SPECSS+):

General Information

Completed by:

Initial Risk Assessment Management Supervised?

Completed by:

Current Risk Assessment (SPECSS+):

Completed by:

Form 124D Completed?

Completed by:

Form124D Supervised?

Completed by:

Received by the CSU?

CSU Reference

Completed by:

LGBT Relationship?

Category of Hate Crime

Race?

Faith/Religion/Belief?

Religion Name:

Homophobia?

Transphobia?

Disability?

Targeted because of Vulnerability?

Digital Evidence

Is there Body Worn Video content in this case? N

Audio/Visual Content

#	AV Type	WtNo	Exhibit No	Evidential	Master	Link/66	Content shows
---	---------	------	------------	------------	--------	---------	---------------

Location

OMPD?
Address:
O/S 14,WESTBOURNE PARK ROAD,
LONDON,CITY OF WESTMINSTER,W2 5PH
Location Text:

GLU: CW Local Id: CW02 Grid Ref: 525674,181470
Watch Area:

Main

Location Type(s): AZ Not Known
Is the Venue covered by CCTV or in a CCTV Area? Y
CCTV Options: CE CCTV Not Recovered By Police

Approach:
Entry Method:
Entry Point:
Exit Point:
Security:
Person On Premises?
Other Info:

Internal Transfer

Date/Time	Transferred By	Previous GLU	Previous IU
07/11/2021 16:30	CIV /743131 WARWICK	CW	TPHQ

Transfer From MPS

Transfer from Met To:-
Service:
Station:
Their Reference:

Received By:-
Rank:
Number:
Surname:

Victim/Informant/Witness

Details

VIW No: 1 Of: 1
Role(s): V I

Total - Victims: 1
Total Witness: 0

CAIT Subject No:

Personal Details

[REDACTED]

School or College:

GLU: Local ID: GridRef:
National of 1:
Passport No 1:
National of 2:
Passport No 2:
Religion:

Address Details

VIW's Address is same as VEN?

Address:

WITHHELD

GLU: WITHHELD Local ID: WITHHELD GridRef: WITHHELD

Home Intelligence Unit: WITHHELD

PCM: E CNAAC Reason:

Contact Details:

Home: WITHHELD Business: WITHHELD

Mobile: WITHHELD Other: WITHHELD

Email: WITHHELD

Data Protection Act - Dispose Of As Confidential Waste
 PC RG GUERRA 1614AW 207028
 CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a GLU:CW
Victim/Informant/Witness
Details

Injury Details

Injury Degree: HD No Injury
 Injury Description: No Injury and Vulnerability No entered by CHS. Confirm entries
 Description/Dress:

Vulnerable/intimidated Victim/Witness? WITHHELD
 Reason for Vulnerability/Intimidation: WITHHELD

Victim Interviews

Interview Type	Date of Interview	Start Time	Location	Other Persons Present	Interviewing Officer	eStatement Ref No
----------------	-------------------	------------	----------	-----------------------	----------------------	-------------------

Actions

MG11 Taken?	Witness Albums Visited?	N
Victim of Reported Crime to Police in last 12 months?	N No	
Is V willing for VSS to be informed?	N No	
V Code of Practice Applicable?	Y	
	METCHS1 PC	CHS GENERIC ACCOUNT CH 01/11/2021

Changed To	Entered By	Date
-------------------	-------------------	-------------

VCOP Actn Compl?

Fraud Cl'rup Date:
 NFRC

Knows Suspect No. **How Known**

Aware of Suspect No. **How Victim or Witness aware of Arrest**

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a GLU:CW
Victim/Informant/Witness
Details

Knows Accused No. **How Known**

Needs

Does anyone perceive VIW to be Deaf and/or Disabled? N

If Yes, who? VIW/Other:

Details of Disability:

Physical Access Needs:

Personal Care Needs:

Medical Needs:

Communication Needs:

Sexual Orientation:

Gender Identity:

Officer's Notes:

Data Protection Act - Dispose Of As Confidential Waste

PC RG GUERRA 1614AW 207028

CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a GLU:CW

Victims Code of Practice

VIW No: 1 Of: 1

VSS Info:

Local VSS Ref:

Language (If not English):

Victim Contacted by I.O?

Date/Time:

Action Taken

AZ SI - Continuing Inv.

EB VSS Not Appropriate

HX VU-Regular Update

Action Date Entered by

07/11/2021

██████

██████

██████████████

K

07/11/2021

██████

██████

██████████████

K

08/01/2022

242560

PC

GOODCHILD

A

Generated

Date Generated

Y

07/11/2021 16:33

Remarks:

Vehicle Details

Vehicle No: 1 Of: 1 Victim (VIW) No:
Status:
Foreign: Year: 0
VRM: [REDACTED]
Role(s): RA Belv'd Used in Crime

Main

[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Distinguishing Points:

PNC Report Type: Date:
Inform Thames Division? Trace Check Folio No: Date:

Values

Stolen £: Damaged £: Handled £:

Identifiers

No Type

Insurance Co/Vehicle

Mileage:
Insurance Co./Broker:
Office:
Telephone No.:

Motor Vehicles:

Drive: R Gears: M Powered By:
No. of Doors:
Sun Roof: Tow Bar: Security Marked: Hire Vehicle: Anti-Theft Alarm:

Plant/MC/Etc

Motor-cycles:

Fairing: Panniers: Carriers: Style: O

HGV / Trailers / Caravans:

No. of Axles: Length: Dropside:
Skirt Type: Box Type: Flatbed:

Plant Description

Plant Type:
Plant Description:

Interior Data

Vehicle Details

Interior Marks:

Equipment Fitted:

Type of Upholstery and Colour(s):

Aerials/Mirrors/Speakers (position):

Exterior Data

Exterior Marks:

Respray? If YES, give previous colour:

Wheels/Tyres Type:

Badges/Stickers (position):

Officer's Notes:

Suspect vehicle.

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a GLU:CW
Support Services

IDO

IDO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

IDO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

CPO

CPO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

CPO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Photographer

Photographer Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

Photographer Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a GLU:CW
Support Services

Other

Other Request:

Request Id	Type	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
1	Safer Neighbourhood Referrals	07/11/2021 16:31	BURGIN	240265	07/11/2021 17:52		

Other Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Access Info

Features/instruments

Text:

IDO Text:

Prop Ref Nos

Forensic Data

Lab Reference No:

FORENSIC REFERENCES

Type **No**

Officers Notes:

Linked Crimes

Chain ID	Removed from Chain?	Police Contact
-----------------	------------------------------------	-----------------------

Method

Current Position: C Classified
Method: Victim threatened by suspect.

Classification Set by CIT:

Lock: Date:
By:

Classify

Main Classification:

	Code	Victim	Date
Initial:	S149/82	Y	01/11/2021 14:45
Current:	S125/09	Y	07/11/2021 16:32
Description:	SUBSTANT./Causing Intentional Harassment Alarm or Distress		

Subsidiary Classifications:

	Code	Victim	Count
--	-------------	---------------	--------------

Confirm? Y Date: 07/11/2021 16:32

By: [REDACTED]
Victim Count Discrepancy:

No Crime

No Crime? Date:
Reason:
Confirm? Date:
By:

Crime Related Incident? Date:
Confirm? Date:
By:

Statistical Info

Current Status: U Undetected Crime Last Changed:
Cleared-Up Reason: Date:

Original Classification

Off.	Code	Victim	Count	Status	Outcome	Outcome Changed	Change Reason	Last Changed	Last Changed By
Main	S125/09	Y		U	00 Outcome Pending	07/11/2021 16:32:00		07/11/2021 16:32:00	██████████ ██████████

Confirmed Date: 07/11/2021 16:32
Confirmed By: CIW ██████████

Statistical Parent CR:

Administrative Detections

Home Office Rule: Date:
By:

Explanatory Notes:

All Current Home Office
Requirements Satisfied:

Date:
By:

Of Interest To

Method Index:
CP Analysis:

Victim Amendments

Date Added Time VIW No By

Date Removed Time VIW No By

History

Off. Code Victim Count Status Outcome Reason When By

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a
GLU:CW
Messages

Addressee	Date Sent	Text	Cancel Date
------------------	------------------	-------------	--------------------

Gen Reg No	Description
-------------------	--------------------

Important/Interest Crime?	Date:
---------------------------	-------

Details of Investigation

01/11/2021 14:45

PC METCHS1 CH CHS GENERIC ACCOUNT

Service Flag CJ added

01/11/2021 14:45

PC METCHS1 CH CHS GENERIC ACCOUNT

*** THIS CRIME REPORT HAS BEEN AUTOMATICALLY CREATED FROM A CHS DEMAND RECORD AND INVESTIGATED BY THE TDIU***

It is the responsibility of the IIO to clarify and confirm the details recorded in this report.

Please note the following screens for updating:

- General Screen: DV/Hate Crime Tab has been shown as "No" - Requires verification.
- General Screen: Digital Evidence Tab has been shown as "No" - Requires verification.
- Venue Screen: Main location has been shown as AZ - Requires verification.
- Venue Screen: For Burglary. Approach, Security, Entry and Exit values - Requires verification.
- VIW Screen: Injury/Dress Tab. Injury Degree has been shown as HD (No Injury) - Requires verification.
- VIW Screen: If victim is of school age, School address - Requires verification.
- SUSPECT, VEHICLE and PROPERTY details recorded on DETS - Requires screen creation.

CHS 20211101030426 01/11/2021 14:42:06 c740956 (Axel Buffet)

Opening codes:

010 - Criminal Damage

Email sent to charlesavis@gmail.com

Allegation details:

=====

CHS 01/11/2021 14:43:22 c740956 (Axel Buffet)

=====

[REDACTED]

Submitted

01/11/2021 11:31

Form Ref

[REDACTED]

Form Name

Report the behaviour of someone

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CHS 01/11/2021 14:43:22 c740956 (Axel

01/11/2021 14:45

PC METCHS1 CH CHS GENERIC ACCOUNT

Buffet)

=====

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Origin

Form

How would you prefer we contact you about your report?

By email

Do you need an interpreter or translator or have any other communication needs?

No

Are you willing to meet us at your home?

Yes

Your role

Your role

I'm reporting this for...

[REDACTED]

Are you over 18?

Yes

Did you do any of the following before you used the website today?

None of the above; this is the first time I'm contacting you about this

CHS 01/11/2021 14:43:22 c740956 (Axel Buffet)

=====

If you hadn't been able to use the website do you think you would have:

Called 101

Details of Investigation

Incident details

Incident details

Has something like this happened before?

Yes

Is it still happening now?

No

Start date

01/11/2021

Start time

00:05

End date

01/11/2021

End time

00.20

If you're unsure about the date or time, please give a few details below

not given

Lat long

51.5181562,-0.1908369

Easting northing

525623,181466

Address

CHS 01/11/2021 14:43:22 c740956 (Axel Buffet)

=====
Westbourne Park Rd, London W2 5PH, UK

Map url

[REDACTED]

Map type

ReadOnly

Origin

Triage

Details of Investigation

This is the location you gave us earlier, is this correct?

Yes

Can you tell us anything else to help pinpoint the exact location?

i have video evidence of the disturbance

Please

Details of Investigation

01/11/2021 14:45

PC METCHS1 CH CHS GENERIC ACCOUNT

tell us what happened during the latest incident

i was getting ready to go to bed and heard shouting and cars in the street outside my house. This is often the case in the street as there is a night club at the end of the road although they are supposed under their licence terms to not let patrons park in the residential streets including westbourne park road. Residents have been asked to get evidence of licence breaches so I went outside to film the goings on. I went out with my dog and filmed a [REDACTED] blocking the driveway with several people outside talking shouting and generally hanging about. One of them asked me why I was filming. I said they shouldn't be parking in the street if they were from the night club. I kept filming and things started to get uglier. It eventuated with the driver of the car shouting at me along the line 'I know where you live, I'm going to come and smash your cars etc'. It felt like it could escalate so I put my phone in my pocket but felt pretty threatened. I have the number of the car [REDACTED] which maybe important if there is some sort of attack on me or my property in the future. I also have some video footage of the incidence. All this is unlikely to have happened if the licensee of Ma Dames night club had adhered to the conditions of the licence specifically nos 52 and 54 which state that street marshalls will be

CHS 01/11/2021 14:43:22 c740956 (Axel Buffet)

=====

stationed at the entrance to WPR to stop vehicles parking there and that anyone who does is refused entry to the club.

Do you think drugs or alcohol have been

Details of Investigation

01/11/2021 14:45

PC METCHS1 CH CHS GENERIC ACCOUNT

involved in this incident?

I don't know

Previous incidents

How long have these been going on for?

this goes back several years but has been escalating again post lockdown

How often do they happen?

on average once a week

Could you please provide a description of the previous incidents, including dates and times

Andy Burgin at Met police has a list

People involved

Details of other people involved

Do you know the person?

No, I don't know them

Evidence

Incident evidence

Do you have any video, audio or photo evidence?

Yes

Please describe what can be seen or heard in your evidence

evidence of what i have described

Does another person or business have a video of what happened, such as CCTV or mobile phone footage?

I don't know

CHS 01/11/2021 14:43:22 c740956 (Axel Buffet)

=====
Impact

Impact of issue

How has the incident affected you?

Details of Investigation

it is concerning

Do you have any health, mobility or welfare issues that are making this situation more difficult?

No

Do you feel you are being targeted?

No

Do you feel race, disability, religion, sexual orientation, or transgender identity were a factor in this incident?

No

Do you feel like this incident is having an impact on the community?

Yes

Please explain how

this is a continuation of a string of incidents such as this whihc disturbs the locals andd their families that live here.

CHS 01/11/2021 14:43:43 c740956 (Axel Buffet)

=====

^OP - PASSING TO CRIS

-

PASSED TO CAD TO ADD PNC DETAILS ON THE CAD

-

I

01/11/2021 14:45

PC METCHS1 CH CHS GENERIC ACCOUNT

AM PNC TRAINED

CAD 01/11/2021 14:44:15 740956

=====

[REDACTED]

CAD 01/11/2021 14:44:15 740956

=====

NO REPORTS

07/11/2021 16:30

[REDACTED]

OIC Changed

07/11/2021 16:30

[REDACTED]

Service Flag TS added

07/11/2021 16:30

CIV [REDACTED]

Service Flag PI added

Details of Investigation

07/11/2021 16:31

■■■■ ■■■■ ■■■■■■■■

Screened In

07/11/2021 16:32

■■■■ ■■■■ ■■■■■■■■

Classification confirmed

07/11/2021 16:48

■■■■ ■■■■ ■■■■■■■■

TDIU ENTRY ****ONLINE REPORT****: This report has been completed in line with the Telephone Digital Investigations Units (TDIU) policy. The primary investigation has been completed by TDIU following an online report. A duplicate CRIS check has been conducted and there is no record of this incident having been previously recorded.

The victim reported ongoing ASB outside of his home address. The victim stated that there is an agreement with the licensee of Ma Dames night club around their patrons parking on the victim's street. On the night of the offence, the victim heard loud noises/shouting outside of his property and went down to investigate. The victim witnessed several individuals group around a ■■■■■■■■ and began to film the ASB. When asked why he was filming, the victim told them 'they shouldn't be parking in the

Details of Investigation

OIC Changed

07/01/2022 20:19

APS 237487 1115AW S MARSHALL

----- SUPERVISION CHANGE -----

I am moving from MIST and the supervision of this case is now being handed over to A/Sgt James LILLEY.

OIC needs to update this report ASAP, there has been no updates on the progress for nearly 2 months

07/01/2022 20:20

APS 237487 1115AW S MARSHALL

VCOP has also expired

17/01/2022 21:25

PC 242560 2101AW A GOODCHILD

I have had a conversation with Mr AVIS about this and he has stated that he is informing the SNT officers on a regular basis of the behaviour of these vehicles in and around the vicinity of this nightclub. I will inform licensing about the ASB that is being caused and whether this is something they would be interested in to see if they are breaching their licensing contract. I will then discuss the next steps of this investigation with [REDACTED] to see what resolutions would be possible.

17/01/2022 21:32

PC 242560 2101AW A GOODCHILD

I have conducted an IIP search on the vehicle and the vehicle is not known.

18/01/2022 19:18

PC 242560 2101AW A GOODCHILD

I have emailed Licensing for advice on the approach to the investigation.

Memo

Memos

Sent To

Noted By

Completed By

Entered By

Urgent?

Noted

Completed

Date

Cancelled

Entered

Create Action/Decision/Review Screens ?
Action/Decision/Review Screens Created By:

Create CAIT Screens?
CAIT Screens Created By:

Case Mgt Administration

Is SIO Same As OIC Supervisor?
Current Senior Investigating Officer (SIO):
Allocated:

Noted?
Noted Date/Time:

Previous SIOs:

Officer

Allocated

Noted

Review Period: days

Next Review Due:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6544191/21 CrType:B Notifiable/MPS/Other:N-7 Status:U Press:Y Class:S/Pub Order S 4a GLU:CW
Memo

Summary:

Actions: Total:
Decisions: Total:
Review: Total:

Ready for Completion:
With Rationale:

Completed:
Seen By SIO:

Initial Entry

Initial I.O.:
Rank: PC
Surname: CHS GENERIC ACCOUNT Initials: CH
Wt/Pay No: METCHS1 Div/D No:

Crime Recorded by: METCHS1 CHS GENERIC ACCOUNT PC CH
Date/Time: 01/11/2021 14:45
Recording Unit: FH

Supervision

Initial entry checked? F
Initial entry checked by: [REDACTED] [REDACTED] [REDACTED]
Date/Time: 07/11/2021 16:49

Ongoing Supervision

Date	Supervision By
01/01/2022 02:20	APS 1115AW/237487 S MARSHALL
11/11/2021 05:48	APS 1115AW/237487 S MARSHALL

Investigation complete?
Investigation complete by:
Date/Time:

Crime Report closed?
Crime Report closed by:
Date/Time:

Screening

Screening Decision: IN Crime screened "in" for further investigation.
Reason: 92 Proportionate Investigation
Text:

Screening History

Decision	Reason	Text
----------	--------	------

Completion

Date/Time CR
Last Updated: 18/01/2022 19:18

CR Completed?
Date/Time:
By (Wt.No):

Bring Forward:

Date	Date Entered	For
Reason		
Date Cancelled	Cancelled By	

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028

CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW

General Information

Screening Decision: OUT

Main

IU: AWBCU AW Basic Command Unit
Crime Type: B H/O Crime Type: 1
Allegation (Prefix):
Allegation:
Committed on/from Date: SUN 28/07/2019 03:30
Committed to Date:
Reported Date: SUN 28/07/2019 03:37
How Notified: NP Phone Call to Police
Restricted? By: Date:
Restriction Reason:

Flags

CW

Borough

Branch

Service

Area (Historical)

MU Created by Mobile User

OIC

Is OIC Same As Reporting Officer ?
Investigating Officer's Rank: PC
Surname: PISTARELLI Initials: S
Warrant Number: 243963 Div/D Number: 2192AW Usual Relief:
Duty: AA Borough Uniform
Station/Branch: AWBCU AW Basic Command Unit
Allocated Date/Time: 28/07/2019 04:19
Allocation Noted? Y Noted Date/Time: 28/07/2019 04:19
BWV Noted? BWV Noted Date/Time:

Previous OIC Details

Usual Relief	Duty	Station Branch	Allocated Date/Time	Noted Date/Time	BWV Noted Date/Time
--------------	------	----------------	---------------------	-----------------	---------------------

OIC Supervisor: APS1359AW/240275 E TEE

Press

[REDACTED]	■
[REDACTED]	■
[REDACTED]	■
[REDACTED]	■
[REDACTED]	■
[REDACTED]	■
[REDACTED]	■
[REDACTED]	■
[REDACTED]	■
[REDACTED]	■

General Information

No. of Suspects Arrested:

Source System References

Source System Name	Source System Reference	Entered Date/Time	Entered By
CAD	001520/28JUL19	28/07/2019 04:17	PC 2192AW/243963 S PISTARELLI

Totals

Total Values:

Stolen £: Outstanding £: Damaged £: 300.00
Recovered £: Damaged On Recovery £:

Total:

VIW(s):	1	Property	1	Vehicles(s):	0
Accused:	0	Suspect(s):	0	CAIT Subject(s):	0

Drugs/Fraud

Is this CR for an arrest for possession etc. (not theft) of controlled drugs?
If Fraudulent Use-Item Used: N

DV/Hate Crime

Is this a Hate Crime/Domestic Incident/Carer Abuse? N

Domestic Incident? Forced Marriage?

Honour Based Violence? Hate Crime?
Carer Abuse?

Initial Risk Assessment (SPECSS+):

Completed by:

Initial Risk Assessment Management Supervised?
Completed by:

Current Risk Assessment (SPECSS+):

Completed by:

Form 124D Completed?

Completed by:

Form124D Supervised?

Completed by:

Received by the CSU?

CSU Reference

Completed by:

LGBT Relationship?

Category of Hate Crime

Race?

Faith/Religion/Belief?
Homophobia?

Religion Name:

Transphobia?

Disability?

Targeted because of Vulnerability?

Digital Evidence

Is there Body Worn Video content in this case? N

Audio/Visual Content

#	AV Type	WtNo	Exhibit No	Evidential	Master	Link/66	Content shows
---	---------	------	------------	------------	--------	---------	---------------

Location

OMPD?
Address:
O/S, Ma Dame, 58, PORCHESTER ROAD,
LONDON, W2 6ET
Location Text:

GLU: CW Local Id: CW02 Grid Ref: 525774,181451
Watch Area:

Main

Location Type(s): FA Street

Is the Venue covered by CCTV or in a CCTV Area? N
CCTV Options:

Approach:
Entry Method:
Entry Point:
Exit Point:
Security:
Person On Premises?
Other Info:

Internal Transfer

Date/Time	Transferred By	Previous GLU	Previous IU
------------------	-----------------------	---------------------	--------------------

Transfer From MPS

Transfer from Met To:-
Service:
Station:
Their Reference:

Received By:-
Rank:
Number:
Surname:

Victim/Informant/Witness

Details

VIW No: 1 Of: 1
Role(s): V I

Total - Victims: 1
Total Witness: 0

CAIT Subject No:

Personal Details

[REDACTED]

School or College:

GLU:
National of 1:
Passport No 1:
National of 2:
Passport No 2:
Religion:

Local ID:

GridRef:

Address Details

VIW's Address is same as VEN?

Address:

WITHHELD

GLU:

Home Intelligence Unit:

WITHHELD Local ID: WITHHELD

GridRef: WITHHELD

WITHHELD

PCM: E

CNAAs Reason:

Contact Details:

Home: WITHHELD

Business: WITHHELD

Mobile: WITHHELD

Other: WITHHELD

Email: WITHHELD

**Victim/Informant/Witness
 Details**

Injury Details

Injury Degree: HD No Injury
 Injury Description:
 Description/Dress:
 No apparent injury
 Vulnerable/intimidated Victim/Witness? WITHHELD
 Reason for Vulnerability/Intimidation: WITHHELD

Victim Interviews

Interview Type	Date of Interview	Start Time	Location	Other Persons Present	Interviewing Officer	eStatement Ref No
----------------	-------------------	------------	----------	-----------------------	----------------------	-------------------

Actions

MG11 Taken?	Witness Albums Visited?	N
Victim of Reported Crime to Police in last 12 months?	N No	
Is V willing for VSS to be informed?	N No	
V Code of Practice Applicable?	Y	
	243963 PC	PISTARELLI S 28/07/2019

Changed To	Entered By	Date
------------	------------	------

VCOP Actn Compl?	Y	217099 PC ALLFREE ML 29/07/2019
Fraud Cl'rup NFRC		Date:

Knows Suspect No.	How Known
--------------------------	------------------

Aware of Suspect No.	How Victim or Witness aware of Arrest
-----------------------------	--

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Victim/Informant/Witness
Details

Knows Accused No. **How Known**

Needs

Does anyone perceive VIW to be Deaf and/or Disabled? N
If Yes, who? VIW/Other:

Details of Disability:

Physical Access Needs:

Personal Care Needs:

Medical Needs:

Communication Needs:

Sexual Orientation:

Gender Identity:

Officer's Notes:

Victim has been notified that there is no CCTV and no independent witnesses. No real chance to prosecute any suspect as the victim was not able to describe or identify the suspects.

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Victims Code of Practice

VIW No: 1 Of: 1

VSS Info:

Local VSS Ref:

Language (If not English):

Victim Contacted by I.O?

Y

Date/Time:

28/07/2019 04:25

Action Taken

EB VSS Not Appropriate

BZ SO - Completed Inv.

Action Date Entered by

29/07/2019 217099 PC

29/07/2019 217099 PC

ALLFREE

ALLFREE

ML

ML

Generated

Date Generated

Y

29/07/2019 20:35

Remarks:

Property Details

Item No: 1	Of: 1	VIW No:	
Property Type: HG Mirror/glass		Status:	DA Damaged
Stolen £:	Damaged £: 300.00	Handled £:	

Make:	Model:
ID Number/	ID Number/
Indiv/from:	Indiv/to:
IMEI No:	
Property Mark:	
Inscription:	
Description including damage:	



Victim considers property item to be Art or Antique?
Of NIB Interest?

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Support Services

IDO

IDO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

IDO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

CPO

CPO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

CPO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Photographer

Photographer Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

Photographer Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Other

Other Request:

Request Id	Type	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	-------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

Other Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Access Info

Features/instruments

EP Victim punched

Text:

IDO Text:

Prop Ref Nos

Forensic Data

Lab Reference No:

FORENSIC REFERENCES

Type	No
ES	033502

Officers Notes:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028

CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW

Linked Crimes

Chain ID	Removed from Chain?	Police Contact
-----------------	------------------------------------	-----------------------

Method

Current Position: C Classified
Method: The victim was filming the crowd on the street, was approached by a female who, to stop him from filming, grabbed his phone. A struggle ensued and as he was trying to retrieve the phone, a group of people punched him.

Classification Set by CIT:

Lock: Date:
 By:

Classify

Main Classification:

	Code	Victim	Date
Initial:	S105/01	Y	28/07/2019 04:17
Current:	S105/01	Y	29/07/2019 20:34
Description:	SUBSTANT./Common Assault - Summarily Only		

Subsidiary Classifications:

	Code	Victim	Count
Confirm?	Y	Date:	29/07/2019 20:34
		By:	PC 506TP /217099 ML ALLFREE
Victim Count Discrepancy:			

No Crime

No Crime? Date:
 Reason:
 Confirm? Date:
 By:

Crime Related Incident? Date:
 Confirm? Date:
 By:

Statistical Info

Current Status: U Undetected Crime Last Changed:
 Cleared-Up Reason: Date:

Original Classification

Off.	Code	Victim	Count	Status	Outcome	Outcome Changed	Change Reason	Last Changed	Last Changed By
Main	S105/01	Y		U	18 Invest. complete: no susp id	29/07/2019 20:35:00		29/07/2019 20:35:00	PC 506TP /217099 ML ALLFREE

Confirmed Date: 29/07/2019 20:34
 Confirmed By: PC 506TP /217099 ML ALLFREE

Statistical Parent CR:

Administrative Detections

Home Office Rule: Date:
 By:

Explanatory Notes:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Classification

All Current Home Office
Requirements Satisfied:

Date:
By:

Of Interest To

Method Index:
CP Analysis:

Victim Amendments

Date Added Time VIW No By

Date Removed Time VIW No By

History

Off.	Code	Victim	Count	Status	Outcome	Reason	When	By
Main	S105/01	Y	1	U	00 - Outcome Pending		29/07/2019 20:34:00	PC 506TP /217099 ML ALLFREE

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW
Messages

Addressee	Date Sent	Text	Cancel Date
------------------	------------------	-------------	--------------------

Gen Reg No	Description
-------------------	--------------------

Important/Interest Crime?	Date:
----------------------------------	--------------

Details of Investigation

28/07/2019 08:18

PC 243963 2192AW S PISTARELLI

This report was created using the CRIS app.

IMMEDIATE AND FAST TRACK ACTIONS

CAD: 001520/28JUL19

Offence: 105/01 Common Assault

Committed on 28 Jul 2019 03:30

Reported: 28 Jul 2019 03:37

Venue of offence: Outside Ma Dame, 58, Porchester Road, LONDON, W2 6ET

Borough where offence took place: CW

Officers attending

Officer Name: PC 2192AW PISTARELLI

Offence Summary and Officer's Initial Actions:

This appears to be an offence of Common assault and Criminal damage. The victim was woken up by loud noise in the street. This is a weekly recurrence, due to a nearby club that allows people to spill on the street until they disperse. The victim has reported this to the council and has been advised to film the incidents in order to obtain evidence.

He walked in to the street tonight and started filming the crowd. This is when he was approached by an unknown female who tried to stop him from filming and tried to grab his phone. the victim grabbed his phone back and this is when he was attacked by a group of people; he states being punched and kicked and having lost his glasses in the scuffle. He did not provide any description for suspects and he said he would be unable to identify any of them.

the glasses were later found by the side of the road where the incident happened; they were broken and missing both lenses.

CID contacted: No

Supervisor/duty officer contacted: No

Specialist team contacted: No

VICTIM/S

[REDACTED]

Details of Investigation

28/07/2019 08:18

PC 243963 2192AW S PISTARELLI

number: Yes

Was victim given Victim Care Card: No

Victim's account of the incident: The victim was woken up by the noise outside. The noise was caused by a large group of people leaving the club and spilling into the streets, being loud and rowdy. He explained this is a weekly occurrence and that he has already reported this to the council.

Other Information: LAS refused. Victim did not have any visible injury despite stating having been punched in the face.

PHYSICAL AND FORENSIC EVIDENCE

CCTV available: No

Content of CCTV: No CCTV in the area.

Cross contamination.

Details: There was a large crowd of people (40 to 50 people) and the victim was not able to point out any suspect or provide any description.

Forensic opportunities: No forensic opportunities.

LOCAL ENQUIRIES AND INITIAL SEARCH

Local enquiries/House to House?: No

ADDITIONAL LINES OF ENQUIRY

No other additional lines of enquiries. No independent witnesses. No CCTV. The bouncers at the venue did not see the incident happen as they were ushering the crowd.

HAVES RISK FRAMEWORK

History

No named suspect

Aggravating Factors

No aggravating factor identified at this time

Vulnerability

No vulnerable person identified at this time.

Escalation

No risk of escalation at this time.

Steps taken to Address Risk

N/A

SOLVABILITY ASSESSMENT

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW

Details of Investigation

The investigation is complete.

The reason is: there is no CCTV covering the offence. The victim was not able to provide any description for any of the suspect and there is not independent witness to the incident.

Home Office Outcome Code: 18 Invest. complete:

28/07/2019 08:18

PC 243963 2192AW S PISTARELLI

no susp id
The victim/s was informed of this decision.

29/07/2019 20:34

PC 217099 506TP ML ALLFREE

Screened Out

29/07/2019 20:34

PC 217099 506TP ML ALLFREE

Classification confirmed

29/07/2019 20:34

PC 217099 506TP ML ALLFREE

TP CMS

screened out

outcome 18

24/08/2019 19:59

PC 243963 2192AW S PISTARELLI

Since the date the incident has been reported, the victim has emailed me stating the following:

██████████

thanks for the Crime Reference Number.

Details of Investigation

You asked me yesterday if I could describe the assailant. In looking through my phone again the girl who grabbed my phone and knocked my glasses off my head is in the video. see link.

Whoever attacked me was from behind immediately after she attacked me. Perhaps the doormen who came to my aid might be able to identify them. A neighbour who witnessed the events of last night said that some of the cars were known to be used by drug dealers. Maybe that is why I was targeted?

The club licensee is [REDACTED] should you wish to contact her. [REDACTED] The club has its own CCTV. She is well aware of the issues but having only 3 doormen to supervise 50+ partygoers who do not want to disperse quietly who are clearly very 'high' is nothing like sufficient.

Let me know if you need anything else.

Thanks

[REDACTED]

I have made contact with the victim following this email and he has explained to me that he now wishes to support police action since there is a potential lead.
I have emailed the manager at the venue asking for further details of any CCTV and or ID details of the suspect.
I am yet to see the video recorded by the victim as the link above did not work.
I have explained to the victim that:
-should the venue not have any details for the

Details of Investigation

24/08/2019 19:59

PC 243963 2192AW S PISTARELLI

female, the only way of proceeding for any potential ID is to circulate her picture.

-I will be on a LT for the next two shift and if not too busy i will try and meet him to see/collect the video and obtain a statement

-Failing that, i will be on A/L until the 11th September and if i cannot meet him in the next couple of days, he may have to wait until i return on duty for me to progress this

He understood and is happy with the above. CRIS to be reopened.

24/08/2019 20:00

APS 241831 1939AW T HARRINGTON

CR Re-Opened, previously marked as Complete by PC 506TP /217099 ML ALLFREE 29/07/2019 20:35:00

CR Re-Opened, previously marked as Ready for Completion by PC 506TP /217099 ML ALLFREE 29/07/2019 20:35:00

14/09/2019 19:26

PC 243963 2192AW S PISTARELLI

I have received an email from the manager's club, stating the below:

"Dear Sara

Apologies for the late response, I was on annual leave.

Unfortunately I do not have CCTV that covers the zebra crossing, my CCTV only covers the entrance and inside the venue.

It was a promoters event his name is [REDACTED] I do not have the details of his guests and won't be able to identify the person who assaulted the neighbour as I don't know any of them.

I have asked [REDACTED] if he could give me the details of the guest he told me that he didn't see anything.

I was absolutely devastated when I saw the first person pushing him thank God my securities went straight across the street to defend him. Despicable behaviour really unacceptable.

I will never work with this promoter again.

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW

Details of Investigation

I am currently speaking with the council I've had a meeting at my venue last night they wanted to see how we operate at the end of the night and

Details of Investigation

14/09/2019 19:26

PC 243963 2192AW S PISTARELLI

were satisfied with what the saw. I have never had any serious issues at my venue before that incident I have been open for 4 years and I really hope this will be the first and last one.

Do not hesitate to contact me if you have any further questions. "

I have replied asking if she can provide me with the promoter's details so that i can speak directly to him.

I have also sent an email back to the victim providing him with the list of my working hours for the next week so that we can arrange a meeting and i can see and seize the video he has and take a statement from him.

I am awaiting reply.

17/09/2019 22:15

APS 240275 1359AW E TEE

Supervision

This matter is being diligently progressed. It appears that we may be able to identify the suspects through contacting this promoter.

20/09/2019 10:12

PC 243963 2192AW S PISTARELLI

I have received a second email from the club's manager, stating the below:

"Dear Sara

Thank you for your email.

I have forwarded your email to [REDACTED]

I have had a meeting with the council and we've discussed many points on how to improve regarding working with promoters in the future.

They have been very helpful and understood that I really do care about my neighbours and their safety and the safety of my team and guests.

Unfortunately I haven't had any direct contact with the neighbour who was assaulted I tried on the night to go speak to him ask him if he was alright and apologies but the police office who I speaking with strongly advise me not to approach him as he was extremely upset which is understandable.

I have met some neighbours and explain them all the different effort that are made

Details of Investigation

20/09/2019 10:12

PC 243963 2192AW S PISTARELLI

and have been made for the past few years. I also invited some of them to the venue for a general meeting but no one accepted the invitation.

Could you please tell him that I'm deeply sorry about what has happened to him I really hope you can catch the coward who did this to him unfortunately my security couldn't hold him until the police arrived but I was proud of them for controlling the situation within seconds.

This is the first time we've even had a incident in four years we've never had serious issues since we've opened.

You can reassure him and tell him that we will never work with [REDACTED] again.

If I can be in any assistance when you're meeting the neighbour I'll be more than happy to help.

Best Regards. "

I have tried calling the promoter but the number provided above was a NRRR at this time.

I will be meeting the victim today at 1200 hrs to obtain a statement from him and to view the footage he has filmed at the time of the incident.

22/09/2019 15:39

PC 243963 2192AW S PISTARELLI

I have now obtained a statement from the victim and I have seen and seized the footage.

The footage shows a [REDACTED] walking towards the victim and after shouting "Don't put me in your video", she lunges towards him and grabs the phone with her LEFT hand. The video then stops. She is believed to be the suspect of the criminal damage to the glasses as these dropped to the floor when she grabbed the phone.

The suspect/s for the common assault are not the same as the suspect for the criminal damage and they cannot be identified at this time.

I have called the promoter [REDACTED] and he has told me that there was no guest list for that

Details of Investigation

22/09/2019 15:39

PC 243963 2192AW S PISTARELLI

night's event.

I have asked the manager at Ma Dame to confirm whether they have any ID scanned from the night's event. I am awaiting reply.

If there is no ID to help identify the suspect female, then I will circulate the picture of the suspect to VIIDO tomorrow.

23/09/2019 16:32

PC 219053 3708CW AD RIDLEY

****VIIDO Entry – Moving footage****

The suspect image(s) and moving footage has been submitted via the Forensic Image Management System (FIMS) database for Met wide circulation.

FIMS Image URN: 033502

The ES code on CRIS has been added to record circulation.

This crime has been graded as a Tier 3 on the FIMS database.

Please note:

Retention of images on FIMS

If after a period of time the circulated image has not been identified the Image will be automatically removed from the Image Gallery.



It is the responsibility of the OIC to contact their local VIIDO if they require the 'still' image(s) to be further circulated beyond the above time frames

Should the suspect(s) be identified by any other means the OIC MUST update FIMS at the earliest opportunity in order for the image(s) to be removed from circulation.

23/09/2019 17:26

PC 243963 2192AW S PISTARELLI

The suspect's image has now been circulated and I have booked the footage in at Charing Cross Police Station:

██████████
██████████

This report can now be closed as per outcome 18.

Outcome 18 - Investigation complete – no suspect identified. Crime investigated as far as reasonably possible – case closed pending further investigative opportunities becoming available.

I

23/09/2019 17:26

PC 243963 2192AW S PISTARELLI

have notified the victim of this outcome.

06/10/2019 00:58

APS 240275 1359AW E TEE

Supervision

I have reviewed this report for the purposes of ongoing supervision.
An image has been obtained and has now been circulated for the purposes of making an identification.
Outcome 18 applies.

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Memo

Review Period: days

Next Review Due:

Summary:

Actions: Total:
Decisions: Total:
Review: Total:

Ready for Completion:
With Rationale:

Completed:
Seen By SIO:

Initial Entry

Initial I.O.:
Rank: PC
Surname: PISTARELLI Initials: S
Wt/Pay No: 243963 Div/D No: 2192AW

Crime Recorded by: 243963 PISTARELLI PC 2192AW S
Date/Time: 28/07/2019 04:17
Recording Unit: AWERAWN

Supervision

Initial entry checked? Y
Initial entry checked by: PC ALLFREE 506TP 217099
Date/Time: 29/07/2019 20:34

Ongoing Supervision

Date	Supervision By
06/10/2019 00:58	APS 1359AW/240275 E TEE
17/09/2019 22:15	APS 1359AW/240275 E TEE

Investigation complete? Y
Investigation complete by: APS 1359AW/240275 E TEE
Date/Time: 06/10/2019 00:58

Crime Report closed? Y
Crime Report closed by: PC 974TP /205757 CG MICHAUD-RODRIGUEZ GARCIA
Date/Time: 25/11/2019 12:26

Screening

Screening Decision: OUT Crime screened "out". No further investigation.
Reason:
Text:
MA CMS T3

Screening History

Decision	Reason	Text
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Completion

Date/Time CR
Last Updated: 25/11/2019 12:26

CR Completed? Y
Date/Time: 25/11/2019 12:26
By (Wt.No): 205757

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6551025/19 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW
Supervision

Bring Forward:

Date	Date Entered	For
Reason		
Date Cancelled	Cancelled By	

General Information

Screening Decision: OUT

Main

IU: CW WESTMINSTER
 Crime Type: B H/O Crime Type: 5
 Allegation (Prefix):
 Allegation:
 Committed on/from Date: SUN 30/09/2018 21:00
 Committed to Date: MON 01/10/2018 03:00
 Reported Date: FRI 19/10/2018 17:16
 How Notified: NI Internet Reporting
 Restricted? By: Date:
 Restriction Reason:

Flags

CW

Borough

Branch

Service

Area (Historical)

TI T/phone Invest. No scene visit
 PI Pathfinder OnlineInvestigation

OIC

Is OIC Same As Reporting Officer ? Y
 Investigating Officer's Rank: PC
 Surname: DONNELLY Initials: MA
 Warrant Number: 201155 Div/D Number: 944TP Usual Relief: C
 Duty: BB TP Central Unit
 Station/Branch: TPTIU-C TP Central TIU Team C
 Allocated Date/Time: 20/10/2018 12:40
 Allocation Noted? Y Noted Date/Time: 20/10/2018 12:40
 BWV Noted? BWV Noted Date/Time:

Previous OIC Details

Usual Relief	Duty	Station Branch	Allocated Date/Time	Noted Date/Time	BWV Noted Date/Time
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OIC Supervisor: PS57TP/194594 RG TWEEN

Press

Suitable for Press? Y
 Restrictions:
 Is this a Specrim? N
 Date/Time:
 Was a Firearm Used? N
 Was other Weapon Used? N
 Are there Terrorist Implications? N
 Was a Suspect present on Police arrival? N
 No. of Suspects Present:
 Was the Suspect(s) arrested? N
 No. of Suspects Arrested:

Form124D Supervised?

Completed by:

Received by the CSU?

CSU Reference

Completed by:

LGBT Relationship?

Category of Hate Crime

Race?

Faith/Religion/Belief?
Homophobia?

Religion Name:

Transphobia?

Disability?

Targeted because of Vulnerability?

Digital Evidence

Is there Body Worn Video content in this case? N

Audio/Visual Content

#	AV Type	WtNo	Exhibit No	Evidential	Master	Link/66	Content shows
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Location

OMPD?
Address:
Ma Dame,58,PORCHESTER ROAD,
LONDON,W2 6ET
Location Text:

GLU: CW Local Id: CW02 Grid Ref: 525823,181339
Watch Area:

Main

Location Type(s): JE Licensed Club

Is the Venue covered by CCTV or in a CCTV Area? U
CCTV Options:

Approach:
Entry Method:
Entry Point:
Exit Point:
Security:
Person On Premises?
Other Info:

Internal Transfer

Date/Time	Transferred By	Previous GLU	Previous IU
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Transfer From MPS

Transfer from Met To:-
Service:
Station:
Their Reference:

Received By:-
Rank:
Number:
Surname:

Data Protection Act - Dispose Of As Confidential Waste
 PC RG GUERRA 1614AW 207028
 CR:6553171/18 CrType:B Notifiable/MPS/Other:N-5 Status:U Press:Y Class:S/Other theft GLU:CW
Victim/Informant/Witness
Details

Injury Details

Injury Degree: HD No Injury
 Injury Description:
 Description/Dress:

Vulnerable/intimidated Victim/Witness? WITHHELD
 Reason for Vulnerability/Intimidation: WITHHELD

Victim Interviews

Interview Type	Date of Interview	Start Time	Location	Other Persons Present	Interviewing Officer	eStatement Ref No
----------------	-------------------	------------	----------	-----------------------	----------------------	-------------------

Actions

MG11 Taken?		Witness Albums Visited?	N
Victim of Reported Crime to Police in last 12 months?	N No		
Is V willing for VSS to be informed?	N No		
V Code of Practice Applicable?	Y		
	201155 PC	DONNELLY MA	20/10/2018

Changed To	Entered By	Date
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VCOP Actn Compl?	Y		
	223142 PC	DOSA N	20/10/2018
Fraud Cl'rup NFRC			Date:

Knows Suspect No. How Known

Aware of Suspect No. How Victim or Witness aware of Arrest

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553171/18 CrType:B Notifiable/MPS/Other:N-5 Status:U Press:Y Class:S/Other theft GLU:CW
Victim/Informant/Witness
Details

Knows Accused No. **How Known**

Needs

Does anyone perceive VIW to be Deaf and/or Disabled? N

If Yes, who? VIW/Other:

Details of Disability:

Physical Access Needs:

Personal Care Needs:

Medical Needs:

Communication Needs:

Sexual Orientation:

Gender Identity:

Officer's Notes:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553171/18 CrType:B Notifiable/MPS/Other:N-5 Status:U Press:Y Class:S/Other theft GLU:CW
Victims Code of Practice

VIW No: 1 Of: 1

VSS Info:

Local VSS Ref:

Language (If not English):

Victim Contacted by I.O?

Date/Time:

Action Taken	Action Date Entered by				Generated	Date Generated
EB VSS Not Appropriate	20/10/2018	223142	PC	DOSA	N	
BZ SO - Completed Inv.	20/10/2018	223142	PC	DOSA	N	20/10/2018 20:46

Remarks:

Property Details

Item No: 1 Of: 1
Property Type: NB Driving Licence
Stolen £: 0.00 Damaged £:

VIW No: 1
Status: SA Stolen/Taken
Handled £:

Make:
ID Number/
Indiv/from:
IMEI No:
Property Mark:
Inscription:
Description including damage:

Model:
ID Number/
Indiv/to:

Victim considers property item to be Art or Antique?
Of NIB Interest?

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553171/18 CrType:B Notifiable/MPS/Other:N-5 Status:U Press:Y Class:S/Other theft GLU:CW
Support Services

IDO

IDO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
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IDO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
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CPO

CPO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
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CPO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Photographer

Photographer Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

Photographer Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
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Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553171/18 CrType:B Notifiable/MPS/Other:N-5 Status:U Press:Y Class:S/Other theft GLU:CW
Support Services

Other

Other Request:

Request Id	Type	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	-------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

Other Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
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Access Info

Features

Features/instruments

Text:

IDO Text:

Prop Ref Nos

Forensic Data

Lab Reference No:

FORENSIC REFERENCES

Type **No**

Officers Notes:

Linked Crimes

Chain ID	Removed from Chain?	Police Contact
-----------------	------------------------------------	-----------------------

Method

Current Position: C Classified
Method: effected by suspect unknown taking victim's driving licence whilst she was in a nightclub

Classification Set by CIT:

Lock: Date:
By:

Classify

Main Classification:

	Code	Victim	Date
Initial:	S049/10	Y	20/10/2018 12:38
Current:	S049/10	Y	20/10/2018 12:47
Description:	SUBSTANT./Other Theft Offences under the Theft Act 1968,Sec.1, Not Classified Elsewhere		

Subsidiary Classifications:

Code	Victim	Count
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Confirm? Y Date: 20/10/2018 20:45
By: PC 576TP /223142 N DOSA
Victim Count Discrepancy:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553171/18 CrType:B Notifiable/MPS/Other:N-5 Status:U Press:Y Class:S/Other theft GLU:CW
Classification

All Current Home Office
Requirements Satisfied:

Date:
By:

Of Interest To

Method Index:
CP Analysis:

Victim Amendments

Date Added Time VIW No By

Date Removed Time VIW No By

History

Off.	Code	Victim	Count	Status	Outcome	Reason	When	By
Main	S049/10	Y	1	U	00 - Outcome Pending		20/10/2018 20:45:00	PC 576TP /223142 N DOSA

Messages

Addressee	Date Sent	Text	Cancel Date
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Gen Reg No	Description
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Important/Interest Crime?	Date:
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20/10/2018 12:40

PC 201155 944TP MA DONNELLY

Service Flag TI added

20/10/2018 12:40

PC 201155 944TP MA DONNELLY

Service Flag PI added

20/10/2018 12:48

PC 201155 944TP MA DONNELLY

On-line submission SP-75782-18-0101-00 and CHS 20181019032522 refers and has been investigated by TDIU.

Duplicate checks conducted, no matches found.

“This report has been created in line with the Telephone and Digital Investigation Units (TDIU) policy. The Primary Investigation has been completed directly from an online report (HOLON) as it is our policy that informants are not routinely called back.”

The on-line report created by the victim states..... “Attended an event with a friend, [REDACTED]. I visited my friend at her apartment where she was residing at the time at [REDACTED]. I arrived shortly on or around 20.00. We were accompanied by her friend, Omari, whom I met for the first time that evening. Not too long after, all three of us made our way to the event at Ma Dame nightclub. I do not recall if the club scanned our licence as ID upon entry. The evening was rather tame and I held my clutch all evening. There may have been one spillage when a few lipsticks fell out but I quickly gathered those. I am particular with my personal belongings and clutched my purse for the majority of the evening. I was rather surprised when I arrived home and my ID was no longer on my person. Since the 1st October, I have taken the steps to speak with the club. I left my details with them and they have since called me back to notify me that they have not located/seen my driver’s licence. I have also spoken with the girls with whom I attended the event. They have both denied seeing the licence. The only thing that I observed to be missing

20/10/2018 12:48

PC 201155 944TP MA DONNELLY

that evening was my driver's licence which is concerning to me. Typically if things are mislaid, it would be a 'lipstick and gum' or 'cash and an eyeliner' signifying that the purse had perhaps slipped open during the night. This is not the case here. I am not comfortable that my licence is missing and believe it may have been deliberately removed from my person. I consider myself to be an upstanding citizen which may make my Identification somewhat desirable to others. I recall that a few months ago during the summer, my friend had asked to borrow my driver's licence, on a separate night when she did not have hers. Of course I vehemently denied this request! I explained to her my concerns as well as my understanding of the law and why we cannot share ID (and we nearly fell out over this as she did not appear to appreciate these concerns). Although time has elapsed since that incident, it makes me uncomfortable that my licence has now since gone missing in her company. I have exhausted all options I can think of I.e contacting the club, speaking with the girls. I have allowed two weeks for my licence to be returned to me. Since I have not received it, I am filing this report and I shall now contact DVLA to request a replacement."

The victim believes that the venue has CCTV cameras. The time frame however is 6 hours.

Crime ref provided.

No further details known at this time.

RISK ASSESSMENT

History -

There are no known relevant historical links between the victim or venue or suspect or any other matters.

Aggravating factors -

There are no known aggravating factors.

Vulnerability

20/10/2018 12:48

PC 201155 944TP MA DONNELLY

-

There are no known vulnerability factors.

Escalation -

There are no escalation factors.

SOLVABILITY

Crime Assessment Policy Principles

1. Victim willing to support a police prosecution: NK
2. Suspect identified by the victim/witness: NO
3. Value of loss/damage below £50: YES
4. CCTV available with clear evidential images/ready for collection: NK
5. Forensics evidence to identify a suspect: NO

*Public safety/Interest or Victim identified as vulnerable – NO

Assessment recommendation

SCREENED OUT - I have assessed this investigation according to the above Crime Assessment Policy Principles and consider the report should be closed.

Investigation complete, no suspect has been identified.

This crime has been investigated as far as reasonably possible - case closed until further investigative opportunities become available.

Recommend Outcome 18.

20/10/2018 20:45

PC 223142 576TP N DOSA

Screened Out

20/10/2018 20:45

PC 223142 576TP N DOSA

Classification confirmed

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553171/18 CrType:B Notifiable/MPS/Other:N-5 Status:U Press:Y Class:S/Other theft GLU:CW
Memo

Summary:

Actions:	Total:	Ready for Completion:	Completed:
Decisions:	Total:	With Rationale:	Seen By SIO:
Review:	Total:		

Supervision

Initial Entry

Initial I.O.:
Rank: PC
Surname: DONNELLY Initials: MA
Wt/Pay No: 201155 Div/D No: 944TP

Crime Recorded by: 201155 DONNELLY PC 944TP MA
Date/Time: 20/10/2018 12:38
Recording Unit: TPTIU-C

Supervision

Initial entry checked? Y
Initial entry checked by: PC DOSA 576TP 223142
Date/Time: 20/10/2018 20:44

Ongoing Supervision

Date **Supervision By**

Investigation complete? Y
Investigation complete by: PC 576TP /223142 N DOSA
Date/Time: 20/10/2018 20:46

Crime Report closed? Y
Crime Report closed by: PC 576TP /223142 N DOSA
Date/Time: 20/10/2018 20:46

Screening

Screening Decision: OUT Crime screened "out". No further investigation.
Reason:
Text:
cms nd t2b

Screening History

Decision Reason Text

Completion

Date/Time CR
Last Updated: 20/10/2018 20:47

CR Completed? Y
Date/Time: 20/10/2018 20:46
By (Wt.No): 223142

Bring Forward:

Date	Date Entered	For
Reason		
Date Cancelled	Cancelled By	

General Information

Screening Decision: IN

Main

IU: TPHQ TPHQ - Headquarters
Crime Type: B H/O Crime Type: 1
Allegation (Prefix):
Allegation:
Committed on/from Date: SUN 12/12/2021 01:45
Committed to Date: SUN 12/12/2021 01:50
Reported Date: SUN 12/12/2021 01:58
How Notified: NP Phone Call to Police
Restricted? By: Date:
Restriction Reason:

Flags

CW

Borough

Branch

Service

Area (Historical)

CJ Pass to TDIU (MetCC USE ONLY)
TI T/phone Invest. No scene visit
TC T/Phone V.contact skel updated
CH Created by CHS User

OIC

Is OIC Same As Reporting Officer ?
Investigating Officer's Rank: PC
Surname: EARL Initials: Z
Warrant Number: 253407 Div/D Number: Usual Relief:
Duty: AA Borough Uniform
Station/Branch: AWHQ
Allocated Date/Time: 15/12/2021 20:54
Allocation Noted? Y Noted Date/Time: 16/12/2021 14:57
BWV Noted? BWV Noted Date/Time:

Previous OIC Details

Usual Relief	Duty	Station Branch	Allocated Date/Time	Noted Date/Time	BWV Noted Date/Time
ADMIN	AW00001 XX AW	ERPT			
	AA Borough Uniform	FH	14/12/2021 17:50		

PC 205483 C DANTER 4557AW
B AA Borough Uniform AWHQ 14/12/2021 16:49 14/12/2021 16:49

PC METCHS1 CH CHS GENERIC ACCOUNT
OA Other duty(Uniform) TPHQ 12/12/2021 01:58

OIC Supervisor: PS235AW/228513 J MORRIS

General Information

Press

Suitable for Press? Y
 Restrictions:
 Is this a Specrim? N
 Date/Time:
 Was a Firearm Used? N
 Was other Weapon Used? N
 Are there Terrorist Implications? N
 Was a Suspect present on Police arrival? N
 No. of Suspects Present:
 Was the Suspect(s) arrested? N
 No. of Suspects Arrested:

Source System References

Source System Name	Source System Reference	Entered Date/Time	Entered By
CHS	202112120025854	12/12/2021 01:58	PC /METCHS1 CH CHS GENERIC ACCOUNT

Totals

Total Values:

Stolen £: Outstanding £: Damaged £:
 Recovered £: Damaged On Recovery £:

Total:

VIW(s): 1 Property 0 Vehicles(s): 0
 Accused: 0 Suspect(s): 0 CAIT Subject(s): 0

Drugs/Fraud

Is this CR for an arrest for possession etc. (not theft) of controlled drugs?
 If Fraudulent Use-Item Used: N

DV/Hate Crime

Is this a Hate Crime/Domestic Incident/Carer Abuse? N

Domestic Incident? Forced Marriage?

Honour Based Violence? Hate Crime?
 Carer Abuse?

Initial Risk Assessment (SPECSS+):

Completed by:

Initial Risk Assessment Management Supervised?
 Completed by:

General Information

Current Risk Assessment (SPECSS+):

Completed by:

Form 124D Completed?

Completed by:

Form124D Supervised?

Completed by:

Received by the CSU?

CSU Reference

Completed by:

LGBT Relationship?

Category of Hate Crime

Race?

Faith/Religion/Belief?
Homophobia?

Religion Name:

Transphobia?

Disability?

Targeted because of Vulnerability?

Digital Evidence

Is there Body Worn Video content in this case? N

Audio/Visual Content

#	AV Type	WtNo	Exhibit No	Evidential	Master	Link/66	Content shows
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Location

OMPD?
Address:
O/S,MA DAME,58,PORCHESTER ROAD,
LONDON,CITY OF WESTMINSTER,W2 6ET
Location Text:

GLU: CW Local Id: CW02 Grid Ref: 525764,181485
Watch Area:

Main

Location Type(s): AZ Not Known

Is the Venue covered by CCTV or in a CCTV Area? U
CCTV Options:

Approach:
Entry Method:
Entry Point:
Exit Point:
Security:
Person On Premises?
Other Info:

Internal Transfer

Date/Time	Transferred By	Previous GLU	Previous IU
------------------	-----------------------	---------------------	--------------------

Transfer From MPS

Transfer from Met To:-
Service:
Station:
Their Reference:

Received By:-
Rank:
Number:
Surname:

Victim/Informant/Witness

Details

VIW No: 1 Of: 1
Role(s): V I

Total - Victims: 1
Total Witness: 0

CAIT Subject No:

Personal Details

Co/Public Body?

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Title: DOCTOR

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

GLU:

Local ID:

GridRef:

National of 1:
Passport No 1:
National of 2:
Passport No 2:
Religion:

Address Details

VIW's Address is same as VEN?

Address:

WITHHELD

GLU:

WITHHELD Local ID: WITHHELD

GridRef: WITHHELD

Home Intelligence Unit:

WITHHELD

PCM: P

CNAAs Reason:

Contact Details:

Home: WITHHELD

Business: WITHHELD

Mobile: WITHHELD

Other: WITHHELD

Email: WITHHELD

**Victim/Informant/Witness
 Details**

Injury Details

Injury Degree: HD No Injury
 Injury Description: No Injury and Vulnerability No entered by CHS. Confirm entries
 Description/Dress:

Vulnerable/intimidated Victim/Witness? WITHHELD
 Reason for Vulnerability/Intimidation: WITHHELD

Victim Interviews

Interview Type	Date of Interview	Start Time	Location	Other Persons Present	Interviewing Officer	eStatement Ref No
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Actions

MG11 Taken?	Witness Albums Visited?	N
Victim of Reported Crime to Police in last 12 months?	N No	
Is V willing for VSS to be informed?	N No	
V Code of Practice Applicable?	Y	
	METCHS1 PC	CHS GENERIC ACCOUNT CH 12/12/2021

Changed To	Entered By	Date
------------	------------	------

VCOP Actn Compl?	Y	205483 PC DANTER C 14/12/2021
Fraud Cl'rup NFRC		Date:

Knows Suspect No. How Known

Aware of Suspect No. How Victim or Witness aware of Arrest

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553257/21 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Victim/Informant/Witness
Details

Knows Accused No. **How Known**

Needs

Does anyone perceive VIW to be Deaf and/or Disabled? N

If Yes, who? VIW/Other:

Details of Disability:

Physical Access Needs:

Personal Care Needs:

Medical Needs:

Communication Needs:

Sexual Orientation:

Gender Identity:

Officer's Notes:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553257/21 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Victims Code of Practice

VIW No: 1 Of: 1

VSS Info:

Local VSS Ref:

Language (If not English):

Victim Contacted by I.O?

Date/Time:

Action Taken	Action Date Entered by					Generated	Date Generated
EB VSS Not Appropriate	14/12/2021	205483	PC	DANTER	C		
AZ SI - Continuing Inv.	14/12/2021	205483	PC	DANTER	C	Y	14/12/2021 17:50
HK VU-Case Closed Undet	16/12/2021	253407	PC	EARL	Z		

Remarks:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553257/21 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Support Services

IDO

IDO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

IDO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

CPO

CPO Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

CPO Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Photographer

Photographer Request:

Request Id	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

Photographer Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Other

Other Request:

Request Id	Type	Requested Date/Time	Surname	Warrant/Pay No	Accepted Date/Time	Cancel Reason	Cancel Date
-------------------	-------------	----------------------------	----------------	-----------------------	---------------------------	----------------------	--------------------

Other Visit:

Request Id	Surname	Visit Date/Time	Entry Gained	Job Sheet No	Useful Marks
-------------------	----------------	------------------------	---------------------	---------------------	---------------------

Access Info

Features/instruments

Text:

IDO Text:

Prop Ref Nos

Forensic Data

Lab Reference No:

FORENSIC REFERENCES

Type **No**

Officers Notes:

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553257/21 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW
Linked Crimes

Chain ID	Removed from Chain?	Police Contact
-----------------	------------------------------------	-----------------------

Method

Current Position: C Classified
Method: By SUSPECT pushing VICTIM after verbal argument over local issues.

Classification Set by CIT:

Lock: Date:
By:

Classify

Main Classification:

	Code	Victim	Date
Initial:	S008/06	Y	12/12/2021 02:06
Current:	S105/01	Y	14/12/2021 17:03
Description:	SUBSTANT./Common Assault - Summarily Only		

Subsidiary Classifications:

	Code	Victim	Count
Confirm?	Y	Date:	14/12/2021 17:03
		By:	PC 4557AW/205483 C DANTER
Victim Count Discrepancy:			

No Crime

No Crime? Date:
Reason:
Confirm? Date:
By:

Crime Related Incident? Date:
Confirm? Date:
By:

Statistical Info

Current Status: U Undetected Crime Last Changed:
Cleared-Up Reason: Date:

Original Classification

Off.	Code	Victim	Count	Status	Outcome	Outcome Changed	Change Reason	Last Changed	Last Changed By
Main	S105/01	Y		U	00 Outcome Pending	14/12/2021 17:03:00		14/12/2021 17:03:00	PC 4557AW/205483 C DANTER

Confirmed Date: 14/12/2021 17:03
Confirmed By: PC 4557AW/205483 C DANTER

Statistical Parent CR:

Administrative Detections

Home Office Rule: Date:
By:

Explanatory Notes:

All Current Home Office
Requirements Satisfied:

Date:
By:

Of Interest To

Method Index:
CP Analysis:

Victim Amendments

Date Added Time VIW No By

Date Removed Time VIW No By

History

Off. Code Victim Count Status Outcome Reason When By

Data Protection Act - Dispose Of As Confidential Waste

PC RG GUERRA 1614AW 207028

CR:6553257/21 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault

GLU:CW

Messages

Addressee	Date Sent	Text	Cancel Date
------------------	------------------	-------------	--------------------

Gen Reg No	Description
-------------------	--------------------

Important/Interest Crime?	Date:
---------------------------	-------

12/12/2021 02:06

PC METCHS1 CH CHS GENERIC ACCOUNT

Service Flag CJ added

12/12/2021 02:06

PC METCHS1 CH CHS GENERIC ACCOUNT

*** THIS CRIME REPORT HAS BEEN AUTOMATICALLY CREATED FROM A CHS DEMAND RECORD AND INVESTIGATED BY THE TDIU***

It is the responsibility of the IIO to clarify and confirm the details recorded in this report.

Please note the following screens for updating:

- General Screen: DV/Hate Crime Tab has been shown as "No" - Requires verification.
- General Screen: Digital Evidence Tab has been shown as "No" - Requires verification.
- Venue Screen: Main location has been shown as AZ - Requires verification.
- Venue Screen: For Burglary. Approach, Security, Entry and Exit values - Requires verification.
- VIW Screen: Injury/Dress Tab. Injury Degree has been shown as HD (No Injury) - Requires verification.
- VIW Screen: If victim is of school age, School address - Requires verification.
- SUSPECT, VEHICLE and PROPERTY details recorded on DETS - Requires screen creation.

CHS 20211212025854 12/12/2021 01:58:27 c743578 (Rob Dawkins)

Opening codes:

001 - Violence Against The Person

██
Allegation details:

=====
CHS 12/12/2021 02:01:29 c743578 (Rob Dawkins)

=====
^INFT WE HAVE HAD LOTS OF ISSUES WITH THIS CLUB, IM A LOCAL RESIDENT AND HAVE ISSUES WITH THE NOISE AND ROWDINESS

-
SOMEONE WAS TAKING PHOTOS OF ME, SAID HE "WILL DEAL WITH ME" - HE THEN SHOVED ME

CHS 12/12/2021 02:01:54 c743578 (Rob Dawkins)

=====
^INFT THE F STAFF SAID THE M WORKS FOR THE CLUB

-
I WANT TO REPORT THIS - I WONT BE THREATENED LIKE THIS

CHS 12/12/2021 02:02:04

12/12/2021 02:06

PC METCHS1 CH CHS GENERIC ACCOUNT

c743578 (Rob Dawkins)

=====
^INFT IM OK AND NOT INJURED

CHS 12/12/2021 02:03:20 c743578 (Rob Dawkins)

=====

-
I HAVE A PHOTO OF HIM

14/12/2021 16:52

PC 205483 4557AW C DANTER

OIC Changed

14/12/2021 16:52

PC 205483 4557AW C DANTER

Service Flag TI added

14/12/2021 16:52

PC 205483 4557AW C DANTER

Service Flag TC added

14/12/2021 17:04

PC 205483 4557AW C DANTER

Classification confirmed

Details of Investigation

14/12/2021 17:44

PC 205483 4557AW C DANTER

“This report has been created in line with the Telephone and Digital Investigation Units (TDIU) policy. The Primary Investigation has been completed with only the information recorded on the CHS by First Contact, as the victim could not be reached when called.”

I have left a message for Victim with the CRIS and CMS numbers for Victim to provide details to identify the Suspect and/or if the incident was captured on CCTV.

***** TP CRIB INITIAL INVESTIGATION *****

TDIU entry

Victim has been reassured and advised accordingly upon initial contact.

Victim confirmed the information provided to MET-CC.

Report has been assessed by TDIU and relevant pages have been updated

Contact made:

Incident Number –

CHS 20211212025854 12/12/2021 01:58:27 c743578 (Rob Dawkins)

Date of incident –

12/12/2021 at 0145 - 0150 hours.

Police informed –

12/12/2021 at 0158 hours

Suspected deliberate –

YES – SUSPECT believed to have deliberately pushed VICTIM after verbal argument over local issues.

Circumstances –

Cut and Paste from CHS

INFT WE HAVE HAD LOTS OF ISSUES WITH THIS CLUB, IM A LOCAL RESIDENT AND HAVE ISSUES WITH THE NOISE AND ROWDINESS

SOMEONE WAS TAKING PHOTOS OF ME, SAID HE "WILL DEAL WITH ME" - HE THEN SHOVED ME

INFT THE F STAFF SAID THE M

Details of Investigation

14/12/2021 17:44

PC 205483 4557AW C DANTER

WORKS FOR THE CLUB

I WANT TO REPORT THIS - I WONT BE THREATENED LIKE THIS

INFT IM OK AND NOT INJURED

^INFT AFRO CARRIBEAN M, 6FT3, AA30

I HAVE A PHOTO OF HIM

TDIU Update

I have emailed a request for the image of SUSPECT via EVIDENCE.COM / AXON CITIZEN

HAVES ASSESSMENT

History – Not applicable.

Aggravating factors – Not applicable.

Vulnerability – None

Escalation – Not applicable.

Steps Taken –

CCTV - Unknown

Witnesses - None

Forensic Opportunities - Unknown

SOLVABILITY ASSESSMENT

Based on my assessment of material available, Further investigation is required.

The reasons behind this are:-

(1) The victims' willingness to prosecute

VICTIM has reported the matter showing a willingness to assist with an investigation. I will email details and contact documentation with Crime reference Number and request update if there is any new information.

(2) The suspects' identity being known

SUSPECT –

Unknown but linked to local club at venue and digital image obtained by VICTIM.

(3) The value associated to the crime

Approximate value item Damaged / Stolen – Not Applicable

(4) The availability of CCTV footage of the crime or SUSPECT and a clear identifiable facial image.

Details of Investigation

CCTV Request made via Axon Citizen – Evidence.com

“ CRIB Axon Citizen Entry: The primary investigation has been conducted by CRIB. CCTV has been uploaded onto Axon Citizen and this can be accessed via the CRIS number on the system. The allocated BCU investigator should view, categorise & reassign the footage to themselves. This must be done within the next 30 days or it will be

Details of Investigation

14/12/2021 17:44

PC 205483 4557AW C DANTER

auto-deleted

(5) The possibility of forensic leads

No Known Forensics opportunities.
No requirement for preservation of the scene.
No requirement for forensic examination of the scene.

(6) Action specific to making off without payment (Fuel theft)

Not Applicable

(7) Burglary / Robbery Mandatory Crime

NO

‘No apparent leads are detected under Crime Assessment Principles. However, following direction of Assistant Commissioner Frontline Policing all personal robbery and residential burglary crimes are now allocated for local review. This will allow the BCU to consider whether further enquiries need to be conducted including CCTV enquiries, linked series enquiries and follow up with the SNT. The victim in this case has been informed that the crime is not suitable for secondary investigation.’

Screening Decision

This crime has been investigated as far as reasonably possible – Further investigative lines of enquiry.

SUSPECT unknown but linked to local club at venue and digital image obtained by VICTIM.

I have emailed a request for the image of SUSPECT via EVIDENCE.COM / AXON CITIZEN

Screened In Pending – Outcome Code 00
Nothing further to add. TDIU

14/12/2021 17:44

PC 205483 4557AW C DANTER

EVIDENCE.COM /AXON CITIZEN REQUEST HAS BEEN SENT

14/12/2021 17:49

PC 205483 4557AW C DANTER

Screened In

14/12/2021 17:50

PC 205483 4557AW C DANTER

OIC Changed

15/12/2021 20:54

PC 243633 1892AW L SULLIVAN

OIC Changed

16/12/2021 15:11

PC 253407 Z EARL

VIW has been emailed, there may be a photo of the suspect

16/12/2021 17:04

PC 253407 Z EARL

Male was poked in the chest after he was trying to take photos of the club, an employee took offence and took photos of VIW. VIW didn't like this so he confronted the suspect and the suspect said "I will deal with you" and poked him in the chest

VIW does not want to proceed

Outcome 14

16/12/2021 17:05

PC 253407 Z EARL

VIW aware

16/12/2021 19:48

PS 228513 235AW J MORRIS

SUPERVISION - report can be closed as per OIC's last REMS

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553257/21 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault GLU:CW
Memo

Summary:

Actions: Total:
Decisions: Total:
Review: Total:

Ready for Completion:
With Rationale:

Completed:
Seen By SIO:

Initial Entry

Initial I.O.:
Rank: PC
Surname: CHS GENERIC ACCOUNT Initials: CH
Wt/Pay No: METCHS1 Div/D No:
Crime Recorded by: METCHS1 CHS GENERIC ACCOUNT PC CH
Date/Time: 12/12/2021 02:06
Recording Unit: FH

Supervision

Initial entry checked? Y
Initial entry checked by: PC DANTER 4557AW 205483
Date/Time: 14/12/2021 17:49

Ongoing Supervision

Date	Supervision By
16/12/2021 19:48	PS 235AW /228513 J MORRIS

Investigation complete? Y
Investigation complete by: PS 235AW /228513 J MORRIS
Date/Time: 16/12/2021 19:48

Crime Report closed?
Crime Report closed by:
Date/Time:

Screening

Screening Decision: IN Crime screened "in" for further investigation.
Reason: 93 Primary Investigation Incomplete/Insufficient
Text:
SUSPECT identifiable by VICTIM.

Screening History

Decision	Reason	Text
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Completion

Date/Time CR
Last Updated: 18/12/2021 16:18
CR Completed? R
Date/Time: 16/12/2021 19:48
By (Wt.No): 228513

Data Protection Act - Dispose Of As Confidential Waste
PC RG GUERRA 1614AW 207028
CR:6553257/21 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:Y Class:S/Common Assault
GLU:CW
Supervision

Bring Forward:

Date	Date Entered	For
Reason		
Date Cancelled	Cancelled By	

RESTRICTED (when complete)

MG11

STATEMENT OF WITNESS

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

URN [] [] [] []

Statement of: Constable Andy Burgin
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: [Handwritten Signature]
Date: 16/03/2022

This statement refers to the ongoing ASB caused along Porchester Road, Westbourne park Road and Celbridge Mews W2 as a result of Ma Dam Night club, 56-58 Porchester Road, W2.

I am the above named person and am employed by the METROPOLITAN POLICE as a local dedicated ward officer for Bayswater. It is my role and responsibility to recognise localised issues within the community and work with partner agencies in order to find a suitable resolution.

I have been in the role here in Westminster for around 2 years now.

Last year i was contacted by a resident alleging persistent ASB caused by the customers who are connected to Ma'dam night club.

It was explained to me that on nearly every occasion Ma Dam night club operates, residents positioned around the club experience the following levels of ASB:

- Urinating in the street, specifically Celbridge Mews.
-Defecating in Celbridge mews
-Loud shouting, swearing from customers who leave the club
-drug consumption by customers in the club both in Westbourne Park Road and in Celbridge Mews.
- Customers appear to continue "partying" around parked cars in Westbourne Park Road, street drinking at shouting.
- Noise transference between party walls well into the night - passed the licenced agreed times.

The above appears to be occurring predominantly between 0100hours and 0330hours during the clubs dispersal times.

On occasions residents have taken it upon themselves to record the ASB as evidence towards the complaints they make to police and council. This has resulted more than once in residence being attacked physically and verbally by the clubs customers.

After speaking with residents who live in the immediate area of the club, it appears that the club operates well past its licence conditions. It also appears that the club applies for the maximum amount of TENS it can legally apply for, and then hosts its events on these dates. Which means the club is able to run well up until 2am. However as i have evidenced below, it is clear the club has been operating sometimes until 0330hours. Well passed its agreed times.

Signature: [Handwritten Signature]

Signature Witnessed by:

RESTRICTED (when complete)

Continuation of Statement of: Constable Andy Burgin

For residents in the area this is unacceptable - the music emanates through party walls through to residents flats next to the club. This is incredibly frustrating for residents especially when you couple the noise transference with the street ASB caused by the clubs late dispersals.

It is clear to me, after reviewing the calls to police and liaising with Westminster Council, that Ma Dam night club is not only operating past its licenced times, the club breaches its licence in other ways to, as residents described a lack of door staff/supervisors monitoring dispersal. According to the licence, the club should be operating with at least 4 door staff, however on a majority of occasions, they only operate with two.

I have listed below the calls made to police in relation to the club evidencing A) how many calls we received recently and B) the ASB caused by the club.

CAD/ Call lists.

734/12DEC21 at 0130hours – Manager of MA DAM has called police requesting assistance to deal with customers in the street. Police attended and stated that Cassandri explained she has it in hand and doesn't need assistance.

806/12DEC21 at 0158hours – Resident has complained about the noise and witnessed the above disturbances, then has alleged he was shoved by a security guard at the club. This was reported on CRIS 6553257/21 whereby the informant has then stated he does not wish to proceed with a formal investigation. VIW does have images of the SUS.

7242/09DEC21 @ 1023hours – A resident has called logging a complaint that the door staff at the venue are not wearing SIA badges and that there is not 4 door staff there.

4708/27NOV21: A residents recording that at around 0030hours whilst the club is operating, a group of young male adults gathered in Celbridge Mews to street drink and consume nitrous oxide through balloons. They were loud and shouting causing ASB.

895/13NOV21 @ 0217hours: member of staff from within the club has called police to state that they have closed the club and dispersed guests. However they are not leaving and causing a disruption to the street. Requesting police assistance to leave.

859/13NOV21 @ 0214hours: unknown caller, suspected Manager of MA DAM has called police requesting assistance as the guests leaving the club were allegedly fighting. Police attended no fight. The manager was not on scene, group were around 30 in numbers and slowly dispersing.

3793/01NOV21: A resident reporting that in the early hours of the morning, whilst the club was still operating, she witnessed several people coming into Celbridge Mews and urinated by her doorstep.

On this occasion the same resident also reported the following, but did not obtain a separate REF number:

1. Sunday 31 October 00:11; four/five drunk women "dancing" in the entrance to Celbridge Mews; all collapsed and just lay in the middle of the road.
2. Sunday 31 October 23:47; woman urinating on front wall/porch of no 14 Celbridge Mews
3. Monday 1 November 00:31; two women urinating outside no.14 Celbridge Mews

CWRT01045442 – Sunday 31st October 21 @ 0215hours: A resident has reported that a male has entered Celbridge Mews with a baseball bat walked around then left after a few minutes. Believed linked to the club.

6544191/21 – 1st November at 0100hours. A residents went out to record the ASB in the street – one of the guests from the club threatened this residents stating "I know where you live ill come and smash up your cars ETC, investigation is still underway.

Witness Signature:



Signature Witnessed by:

Continuation of Statement of: Constable Andy Burgin

954/16OCT21 @ 0239hours: A residents reported that the club is still operating loud music past its licence times. The noise is coming through [REDACTED] party wall.

1519/26SEPT21 @0416hours: A resident has reported that guests from the club are still outside on the street, drinking and shouting loitering around cars parked up. He stated this is an ongoing occurrence and disturbance that he sees regularly as a result of the club.

656/20JUN20 @ 0130hours: A residents reported that at 0130hours a group of around 15 individuals were entering the club – this was in breach of lockdown legislation. Police attended at 0330hours, no gatherings could be found.

6551025/19 – 28th July 21 @ 0330hours: A residents was gathering evidence on the street of the club operating past its allowed times. When a customer from the club approached [REDACTED] from behind and attacked him physically. Police investigated as far as possible and circulated a picture of the suspect whom is yet to be identified.

6553171/18 – 30th September 2018 @ 0300hours: female reporting a theft of her bag, believed in the club however no evidence to proceed. Note the time of the allegation – 0300hours.

6522205/17 – 12 May 17 at 2330hours – Officers were called to the club as a fight was at the location. 2 arrests were made for affray.

6553149/16 – 27th November 16 at 0330hours – reports of a male assaulting door staff – was closed down as staff did not want to proceed. – However note the time of the call – 0330hours still operating.

1507/27thNovember 2016 – at 0300hours – ASB related call – No further DETS

The ASB caused is that which you would usually get from a club, however this may be tolerable in a non-residential area but this club is situated in a highly populated residential street with no other licensed premises similar to this one operating in the immediate vicinity. This club is not fit for the area it is located and therefore I strongly believe that a licence review should be considered in moving forwards with this address.

In the meantime, as local ward officer i support the License Review for the venue in hopes it can reduce and minimise further ASB towards residents around MA DAM.

Witness Signature:



Signature Witnessed by:

Appendix 5
Interested Parties representation in support of the review plus supplementary documentation

Details of public representations relating to 22/01181/LIREVP

Comments received electronically via PublicAccess:

- **M [REDACTED]**
Received: 6 Mar 2022
SUPPORT

Ever since the premises now known as Ma Dames opened up the early 2000s, at that time under the name of Cherry Jam, the club has caused nothing but misery to the residents of the adjacent residential streets. Late night noise, urination in residential gardens, and fighting, have been a constant side effect of the the club's patrons leaving the premises long after closing time as they accumulated in the residential streets opposite the club.

Porchester road is not a suitable location for a night club, and the fact that the premises is a small unattractive venue means it has very limited chance of commercial success. The license holders are driven to desperate measures to make money, which is why they host down market events for out of towners, and show no consideration at all to local residents who must endure the antisocial behaviour of the club's patrons. I hope this time round the council will review the litany of complaints over the last 20 years and refuse to grant this application.

- **[REDACTED]**
Received: 10 Feb 2022
SUPPORT

I regularly get woken up at approx 3am when this club is open by patrons slamming car doors, shouting, arguing and blaring music from cars. This doesn't seem to happen with any other establishments in the area. However when Ma Dame has a club night we are almost guaranteed anti social behaviour. This can't be right for such a densely populated area.

- **[REDACTED]**
Received: 9 Feb 2022
SUPPORT

I was recently resident on [REDACTED], and experienced a large number of disturbances in the form of public nuisance as a result of this premises operating. On many occasions, often on consecutive Fridays and Saturdays, we were disturbed between 0100 and 0500 by loud shouting, screaming, music, and general revelry. Additionally, we witnessed public urination, dangerous driving (in one case, speeding with a passenger half hanging out of a rear window), and consumption of narcotics. During these disturbances, it would be impossible to sleep - even with earplugs that carried high noise ratings - which, over consecutive evenings, became detrimental to our health.

Furthermore, on mornings following disturbances, bottles of alcohol (empty and partially filled) as well as nitrous oxide cylinders were found on both private and public property in significant quantities.

My partner and I had intended to remain in our residence for the long term, but this nuisance formed one of the key factors in us relocating, as we began to develop anxiety about whether we would be able to sleep on a given weekend. I strongly support the revocation of this premises' license, as it produces unreasonable disturbances that substantially interfere with the local community's ability to enjoy their property.

Comments received via other means:

- **Received: 6 Mar 2022 by SUPPORT**

We have lived in [REDACTED] for almost 20 years. In that time there has been an increase in nuisance and noise and threat to public safety late at night and early morning due to the revellers leaving Ma Dames.

We are almost at [REDACTED] and even there there are cars racing along the street, shouting, swearing and fights that wake us up on a consistent basis. This behaviour as well as being a nuisance is also threatening and makes me as a woman very nervous of walking along the street at night and even being alone in the flat on occasion.

There are cars parked on the street and near the club with people waiting for those leaving the club with people sitting inside and what seems to be dealing going on.

There is an increase in crime in the area and this is not helping. We are a residential area and want to feel safe in our homes and on our streets.

- **Received: 6 Mar 2022 by SUPPORT**

I understand that the license for Ma Dames nightclub in Porchester Road is up for review and should like to add my support to the calls for it to be revoked.

This club has been a source of increasing problems and distress for local residents over the last few years, the only respite being during the extended periods that it could not open over the last few years due to Covid restrictions, but which made the few occasions that it could open even worse.

The problems are those that one would expect with a nightclub encouraging partying into the early hours of the morning: drunkenness, drug abuse, over amorous activity (copulation), urinating, dangerous (possibly drunken) driving, car honking, bottle breaking, general loud noise and other public nuisance. Personally I am not completely against this sort of thing as a matter of principle, but such clubs need to be located sensitively away from many working families trying to sleep in residential areas and policed properly, especially as people leave them (which Ma Dames is not). Because of

this the present location in Porchester Road near to Westbourne Park Road and Westbourne Park Villas is completely inappropriate and the license should be revoked in order to help prevent crime, disorder and public nuisance as well as for the safety of the public in general and the children resident in the affected areas in particular.

Thank you for your understanding.

- **Received: 7 Mar 2022 by SUPPORT**

I have lived in [REDACTED] for over 27 years. I remember when 58 Porchester Road was a restaurant/arts club serving food alongside light entertainment. It was supported on the whole by the locals. Because it was part of the community it understood that if it was to attract its target audience it needed to be mindful of their environment.

Because of ever higher rent demands the venue became increasingly less viable as originally conceived. There was a shift in focus to dining with late night dancing trading as Cherry Jam. The later opening hours (to 1.30am) along with a different crowd and the repeated incidents of Anti-Social Behaviour culminated in a licence review in 2012 where the opening hours were curtailed and licensing conditions strengthened. Again such strictures made the venue less operationally profitable. Cherry Jam ceased. There was a hiatus when nothing happened at the premises for a year or thereabouts after which Son des Guitares Ltd took up the licence and began trading as Ma Dames. It operates solely as a night club. There is no restaurant any more.

The director and licensee Jennifer Cassandri is the daughter of Jaques Cassandri, a notorious criminal who operated in France. His activities involved drug dealing prostitution and money laundering. In 2018 she was convicted of several offences along with him and other members of his family. Interestingly Son des Guitares is the same company name used by her father for his businesses in France. I highlight this as Cassandri has displayed similar disregard for the licensing conditions et alia attached to Ma Dames and one wonders how she is deemed to be a fit and proper person to hold a premises licence or even whether she declared her previous conviction to the licensing authority.

Sadly many of the same issues around anti-social behaviour and criminality that were evidenced to previous licensing committees in 2004,2007/8 and 2012 have occurred again repeatedly and increasingly over the last 5 years. The current licensee will claim that very few complaints have occurred particularly in 2020/21 when as we all know venues were shut for significant periods due to Covid. This does not give an accurate picture of the problems that this venue generates for the local community. Many of the complaints that have been logged with Westminster Council have been lost or misapplied due to inadequate systems which are not fit for purpose. Many incidents and complaints which have been made are not cross referenced or applied to Ma Dames. The agencies (Environmental Health and Police) are under-resourced and often unable to respond in a timely manner to complaints which pass without intervention. It doesn't help that this venue is on the periphery of the relevant teams who concentrate their resources on the highly stressed and nightclub congested areas of the West End. Supposed monitoring of the premises is cursory and often the licensee is forewarned.

Incidents include aggressive behaviour, fights, car racing, drug taking and dealing and generalised anti-social behaviour and public nuisance.

The premises licence has had extensive conditions applied to it over the years. These are rarely applied by the licensee. She might argue that they are difficult and expensive to enforce. In truth if one needs to apply so many such conditions to the licence one should be asking whether such a venue should even exist in what is an overwhelmingly residential area populated mainly by families. It must be unreasonable that there are residents who look to see when promoted events are taking place and go away for the weekend to avoid the disturbance that often eventuates.

Many residents are intimidated and frightened to speak out. Some have been verbally abused and suffered threatening language by door staff. They are mindful of the licensee's background in organised crime and are reluctant to protest too overtly. I have been physically and verbally threatened by patrons of the club when observing incidents. On one occasion I was attacked and injured, the police came but 'unfortunately' the club's video system which could have supplied evidence of the attackers was not working that night. Ironically I have written evidence from Cassandri herself apologising to me after yet another disturbance saying that 'as a mother of 2 children herself she would not tolerate this.' She also admits in another text that she 'attracts a bad crowd.'

I am writing this not only in a personal capacity but as the chairman of Westbourne Park Residents Association. I was asked by several people to take on this role specifically to campaign for the revocation of Ma Dames' licence. There are many local people who have lost faith in the Council, the Police and Environmental Health. I urge you to revoke the licence.

- 

**Received: 7 Mar 2022 by
SUPPORT**

I have lived at this address for over 25 years. I always felt it a safe environment in which to raise my children. I found it an ideal balance of a leafy residential street, in close proximity to many neighbourhood amenities including the pubs, restaurants, Porchester Hall etc and happily accepted the general noise associated with these.

However, this nightclub has been problematic since it began operating as such.

Over the years, there have been repeated complaints from local residents as fundamentally, this site is inappropriate for use as a nightclub. There have been a variety of changes in management and name of the premises, yet the main issues of anti-social behaviour surrounding the extended licensing hours, of alcohol and drug consumption, and crowds of revellers dispersing onto our street in the early hours of the morning, have continued.

Since Ms Cassandri took over and turned it into Ma Dames, it has become significantly worse. It no longer attempted to hold events that targeted the local community.

Residents began raising these issues formally with the council, logged endless complaints, provided a variety of evidence, putting ourselves at risk trying to take videos and photographs to expose what was happening, to no avail. The email I attach was sent in February 2020, pre Covid. This was a summary of the events leading up to that date. The only respite we have had from this club was when lockdown forced its closure. We had compiled dossiers of evidence, reported assiduously to the Westminster Noise Patrol team....yet all this appears to have somehow been lost by the council.

Once lockdown lifted, events started again. The cynical use of TENs allowing events to run to 3am even 4am began again. Most weekends we found ourselves being woken up in the early hours by screaming, shouting, honking of car horns, etc. The debris of cannisters, bottles littered on our pavements, and our front gardens being used as toilets.

I urge you to revoke the license.

Dear All

You are receiving this email as either you have been involved in previous discussions relating to serious issues of antisocial behaviour emanating from patrons of Ma Dames nightclub or we have been advised that you should be notified.

There has been a well documented history of issues stemming from this nightclub. A pattern of changes of ownership, promises of better management, temporary lulls in disturbances are familiar. Despite repeated attempts to raise awareness of how damaging this is to what is essentially a quiet residential area, the club has remained.

2019

2019 saw a sharp rise in incidents of extremely drunk and disorderly crowds dispersing into Porchester Road and most notably Westbourne Park Road in the early hours of the morning after attending the club. Drinking, screaming and shouting, urinating in gardens, taking drugs, vomiting, loitering on pavements and sitting on walls in groups...waiting for cabs, driving off in their own vehicles music blaring etc.

Following a particularly bad night on 26th February, we complained directly to the club itself and were directed to Jennifer Cassandri who is the current licensee. Despite her apologies and reassurances that this would never happen again and that everything possible was being done to address these issues, the disturbances continued. We began to log our complaints to Westminster Noise patrol team and document times and dates.

The weekend of July 27th was extremely disturbing. Large throngs of clubbers high and in total disregard for their environment, spewed out onto the street and continued to loiter in Westbourne Park Road and surrounding streets. My husband went out to the corner of Porchester Road to film evidence and was assaulted. Police were called, statements were made and this is when some of you were notified in an attempt to seek help. Having contacted various members of the council, a dialogue began. Many reassurances were given.

Initially, we were hopeful that the assault might raise awareness to the seriousness of the situation and effect action. However, this has not been the case.

What we could not understand was that Ma Dames appears to be in breach of certain conditions of their license, most notably not closing until 3am rather than 2am and holding RNB and Hip Hop events (specifically outlawed as a condition of their licence).

Through the support of [REDACTED] we discovered that

these were operating under TENs notices. Clearly, the licensee understands the system and is cleverly working around this. On December 3rd 2019, [REDACTED] emailed a list of TENS for 58 Porchester Road

1 March 2019

3 May 2019

27 July 2019

3 August 2019

9 August 2019

7 September 2019

26 October 2019

1 November 2019

2 November 2019

9 November 2019

All of those marked in bold created disturbances. Complaints were logged to Westminster, and some were photographed or videos were taken.

I have been cc'd in many emails that sounded reassuring;

Exert from **Shannon Pring Aug 9th** Senior Practitioner for Street Trading and Enforcement

In relation to the specific incident on 28th July, Officers from Environmental Health Consultation Team and the City Inspectors have been in contact with the Designated Premises Supervisor (DPS) to arrange a meeting to discuss the incident. They have not been able to arrange a meeting at the premises due to it being the summer holidays and the DPS childcare arrangements. A meeting is being scheduled for September. However, in the interim, the DPS has apologised to the Environmental Health Officer for the incident and the disturbance that was caused and has advised that they will not be accepting bookings from that client again.

The DPS has offered the following action plan to avoid causing a nuisance to the residents:

- *Premises has hired additional experienced security*
- *They have 2 additional managers on site for the event*
- *Operating a staggered dispersal of guests in small groups to get taxis and leave the area*
- *Traffic marshals with cones outside to avoid blocking traffic*
- *Giving free water and lollipops to leaving guests*
- *The client will make an announcement to his guests at the end of the event to request that everyone leave quietly and be considerate the neighbours.*

See exert from email of Aug 12th; Shannon Pring reassures us that future TENS notices to be **Reviewed in great detail** .

For your information, the events held on 27 July, 03 August and 09 August 2019 were operated under Temporary Event Notices (TENs) and as such they are governed by a separate section of the Licensing Act 2003 than a premises licence. You may wish to advise the residents that, at this time, the premises has not applied for any further TENs and as such the disturbances should cease with immediate effect. If any further TEN's are received these would be reviewed in great

detail and if objected to would need to go to Licensing Sub-Committee for determination.

I have streams of emails debating this issue too numerous to forward but available if of interest.

2020.

Saturday February 8th February 15th.

There were two serious disturbances 2 weekends in a row both operating under TENS.

As I understand, temporary event notices allow '**temporary events**' to take place whereby the conditions of the existing licence do not apply. A single premises can submit up to 15 notices per year. We know that 11 were applied for between March and November 2019.

The Westminster site explains that;

The council cannot refuse a notice unless the police or environmental health object to it..if they consider it may

- *Lead to crime and disorder*
- *Cause a public nuisance*
- *Be a threat to public safety*
- *Put children at risk of harm*

All of these are relevant. So why have no objections been made.

We are exasperated but more importantly concerned for the safety of our neighbourhood. We have been advised that 3 more upcoming TENS have already been noted, the first being this **Friday 28th**.

What is being done?

We have raised awareness, called, monitored, photographed, filmed and done our best to alert the relevant people who have power to do something but to no avail.

Attached are examples of advertising flyers that show the type of events that the club is hosting that cause the problems.

Also attached is Ma Dame's licence with particular areas of concern highlighted.

I have compiled many excerpts of videos taken from other neighbours as well as ourselves. Photo examples of typical scenes are attached.

This link provides an example from the early hours July 27th

https://1drv.ms/v/s!AmEOsNNIJfDHgXWNqkU_pTZquzdB

If you have any questions, please contact us,

- 

**Received: 5 Mar 2022 by
SUPPORT**

We strongly object to Ma Dames Nightclub being granted a Licence.

We have been awoken many times over the weekends by customers of Ma Dames. We

live on [REDACTED], ie: some distance away from Ma Dames itself. The initial disturbances occur when customers arrive for the night and park outside or near to our house, very visibly taking drugs and drinking alcohol before they head for Ma Dames. The worst disturbances are when they return to their cars after their night out, usually between about 2 and 4 am. The patrons talk loudly in groups and shout as they go down the street, being very visibly incapacitated by, it seems clear, alcohol and drugs. There is more loud shouting up and down the street for no apparent reason and often car horns blasting at each other. They smash bottles and play loud music from their car stereos. Finally the revelers get into their cars and drive at high speeds and dangerously -- we have witnessed cars driving circus-like in tight circles at the intersection of Westbourne Park Road and Westbourne Gardens. We always find used drug-taking paraphernalia in our front garden on the following day.

It is dangerous for us or any residents to leave the safety of our houses when these disturbances occur, as the revelers have been known to be aggressive / in an alcohol or drug-fueled state. This does not allow us to attempt keep the noise down. Also, the dangerous car driving makes it thoroughly unsafe to be on the street or pavements at all.

The degree of disturbances has varied because of covid - obviously the Club was necessarily closed for a time during the pandemic and we got some much needed peace at that time. Please do not take this as a sign that the situation has reformed. Ma Dames is a complete menace to this residential area. A nightclub of this sort has no business whatsoever being situated in an otherwise peaceful residential neighbourhood.

- [REDACTED]

**Received: 4 Mar 2022 by
SUPPORT**

The [REDACTED]) fully supports the decision to instigate a Review of the Premises Licence at No 58 Porchester Road W2 6ET

For a considerable time now [REDACTED] has been receiving numerous reports from our members in [REDACTED], the eastern end of [REDACTED] and the surrounding area of totally unacceptable noise and all forms of anti social behaviour, more often than not running into the early hours of the morning.

A Licence review of the of these premises is long overdue.

- [REDACTED]

**Received: 6 Mar 2022 by
SUPPORT**

I am writing to protest the continuing licence of Ma Dames nightclub at 58 Porchester Road W2 6ET reference 22/01181/LIREVP

Prevention of Public Nuisance and Prevention of Crime and Disorder:

Our area has always been residential, with a lot of families. Every night the club closes, the drinkers come out and loiter on Westbourne Park Road, with lots of cars revving their engines. The drinkers from the club look like they are buying drugs - they sit in each other cars and hang out shouting loudly to each other, with car radios blaring.

Protection of Children from harm and Public Safety:

We are often woken up especially on a Saturday when the club closes at 2am. Police cars often have to attend. My daughters' bedrooms overlook the road and what they can see and hear is totally inappropriate. We have found plastic gloves and condoms thrown in our garden.

- [REDACTED]

**Received: 7 Mar 2022 by
SUPPORT**

I am writing to support that this license be revoked. We have observed several incidents of anti social behaviour from clients of theirs. Such a venue shouldn't be so close to a residential area.

There is always broken glass the morning after the night before and people being loud outside our house at anti social hours of the early morning.

*We live on [REDACTED]
and there have even been needles left on the stairs of the house and crack pipes.*

I think any kind of nightclub like this in a residential area is going to attract trouble. We really just want to enjoy peaceful evenings.

- [REDACTED]

**Received: 7 Mar 2022 by
SUPPORT**

Ma Dame 'nightclub late night dancing venue "VIP after parties and much more..." ' [Ed. Ma Dames WEBSITE]

To whomever it may concern

*Dear Sir/Madam,
crime*

I am writing to express my strong opposition to Ma Dames establishment. The current owner has an outstanding criminal conviction and it is very troubling to me why they have been allowed a late night alcohol permit at all.

Anyone who works as a public office holder acts solely in terms of the public interest. They should all have interdepartmental communications about this matter. An FOI might be enlightening if necessary.

public safety

Building insurance Indemnity companies have no obligation to pay up the moment they realise that Ms. Ma Dames should never have been granted a late night alcohol permit in the first place. If the business burns down or a drive by shooting, where do the residents turn?

Public Nuisance

Professional music studios invest in foot thick walls in attempts to dampen noise. I am a

share holder in an east end music studio so am fully aware of the huge expense involved and its limitations.

Ma Dame WEBSITE boasts a photo of a 5-piece drum set. The snare drum pictured in the venue can emit 125dB unamplified. This is permanent damage to hearing within the club and torture to residents trying to live next door.

I have spoken to owners of the shops adjacent to the nightclub. I found their comments so bizarre that I wrote them down to remember them;

'nothing we say will make any difference because we are not open when the nightclub is open'

'[the owner] makes so much money on the nights that it is open it is impossible the license will be revoked'

'the solicitor representing the club runs circles around Westminster council'

Protection of Children

The facade of Ma Dames says a thousand words. This business has no interest in improving the neighborhood it is located in. Up until a few days ago it was covered in rubbish and overhanging debris. A last minute sweep with a brush this close to a review must not fool anyone. Instead expose the underhand duplicity residents know them for.

The drug paraphernalia strewn outside Ma Dames premises is well known. The street cleaners should not have to deal with this. The children that see it on their way to school even less.

Court costs for residents if they have to appeal this nightmare will be very high. The Magistrate Court will rule in their favour which would include costs.

Thankyou for helping Ma Dames relocate, long overdue.

Sincerely,

I request nondisclosure. Residents have become aware and very fearful of correspondence leaks. Ms. Ma Dames is capable of crying in front of police and council one minute and ringing the doorbells of residents in opposition the next.

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**Received: 7 Mar 2022 by
SUPPORT**

I wish to give notice of my intention to make representations on the Ma Dame Licence Review, in relation to all four licensing objectives:

- 1. Prevention of Crime and Disorder*
- 2. Prevention of Public Nuisance*
- 3. Protection of Children from Harm*
- 4. Public Safety*

Further details will be provided in advance of the hearing.

- [REDACTED]
**Received: 5 Mar 2022 by
SUPPORT**

Dear Westminster Council:

I understand Ma Dames at 58 Porchester Road in Bayswater is applying to increase the number of openings and the length of its opening hours. We have resided in [REDACTED] since 2000 and are well aware of the disturbances caused by their events. We have experienced high levels of noise in the street into the early hours of the morning including fast car driving, loud altercations (that have resulted in police being called), and the sound of breaking glass during the night. Additionally, there has been public urination and there is often a large amount of debris on our road and Porchester Road the day after - empty bottles and cans of alcohol and several dozen nitrous oxide cylinders strewn in the road and on the pavement. We are writing to state that this level of noise and anti-social behaviour as well as criminality is unacceptable in general and in particular in such a residential neighbourhood. Please note that many of our neighbours who are closer or just more unlucky have experienced worse, especially if they have tried to ask people to move on or protect their property. Please do not extend their permission in any way. It is unfair to all of us who have to live with it. We thank you for your consideration.

- [REDACTED],
**Received: 2 Mar 2022 by
OBJECTION**

Since becoming a [REDACTED] in 2018 I have received many complaints about ASB because of the behaviour of Ma Dame patrons and some staff. One of the most recent was from an older resident who, on attempting to record evidence, was aggressively threatened by a man who said that he worked there. The resident was thoroughly shaken and scared. I told him to report it but he was too afraid for his and his wife's safety. Many objections have been submitted but they are the tip of an iceberg. Due to fears for their safety and previous experience of their complaints not being acted upon many more residents were reluctant to submit reports for this review.

The Council has given the proprietor ample opportunity to comply with the licence conditions and meet the licensing objectives but to no avail. This quiet residential neighbourhood has suffered enough. I urge the panel to rescind this licence.

[REDACTED]
[REDACTED]

- [REDACTED],
**Received: 7 Mar 2022 by
SUPPORT**

Sir - I refer to the above matter and urgently add my support to the objections you have received in the above matter of an illegally operating nightclub in a residential area . This disruptive business is inflicting undesirable traffic and noise on long suffering residents and must be terminated immediately and permanently by the authorities .

- **Received: 6 Mar 2022 by SUPPORT**

Re Ma Dame Nightclub.

I have lived in this road for 65 years and at that time, we would make a petition on behalf of the road and it was listened to. I wonder what exactly Westminster Council is withholding that they appear so reluctant to lift a finger towards preventing the antisocial behaviour emanating from Ma Dames. This has repeatedly caused so many households lack of sleep and indeed fear for their properties and themselves.

It is a quite unacceptable situation due entirely by the Non action from the council.

Indeed ...beyond belief.

We all hope this will be rectified with due speed for the common good and leave us with a better opinion of Westminster Council.

- **Received: 21 Feb 2022 by SUPPORT**

Dear Sir/Madam,

Me and my friends used to pop along to Cherry Jam for a dance at the end of the week and enjoy ourselves. It was a few years ago but we are young at heart and still fancy a boogie now and again.

The clientele have changed under Ma Dames not for the better so we avoid the place now.

The nightclub licence is being reviewed I notice. I doubt it will not go unchallenged by people that live in streets that surround it.

I think new management is long overdue. Bayswater deserves better definitely.

- **Received: 4 Mar 2022 by SUPPORT**

Dear Sir/Madam,

On occasion of the forthcoming license review, we strongly object to 'Ma dame' nightclub being granted a license to operate; this establishment and their patrons have caused numerous instances of public nuisance, crime and disorder and have compromised public safety.

After an enforced period of calm during the Covid crisis, they started operating again with renewed vigour from June 2021, obtaining TENs for a number of nights/weekends, to the point that we have been checking online for impending events in order to brace ourselves for the onslaught of disturbances in the form of protracted screaming, revving cars, loud music, car races, consumption of nitrous oxide etc. right in front of our home.

These disturbances occur between the hours of 1am and 5am, starting at closing time of the club - either 1 am or, when there is a TEN, at up to 3 am - and they last for a couple of hours; hyped-up revellers who want to continue partying, having nowhere to go.

This is a quiet residential area; none of the residents are frequenting nightclubs, so this establishment doesn't benefit the locals in any way - it is a 'destination venue' with customers coming from afar, wreaking havoc and leaving without consequences.

The fallout for us is a diminished life quality - broken sleep, distress and a state of alarm.

A nightclub is simply not suitable for this location.

- [REDACTED],
**Received: 8 Feb 2022 by
SUPPORT**

RE THE PREVENTION OF PUBLIC NUISANCE

A Review of Licence for Ma Dames, Porchester Road, London W2 is pending. I live at [REDACTED] which is in sight and sound of the Porchester Road and I have been disturbed by noisy nightclubbers loitering in our street after Ma Dames closes on many occasions over the years. But I should like to make another point. I am a psychotherapist and know some of the neighbours who have been most impacted by this public nuisance. I can vouch for the level of mental and physical stress which the disorderly behaviour in the middle of the night has on these neighbours. In addition, we are all frustrated and upset by the lack of action taken against the club.

I do hope that more effective restraints will be brought to bear on Ma Dames when the review takes place.

- [REDACTED]
**Received: 3 Mar 2022 by
SUPPORT**

We have lived on [REDACTED] since 2002. In the period since Ma Dames has opened my family and children have experienced many evenings and early mornings of uninterrupted sleep and anti-social behaviour. The cause has been the patrons of the night club leaving the premises and hanging around on the streets and with this comes the anti-social behaviour and disorder. This varies from urination, vomiting, drug dealing, drug taking, shouting, screaming, and fighting. When the club closes we have also experienced cars stopping and hanging around with engines running, the music full on outside our house. The cars then race up and down our road, a serious danger to public safety. Not a reasonable environment for children and families trying to sleep.

During the pandemic and the restrictions we saw little if no activity at Ma Dame due to the governments guidelines. It is worth noting that there would have been fewer complaints from residents during this period and that any recent observations and inspections regarding the premises should be considered in this light. I would also like you to note that the applicant appears to have reduced the number of late night 'Temporary event notice' events in the lead up to this application. We are very concerned that should the applicant return to making regular 'Tens' events our sleep is going to suffer further.

We do not live in a 'Stress Area' but a residential area with a caring community which is

not suitable for a night club with late opening hours. This point needs to be considered when evaluating the suitability of this venue and use.

The applicant has not behaved in a responsible and considerate manor towards the community which is both upsetting and very stressful. We strongly request that you revoke the License for the Premises known as Ma Dames and look after and consider the well-being of the residents within this area and your borough.

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**Received: 7 Feb 2022 by
SUPPORT**

My husband and I live at [REDACTED], and we have been subject to countless nights of noise / waking up our young kids / violent and abusive language and behavior outside our front door / crime and disorder / and fear of danger to our family due to Ma Dames nightclub and the events that they hold until 3 in the morning on many weekends.

This relates to the reference 22/01181/LIREVP, as we understand that finally their license is being reviewed by the council.

We live on this street and in this area because we considered it to be a safe neighbourhood and fit for a family. However, Ma Dames nightclub and their clientele and events hosted have completely changed that feeling for us, given countless nights of extreme disturbance in the wee hours of the night / morning. At 2, 3, 4 am many nights our whole household will be woken up by beeping cars, smashing glass bottles, fights breaking out on the street, loud profanity being yelled and threats of extreme violence right outside our door. Our children are woken up and are terrified. No matter how many times this feedback has been given to Ma Dames, urging them to pay for extra security on the streets, to end the events earlier, to ensure prevention of crime and disorder, prevention of public nuisance, and protection of the residents for their own safety, we've seen NO improvement whatsoever.

We have filed many complaints with Westminster council online - called the police on several occasions, and even considered selling and moving from our wonderful home that we love so much, because it simply is not a sustainable way to live when weekend after weekend we have this kind of disturbance and danger outside our door. Their clientele is clearly incredibly drunk and belligerent leaving their events, and it's simply unsafe, not to mention incredibly disruptive and frightening to all residents of the neighborhood.

I sincerely hope that the council will do the right thing and revoke their license. How many families and residents do you have to hear from, and how many times, in order for something to happen??? It's been years, and much distress. We implore you to do the right thing by your neighborhood here, and help keep us all safe and protected.

Breaches of Premises Licence Conditions

Ma Dame licence review

Breaches of Premises Licence Conditions 15/09364/LIPDPS

There is a history of problems with this licensed premises, going all the way back to Cherry Jam. The premises have an exceptionally high number of licence conditions, seemingly attached in order to try and make the premises admissible in what is primarily a residential area. However, it is clear that, in spite of the attempts made to engage with the Designated Premises Supervisor and owner, a nightclub in the middle of a residential area cannot be made acceptable through the use of conditions - especially when those existing conditions are regularly breached, unenforced, or bypassed by the use of Temporary Event Notices.

The following licence conditions, including the Rules of Management, appear to be regularly broken every time the premises open; 9 (mandatory condition), 10, 12, 13, 19, 20, 28, 30, 31, 32, 33, 34, 35, 36, 37, 49, 50, 51, 52, 53, 54

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Concerns over what appears to be the use of unlicensed door supervisors by Ma Dame nightclub have been repeatedly raised by residents; whilst occasionally SIA licensed bouncers are evident outside Ma Dame nightclub (most recently, since the DPS was advised City Inspectors would be attending at weekends to observe dispersal), more often than not there are no door supervisors or street marshals displaying any ID at all.


Since it is a primary condition of the SIA licence, it would seem a fair assumption that anyone not displaying ID, does not hold an SIA licence.

See examples below of a street marshal 'guarding' Celbridge Mews. The photos are taken from video footage and he has no ID.



Ma Dame licence review

It is also a serious concern that the owner of Ma Dame appears to have a track record for using unlicensed bouncers: the certificate below shows her licence to run private security at her family bars/clubs in France was suspended by the French equivalent of the SIA in 2016.



Suspension of JenniferCassandri's licence to run private security on their family nightclubs in France 2016

COMMISSION LOCALE D'AGREMENT ET DE CONTRÔLE SUD

Délibération n°DD/CLAC/SUD / N° 07 /2016-07-21

Portant interdiction temporaire d'exercer toute activité privée de sécurité et pénalité financière à l'encontre de Mme Jennifer CASSANDRI

Dossier n° 088/2016 / CNAPS/ Sté AJC AU SON DES GUITARES / Mme Jennifer CASSANDRI/

Mme Marianne CASSANDRI

Date et lieu de l'audience : le 21 juillet 2016 à Marseille

Nom du Président : Laurent NUÑEZ

Vu le livre VI du code de la sécurité intérieure (C.S.I.), notamment ses articles L 633-1 et L 634-4 autorisant les commissions interrégionales d'agrément et de contrôle à prononcer des sanctions disciplinaires au nom du Conseil national des activités privées de sécurité ;

Vu l'arrêté du 23 décembre 2011 modifié portant création des Commissions Interrégionales d'Agrément et de Contrôle du Conseil National des Activités Privées de Sécurité (C.N.A.P.S.) ;

Vu le règlement intérieur du C.N.A.P.S. adopté par une délibération du Collège en date du 20 novembre 2014 ;

Vu le rapport de Madame le rapporteur entendue en ses conclusions ;

Par ces motifs, la Commission, après en avoir délibéré ;

Considérant les manquements aux articles L. 252-1, L 251-3, L 612-20 et R 631-15, R. 612-18 alinéa 1, R 631-3, R 613-1 et R 631-14 du code de la sécurité intérieure ;

DECIDE :

Article 1 :

Une interdiction temporaire d'exercer toute activité privée de sécurité pour une durée de six mois est prononcée à l'encontre de Mme Jennifer CASSANDRI, née le 3 décembre 1979 à AIX-EN-PROVENCE, et demeurant chez M. APPIETTO 20 rue Gabriel MARIE 13010 MARSEILLE ;

Fait après en avoir délibéré le 21 juillet 2016 à MARSEILLE.

L'interdiction d'exercer toute activité de sécurité privée, notifiée à Mme Jennifer CASSANDRI le 10 août 2016, est valable du 10 août 2016 au 10 novembre 2016.

Pour la CIAC SUD

Le Président

Signé

Laurent NUÑEZ



Ma Dame licence review

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001, with the exception of Rule of Management Number 6.

Rules 3, 7d, 12b, 16a, 17, 19a, and Appendix I are regularly broken. See separate **'breaches of Rules of Management'**

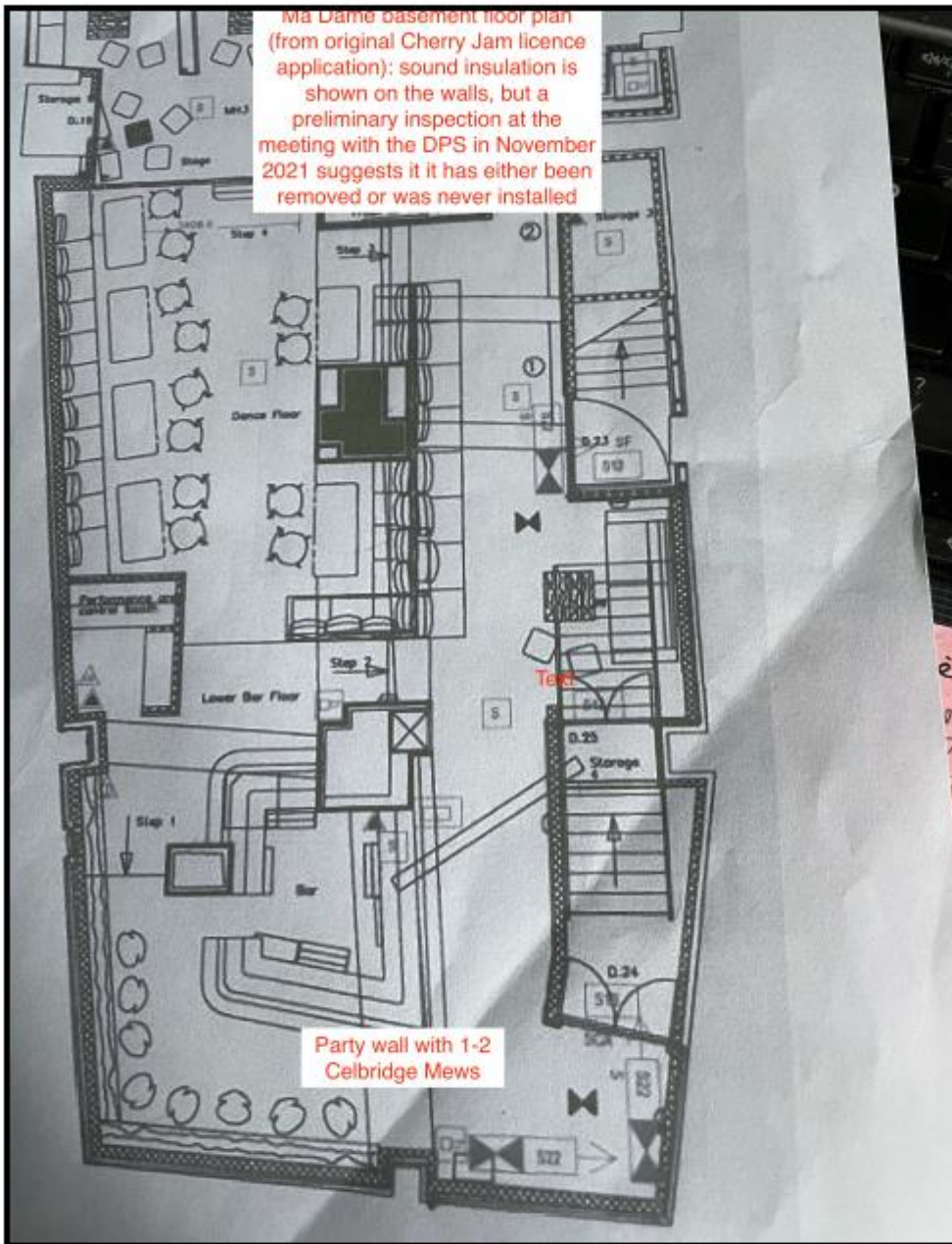
12. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of an officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.

Residents in Celbridge Mews arranged to give access to their houses for an EHO to carry out noise limiter checks **at any time to suit the Ma Dame DPS**, (w/c 6 /13 December 2021). We even identified a sound engineer who was prepared to drop everything to accommodate the nightclub owner's sudden claim that she could not get an engineer to attend the premises. But access to the nightclub was still denied, while the premises has continued to advertise and run events undeterred. Likewise any access for an acoustic engineer to visit to assess the party wall insulation (as agreed with the DPS at the residents' meeting with Ma Dame owner on 5 November 2021) has also been blocked.

13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

At the meeting with the DPS organised by Licensing on 5 November 2021 a cursory inspection of the party wall from inside Ma Dame suggested that, amongst other things (eg speakers incorrectly mounted on the party wall), there may be no insulation on the party wall at all - and the acoustic work shown on the plans provided on the original Cherry Jam licence application (see plan below), was never actually carried out, or was subsequently removed during changes in the layout of the licensed premises.

Ma Dame licence review



Ma Dame licence review

19. A registered door supervisor shall be employed at the premises from 21:30 on every day of the week when entertainment is provided.

20. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.



Neither the DPS, Son des Guitares nor Ma Dame nightclub are registered with the ICO as required by law.

28. The provision of public entertainment under this licence shall remain as an ancillary part of the lawful Class A3 use of the premises.

The premises appear to only have planning use as a restaurant, not a nightclub. Planning Enforcement have an open case DP/PET/21/75215/U

30 The operators shall provide the necessary facilities within the premises for patrons to telephone and wait for minicabs, from a designated company, to collect them.

Regularly broken with noisy Ma Dame guests simply pushed further down Porchester Road to Westbourne Gardens while "waiting for their Uber" eg 19 December at 2am

31 The operators shall use their best endeavours to discourage minicabs and taxis, other than those from the designated company, collecting patrons outside the premises.

Logged by City Inspectors eg 5-6 March 2022

32. The operators shall request that mini cabs from the designated companies refrain from using Celbridge Mews, Westbourne Park Villas and Westbourne Park Road as a turning circle, taxi rank or blocking the entrance to the Mews/Roads when collecting or waiting for patrons.



Ma Dame licence review

33. Whenever the premises are in use under this licence, a minimum of four registered door supervisors shall be situated outside the premises. Two of these door supervisors shall be responsible for supervising any queue at the premises and shall as far as is reasonably practicable, ensure that patrons queue in a quiet and orderly fashion. Those patrons who do not co-operate with the door supervisors in this regard will be refused entry to the premises. A notice to that effect shall be clearly displayed so that all patrons queuing at the premises are notified of this requirement.

In spite of claims to the contrary, there are rarely 4 door supervisors on duty, let alone the 6-8 claimed by the DPS. See photos below.

34. The two other door supervisors shall be responsible for supervising patrons leaving the premises and as far as is reasonably practicable, they shall ensure that any patrons who leave in a loud or disorderly fashion will be prohibited from entering the premises on future occasions. A notice to that effect shall be displayed accordingly.

Regularly breached. See photos below



35. Patrons found urinating in Porchester Road or in the vicinity of the premises shall be prohibited from entering the premises on that or future occasions.

This condition is regularly broken, with Ma Dame guests witnessed using Celbridge Mews as a toilet: see photos of people urinating on our house walls in 'breaches of licensing objectives - failure to prevent public nuisance'.

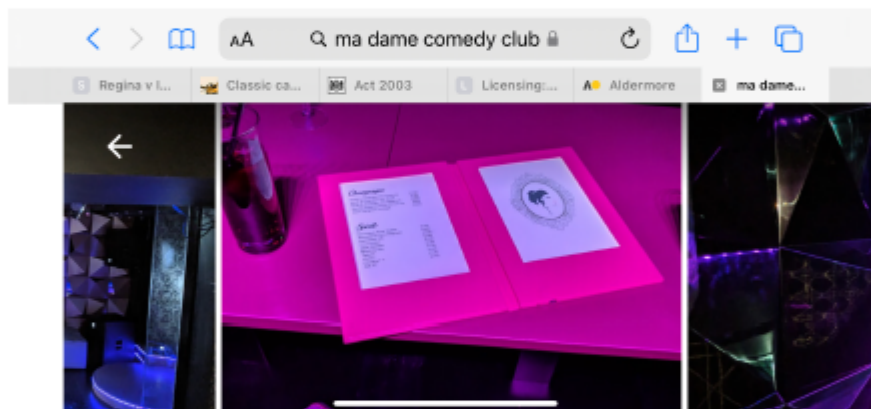
Ma Dame licence review

36. The number of persons accommodated (excluding staff) in the basement shall not exceed 110.

Regularly breached with adverts for hire of the Ma Dame premises, stating that capacity is 150 people. See 'breaches of licensing objectives: failure to promote public safety' for evidence

37. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

The drinks list available at the Ma Dame bar did not suggest any food was even available, let alone that alcoholic drinks could only be served with a meal. No tables were available for eating at - or large enough to place plates on, nor would the kitchen be considered large enough to cater for substantial meals (especially as they are defined as more than a scotch egg!) ie this is no longer a 'restaurant' serving meals with late night entertainment, but a nightclub that does not even pretend to meet this licence condition.



49. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.

Again this rule is regularly broken - the red 'cups' that Ma Dame states they use instead of 'glasses' are often left as part of the litter in Celbridge Mews, along with nox capsules and balloons, and vomit from drunk guests, to be found by residents the next morning

50. Representatives of the premises licence holder shall hold a quarterly residents meeting to encourage dialogue and comments on the operation. Notice of these meetings shall be given to local residents in advance to encourage attendance.

As an immediate neighbour, I am not aware of any open meeting held for local residents to discuss their concerns with the nightclub in the last 5 years.

Ma Dame licence review

51. There shall be no 'R n B' or 'hip hop' promoted events held at the premises.

This condition is regularly broken - yet no application to vary the premises licence has been made

DEC 2021	18	Hip-Hop, Dancehall, Afrobeats In The City
DEC 2021	11	Pour It Up - Hip-Hop x Dancehall x Afrobeats
NOV 2021	13	Pour It Up - Hip-Hop x Dancehall x Afrobeats
OCT 2021	31	Haunted Funhouse Party - London's Halloween Party
OCT 2021	31	Nightmare In London - London's Halloween Party
OCT 2021	30	Bashment vs Afrobeats - Bashment Halloween Party
OCT 2021	16	Hip-Hop, Dancehall, Afrobeats In The City

52. No customers who park vehicles on Westbourne Park Villas or Westbourne Park Road will be permitted to enter the premises.

Ma Dame nightclub openly breaks this licence condition, advertising 'free on-street parking' for guests

The screenshot shows the website tagvenue.com with the following details:

- Cancellation policy:** Flexible. Guests may cancel their Booking until 7 days before the event start time and will receive a full refund (including all Fees) of their Booking Price. Guests may cancel their Booking between 7 days and 24 hours before the event start time and receive a 50% refund (excluding Fees) of their Booking Price. Cancellations submitted less than 24 hours before the event start time are not refundable. ✓ Guest may move the event date of a confirmed booking to another date within 3 months from the original date, at no cost.
- Catering and drinks:** In-house catering, Venue provides alcohol, External catering allowed, BYO alcohol not allowed. A link to '+ Show catering details' is present.
- Facilities:** Wi-Fi, Flatscreen TV, Storage space, Projector, Air conditioning, and Free on-street parking.

A red arrow points from the text "Ma Dame advertises free on street parking in breach of licence condition 52" to the "Free on-street parking" facility listed on the website.

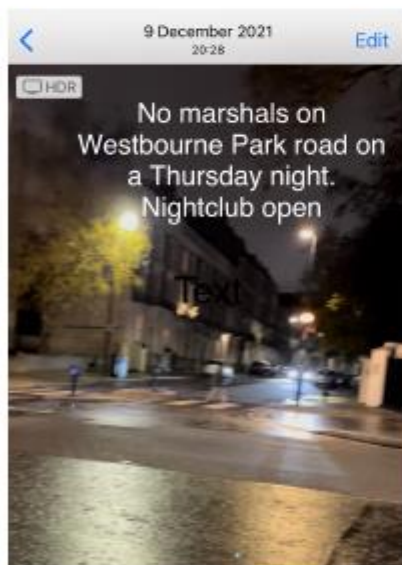
Ma Dame licence review

53. The premises shall offer free parking in Arthur Court NCP to customers arriving after 9pm Thursday, Friday and Saturday nights.

Ma Dame nightclub claims that Arthur Court carpark is closed so they cannot comply with this condition. However, I understand it was closed only for a short while over a year ago, for refurb and change of management. It has been open again 24 hours a day since April 2021.



54. From opening to the public on Thursday, Friday and Saturday nights, two street marshals shall be stationed on or at the junction at Westbourne Park Villas and Westbourne Park Road (or such lesser numbers as agreed with Environmental Health)



Whilst there is very occasionally someone there at dispersal (especially since the nightclub was advised it was being monitored at dispersal times), I have never observed street marshals stationed on these roads even though it is clear the club is open (the rope barriers are positioned outside the premises, and music is invariably thudding through my party wall).

Breaches of Rules of Management and Licence condition 10

Ma Dame Licence Review

Breaches of Rules of Management and Licence condition 10

Under condition 10 of its premises licence, Ma Dame nightclub is required to comply with the Rules of Management for Places of Public Entertainment. The premises breach the following conditions under Part II: Rules which apply to all premises:

3. The relevant licence or a clear copy shall at all material times be prominently exhibited (a) at or near the entrance to the premises so that it can easily be read by persons in the street without entering the premises; and (b) within the premises in a position where it can be easily read by patrons.



7. (d) The licensee shall comply with any other statutory enactment relating to the construction and use of the premises or to the provision of entertainment.

NOTE: In this connection it is the Council's policy that generally applications for licences or for variation of licences will not be considered unless the activity to be authorised by the Council is lawful in planning terms.

The licensee has failed to comply with a number of statutory requirements including

- planning (there is an open Planning Enforcement case for possible change of use DP/PET/21/75215/U)
- licensing (see separate evidence supplied under 'breaches of licence conditions');
- building control (in particular failure to comply with Part E requirements to prevent the transference of airborne or impact noise into neighbouring properties);

Ma Dame Licence Review

- and public safety requirements (see evidence supplied separately under 'breaches of licensing objectives; failure to promote public safety')

7 3 Nov 2011

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 black ink. In all cases ensure that your answers are typed (or typed and written in black ink). Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

NAME Ever Fortuna Limited
(Insert name of applicant)
apply to transfer the premises licence described below under section 43 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 046154951/PDRS

Part 1 - Premises details

Postal address of premises or, if none, Ordnance survey map reference or identification
Cherry Jam
55 and 58 Parkside Road

Post town London Post code WC2E 9ET

Telephone number at premises (if any) 020 7727 9959

Please give a brief description of the premises
Restaurant premises with public entertainment

Name of current premises licence holder
Cherry Jam Leisure Limited

Part 2 - Applicant details
In what capacity are you applying for the premises licence to be transferred to you?

Please tick yes

a) an individual or individuals please complete section (A)

b) a person other than an individual*
c) as a limited company please complete section (B)

d) as a partnership please complete section (C)

e) as an unincorporated association or please complete section (D)

f) other (for example a statutory corporation) please complete section (E)

g) a recognised club please complete section (F)

Describe the premises. For example, what type of premises it is.

Restaurant

2012 application confirms premises use as a restaurant

2015 application for change of DPS states Ma Dame premises use is as a restaurant

Section 3 of 4

SUPERVISOR

Full Name Of Proposed Designated Premises Supervisor

* First name Jennifer

* Family name Cassandri

Personal licence number of proposed designated premises supervisor pers3524

Issuing authority of that licence London Borough of Lambeth

Full Name Of Existing Designated Premises Supervisor

First name Andrea Stabbart

Family name Ferrera

12 (b) The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

The level of noise transmitted through the structure of the building is such that neighbours sharing a party wall with Ma Dame are forced to move out of their homes at weekends or risk nights with little or no sleep. This is also a breach of Premises Licence condition 13

16 (a) Overcrowding shall not be permitted in any part of the premises.

Ma Dame nightclub both advertises a higher capacity than the 110 people maximum, and publicly logs on their business Facebook page a number of events where over double the permitted numbers attended events on the premises. (See evidence supplied separately in 'breaches of licensing objectives: failure to promote public safety')

Ma Dame Licence Review

17 The use(s) of the premises for which a licence(s) has been granted shall not be changed without the consent of the Council.

NOTE: If the premises are used regularly for one type of entertainment the Council should be informed of any change to another type of entertainment.

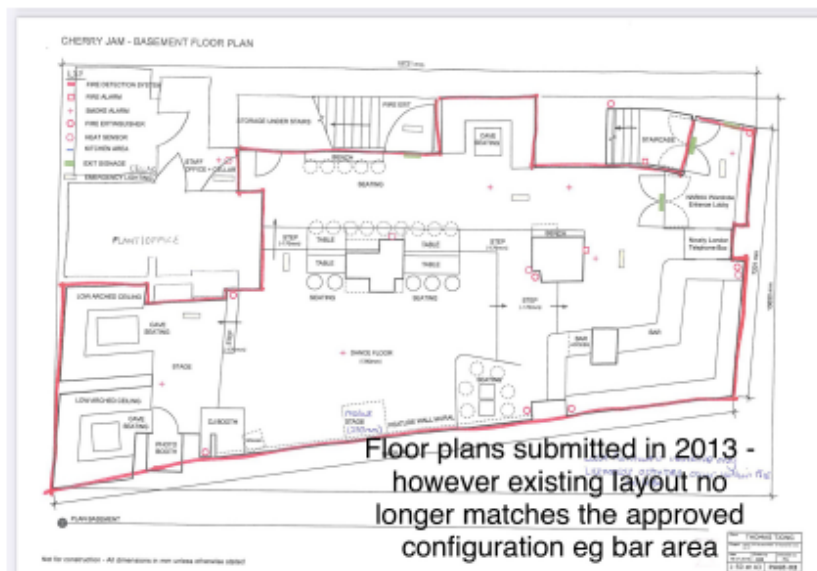
The owners/operators of the licensed premises at 58 Porchester Road have always described the premises as a 'restaurant' in all relevant licence applications eg in the transfer of the premises licence from Cherry Jam to Ever Fortune (Shimmy) in 2012.

And the licence application submitted by Son des Guitares for Ma Dame in 2015 specifically also states that the premises is to be used as a 'restaurant' - no mention is made of a nightclub (see below)

No consent for use of these licensed premises as a nightclub has ever been obtained from either WCC Licensing or Planning, suggesting the current use must therefore be considered unlawful.

19 (a) No alterations (including temporary alterations) shall be made to the premises, without the consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works.

The layout of the premises has been changed in excess of the minor variations agreed in 2013. In particular the position of the bar in relation to the basement party wall has been moved and should have required consultation.



Breaches of licensing objectives - failure to prevent public nuisance

Ma Dame licence review

Breaches of licensing objectives - failure to prevent public nuisance

As a resident of Celbridge Mews I would like to make the following statement in relation to the public nuisance we experience almost every time Ma Dame nightclub opens on Porchester Road. This nuisance broadly falls into two categories:

1. **Anti social behaviour - including drug dealing/ drug taking, fights, shouting, swearing, defecating, urinating, drunken behaviour, litter, broken bottles, drug paraphernalia and vomit.**
2. **Thudding music/noise through our party wall from the nightclub, often until 3/3.30am**



In the case of the ASB etc, this is something that affects everyone in Celbridge Mews, but I know of several residents who have felt unable to submit statements for this licence review for fear of intimidation, especially once the media coverage of the Ma Dame nightclub owner's criminal record etc came to light.

However, I hope the attached photos give an idea of the huge impact the nightclub's visitors have on our lives and our community.

Ma Dame licence review
Breaches of licensing objectives - failure to prevent public nuisance

1. Examples of Anti Social Behaviour etc in Celbridge Mews associated with Ma Dame nightclub



Ma Dame licence review
Breaches of licensing objectives - failure to prevent public nuisance



Ma Dame licence review
Breaches of licensing objectives - failure to prevent public nuisance

Typical levels of Anti Social Behaviour in Celbridge Mews when Ma Dame Nightclub is open - weekend of 26-28 November 2021



Ma Dame licence review
Breaches of licensing objectives - failure to prevent public nuisance

2. Noise transmitted through the party wall from Ma Dame nightclub

Noise has been a serious and long-running problem for the two properties in Celbridge Mews that share a party wall with Ma Dame nightclub; every night the club opens (whether for comedy, private events or 'guest' nights) we can guarantee we will get no sleep until the club closes, and their guests have dispersed. This is not new - we had the problem with Cherry Jam too, but it is considerably worse under the existing management.

All music is meant to stop by 0130 according to the premises licence (inexplicably for a residential area, this is already well beyond WCC core licensing hours.) But in reality this rarely happens, as the owner's applications for Temporary Event Notices are used to bypass the licence conditions, and regularly extend the hours when music is played to 3 or 3.30am. Even when the music finally stops in the early hours of the morning, then the noise outside starts with people still partying as they leave Ma Dame, shouting, screaming, with the sound of Nox being filled and inhaled from balloons in the entrance to Celbridge Mews

This licensed premises was only ever meant to be a restaurant with late night entertainment - yet somehow it has been allowed to operate as a nightclub, with longer and longer hours, and louder, more persistent thudding music played, often even beyond the permitted hours on the TENs application

For me this has become intolerable; I am often working long hours including weekends. The alarm goes every morning at 5am, and this means that when Ma Dame is open I have barely a couple of hours sleep, due to the music coming through our bedroom wall. On some nights I have to turn up the radio full blast, just to drown out the incessant thudding beat.

The only alternative is being forced to move out of my home every weekend as we used to - but since lockdown, work commitments have not always made this possible. I am equally aware that in moving out every weekend, and adapting our lives so drastically around the Ma Dame operations in the past, we may have also, ironically, created an impression that there is no issue - if residents are not there, then clearly there will be no complaints about the noise through the party wall.....

Below are excerpts from emails sent to WCC Licensing in the middle of the night, often after no sleep at all;

9 October 2021 at 03:09

-----Original Message-----

From: [REDACTED]
Subject: ma Dame nightclub still open - again

Hi [REDACTED]
You said in our call yesterday to use you as the main point of contact at the council as we continue to have problems logging complaints about Ma Dame nightclub via the noise number and antisocial behaviour links on the council websiteso it's 2.49am and the thumping music is still coming through the wall of my house.

Ma Dame licence review
Breaches of licensing objectives - failure to prevent public nuisance

Not particularly loud but incessant and impossible to sleep through. I have to be up in under 2.5 hours and sleep deprivation is seriously affecting my ability to function at work...

..This is happening every weekend - without fail the club is open until 3 or 3.30 am in breach of the licence conditions. Since when did these become the core operating hours of a nightclub in the middle of a residential area?

16 October at 03.18

-----Original Message-----

From: [REDACTED]
Subject: ma Dame nightclub still open now at 3am

It is gone 3am and ma dame nightclub is still open breaching every single condition yet again. I am fed up with this and the impact it is having on my sleep I repeat again I have to be up in less than 2 hours.....

20 October 2021

-----Original Message-----

From: [REDACTED]
Subject:.....TENs for Ma Dame nightclub...

For the record I have arranged to be away again next weekend (even though I have work commitments in Ealing) as you have issued another TEN in spite of everything we've said - and the threat of another night of 2-3 hours sleep is too horrific to contemplate.

In one particularly bad period after lockdown, with the nightclub open for private parties, and TENs each weekend, I believe I averaged 2.5 hours sleep a night for 6 out of the 10 nights in question - due to the thudding music coming through our bedroom wall from Ma Dame nightclub. This was torture.

At one point, my neighbour and I were so desperate we even offered to pay half the cost of an acoustic engineer to look at the party wall in Ma Dame, and assess what work should be done to prevent the noise entering our homes. We went to enormous lengths to arrange this, finding a surveyor, taking time off work, endlessly fitting around the changes in Ms Cassandri's availability etc - but she cancelled at the last minute, and whilst she did agree to refund the lost deposit, she refused to make the premises available at any other time for the engineer except during the nightclub opening hours - effectively making an acoustic survey impossible.

Our offer remains on the table but to date we have failed to get any engagement from the DPS/owner in trying to resolve the problem of noise transference through our party walls; in spite of all our efforts, the premises continue to breach licence condition 13 every time they open, making our lives miserable.

Breaches of licensing objectives - failure to promote public safety

Ma Dame licence review

Breaches of licensing objectives - failure to promote public safety

Ma Dame fails to meet the following public safety requirements:

1. Under condition 10 of the premises licence, the Rules of Management for Places of Public Entertainment (Appendix I,) requires that all licensed premises submit the following certificates to the Council, at least once a year. It is understood that these certificates have not been supplied to WCC by Ma Dame nightclub:

s.1 BATTERIES

A certificate shall be submitted at least once every six months covering all escape lighting batteries (including any self-contained units) and associated control equipment.

s.2 ELECTRICAL INSTALLATION

A certificate shall be submitted at least once a year covering the entire electrical installation (including the escape lighting installation). The inspection shall be in accordance with Guidance Note 3 to BS 7671.

s.5 FIRE ALARMS

A certificate from a fire alarm company or with the approval of the Council another person deemed competent shall be submitted at least once a year to the effect that the fire alarm installation satisfies the requirements of BS 5839.

s.10 FIRE APPLIANCES

Certificates shall be submitted at least once a year covering all portable fire appliances together with any hydraulic hose reels, drenchers or sprinklers.

2. The Ma Dame premises have no Food Hygiene certificate, in spite of advertising as a nightclub and restaurant (see advert below). This indicates that the business is not registered with the local authority as required by law, under the Food Hygiene (England) Regulations 2006 etc.

PAN ASIA 60 Porchester Road London W2 6ET		27 September 2021
Bengal Restaurant 62 Porchester Road London W2 6ET		24 February 2020
Chester's 60 Porchester Road London W2 6ET		05 August 2020
Sizzling Thai Basement And Ground Floor 54 Porchester Road London W2 6ET		08 January 2021
Porchester News 64 Porchester Road London W2 6ET		20 June 2017



- As at January 2022, neither the DPS/owner, her business (Son des Guitares) or her premises were registered with the ICO as data controllers or processors. This is a legal requirement for operating commercial CCTV on her premises - and is designed to protect the public from mis-use of their personal data.
- Ma Dame nightclub regularly advertises a capacity well in excess of the 110 people permitted under licence condition 36 - particularly when operating as a comedy club (see the business Facebook page below).

15:23 Thu 3 Mar *** skiddle.com

reviews of ma dame in london

ma dame venue information

Londons, newest Live music venue.

venue contact details and info

Name: Ma Dame	Address: 58 Porchester Road, London, W2 6ET
Phone: 07790 076 076	Venue short url: https://www.skiddle.com/venues/69746/
Capacity: 150	Type of venue: Live

Breach of condition 36 which limits numbers to 110 max

The screenshot shows the Facebook page for Ma Dame Nightclub London. The page header includes the name and profile picture. Below the header, there is a list of events with their dates and guest counts:

Date	Event Name	Guest Count
DEC 6	Christmas Party	61 guests
SEP 26	Le Chinois Marrant débarque à Londres	50 guests
JUL 4	Le Paname Art Café débarque à Londres	276 guests
DEC 17	Le Paname Art Café débarque à Londres	130 guests
DEC 4	XMAS WARM-UP SESSION: (DJ, Mendo / DJ...	-

The Ma Dame Facebook page shows guest numbers of 276 on 4 July - well in excess of the 110 people max permitted for public safety

Breaches of licensing objectives - failure to prevent crime and disorder

Ma Dame Licence Review

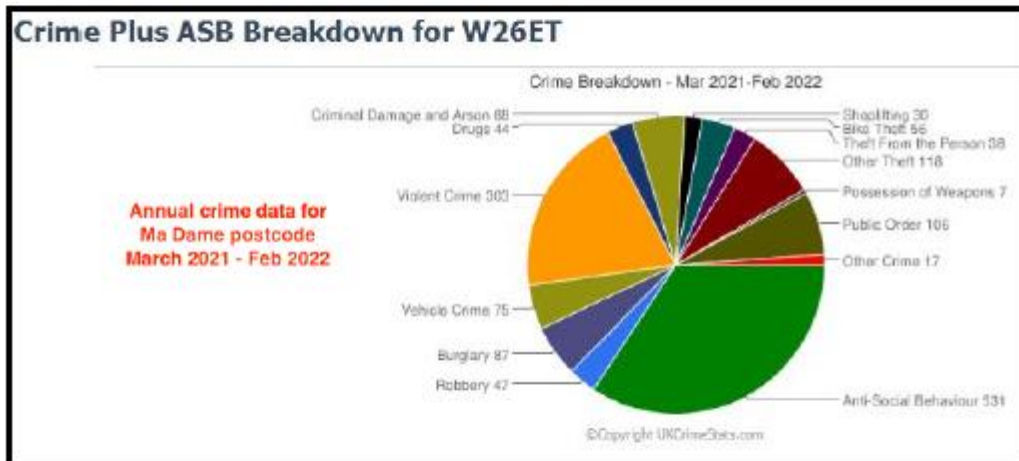
Breaches of licensing objectives - failure to prevent crime and disorder

In addition to concerns highlighted by the media coverage of the DPS' unspent criminal convictions, I would like to note the level of crime being reported around Ma Dame nightclub. The crime breakdown for the last year for surrounding streets is shown below.

But more worryingly, in February 2022 alone, the Met Police database listed 7 crimes (including ASB/violence and sexual assault,) 'on or near the nightclub'.

There is clearly sufficient crime associated with the premises that it actually warrants its own listing along with roads in the Bayswater postcode area.

Two of the 7 crimes are violent or sexual offences (see map below), three are ASB, one theft and one criminal damage and arson. This is a shocking list of crimes apparently linked to Ma Dame nightclub (for clarity, Porchester Road has its own listing on the database).....



Ma Dame Licence Review



Revised Statement of Mr Avis

I have lived in [REDACTED] for over 28 years. I remember when 58 Porchester Road was a restaurant/arts club serving food alongside light entertainment. It was supported on the whole by the locals. Because it was part of the community it understood that if it was to attract its target audience it needed to be mindful of their environment.

Because of ever higher rent demands the venue became increasingly less viable as originally conceived. There was a shift in focus to dining with late night dancing trading as Cherry Jam. The later opening hours (to 1.30am) along with a different crowd (increasingly promoter generated events) and the escalating and repeated incidents of Anti-Social Behaviour culminated in a licence review in 2012 where the opening hours were curtailed and licensing conditions strengthened. Again such strictures made the venue less operationally profitable. Cherry Jam ceased. There was a hiatus when nothing happened at the premises for a year or thereabouts after which Son des Guitares Ltd took up the licence and began trading as Ma Dames. It operates solely as a night club. There is no restaurant any more.

The director and licensee Jennifer Cassandri is the daughter of Jaques Cassandri, a notorious criminal who operated in France. His activities involved drug dealing prostitution and money laundering. In 2018 she was convicted of several offences along with him and other members of his family. Interestingly Son des Guitares is the same company name used by her father for his businesses in France. I highlight this as Cassandri has displayed similar disregard for the licensing conditions et alia attached to Ma Dames and one wonders how she is deemed to be a fit and proper person to hold a premises licence or even whether she declared her previous conviction to the licensing authority.

Sadly many of the same issues around anti-social behaviour and criminality that were evidenced to previous licensing committees in 2004,2007/8 and 2012 have occurred again repeatedly and increasingly over the last 5 years. The current licensee will claim that very few complaints have occurred particularly in 2020/21 when as we all know venues were shut for significant periods due to Covid and lately as the club has been largely closed. This does not give an accurate picture of the problems that this venue generates for the local community. Many of the complaints that have been logged with Westminster Council have been lost or misapplied due to inadequate systems which are not fit for purpose. Many incidents and complaints which have been made are not cross referenced or applied to Ma Dames. The agencies (Environmental Health and Police) are under-resourced and often unable to respond in a timely manner to complaints which pass without intervention. It doesn't help that this venue is on the periphery of the relevant teams who concentrate their resources on the highly stressed and nightclub congested areas of the West End. Supposed monitoring of the premises is cursory and often the licensee is forewarned. Incidents include aggressive behaviour, fights, car racing, drug taking and dealing and generalised anti-social behaviour and public nuisance.

The premises licence has had extensive conditions applied to it over the years. The purpose of these conditions was to limit the type of event and clientele that were a significant contributor to the problems and additionally to put a structure around security and dispersal of patrons. These conditions are rightly stringent and as such are rarely applied by the licensee. She might argue that they are difficult and expensive to enforce. In truth if one needs to apply so many such conditions to the licence one should be asking **whether such a venue should even exist in what is an overwhelmingly residential area populated mainly by families**. It must be unreasonable that there are residents who look to see when promoted events are taking place and go away for the weekend to avoid the disturbance that often eventuates. Many residents are intimidated and frightened to speak out. Some have been verbally abused and suffered threatening language by door staff. They are mindful of the licensee's background in organised crime and are reluctant to protest too overtly. I have been physically and verbally threatened by patrons of the club when observing incidents. On

one occasion I was attacked and injured, the police came but 'unfortunately' the club's video system which could have supplied evidence of the attackers was not working that night. Ironically I have written evidence from Cassandri herself apologising to me after yet another disturbance saying that 'as a mother of 2 children herself she would not tolerate this.' She also admits in another text that she 'attracts a bad crowd.'

It has become incontrovertible that this venue which operates solely as a night club and relies on promoted events targeting a non-local clientele (often drunk or high, and sometimes aggressive) with a dependence on Temporary Event notices should not be operating in what is overwhelmingly a residential area.

I am writing this not only in a personal capacity but as the chairman of [REDACTED]. I was asked by several people to take on this role specifically to campaign for the revocation of Ma Dames' licence. There are many local people who have lost faith in the Council, the Police and Environmental Health. I urge you to revoke the licence.

Appendix 6

Interested Party and Licence Holder representations in support of the Premises

- [REDACTED]
London
Received: 7 Mar 2022
OBJECTION

I have lived on [REDACTED] road for the last 19 years and have not one complaint to make towards The club Madame on Porchester road. The owner has always been very nice. When she first took over the club she invited many of the locals down for nibbles and drinks to say hello and introduce herself. The club noise has never stood out to me and as a local resident and a woman I often feel safer going home at night knowing there is security nearby.
- [REDACTED]
Received: 7 Mar 2022
OBJECTION

To whom it may concern,

I am a man in his 60s who [REDACTED] for the last 20+ years - I have not one complaint about it. I feel the area itself is safer with it there. I am an ex publican and club owner and know how important this venue is to young people. My daughters used to go to it and have always had such a great time. I have heard about some of the awful things the residents have said and done to the woman that runs it. It's not fair and the club has my full support - it would be a real shame to lose such a brilliant venue for young people in west london.
- [REDACTED]
Received: 7 Mar 2022
OBJECTION

[REDACTED] ("JC") objects to the premises licence that she holds being revoked. JC has held the premises licence since 2015. JC has lived in the UK since 2012 & has no convictions, cautions, reprimands, warnings and/or arrests recorded against her in the UK. The conviction in France relates to acts committed by a third party, in JC's French company's name. Due to the fact that JC was the owner of the company, JC was left to take responsibility for the actions of the third party. JC does not accept that most of the allegations of anti-social behaviour relate to customers ("Patrons"), who have attended Ma Dame. Pictures of litter in the street have been relied upon to support the revocation of the premises licence. This includes pictures of alcohol bottles that are not sold and/or supplied to Patrons. Such items couldn't have been discarded by Patrons. There is a very strict search policy on entering Ma Dame, which means no Patron can enter the premises with a drink bottle of any sort, nor can they enter with a nitrous oxide canister. Patrons aren't allowed to take a drink from inside the premises outside onto the street. There has been no complaint any Patron has brought a drink from inside the premises to outside. There is a negative undertone in some of the witness statements, e.g. referencing Ma Dame's "R'n'B events". JC is very keen to work with residents as she has done so previously. JC wishes to actively engage with local residents, the Council & other interested parties to reduce anti-social behaviour in the area. Any suggestion that JC has failed to do so and/or is incapable of doing so, is offensive & untrue. JC takes each & every complaint, whether justified or not, seriously & would like to reassure the residents and interested parties of her commitment to dealing with issues that have been highlighted.

**Annex 7
Licence & Appeal History**

Licensing Act 2003 History

Application	Details of Application	Date Determined	Decision
05/11022/LIPC	Premises Licence - Conversion	5 th October 2005	Granted under Delegated Authority
07/00844/LIPT	Transfer of Premises Licence Holder from Mr Alan Grant to Cherry Jam Leisure Limited	8 th March 2007	Granted under Delegated Authority
07/00849/LIPDPS	Premises Licence – Vary a DPS	8 th March 2007	Granted under Delegated Authority
06/05336/WCCMAP	Master Licence	8 th March 2007	Granted under Delegated Authority
07/05674/LIPV	<p>Premises Licence – Variation – To increase the terminal hour by 30 minutes from 01:30 to 02:00 on each of the days Thursday, Friday and Saturday for Live Music, Recorded Music, Performance of Dance, Anything of a similar description to Live Music, Recorded Music and Dance, Facilities for Making Music, Facilities for Dancing and Anything of a similar description to Making Music and Dancing.</p> <p>To reduce the terminal hour by 1 hour 30 minutes from 01:30 to 00:00 on each of the days Monday, Tuesday and Wednesday for Live Music, Recorded Music, Performance of Dance, Anything of a similar description to Live Music, Recorded Music and Dance, Facilities for Making Music, Facilities for Dancing and Anything of a similar description to Making Music and Dancing</p> <p>Late Night Refreshment: To reduce the terminal hour by 2 hours from 02:00 to 00:00 on each of the days Monday, Tuesday and Wednesday.</p> <p>Sale by Retail of Alcohol: To increase the terminal hour by 30 minutes from 01:30 to 02:00 on each of the days Thursday, Friday and Saturday.</p> <p>To reduce the terminal hour by 1 hour 30 minutes from 01:30 to 00:00 on each of the days Monday, Tuesday and Wednesday.</p>	18 th October 2007	Refused by Licensing Sub-Committee
09/01549/LIPDPS	Premises Licence – Vary a DPS	18 th June 2009	Granted under Delegated Authority

12/07374/LIPT	Transfer of Premises Licence Holder from Cherry Jam Leisure Limited to Ever Fortune Limited	2 nd October 2012	Granted under Delegated Authority
13/06378/LIPVM	Minor Variation – To vary the layout and add conditions	12 th September 2012	Granted under Delegated Authority
15/09364/LIPDPS	Premises Licence – Vary a DPS	14 th December 2015	Granted under Delegated Authority

Licensing Act 2003 History

Application	Details of Application	Date Determined	Decision
12/08010/LIREVP	Review of Premises Licence – The Prevention of Public Nuisance	8 th November 2012	Granted at Licensing Sub-Committee

Appeal History

The Licensing Authority submitted a Review on the premises at 58 Porchester Road, London due to a number of complaints since 2007 of anti-social behaviour and the premises is unable to promote the Licensing Objectives of Prevention of Public Nuisance. On 8th November 2012 the Licensing Sub-Committee decided that it was appropriate and proportionate to cut back the licensable activities so that the sale of alcohol would cease at 11.30pm Sunday to Thursday and all other licensable activities would cease at midnight when patrons would also be expected to leave the premises. On Friday and Saturday the sale of alcohol would cease at midnight and all other licensable activities would conclude at 12.30am when patrons would be expected to leave the premises.

On the 21st December 2012 the Premises Licence Holder lodged an appeal to the magistrates court and on the 14th June 2013 the judge over turned the decision of the Licensing Sub-Committee and reverted the hours back.

TENS history for premises:

TENS Application	Details of Application	Date Determined	Decision
17/00682/LITENP	Temporary Event Notice	30 th January 2017	Notice Granted
17/02284/LITENP	Temporary Event Notice	24 th March 2017	Notice Granted
17/03443/LITENP	Temporary Event Notice	12 th April 2017	Notice Granted
17/06150/LITENP	Temporary Event Notice	13 th June 2017	Notice Granted
17/09969/LITENP	Temporary Event Notice	18 th December 2017	Notice Granted
17/10526/LITENP	Temporary Event Notice	6 th December 2017	Notice Granted
17/10910/LITENP	Temporary Event Notice	10 th October 2017	Notice Granted
17/10911/LITENP	Temporary Event Notice	10 th October 2017	Notice Granted
17/11764/LITENP	Temporary Event Notice	23 rd October 2017	Notice Granted
17/13449/LITENP	Temporary Event Notice	20 th November 2017	Notice Refused – Due to EH Representation
17/14316/LITENP	Temporary Event Notice	7 th December 2017	Notice Granted

17/14830/LITENP	Temporary Event Notice	21 st December 2017	Notice Granted
18/00695/LITENP	Temporary Event Notice	30 th January 2018	Notice Granted
18/01400/LITENP	Temporary Event Notice	15 th February 2018	Notice Granted
18/02368/LITENP	Temporary Event Notice	21 st March 2018	Notice Granted
18/02370/LITENP	Temporary Event Notice	21 st March 2018	Notice Granted
18/03137/LITENP	Temporary Event Notice	28 th March 2018	Notice Granted
18/05170/LITENP	Temporary Event Notice	1 st June 2018	Notice Granted
18/05322/LITENP	Temporary Event Notice	22 nd May 2018	Notice Granted
18/05324/LITENP	Temporary Event Notice	22 nd May 2018	Notice Granted
18/09276/LITENP	Temporary Event Notice	14 th August 2018	Notice Granted
18/10909/LITENP	Temporary Event Notice	1 st October 2018	Notice Granted
18/12137/LITENP	Temporary Event Notice	18 th October 2018	Notice Granted
18/12253/LITENP	Temporary Event Notice	18 th October 2018	Notice Granted
18/15492/LITENP	Temporary Event Notice	11 th December 2018	Notice Granted
19/02181/LITENP	Temporary Event Notice	4 th March 2019	Notice Granted
19/02838/LITENP	Temporary Event Notice	6 th June 2019	Notice Granted
19/07388/LITENP	Temporary Event Notice	27 th June 2019	Notice Granted
19/07389/LITENP	Temporary Event Notice	27 th June 2019	Notice Granted
19/08809/LITENP	Temporary Event Notice	16 th August 2019	Notice Granted
19/10610/LITENP	Temporary Event Notice	12 th September 2019	Notice Granted
19/13013/LITENP	Temporary Event Notice	14 th October 2019	Notice Granted
19/13623/LITENP	Temporary Event Notice	23 rd October 2019	Notice Granted
19/14059/LITENP	Temporary Event Notice	8 th November 2019	Notice Granted
19/14746/LITENP	Temporary Event Notice	11 th November 2019	Notice Refused – Exceeded Number of Days
20/00935/LITENP	Temporary Event Notice	3 rd February 2020	Notice Granted

20/00937/LITENP	Temporary Event Notice	3 rd February 2020	Notice Granted
20/01657/LITENP	Temporary Event Notice	27 th February 2020	Notice Granted
20/02829/LITENP	Temporary Event Notice	16 th March 2020	Notice Granted
21/08091/LITENP	Temporary Event Notice	20 th August 2021	Notice Granted
21/08998/LITENP	Temporary Event Notice	9 th September 2021	Notice Granted
21/08999/LITENP	Temporary Event Notice	9 th September 2021	Notice Granted
21/09479/LITENP	Temporary Event Notice	24 th September 2021	Notice Granted
21/09484/LITENP	Temporary Event Notice	24 th September 2021	Notice Granted
21/10951/LITENP	Temporary Event Notice	18 th October 2021	Notice Granted
21/11492/LITENP	Temporary Event Notice	21 st October 2021	Notice Granted
21/13026/LITENP	Temporary Event Notice	26 th November 2021	Notice Granted
22/00354/LITENP	Temporary Event Notice	28 th January 2022	Notice Refused by Licensing Sub-Committee

Annex 8
Licensing Sub-Committee Decision 8th November 2012

LICENSING SUB-COMMITTEE No. 2

Thursday 8 November 2012

Membership: Councillor Alan Bradley (Chairman), Councillor Harvey Marshall and Councillor Aziz Toki

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Relevant Representations:

In support of application - Licensing Authority (the Applicant, Enforcement Section), Environmental Health, 2 Ward Councillors, 2 local residents' associations, local business, and 27 representations from 39 local residents. There was also 1 local resident in support of the licensee.

Present: Mr Dario Saracini (Senior Licensing Inspector, on behalf of Applicant), Mr Ian Watson (Environmental Health), Councillor Michael Brahams (Bayswater Ward Councillor),

Mr

Mr Gary Grant (Counsel, representing Licensee), Ms Lana Tricker (Solicitor, on behalf of the Licensee), Mr Andre Ferreira (Designated Premises Supervisor at the premises), and Mr Thomas Tjong (owner of premises).

Cherry Jam, 58 Porchester Road, W2

12/08010/LIREVP

An application by the Licensing Authority (Enforcement Section) for review of the Premises Licence for Cherry Jam, 58 Porchester Road London W2 6ET was received by the Licensing Authority (Processing Section) on the 12th of September 2012 on the grounds of prevention of public nuisance.

A review of the premises licence is sought on the grounds of prevention of public nuisance for the following reasons:

- (i) There have been 20 noise complaints from residents living opposite or within 200 metre radius of the premises since 2007 as a result of anti social behaviour by customers when leaving the club at around the end of terminal hour of operation.
- (ii) The noise complaints have been received by the Council's noise team from 1 July 2007 to 9 September 2012.
- (iii) The nuisances caused by customers of the premises have had a particular adverse impact on those residents.

Guidance issued under section 182 of the Licensing Act 2003 (Para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, or an interested party such as a resident living in the vicinity of the premises, may ask the licensing authority to review the licence of a matter arising at the premises in connection with any of the four licensing objectives.

As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.

The current activities permitted under the premises licence 12/07374/LIPT

Performance of Dance
Provision of facilities for Dancing
Provision of facilities for making Music
Performance of Live Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Monday to Saturday: 09:00 to 01:30
Sunday: 09:00 to 00:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Playing of Recorded Music
Unrestricted

Sale by retail of alcohol
Monday to Saturday: 10:00 to 01:30
Sunday: 12:00 to 23:30

Late night refreshment
Monday to Saturday: 23:00 to 02:00
Sunday: 23:00 to 00:00

The opening hours of the premises
Monday to Saturday: 09:00 to 02:00
Sunday: 09:00 to 02:00

It was noted that the current licence issued on 2 October 2012 contained a number of errors. In particular, the permitted hours on weekdays only extended to 01.30 and not to 03.00. The opportunity will be taken to correct the errors during the review process.

Representation has been received from the Environmental Health supporting the application on the grounds on prevention of public nuisance.

Representations have been received from two local Councillors supporting the application stating that:

- They have received numerous complaints over the years about the disruption and nuisance caused by patrons when queuing up to go into the venue and when they leave in the early hours of the morning.
- The club appears to be unwilling or unable to reduce significantly the disruption caused to residents in the area despite the advice and guidance given by Council's Noise Team and Licensing Inspectors.
- The noise and disruption has got considerably worse in recent months with people and cars gathering noisily outside in the early morning hours frequently.
- They believe the location of the premises in a residential area is not appropriate and no additional conditions would alleviate the problems caused and revocation of the licence should be considered.

Representations have been received from two Residents' Associations in support of the application stating that:

- They have received complaints from their members about noise from anti social behaviour caused by customers of the premises.
- Customers of the premises often congregate on the pavement outside the premises forcing pedestrians to walk in the road.
- The recent change of ownership and the promotion of the club as private party venue has exacerbated the problem.

Representation has been received from a local business in support of the application stating that they often have to clear and clean the frontage of their offices from litter and spillage left by customer of the premises and have requested stringent conditions be attached to the licence.

27 representations have been received from 39 residents in support of the application stating that:

- The licensee should ensure that customers should leave the premises quietly so as not to disturb residents.
- The location of the venue in a residential area is inappropriate
- Nuisances which include illegal cars parking, car racing, fighting outside the premises, shouting and screaming in the streets and empty glasses left of residents garden wall have been caused by customers.
- Nuisance has been caused by customers of the premises for a number of years.
- Noise nuisance has been caused by customers when queuing to enter and when leaving the premises.
- The nightclub has been a source of misery to local residents ever since it opened.
- Door staff at the premises has been ineffective at controlling the behaviour of the customers on occasions.
- Residents including children have been woken up several times by a lot of noise from customers.
- Residents have witnessed drug dealing in the area on the nights that the premises is opened.

- Nuisance has been caused by customers honking their car horns when they have been blocked by cars parked illegally.
- The recent change of ownership and the promotion of the club as private party venue has exacerbated the problem.
- The management has no control over their customers once they leave the premises waiting for their taxis or in their cars.
- Customers have defecated residents' front garden and driveway.

Representation has been made by one resident who frequents the premises. She states that Cherry Jam is operated well and she rarely gets disturbed by customers of the venue when they are leaving the premises.

The Authority must, having regard to the application and the representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:

- (a) to modify the conditions of the licence (modify, delete or add conditions);
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence

Where the authority modifies the conditions or excludes a licensable activity from the scope of the licence it may provide that the modification or exclusion is to have effect permanently or for a period not exceeding 3 months.

The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

The Sub-Committee was initially addressed by Mr Saracini, Senior Licensing Inspector, on behalf of the Licensing Authority. He stated that Cherry Jam is located in the Bayswater Stress Area almost directly opposite the junction of Westbourne Park Road which was predominantly a residential street and is also in the vicinity of other residential streets including Westbourne Park Villas. Currently the nightclub was open on Friday and Saturday nights into the early hours of the following mornings with the occasional private event during the week. Prior to February 2012, the club had been known to open every Wednesday night to the public when it was operated by a promoter. A significant number of complaints had been made by residents in the vicinity of the club, which particularly referred to issues in front of residents' abodes when patrons were leaving the premises including shouting, screaming, fighting and revving engines and horns of vehicles which had regularly affected the sleep of residents in the early hours of the morning. Specific complaints had been made regarding the terminal hours of the club, which were typically between 1.30am and 2.30am.

Mr Saracini advised that Mr Ferreira, the Designated Premises Supervisor had been

made aware of complaints and in August 2011 had agreed a number of measures including positioning cones to prevent illegal parking outside the premises, adding a security presence in Westbourne Park Road, the DPS standing in the doorway in order to request patrons not to make noise when departing the premises and there being a wind down period at the club. Mr Saracini referred to a monitoring report he had submitted on 1 February as a result of complaints regarding the Wednesday club nights known as 'Different Strokes'. In the report he found clear evidence of public nuisance although there was also evidence that the club management were requesting patrons to keep the noise down. On 3 February 2012, Mr Saracini had been informed that the 'Different Strokes' events on Wednesday nights would cease. The premises had subsequently been sold to Mr Tjong in April 2012 and a transfer application submitted in August 2012. Mr Ferreira had continued to be employed as the Designated Premises Supervisor. On 1 August a residential complaint had been received regarding a disturbance in the early hours of a Wednesday morning. It is now understood that the club had been privately hired for a birthday party. Mr Saracini had undertaken further observations of the premises from Westbourne Park Road between 1.45am and 2.30am on 25 August when he had found instances of public nuisance. Mr Saracini commented that it was not his assertion that the management of the nightclub were purposely not complying with the conditions. It was simply that despite their best efforts and the number of conditions on the licence designed to prevent public nuisance, complaints were still being received.

The Sub-Committee asked Mr Saracini whether the change of ownership had improved the situation. Mr Saracini confirmed that there had been two formal complaints to the Noise Team since April 2012. Residents' representations had referred to issues after this time and there were Mr Saracini's observations of 25 August 2012. The Chairman asked whether Mr Saracini had any comments regarding the report of Wentworth Security Consultants. Mr Anderson had been employed by the Licensee to observe activity outside Cherry Jam and make recommendations and he had undertaken this work on 27 October 2012 when he had found the premises and the surrounding area to be 'very quiet'. Mr Saracini explained that his observations on 25 August were a snapshot of what he saw as he did not live in the area and there would be some nights when the club would not be well attended, including due to inclement weather.

Mr Watson for Environmental Health stated that there was a comprehensive history of noise nuisance outside the premises particularly when patrons were outside or leaving the premises. He had experience of the premises since 2001 when it had become Cherry Jam and was operating under a public entertainment licence. A noise objection had been received in 2003 and conditions were subsequently attached to the licence including the requirement for a door supervisor and the monitoring of areas. There was evidence that acute noise outside late night venues in highly residential areas impacted on residents' sleep. One of the issues to be considered was what powers SIA trained door supervisors had to ensure that patrons on the street were quiet and how far this extended from the premises itself. The Chairman asked Mr Panto, the Legal Adviser, to comment on this point. Mr Panto responded that licence holders had a responsibility to do what they can to control patrons' behaviour outside the premises. It was acknowledged that there was only so much that they were able to do. Door supervisors can engage with patrons and hope that they comply with requests. However, if problems could not be resolved,

ultimately sanctions such as those being considered by the Licensing Sub-Committee can apply. Matters could potentially be outside the control of a licence holder even if the venue in question was well run. Mr Saracini added the point that in his experience when door supervisors were a little distance away from the premises, their requests were often met with resistance.

The Sub-Committee had read 27 representations received from local residents received in support of the review and one received in support of the licensee. Councillor Brahams addressed the Sub-Committee on behalf of residents in support of the review. He commented that there had been a stream of complaints from residents over a number of years due to noise outside the premises. It was a very quiet residential area (he was of the view that Wentworth Security Consultants' emphasis on transport noise in the local area was misleading) which was not even noisy during the day. Both Westbourne Park Road and Westbourne Park Villas were entirely residential and there were many families with children in these premises whose sleep was affected. Porchester Road also had a number of flats owned by a prominent housing association. This area was unsuitable for a nightclub and noise was bound to stand out. It was a quiet suburban area not Soho or Covent Garden.

Councillor Brahams introduced other residents who had made representations and wished to speak. [REDACTED] stated that she lived with her husband and two children approximately [REDACTED] from the premises in Westbourne Park Road. She was aware of the Council's Noise Team and had begun to make complaints but at 2.30am there was often no-one answering the calls and the exercise appeared to be futile. [REDACTED] had submitted an impact statement on the Wednesday evening 'R n B' nights, known as 'Different Strokes'. She made the point that the management of the club had finally accepted that patrons' behaviour had been disruptive and had now suspended the 'Different Strokes' weekly event. However, websites had referred to the 'Different Strokes' event now taking place on Fridays and the same line-up of DJs had been advertised. She believed that this was an example that demonstrated that nothing would change following the change in ownership. Many of the proposals by the Licensee's Representatives were not achievable. The Designated Premises Supervisor was the same under the new ownership. Residents' experience was that following a number of complaints from residents, management of the nightclub would work hard to address the potential for public nuisance caused by patrons' behaviour hoping that residents would calm down but then a number of incidents would begin to take place again. Street marshalls had been positioned at the corner of Westbourne Park Road and Porchester Road and they may have been well-meaning but nothing had changed. It was unrealistic to think that it was possible to control intoxicated patrons once they had left the club. Residents had witnessed fights, car racing, rubbish being left, horns honking and loud music usually between the hours of 2am and 3am. [REDACTED] added that the one time she had attempted to speak to the patrons outside the club regarding the noise they had become abusive and she had realised that it was not safe to confront them. Her two children were constantly awakened in the middle of night and there were a number of families with children who had made representations objecting to the application. The club did not belong in a residential neighbourhood with children. [REDACTED] believed that the original terminal hour for the premises was midnight and she requested that the hours for licensable activities were cut back to this hour.

██████████ stated she lives approximately ██████████ Cherry Jam in Westbourne Park Road. She had lived there 19 years and since the venue had opened there had been constant disruption until 2am or 3am at night. She and her children were very tired as a result of losing sleep caused by screaming, shouting and revving of car engines. It was not an appropriate area for a nightclub. If the licence was not revoked by the Sub-Committee then the premises should operate its original hours of midnight. Activities at the venue at weekends were difficult enough for residents to bear but Wednesday evenings had been particularly awful. In response to a question from the Chairman, she did perceive that the noise had not been quite so considerable since April 2012.

██████████ commented on the last point made by ██████████ He was of the view that nightclubs had generally been quieter during the summer with lower turnovers, including as a result of the Olympics. He did not believe it was directly as a result of the change of ownership. The drop in complaints had also resulted from residents going away during the summer. Residents had seen efforts to calm down the situation before only for the position to be reversed. He believed the long term trend of public nuisance was still upwards. ██████████ questioned Mr Tjong's experience of running this type of operation and expressed concerns that Mr Ferreira had been in his role of Designated Premises Supervisor since 2007 when the level of complaints had escalated. He believed his overriding goal was to increase the profit of the club principally through the sale of alcohol and if people were drunk they could not be expected to act responsibly. He questioned whether any of the commitments made by the Licensee's Representative could be enforced including the private members' club and also the additional wardens at Westbourne Park Villas and Westbourne Park Road. He supported the view that the terminal hour for licensable activities should cease at midnight.

██████████ of ██████████ made the point that there had been representations from approximately a dozen residents in Westbourne Park Villas. Most residents in the area had double-glazed windows in their houses due to the railway but were still much disturbed by patrons leaving the premises. The behaviour of the patrons was not strictly within the control of the owners of the venue. Only closing the premises at an earlier hour would make a significant difference.

██████████ stated that ██████████ had a lot of members in the Westbourne Park Road and Westbourne Park Villas area and he was often stopped in the street about the issues raised by Cherry Jam although not to the same extent in recent months. He believed residents had gone away during the summer and his experience was that when there were several visits by licensing inspectors premises management would oversee the premises in a more thorough fashion and this was even more the case after a review application had been submitted. If a club was attracting people those managing it were then responsible for the conduct of patrons arriving and leaving the premises. He was of the view that patrons should be off the premises by midnight which was in keeping with the Council's Core Hours policy.

Councillor Brahams provided a brief summing up on behalf of residents including referring to the photographs taken by ██████████ and requesting that the hours for the licence were cut back to a terminal hour of midnight in order that

residents would be able to have a decent night's sleep. Mr Saracini in response to questioning from the Sub-Committee confirmed that the Licensing Authority was supportive of their approach regarding a reduction of hours for the licence.

Mr Grant, representing the Licensee, expressed the view that two matters were clear. Residents had had to put up with an enormous amount of disturbance before his client had taken over in April 2012. However, this situation had improved dramatically since April 2012. By attempting to establish a different type of premises the management would reduce the potential for further issues. His client was proposing to operate to Core Hours Sunday to Wednesday and retain the current hours on Thursday to Saturday. Operating a members' club with these hours was the minimum required for it to be commercially viable. He considered that even if Cherry Jam was closed, residents would still expect to be disturbed in the area. He disputed the point made previously regarding his client's experience, making the point that he was a good operator with a fine track record and that the premises where he had previous experience had operated until 3am and had been a nightclub. Mr Tjong had not been involved when the premises concerned had entered administration. Mr Ferreira had been hampered and burdened by a previous owner. The letter from Mr Ferreira to Mr Saracini announcing the end of the 'Different Strokes' events on Wednesday evenings (page 68 of the report) had demonstrated that he was a reactive and responsible manager who would deal with problems when they arose. Mr Grant stated that he acknowledged that not every disturbance lead to formal complaints but that the fact that there had been 10 complaints in the year prior to April 2012 and 2 since was an indication that the disturbance to residents had lessened. The 'R n B' night had been stopped due to residents' concerns. He was of the view that it was unclear as to what the trigger had been for the review as there had been 2 complaints in 7 months. Potentially it had been the Tuesday 31 July private birthday event which had led to an incident and a resident complaint when the venue had dealt with the matter impressively according to Police. This was an isolated incident as shown by the absence of the Police from the review hearing.

Mr Grant advised the Sub-Committee that it was not inevitable that there would be noise as a result of a late night licence as had been shown in [REDACTED] report and in some of the licensing inspector's entries in 2007. Residents above Cherry Jam or from Celbridge Mews had not submitted representations objecting to the application. A previous condition that mini cabs refrain from using Celbridge Mews as a turning circle had worked and a similar condition was now being proposed for Westbourne Park Road and Westbourne Park Villas. Mr Grant added that it had been the intention prior to the review for his client to turn the premises into a private members' club but that he had not been able to refurbish it until he knew the decision of the Sub-Committee at the hearing. With a private members' club, those who had a stake in it were likely to act in a more responsible way and not be poorly behaved. Last entry would be midnight. He asserted that street marshalls would be effective in preventing raised voices and parking in Westbourne Park Road and Westbourne Park Villas. The latter was already being implemented and patrons had been refused entry the previous Saturday for attempting to park in these areas. His client was offering to close the premises for a month to refurbish it and this would take place no later than February 2013. Also offered was free parking in Arthur Court NCP to patrons arriving after 9pm Thursday, Friday and Saturday nights.

The Sub-Committee asked residents for their views on the measures proposed by the Licensee. Residents had particular concerns regarding the sale of alcohol until 1.30am from Thursday to Saturday without food having to be provided. ██████ made the point that if residents were asleep for two or three hours and were then awoken by noise, it became more difficult for them to get back to sleep. In response to questions from residents regarding the membership proposals, Mr Grant stated that it was likely to be a minimum of £100 per year with a maximum of 2 guests which would apply any night when the nightclub was open. Guests would have to sign in with a member and 48 hours would need to elapse before a membership application was granted.

Decision (including reasons):

The Sub-Committee decided that it was appropriate and proportionate to cut back the hours for licensable activities so that the sale of alcohol would cease at 11.30pm Sunday to Thursday and all other licensable activities would cease at midnight when patrons would also be expected to leave the premises. On Friday and Saturday the sale of alcohol would cease at midnight and all other licensable activities would conclude at 12.30am when patrons would also be expected to leave the premises. Members considered, having read the written representations and heard from the various parties at the review hearing, that residents had experienced public nuisance over a number of years as a result of patrons leaving the premises. Instances of public nuisance had continued to affect local residents' ability to sleep and the undermining of the prevention of public nuisance licensing objective would best be addressed with a reduction in the proposed hours for licensable activities and patrons required to leave the premises when licensable activities concluded.

The Licensee's Representatives had submitted proposed amendments to the conditions on the existing licence and also additional conditions. Many of the suggested amended conditions updated them in line with the Council's model conditions and with the exception of a few further amendments were attached to the licence by the Sub-Committee. The Sub-Committee also attached the majority of additional conditions proposed by the Licensee's Representatives (conditions 41-52 below). Members did not attach 3 conditions originally proposed by the Licensee because they had been put forward as part of a package of measures in the event that the existing hours for licensable activities from Thursday to Saturday were retained. These were that 2 street marshalls would be stationed on or at the junction of Westbourne Park Villas and Westbourne Park Road on Thursday, Friday and Saturday nights, that the premises would operate as a private members' club and the premises would close for refurbishment for a period of 1 month, no later than 14 February 2013.

Conditions attached to the Licence

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - (i) the outcome of a race, competition or other event or process, or

- (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
 - 5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 - 6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 - 7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
 - 8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.
 - 9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.
- Additional Conditions**

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001, with the exception of Rule of Management Number 6.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of an officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
15. Whenever the premises are in use under this licence the internal lobby doors shall remain closed except for immediate access and egress.
16. No music of any kind shall be provided on the ground floor of the premises.
17. No tables and chairs shall be provided outside the premises.
18. Patrons shall not be permitted to eat and drink outside the premises.
19. A registered door supervisor shall be employed at the premises from 21:30 on every day of the week when entertainment is provided.
20. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be

made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

21. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
22. Notices shall be displayed at the exit requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
23. Staff shall be contractually bound to leave the premises quietly and shall not drink whilst on duty.
24. Refuse shall not be placed outside the premises until 30 minutes before the specified refuse collection time.
25. The licensee shall use his best endeavours to ensure that refuse shall not be collected from the premises other than between the hours of 09:00 and 17:00.
26. No take-away food shall be provided at the premises.
27. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
28. The provision of public entertainment under this licence shall remain as an ancillary part of the lawful Class A3 use of the premises.
29. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
30. The operators shall provide the necessary facilities within the premises for patrons to telephone and wait for minicabs, from a designated company, to collect them.
31. The operators shall use their best endeavours to discourage minicabs and taxis, other than those from the designated company, collecting patrons outside the premises.
32. The operators shall request that mini cabs from the designated companies refrain from using Celbridge Mews, Westbourne Park Villas and Westbourne Park Road as a turning circle, taxi rank or blocking the entrance to the Mews/Roads when collecting or waiting for patrons.

33. Whenever the premises are in use under this licence, a minimum of four registered door supervisors shall be situated outside the premises. Two of these door supervisors shall be responsible for supervising any queue at the premises and shall as far as is reasonably practicable, ensure that patrons queue in a quiet and orderly fashion. Those patrons who do not co-operate with the door supervisors in this regard will be refused entry to the premises. A notice to that effect shall be clearly displayed so that all patrons queuing at the premises are notified of this requirement.
34. The two other door supervisors shall be responsible for supervising patrons leaving the premises and as far as is reasonably practicable, they shall ensure that any patrons who leave in a loud or disorderly fashion will be prohibited from entering the premises on future occasions. A notice to that effect shall be displayed accordingly.
35. Patrons found urinating in Porchester Road or in the vicinity of the premises shall be prohibited from entering the premises on that or future occasions.
36. The number of persons accommodated (excluding staff) in the basement shall not exceed 110.
37. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
38. No entertainment, performance, service, or exhibition involving nudity or sexual entertainment shall be provided except under the authority of a Sexual Entertainment Venue licence pursuant to the Local Government Miscellaneous Provisions Act 1982 as amended.
39. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
40. The premises can remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
41. The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
42. There shall be no sales of alcohol for consumption off the premises.
43. Patrons permitted to temporarily leave and then re-enter the premises, e.g to smoke, shall be limited to 10 persons at any one time.
44. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

45. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
46. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
47. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
48. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
49. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
50. Representatives of the premises licence holder shall hold a quarterly residents meeting to encourage dialogue and comments on the operation. Notice of these meetings shall be given to local residents in advance to encourage attendance.
51. There shall be no 'R n B' or 'hip hop' promoted events held at the premises.
52. No customers who park vehicles on Westbourne Park Villas or Westbourne Park Road will be permitted to enter the premises.
53. The premises shall offer free parking in Arthur Court NCP to customers arriving after 9pm Thursday, Friday and Saturday nights.

**Annex 9
Magistrates Court Appeal Decision**

In the City of Westminster Magistrates' Court

Before

District Judge (MC) Barrie

Between

Ever Fortune Limited

and

Westminster City Council

Appellant

Respondent

Representation:

For the Appellant: Mr Bromley-Martin QC

For the Respondent: Mr Matthias QC

Judgment

Background and nature of the appeal

1. This appeal concerns a nightclub known as "Cherry Jam" situated in the basement at 58 Porchester Road, London W2 ("the Premises"). The Appellant holds the Premises Licence for this venue.
2. The appeal is brought pursuant to section 181 and Schedule 5 paragraph 8(2) of the Licensing Act 2003 ("the Act") against the decision of Westminster's Licensing Sub-Committee following a review hearing on 8 November 2012. The review hearing was instigated by the Licensing Authority pursuant to section 51 of the Act on the ground of the prevention of public nuisance. Specifically the concerns related to serious noise nuisance caused to residents living in the vicinity.
3. The premises have been operating for several years and it was not in dispute that disturbance and public nuisance had been caused to local residents through the operation of the premises from at least 2007 until 2012. The current owner and director of the Ever Fortune Limited, Thomas Tjong, took over the premises in April 2012 since when there has been a substantial decrease in the number of reported incidents of disturbance albeit they had not ceased altogether.

4. The Licensing Sub-Committee received representations from two local councillors (Cllr Brahams and Rahuja); from local businesses and residents. They also heard evidence from Mr Tjong who offered modification to certain conditions on the licence including a reduction in the permitted hours on Sundays and Wednesdays. He sought to retain however the permitted hours for the sale of alcohol, provision of regulated entertainment, late night refreshment, and the hours of opening on Thursdays to Saturdays.
5. The Licensing Sub-Committee made the modifications proposed by Mr Tjong and reduced the permitted hours on Sundays and Wednesdays. That part of the decision is not subject to appeal save that some of the modifications only apply to a late night license.
6. The Sub Committee also reduced the permitted hours on Thursdays as follows:

Sale of alcohol	- reduced from 0130 am to 11.30
Other licensable activities	- reduced from 0130/0200am to midnight
Closing time	- reduced from 0200am to midnight.
7. On Fridays and Saturday the hours were reduced as follows:

Sale of alcohol	- reduced from 0130 am to midnight
Other licensable activities	- reduced from 013/0200 to 1230am
Closing time	- reduced from 0200 to 1230am.
8. It is those reduced hours on Thursdays, Saturdays and Sundays that are the subject of this appeal.

The Licensing Sub-Committees reasons

9. The majority of the decision letter concerns the evidence that the Sub Committee received at the review hearing. The actual decision (including reasons) is as follows:

“The Sub-Committee decided that it was appropriate and proportionate to cut back the licensable activities so that the sale of alcohol would cease at 11.30pm Sunday to Thursday and all other licensable activities would cease at midnight when patrons would also be expected to leave the premises. On Friday and Saturday the sale of alcohol would cease at midnight and all other licensable activities would conclude at 12.30am when patrons would be expected to leave the premises. Members considered, having read the written representations and heard from the various parties at the review hearing, that residents had experienced public nuisance over a number of years as a result of patrons leaving the premises. Instances of public nuisance have continued to affect the local residents’ ability to sleep and the undermining of the prevention of public nuisance licensing objectives would best be addressed with a reduction in the proposed hours for licensable activities and patrons

being required to leave the premises when licensable activities have concluded”.

10. The remainder of the reasons deal with the modifications agreed by Mr Tjong.

The law

11. I am grateful to both counsel for the comprehensive skeleton arguments prepared in advance of this appeal.
12. Section 4 of the Act requires a licensing authority to promote the ‘licensing objectives’ set out in the Act, to have regard to its licensing statement published under S5 of the Act, and to any guidance issued by the Secretary of State.
13. The licensing objectives are:
1. The prevention of crime and disorder
 2. Public safety;
 3. The prevention of public nuisance;
 4. The protection of children from harm
14. This appeal, which is brought by way of complaint to the Magistrates’ Court, pursuant to section 181 and Schedule 5 of the Act, concerns the third of those objectives namely, the prevention of public nuisance.
15. The appeal is by way of re-hearing and the court can enquire into all relevant matters and receive new evidence, including that arising from the date of the Sub-Committee’s decision to the date of the appeal.
16. In terms of the approach to be had to the reasons and decision of the Licensing Sub –Committee the law is set out in the Court of Appeal decision in *The Queen on the application of Hope and Glory Public House Ltd v City of Westminster Magistrates’ Court* [2011] EWCA Civ 31.
17. At paragraph 45 of that judgement Lord Justice Toulson considers the weight the District Judge is entitled to give to the reasons of the licensing authority as follows:
- “It is right in all cases that the magistrates’ court should pay careful attention to the reasons given by the licensing authority for arriving at the decision under appeal, bearing in mind that Parliament has chosen to place the responsibility for making such decisions on local authorities. The weight which magistrates’ should ultimately attach to those reasons must be a matter for their judgment in all of the circumstances, taking into account the fullness and clarity of the reasons, the nature of the issues and the evidence given in the appeal”.
18. As to the decision itself, at paragraphs 34 and 46 Lord Justice Toulson endorsed the approach by Burton J in the first instance decision in *Stepney Borough Council v Joffe and Sagnata Investments Limited v Norwich Corporation* in which he said:

“What the appellate court will have to do is to be satisfied that the judgment below “is wrong”, that is to reach its conclusion on the basis of the evidence put before it and then to conclude that the judgment below is wrong, even if it was not wrong at the time.....

At the end of the day, the decision before the district judge is whether the decision of the licensing committee is wrong.....It means that the task of the District Judge – having heard the evidence which is now before him, and specifically addressing the decision of the court below – is to give a decision whether because he disagrees with the decision below in the light of the new evidence before him, it is therefore wrong”.

The issues

19. Put simply, it is the Appellant’s case is that the situation has dramatically changed since Mr Tjong took over the ownership of the premises in April 2012 and since the review hearing itself in November 2012. Prior to the review there were just two recorded complaints under Mr Tjong’s ownership and since the review there have been none. It is the Appellant’s case that the evidence before this court, regarding the absence of complaints; the operational changes; and the independent evidence of [REDACTED] and [REDACTED] is materially different to that which was before the Licensing Sub Committee and based on the current evidence the decision of the Sub Committee is now wrong.
20. It is the Respondent’s case that there is an abundance of evidence to indicate that the problems associated with the premises have not abated since the change of ownership as evidenced by the residents’ statements for the review, the statements of Councillor Brahms, and the reported incidents in August and September 2012. The absence of recorded complaints since the review does not, it is said, reflect the true position. It is the respondent’s case that the premises are deliberately running a low key operation, whilst under the spotlight of these proceedings, and that their historical conduct is a much surer guide as to what will occur in the future.

Ruling on the evidence

21. Directions had been given by this court on 7 February 2013 regarding the management of this case. This included a direction (no.11) that at the hearing the evidence in chief of all witnesses will be by way of the witness adopting their statements. This was the approach followed in relation to each of the Appellant’s witnesses.
22. Mr Matthias invited the court, in its discretion, to allow the residents to expand upon their statements in the appeal bundle so as to enable them to put dates to some of the incidents referred to in their October emails and to update the court on the current position. He submitted that it was important that the residents had a voice in the proceedings and that some greater latitude should be given to the way in which they gave their evidence.

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23. [REDACTED] strongly opposed this application. The Appellant's case had been clear from the outset and known by the Respondent at time they filed their evidence. The Appellant's had not been served with any additional evidence regarding recent or ongoing complaints and it would be quite wrong for the court to allow the residents to introduce this, if indeed it existed, when this had not been disclosed and the Appellant had no way of rebutting the same.
24. The court does of course have a discretion to allow a witness to give evidence otherwise than in accordance with the direction. In this particular case however the frequency of complaints about the premises was a matter at the heart of this appeal; it being the Appellant's case, that from the review hearing at least, there had no such complaints recorded or otherwise. This position would have been abundantly clear to the Respondent following the exchange of evidence (including Mr Tjong's statement) in accordance with direction 4 and following service of the Appellant's case summary and skeleton 14 days before the hearing (direction 12).
25. There was a further safeguard in the directions which enabled the parties to exchange rebuttal evidence (direction 5), as indeed some of the residents did, and a provision for fresh evidence (direction 8). It was not suggested by Mr Matthias that there was any fresh evidence and indeed none had been disclosed.
26. In short, the directions provided every opportunity for the Respondent's witnesses to rebut Mr Tjong's statement regarding the history of complaints in their initial witness statements or in rebuttal statements. Moreover, the Appellant's witnesses had complied with the directions to the letter and their statements had stood as their evidence in chief.
27. Given that background, I could see no reason to treat the residents' evidence any differently to other witnesses in the appeal. Their statements had been taken by the Council's legal team who would have been well aware of the directions even if the residents themselves were not. Moreover, to allow those witnesses to elaborate on their statements in chief, and potentially introduce new evidence which had not been disclosed or raised in rebuttal, would inevitably disadvantage the Appellant and present real difficulty in cross examining witnesses on those events. For these reasons I ruled that direction no 11 should apply equally to the residents as it did to the other witnesses in the appeal and that they should not be permitted to expand upon their witness statements in chief.
28. As a result of my ruling [REDACTED] indicated that he did not wish to challenge or cross examine any of the Respondent's witnesses. In that event none of the Respondent's witnesses were called and their statements before the court stood as their evidence in chief.

The evidence

29. The evidence in this appeal was contained in the Appellant's and Respondent's witness bundles which I had read in advance of the hearing. I

also attended a site visit during the day time and heard oral evidence from the Appellant's witnesses but not the Respondents, for the reasons outlined above. A full note of the evidence and submissions is recorded on the court file. I do not propose to replicate it in these reasons but instead provide a summary of the key points addressed by each of the witnesses in either their written or their oral evidence. This is not intended to reflect the entirety of the evidence received and taken into account by me.

The Appellant's case

Mr Thomas Tjong

30. Mr Tjong adopted his statement dated 3 April 2013 as part of his evidence. He told the court he had over 30 years experience in the restaurant and hospitality sector and had been involved, through his companies, in the holding of justices' licences, public entertainment licences and premises licences for that period. He had previously owned a nightclub in the City but accepted he did not have experience of a nightclub in a residential area.
31. Mr Tjong said he took over the lease for Cherry Jam in April 2012. Prior to doing so he was made aware of the history of complaints associated with the operation of the venue and he accepted that the residents had suffered for far too long under the previous operator. The majority of those complaints related to a Wednesday RnB night which attracted a particular clientele primarily from south London. Shortly before taking over the lease the previous operator ceased the RnB nights and they have not been run since February 2012.
32. Mr Tjong said the plan was to refurbish and rebrand the premises as Cherry Jam had become associated with a certain clientele and operation. It was his intention to focus on a more community venue. He said he had contacted the designers in about May/June and had been intending to start work in or around September. It was at this time however that the review came in.
33. He denied that idea to rebrand/refurbish had not arisen until after the review and said that the date on the design plans (01/10/2012) reflected the fact that this was a revised plan. He later produced some evidence to this effect at the conclusion of the hearing. Mr Tjong disputed that the premises were being run in a low key way in order to avoid further incidents before either the review or the appeal and he disputed that the idea to refurbish was simply cosmetic in order to persuade the hearing that the venue had changed.
34. Mr Tjong said he had not rebranded yet as it involved some considerable expense and he was awaiting the outcome of the appeal. He had nevertheless taken a number of operational steps to change the venue's clientele including abandoning the previous RnB promoters and all RnB promotions; abandoning cheap drinks promotions; increasing the entry fee; and changing the music policy. The venue now advertised in the local press albeit he accepted that they also advertised on the internet which would attract people from outside of the area.

35. Mr Tjong said he had kept the original security firm as they were a creditable company but had not operated well under the direction of the previous owner. He had changed the front of house people and made changes to how customers were treated and dispersed. He had also kept the previous DPS, Mr Ferreira, even though he had been responsible for the day to day management of the premises when the majority of the complaints had arisen. In Mr Tjong's opinion, Mr Ferreira could not be blamed for the operation of the premises previously. He had been working under the direction of the previous owner and was working with a reduced security budget. Mr Tjong said he had discussed the matter with Mr Ferreira and he was satisfied that he not only knew the problems with the previous operation but had some good ideas to change it. He had never received any complaint about Mr Ferreira from the residents, the council or the Licensing Inspector.
36. Mr Tjong told the hearing that he had entered into an agreement with a new taxi firm and that the club would book cars for patrons at reception. He said that his door staff would move on waiting cars that had not been booked but he acknowledged that not all taxi's would be booked through the club. He had further volunteered a condition (qq) that customers who park in Westbourne Park Villas and Westbourne Park Road will be refused entry. He accepted that they were reliant on customers to tell them where they had parked but as he was offering a free secure under car parking facility he felt that most customers would take up this offer. He did not consider the distance from the car park to the venue to be too great.
37. In Mr Tjong's opinion these measures had had an impact as there had only been two recorded complaints on 1 August and 9 September 2012. In relation to 1 August 2012 this was a private party and the club had undertaken a risk assessment. They could not have foreseen that a fight would break out and they acted swiftly and appropriately in calling the police. The customers were ejected and there would have been a disturbance to the residents nevertheless, the police concluded that the staff did everything they could to make it safer and easier for customers to leave. Mr Tjong said this was a one off incident that could occur at any location and one which had not been repeated.
38. He was not personally aware of the circumstances of the noise complaint on 9 September 2012 or the observations on 4 and 25 August 2012. There had not however been any complaints about parking in the residential side streets since the review.
39. Mr Tjong disputed that he was presently running the premises in a very low key manner that was not commercially viable. He accepted that in May he had only been open four nights but he described this as a quiet time in the season. By contrast they had been very busy in the run up to Christmas and he produced a schedule, prepared by Mr Ferreira, showing the numbers in the club from 21 September 2012 to 18 May 2013. He accepted that when Dr Hadfield visited on 26 January 2013 there were only two customers at the time of his visit (and 17 over the course of the night) but it was the nature of the business to have good and bad nights, particularly in a recession. Overall he felt the business was doing alright and he was happy to operate at this level.

Mr Andre Ferreira

40. Mr Ferreira adopted his three statements as part of his evidence and confirmed that he was the DPS at Cherry Jam.
41. He told the court he had begun working at Cherry Jam in 2005 as a bartender. In 2007 the premises were taken over by Cherry Jam Leisure Ltd and he was promoted to DPS and general manager. Mr Ferreira accepted that he had been aware, in his capacity as DPS, of the many complaints about the venue, in particular the Wednesday Night RnB. He acknowledged that the clientele had been noisy and arrogant and that the residents had experienced a good deal of disturbance. He further accepted that he had attended several meetings with the council and the Licensing Inspector when he was made aware of the complaints and offered assurances to fix the problem. Aside from the music egress into the flats above (which was dealt with by re-setting the noise limiter) he was not able to address the other resident's complaints.
42. Mr Ferreira explained the reason for this was that the previous owner wanted to continue the RnB nights. He advised against this as the problems it caused outweighed the short term commercial benefits but his voice was not heard. He further accepted that following a meeting with the council on 17 August 2011 he agreed to leaflet residents to establish closer liaison if and when a problem arose. This did not in fact occur however as the then owner instructed him not to do this for fear it would alert other residents, who hadn't complained, to a problem.
43. Mr Ferreira accepted that the previous owners were warned on 31 January 2012 that the council would seek review if the disturbance did not cease. He further accepted that in response to this they had terminated the Wednesday night RnB under the threat of review and because the previous owner was selling the licence. This was done shortly before Mr Tjong took over the lease in April 2012.
44. Mr Ferreira told the hearing that once Mr Tjong took over his voice was heard and his concerns were listened to. The majority of the previous complaints arose out of the RnB nights, the music policy and clientele this attracted. The name Cherry Jam remained associated with RnB and therefore it was necessary to change the name, refurbish and rebrand. They had stopped using the old PR firm and were actively looking for local music directors who know the local scene.
45. Mr Ferreira acknowledged that the refurbishment and rebranding had not yet taken place as they were awaiting the outcome of the appeal. There had however been other changes, as outlined in Mr Tjong's statement, regarding the music policy, entry fees, security, staffing levels and so forth. In Mr Ferreira's opinion these changes had been successful as they had not received any complaints since the changes had been implemented. Mr Ferreira believed that the residents had his contact details as he had previously provided both his mobile number and email address to Mr Saracini and had given permission for these details to be distributed to the residents.

46. Mr Ferreira described the incident on 1 August 2012 as horrendous and felt it could have led to the residents believing that the RnB night was being resurrected. In fact this was a one off and unforeseen incident at a private party however he believed that this was the trigger for the review. He further did not dispute Mr Saracini's observations on 25 August 2012 but commented that no complaint was made by the residents or anyone else and it was possible therefore that no one had been disturbed by this short incident.
47. Mr Ferreira accepted that the premises had not opened every weekend and that in some months it had only been open for three nights. He said that January, February and May were always quiet months but they were also having difficulty attracting the right promoters until the club had been refurbished and rebranded. At present they were opening only when they had the right promoter and on other nights they remained closed as it was more expensive to open.
48. Mr Ferreira said he would aspire to do better in the future and the plan was, if the appeal was successful, to rebrand and open Fridays and Saturdays and the odd Thursday. He did expect greater numbers but the focus was not on quantity but on attracting the right type of clientele. Up until Christmas they had been busier as they had an in house DJ but currently they only opened when a promoter was available.
49. Mr Ferreira denied that he was running the club in an extremely low key fashion in order to deceive the court into thinking there were no more problems associated with the venue. He denied that he wasn't opening as frequently as he didn't trust the club to operate without causing a nuisance to the residents.
50. Mr Ferreira accepted that after 1.00am most of the activity in the area was associated with the club albeit there was a late night premises some distance in Queensway and possibly some commuter traffic from people returning from the West End. Moreover, although Anthony's was now closed, up until November 2012 at least Anthony's had a TENs to 3.00am. In the last 9-12 months Anthony's had on occasion been open past 1.00am as the owner had introduced 'The Basement Club' from around July to December 2012. There were further occasions when the Bengal restaurant was open past midnight.
51. Mr Ferreira confirmed that the 'shift report' for 22 December 2013 recorded that Anthony's was open until 0300hrs that night. The email from Mr and Mrs Lidstone further referred to anti social behaviour on the night of 4 October 2012 when, according to the schedule, the club had in fact been closed. In other words, some incidents of anti social behaviour or disturbance were nothing to do with the club but were perceived to be so by the residents.

Mr Darrell Butterworth

52. Mr Butterworth adopted his statement dated 6 March 2013 as part of his evidence. He is a licensing and security compliance consultant and runs a business Edmund Locard Licensing and Security Solutions. Prior to this he

had an extensive history of service with the Greater Manchester Police, as outlined in his statement, including the position of Force Licensing Inspector.

53. In his capacity as a licensing consultant he visited the premises on two occasions on 16 February and 2 March 2013. In summary, he did not observe anything from the venue or the people attending that he would consider to be a breach of the public nuisance licensing objective.
54. Mr Butterworth confirmed that on both occasions he had agreed the dates of the visit with the Appellant's solicitors but had not notified anyone from the venue. On the first occasion he had observed 59 people leaving the venue. This was more than had been recorded on the schedule but he was unaware if the number he counted included staff. After about 23.00hrs Cherry Jam was the only licensed premises operating in the vicinity on that occasion. On 2 March he entered the venue at 01.16 hours and saw 6 customers remaining. He was told by the staff that there had been a total of 38 patrons throughout the evening and he himself had counted 35. On this occasion Cherry Jam was operating at about a third of its capacity.

Mr John Anderson

55. Mr Anderson adopted his three statements as part of his evidence. He is the Director of Wentworth Security Consultants Ltd who provide regulatory support to the licensing trade. His qualifications are set out in the report but he too has a long history of service in the Metropolitan Police and from 2007 to 2009 was Detective Inspector of Clubs and Vice within the Met.
56. Mr Anderson visited the premises on three occasions. On each occasion he agreed the date with the Appellant's solicitors but did not notify the club. He acknowledged that after a period of time his presence would have been visible to door staff.
57. During the first visit on 27 October 2012 there were five door supervisors in total; two at the entrance and one each at Westbourne Park Road, Westbourne Park Gardens, and Celbridge Mews. There were no other premises active in the area past 0100hours except Cherry Jam. On that occasion he concluded that this was a small venue attracting affluent and smartly dressed customers. He saw no evidence of drunkenness and the customers were well behaved and created no undue disturbance when they left. In Mr Anderson's opinion the noise of those arriving and departing Cherry Jam was insignificant and had no impact on the locality.
58. Mr Anderson confirmed that he had seen a group of three males behaving in a disorderly fashion park up and attempt to gain access to Cherry Jam. They were refused entry however and left quietly and without incident.
59. On 22 February he attended for a second time and stated that he did not witness any anti-social behaviour or public nuisance from the dispersal of the customers and did not hear any loud noise that would have affected local residents. Mr Anderson confirmed that he had witnessed an intoxicated male being taken out of the club and vomiting on the pavement before being

escorted away by friends in a period of about 5 minutes. He did not consider that this in itself amounted to anti-social behaviour but did confirm that patrons were parking in the residential roads.

60. The last visit on 8 March 2013 there were only 15 customers which was unsurprising as it was a dreadful night and had been raining. In conclusion he found that those customers were well behaved and created no undue disturbance when they left.

The Respondent's case

61. Although I did not hear oral evidence from the Respondent's witnesses their witness statements were before me as their evidence in chief. In summary this comprised of 19 statements from residents and resident associations; statements from Councillor Brahams; statements from Dario Saracini (Licensing Inspector) and reports from Dr Phillip Hadfield.

The residents

62. In relation to the residents' statements all invite the court to dismiss the appeal and all exhibit the emails/letters containing the representations they made to the licensing sub committee for the review. Those emails/letters are dated between 1 and 15 October 2012. I do not intend to summarise each and every one of those statements however I have selected a few in order to give a flavour of the residents' concerns.

63. [REDACTED] provides a statement on behalf of [REDACTED]. She exhibits an email dated 11 October 2012 in which she states:

"There is as you know a long history of complaints from the club's neighbours in this enclave of family houses and flats. Although there was a slight lull when the previous owners temporarily dropped their Wednesday club nights..... I have heard more complaints since the new owners took over and began promoting the club for private parties, with no hire charge for the premises so long as enough alcohol was sold"

64. [REDACTED] made a statement stating that for the past few years he and other residents have had to suffer regular disturbance in the evenings and early hours of the morning as patrons disperse from the venue and act in an anti social manner. He states that the management appear to have little control as the patrons spill onto the street. He sets out examples of the types of behaviour they experience including cars racing and revving, fighting outside of the club, and shouting and screaming in the street. In his letter to the sub committee dated 4 October 2012 he said that they used to record events but they were so regular, and so little was done to stop it, that they gave up. In the past they had been given promises and assurances about the way the premises would be run but these were never fulfilled and the residents continued to suffer.
65. [REDACTED] made a statement exhibiting their email for the licensing sub committee dated 12 October 2012. They state:

“The repercussions of late night drinking, parking and generally aggressive behaviour from their “clients” is having a hugely negative effect on this neighbourhood.....We no longer know who owns and runs the place now, which seems to have turned into a nightclub free for all with no apparent control”.

66. [REDACTED] made a witness statement dated 21 May 2013. She sets out a history of difficulties associated with the premises and specific instances in July 2011. She also describes the type of disturbance and behaviour she and her family were experiencing in March 2012. She goes on to say:

“The new owners of Cherry Jam resumed hosting club night/private events during the work/school week, which frustrates and concerns me. Their website is advertising for party promoters to host such events in their club. There are many people in our neighbourhood who are angry about the behaviour of Cherry Jam patrons but feel their complaints fall on deaf ears or that it will do no good to report the anti social behaviour. I myself stopped calling in complaints because it felt like a waste of time”.

67. [REDACTED] made a statement dated 21 May 2013. He states that he and his family have experienced noise nuisance and anti social behaviour from those attending Cherry Jam for years. He says:

“We are subjected, in the early hours of the morning (between 1.00am and 3.00am) to the rowdy behaviour and noise of patrons who have left the club shouting, fighting in the street, and car racing in our streets”.

68. He exhibits his email for sub committee dated 11 October 2012 in which he states:

“The current licensee is unable to control the activities of his patrons when exiting the premises in the early hours of the morning causing severe disturbance to residents in the neighbourhood”.

69. The statements from the other residents are all in a similar vein and are supported by the statement from Councillor Brahams dated 10 May 2013. He exhibits an email dated 11 October 2012 in which he states:

“For years this venue has caused noise problems. However, in recent months it has got considerably worse with people and cars gathering noisily outside early in the morning and quite frequently”

Mr Saracini – Licensing Inspector

70. The report to the Licensing Sub-Committee and Dario Saracini’s statement append a complaint history relating to the premises, although the more comprehensive of the two is that appended to the report. That document shows that from 1 July 2007 to 19 March 2012 there were 18 recorded complaints, six of those being in the period January to March 2012 before Mr Tjong took over the lease.

71. After Mr Tjong took over in April 2012 there are two recorded complaints dated 1 August 2012 and 9 September 2012. The 1 August relates to the private party referred to in Mr Ferreira's evidence. The 9 September is to the Noise Team and complains of continued problems arising from the behaviour of customers leaving Cherry Jam including shouting, screaming, revving engines and playing music. The complainant feels the issues have become worse since the ownership of the club had changed hands.
72. Mr Saracini in his statement dated 25 August 2012 further referred to a visit to the premises that same day. He described customers, whilst not drunk, talking in elevated voices at 0203hrs; to waiting taxis and a small group laughing and whistling loudly at 0205hrs; and at 0215rs another group of four engaged in loud conversation and at times laughing and screaming. By 0230hrs the majority of customers had left the area.

Dr Phillip Hadfield

73. Dr Hadfield is a Visiting Senior Research Fellow at the Centre for Criminal Justice Studies, School of Law, at the University of Leeds. His qualifications are detailed in his report but specifically his research focuses upon crime prevention, policing and regulatory matters, with special reference to the night time economy.
74. In that capacity, Dr Hadfield visited the premises on two occasions. The first on Saturday 26/Sunday 27 January 2013 he entered the club at 23.40hrs. At that time there were no other customers in the club. At 00.10 two males entered and had an animated conversation. At 00.55 hrs the premises were closing and he left. No anti social behaviour was witnessed on that occasion.
75. The second visit occurred on Friday 8/Saturday 9 February 2013. He entered the premises at 22.11hrs and was charged an entrance fee. There were 8 customers in the club and music playing. At 22.55hrs three women attempted to take their drinks outside to the smoking area and were prevented from doing so. By 23.35hrs there were 18 people in the club.
76. Dr Hadfield left the club at 00.10hrs. At 01.15 hrs the three women referred to above were outside in the smoking area. They were talking and laughing very loudly and could be heard from at least 50m away.
77. Dr Hadfield reported that it was not possible to draw any conclusions as to the general type of customers or control issues but, of the customers seen, a proportion were intoxicated and behaving in a loud and animated fashion. In his opinion it was reasonable to assume that instances of public nuisance would reduce through the curtailing of trading hours, especially in the case of licensed premises where previous problems have been recorded.

Submissions

The Respondent

78. Mr Matthias emphasised the approach to be taken in this appeal as outlined in the decision in Hope and Glory, specifically paragraphs 34, 46 and 42. The court could only over turn the decision of the licensing sub committee if it was satisfied that it was now wrong. The court was not exercising its discretion afresh. Instead the courts' function was an appellate one.
79. Since the decision in Hope and Glory there had been an amendment to the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2011. Whereas previously the licensing authority, when determining a review, had to be satisfied that it was 'necessary' to modify conditions on the licence now they only had to be satisfied that it was 'appropriate' to do so. This was pursuant to section 52(3) of the Act.
80. Mr Matthias submitted that this amendment effectively lowered the hurdle for the licensing authority and gave greater leeway in the imposition of conditions. He submitted that the discretion of the Licensing Sub Committee was significantly widened by the use of the word 'appropriate'.
81. Mr Matthias submitted that the Committee's reasons were clear and cogent and that there had been clear evidence of ongoing nuisance since Mr Tjong acquired the premises in 2012.
82. There was clear and unchallenged evidence of ongoing nuisance evidenced by the resident's witness statements, the complaint history, and the evidence of Mr Saracini. In Mr Matthias' submission, there was an overwhelming body of evidence that demonstrated that the problems associated with the premises did not abate or cease upon the arrival of Mr Tjong. Moreover, the low level of recorded complaints was entirely understandable in light of the lamentable history of the premises and the lack of action in response to complaints in the past.
83. In light of this evidence it was unsurprising that the Sub Committee felt it appropriate to modify the conditions regarding licensable activities and no one could say that that decision was wrong on the evidence available to them.
84. The question for the court however was not whether the decision of the committee was wrong but whether it is now wrong on the basis of evidence before this appeal.
85. Mr Matthias submitted that the court should not be deceived into thinking that the decision of the Sub Committee was now wrong because of the absence of complaints since the review and the plans to rebrand. In his submission the premises had been run in an extremely low key manner since the review.
86. According to the schedule the premises had only opened on 36 occasions since 8 November 2012 representing approximately 40% of the nights they could have opened on a Thurs, Fri and Sat. This year alone they had only opened 22 times and on the whole numbers were generally low and on occasion significantly less than half full. Notwithstanding these low numbers however the premises maintained high levels of security between 4-5 security officers a night.

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87. All this demonstrated was that in the last 6 months the premises had been able to 'keep a lid on it' and it gave no assurance that they would continue to do so going forward. How they operate under the spot light of these proceedings, and the scrutiny of licensing experts, can be no guide as to how they will perform in the future. The more reliable guide was their historical conduct from April to October when they were not under the scrutiny of the court or the review.
88. Mr Matthias submitted that in order to conclude that the decision of the Sub Committee was wrong, the court at the very least needed to be satisfied that the premises had been running at something at least approaching 'business as usual' and this was very plainly not the case. It was plain from the evidence of Mr Tjong and Mr Ferreira that they planned to operate at least twice as much as they had been operating in the past 6 months on every Friday and Saturday. From a commercial point of view they would have to, and to maintain that the current level of business was acceptable was disingenuous.
89. In Mr Matthias' submission, no amount of re-branding and refurbishing would change this late night club, in this location, from being an ongoing source of public nuisance. He invited the court to be sceptical about assurances that had been given in the past and not fulfilled. In his submission, if the appeal were successful, there would be an entirely unacceptable risk and an obvious likelihood that the premises would revert to type and residents would continue to suffer the public nuisance they had suffered for far too long.

The Appellant

90. Mr Bromley-Martin agreed that the question for the court was whether or not the decision of 8 November 2012 was now wrong. In other words, had the situation since that date changed to such an extent that it was now possible to say that the licensing objective of preventing public nuisance could now be maintained and preserved?
91. Mr Bromley-Martin submitted that the evidence in the appeal showed that there had been no disturbance or complaint since the review and there was evidence that the new premises licence holder was not the same as the old. It was recognised that in the past, under previous ownership, the premises had caused a great deal of disturbance to residents but with the changes made (and to be made) by Mr Tjong it was now possible to say that it was not necessary to reduce the hours in order to achieve the licensing objective.
92. Mr Bromley-Martin submitted that the appeal had always been based on the premise that the situation had now dramatically changed since the review and that there had been no further complaints. This was apparent from the statement of Mr Tjong outlining the operational changes he had made; the statement of Mr Ferreira commenting on the absence of complaint; and the independent visits by Messrs Butterworth and Anderson who found no evidence of public nuisance.

93. He submitted that by the time the council came to amass their evidence for the appeal it could not have been any clearer that the Appellant's case was focusing on the progress made and the lack of complaint since the review. Notwithstanding this none of the residents witness statements in the appeal make any reference to any incident of disturbance or public nuisance arising from the premises since the review. To suggest that it was enough that they were written in the present tense was tenuous, to say the least, when they made no reference at all to any specific incident.
94. Moreover, not only was there no reference to any incident but the Appellant had not been made aware of any further incident and nothing had been served as fresh evidence. The only matters put to Mr Tjong in cross examination were the incidents in August and on 9 September of last year. Nothing else was put to him and there were no complaints recorded or otherwise since that date.
95. Mr Bromley-Martin submitted that the residents in question had no sight of Cherry Jam from their properties and there was evidence in the appeal that a good deal of the disturbance complained of before the review could not have been caused by Cherry Jam because, for example, they had been shut or did not authorise glasses or bottles to leave the premises. Moreover, there was no complaint from the three floors of flats above the premises; from the mews houses almost adjacent to the premises; or from the block of flats diagonally opposite the premises. There was also no support for the review or the response to the appeal from the police.
96. Mr Bromley-Martin submitted that the allegation that the premises were being deliberately operated on a low key basis in order to deceive the court was without any foundation. In fact the schedule showed the opposite to that asserted by Mr Matthias. It was Mr Tjong's intention to only operate on Fridays and Saturdays (save for the occasional Thursday) and from 21 September 2012 to 25 May 2013 he had opened on 50 out of a possible 70 Friday and Saturday nights. Of the 50 nights on the schedule the numbers through the door had on 12 occasions exceeded 110 including 189 on New Years Eve and 184 on 3 May 2013.
97. Mr Bromley-Martin asserted that the Appellant's case had been clear from the outset and that the Respondent had failed to adduce any evidence to undermine the fact that there had been no disturbance or public nuisance since the review. He submitted that the reason for this was that there had been no great enough disturbance to create a public nuisance let alone require a reduction in hours.
98. Mr Bromley-Martin submitted that the reasons for the lack of disturbance were the very substantial changes to the operation of the premises since Mr Tjong took over, not least the reduction in days of trading, the clientele, the music policy, the marketing and promotions. These changes could not happen over night and it took time, for example, to introduce a new clientele and to get rid of the old. It also took time for the residents to realise that there has been a sustainable change. Nevertheless, these changes were now beginning to bear fruit given the absence of any complaint or disturbance since the review.

Decision

99. It is not in dispute in this appeal that the operation of the premises has in the past caused substantial disturbance, distress and public nuisance to local residents over a sustained period of time. Perhaps the worst of this nuisance was when the premises ran a Wednesday RnB night and attracted clientele from South London. The complaint schedule is evidence of the type of ongoing and unacceptable disturbance that the residents were subjected to by patrons from the club.
100. At the time of the review in November 2012 there had been a substantial reduction in the number of recorded complaints but there was still ongoing disturbance. There had been two recorded complaints in August and September 2012 and there were reports from residents of ongoing difficulties. Some of the residents addressed the sub committee and a significant number provided emails ranging in date from 1 to 15 October 2012 outlining their concerns.
101. It was apparent from some of those emails that the concerns were ongoing and not just a historical. Cllr Brahams, in an email dated 11 October 2012, referred to problems from the venue getting worse in recent months. [REDACTED] in an email dated 11 October 2012, stated that she had received more complaints since the new owners took over and [REDACTED] attached some photographs of their experiences in the past few months to a letter dated 4 October 2012. In other words there was some evidence from the residents that the difficulties had continued in the months preceding the review.
102. The central issue in this appeal is the extent to which Mr Tjong has been able to change the operation of the premises since the review, such that the licensing objectives (specifically the prevention of public nuisance) are now met.
103. At the time of the review hearing there had been two recorded complaints in the three months preceding the review. Since then however there have been no recorded complaints. In other words, for the past 8 months not a single complaint has been recorded against the premises and, in total, there have been only two complaints in Mr Tjong's 14 month ownership. This is significant when one looks at the complaint history before that which showed as many as six complaints in the first quarter of 2012. It is also significant, given that Mr Tjong's solicitors wrote to Mr Saracini, the Licensing Inspector, on 31 January 2013 asking to be advised of 'any complaints of whatsoever nature' since the review hearing. Nothing was received.
104. I recognise of course that evidence of disturbance is not limited to recorded complaints and for this reason I have given very careful consideration to the witness statements of the residents. Amongst those statements however I am unable to find any cogent evidence of ongoing or recent complaint. Seven of the statements ([REDACTED]) do no more than exhibit their October emails which were placed

before the Sub Committee. The statements of [REDACTED] simply replicate the content of their October emails which they also append.

105. The statement of [REDACTED] aside from exhibiting her October email, says little more than "I am disturbed by the patrons of Cherry Jam in the early hours of the morning". The statement of [REDACTED] speaks of historical concerns over the years and again appends the October email. The statement of [REDACTED] states that they "have been disturbed and woken on many occasions by those leaving the Cherry Jam Club" and refers again to difficulties over the years. They make reference to what would appear to be the Wednesday night events that had been stopped under Mr Tjong's ownership. In other words the statements are unspecific about dates; they do not, unlike October email; refer to recent events; and in some instances the references are to historical events over the years.
106. The most detailed statements come from [REDACTED] [REDACTED] sets out the history of disturbance from the premises since 2011 and gives two specific examples from July 2011. She further sets out the type of behaviour she has experienced from patrons of the Cherry Jam in March 2012 when she prepared an impact statement. She goes on to express concern that the new owners are resuming week day events and advertising for promoters. She says she has given up making complaints as they fall on deaf ears and she states that promises of change in the past have not been adhered to. What she does not do, in a very detailed statement, is refer to any incidents since the last review and indeed her rebuttal statement says "we will most likely return to a pattern of behaviour that includes late night disturbances etc". This would appear to suggest that there are none, or none of sufficient severity, at the present.
107. [REDACTED] refers to experiencing noise nuisance and anti social behaviour for years and says they are subjected, in the early hours, to fighting, shouting and car racing. Again the statement is unspecific regarding dates and largely mirrors his October email. It is of note of course that there have been no reported incidents of fighting outside of Cherry Jam since the 1 August incident and that the police did not support the review nor do they support the response to this appeal.
108. Lastly, [REDACTED] in his statement refers to regular disruption to the residents for the past few years. He too gives examples of this behaviour but again this has been lifted from his October letter.
109. I have gone through the residents' statements in some detail in order to satisfy myself that there is no cogent evidence in any of those statements of recent complaint or indeed any complaint since the review. It is simply not enough that some of the residents use the present tense in their statements when the reality is they are largely relying on the evidence they put before the review. Cllr Brahams himself does no more than exhibit his October email and ask that the decision of the Committee is upheld.
110. It is also important to acknowledge the context in which these statements were taken. I understand that the residents have in the past have given up

making complaints because they felt that nothing would be done. However, they were all made aware of the appeal and indeed Cllr Brahams, in a council newsletter, advised that it was 'crucial that people call the council's noise team on 02076 641 2000 and make a note of any incidents that happen'.

111. Moreover, the residents were given copies of both Mr Tjong and Mr Ferreira's witness statements and were given the opportunity to make rebuttal statements as many of them did. None of those further statements however rebutted Mr Tjong's assertion in his statement which reads:
- "Since Ever Fortune Ltd has been operating the premises, the clientele has changed dramatically and I am aware of few complaints as to the operation. As at the time of the review hearing, there had been only two formal complaints in the seven months we had been operating the premises since April 2012. The premises have shown that they can operate well, without disturbance".
112. Mr Saracini, similarly records no events since the review and his statement dated 9 April 2013 he refers to historical complaints and to the residents suffering for a considerable period of time. In short, there are no recorded complaints since 9 September 2012 and no cogent evidence of complaints from residents since the review.
113. The absence of ongoing nuisance is further supported by the observations of the two independent licensing consultants and Dr Hadfield who, between them, visited the premises on seven separate occasions. None of those witnesses observed any incidents of public nuisance that could be said to be sufficiently serious to disturb the residents. Moreover, such incidents as did occur (an intoxicated customer and noisy females) occurred in the main on Porchester Road itself and yet there has never been a single complaint from the flats above the premises, from Celbridge Mews adjacent to the premises or from Vella Court diagonally opposite the premises.
114. There is further evidence in the appeal that some of the disturbance experienced by residents in the past, under Mr Tjong's ownership, has not in fact come from the Cherry Jam. It is perfectly understandable given the lamentable history to these premises that the residents would attribute any disturbance to the club. It is apparent however that this has not always been the case. For example, the email from [REDACTED] referred to events on 4 October 2012 when the club was in fact closed. There is further evidence that the neighbouring Anthony's ran a basement club from July to December last year, and on one occasion had a TEN until 3.00am.
115. In summary, the evidence before this appeal is materially different to that which was before the Licensing Sub Committee. There is no history of complaints recorded or otherwise since the review; there are the additional observations of the three independent consultants; and there is some evidence of disturbance from sources other than Cherry Jam.
116. There is also the evidence of the substantial operational changes made by Mr Tjong that have now been able to take effect. These are detailed in his

statement at paragraphs 32 to 42 but include a significant reduction in the days of trading, a complete change to the music policy, a change in the marketing and PR company, enhanced security, increased staffing levels, a new agreement with a local taxi firm; and the provision of free parking to customers in a nearby underground car park.

117. Mr Tjong and Mr Ferreira further anticipate that the residents will see greater improvements in the way in which the premises operate once they have completed the refurbishment and re-branding of the premises to remove all old associations with Cherry Jam.
118. I accept that these changes do not occur overnight and that it has taken some time to attract a new clientele and deter the old. I further accept that it will take longer still to persuade the residents that these are genuine changes and that things will be different under Mr Tjong's ownership. The evidence however suggests that it will be.
119. I found Mr Tjong to be a credible witness. He has an impeccable record in the licensing business and he appeared genuinely committed to ensuring that the operation of the premises no longer disturbed the residents as it had done in the past. He agreed that the residents had suffered for far too long under the previous operator and I found him to be sincere when he said that they were doing their very best to change and improve the situation for the residents. These were not empty promises but assurances that were supported by the operational changes he had already put into effect and the planned proposals for refurbishment in the future.
120. I do of course acknowledge that the premises have not been run to full capacity over the past few months and that the picture before the court does not necessarily reflect how it will be in the future. I did however accept Mr Ferreira's evidence that this was in part due to a number of quiet months and, in part, because they were been unable to attract the right promoters until the venue had been refurbished and re-branded. Until then they were not prepared to compromise on the type of promoter they attracted to the venue.
121. I was not left with the impression that the reduced trading was a deliberate ploy to deceive the court into thinking that the nuisance had abated. After all, it was Mr Tjong himself who volunteered the operating schedule which revealed the very low number of patrons on some nights. It also showed however that in the run up to Christmas, for example, the premises attracted very large numbers up to and including 189 patrons in one night. Notwithstanding these large numbers there has not been any complaint.
122. In summary, I accept that at the time of the review there was evidence before the Sub Committee that justified the decision to reduce the hours in order to meet the licensing objective. The reasons of the Sub Committee, which are clear enough, refer to historical concerns but also to continuing instances of public nuisance.
123. The evidence before me, some 7 months on, is very different. There are no complaints recorded or otherwise over what is a significant period of time; the

last complaints is now 8 months ago and there has been a complete overhaul of the way in which the premises operates. That new operation is now starting to take effect as can be seen by the fact that the premises have, on occasion, attracted large numbers and this has not resulted in any further complaints.

124. The evidence before me suggests that Mr Tjong is a responsible and concerned owner who, with the DPS, has put in place a robust package of measures to reduce disturbance to the residents and has future plans to develop this further.

125. In light of that new evidence before me, which was not before the Sub Committee, I am satisfied that the decision of the Sub Committee is now wrong and that it is not appropriate or proportionate to reduce the hours of licensable activities in order to meet the licensing objective of preventing public nuisance.

126. I am satisfied that the changes made since the review, and the nature of the licence (including a reduction in the trading days and the additional conditions proposed by Mr Tjong), are such that it is now appropriate for the terminal hours to be as they were before.

127. Accordingly I allow this appeal and confirm that the permitted hours are as follows:

Thursdays:

Sale of alcohol - 0130hrs
Other licensable activities - 0130/0200hrs
Closing time - 0200hrs

Fridays and Saturdays

Sale of alcohol - 0130hrs
Other licensable activities - 0130/0200hrs
Closing time - 0200hrs

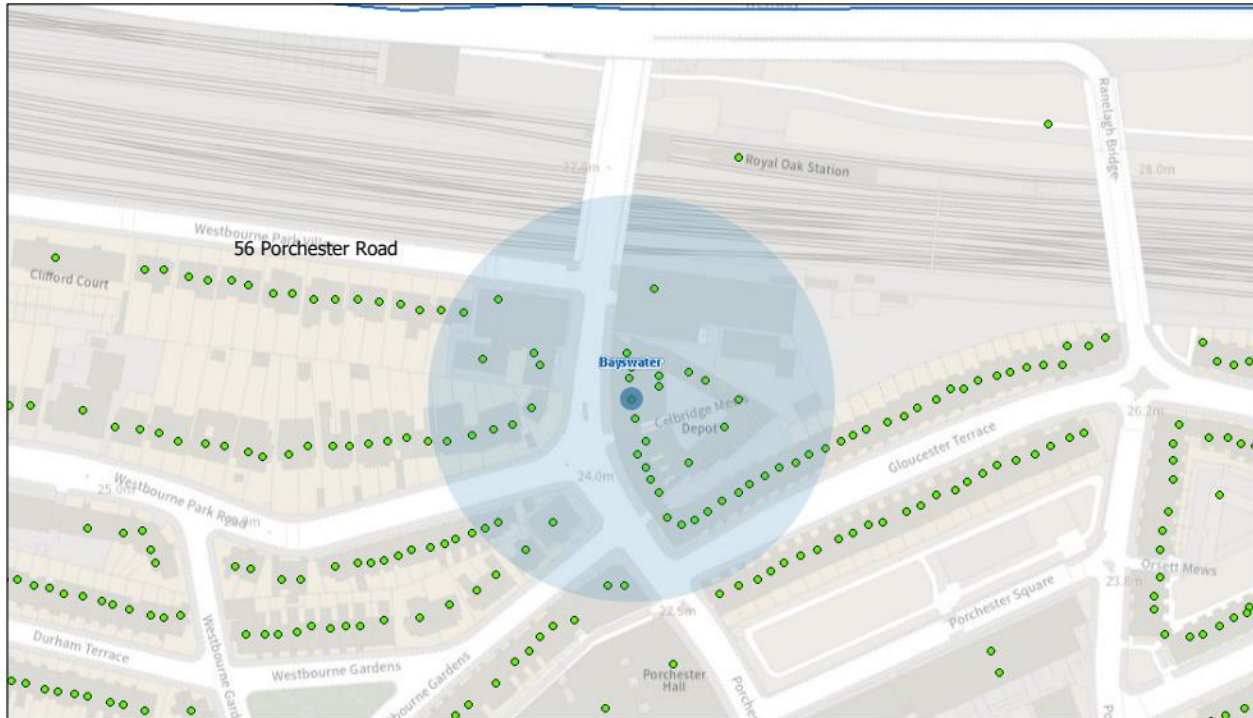
128. The mandatory and additional conditions attached to the licence are those appended to the Licensing Sub Committees' decision at pages 13 to 18 of the Respondent's bundle (conditions 1 to 53) with further condition as follows:

"From opening to the public on Thursday, Friday and Saturday nights, two street marshals shall be stationed on or at the junction at Westbourne Park Villas and Westbourne Park Road (or such lesser numbers as agreed with Environmental Health).

129. I recognise that this decision will be disappointing to the residents who still associate the new business with the history of Cherry Jam. I very much hope that over the coming months Mr Tjong and Mr Ferreira can restore the residents' confidence and continue to prove, as they have done in the past seven months, that the premises in this location can be run responsibly and without interference to the residents' enjoyment of their properties. .

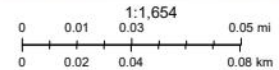
Annex 10 Residential Map and List of Premises in the Vicinity

58 Porchester Road, London



08/04/2022, 07:39:41

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Borough Boundary - Detailed
- Ward Labels



Resident Count = 167

Licensed premises within 75 metres of 58 Porchester Road, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
15/09364/LIPDPS	Ma Dame	58 Porchester Road London W2 6ET	Night clubs and discos	Sunday; 09:00 - 22:30 Monday to Wednesday; 09:00 - 23:30 Thursday to Saturday; 09:00 - 02:00
06/12257/WCCMAP	Porchester News	Ground Floor 56 Porchester Road London W2 6ET	Shop	Sunday; 10:00 - 19:00 Monday to Saturday; 09:00 - 23:00
21/14426/LIPDPS	Tedzukuri Restaurant	Basement And Ground Floor 54 Porchester Road London W2 6ET	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
06/12508/WCCMAP	Bengal Restaurant	62 Porchester Road London W2 6ET	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30