

Licensing Sub-Committee

Tuesday 27 June 2017

10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street,
London SE1 2QH

Supplemental Agenda No.1

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Contact

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Date: 26 June 2017

Item No. 6.	Classification: Open	Date: 27 June 2017	Meeting Name Licensing Sub-Committee
Report title:		Licensing Act 2003: The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ – Representations Against Interim Steps	
Ward(s) or groups affected:		East Walworth	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATIONS

1. That the licensing sub-committee considers representations from the premises licence holder under 53B(9A) against the interim steps imposed under section 53A at a summary review of the premises licences in respect of the premises known The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ held on 22 June 2017.
2. **Notes:**
 - a) Under section 53B(9A) of the licensing act 2003 the authority must, within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations. The licence holder of the premises may only make further representations under subsection (6) if there has been a material change in circumstances since the authority made its determination..
 - b) A copy of the full application and certificate is attached as Appendix A.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this Council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.

7. The summary review powers under sections 53A to 53C of the Act allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and the Licensing Authority to respond by taking interim steps quickly, where appropriate, pending a full review.

KEY ISSUES FOR CONSIDERATION

The premises licence

8. The premises in respect of the premises licence consists of a public house on the ground floor called the Charlie Chaplin and a nightclub on the first floor called the CC Lounge, 26 New Kent Road, London SE1 6TJ.
9. The premises licence was carried over from the justices licence in the 2005 transition and varied to extend the hours.
10. The premises licence was transferred to the current premises licence holder Adrian Ennis in September 2010.
11. The premises licence was subject to a previous summary review, initiated by the Metropolitan Police on 16 March 2017. The application concerned a serious incident that took place on 16 March 2016 at approximately 22:50. It was alleged that a patron described as being extremely intoxicated became aggressive when last orders were called and left the premises, then smashed a window of the premises with a phone.

Another patron then left the premises and assaulted the victim causing significant facial injuries. At the hearing on 18 March 2016, interim steps were considered and two interim steps were imposed. The notice of decision it attached in Appendix B. Additional conditions were added to the operating schedule of the premises licence.

12. The details of the premises licence that applies to both areas are:
 - Opening Hours:

Monday to Saturday	11:00 to 01:30 (the following day)
Sunday	11:00 to 23:30
 - Regulated entertainment in the form of live music and recorded music (indoors):

Monday to Saturday	11:00 to 01:30 (the following day)
Thursday to Sunday	11:00 to 23:30
 - Late night refreshment (indoors):

Monday to Saturday	23:00 to 01:30 (the following day)
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 - Sale of alcohol for consumption on and off the premises

Monday to Saturday	11:00 to 01:00 (the following day)
Sunday	11:00 to 23:00
13. A copy of the premises licence is attached as Appendix C.

Designated premises supervisor

14. The designated premises supervisor (DPS) is Adrian Ennis who has been DPS since July 2010 and holds a personal licence issued by the London Borough of Newham.

The review application and certificate

15. On 21 June 2017 the Metropolitan Police applied to the licensing authority for a summary review of the premises licence issued in respect of the premises known as The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ.
16. On 21 June 2017 a Superintendent for the Metropolitan Police force certified that in his opinion the premises are associated with serious crime or serious disorder or both.
17. The application is concerned with a serious incident that took place on Saturday 17 June 2017 at approximately 23:30. The Police attended the premises in which two males were stabbed. Both victims were reported to be heavily intoxicated. The suspect, a patron, was also believed to be intoxicated and was seen to go behind the bar and remove a knife from the counter and stab both victims before leaving. Both victims were taken to hospital, the suspect had not been identified at the point the application for review was made.
18. Staff at the venue were also reported to be intoxicated, along with the landlord. There were no persons at the venue who could operate the CCTV. At the time, the bar staff would also not provide statements concerning the events.
19. On 22 June 2017 the licensing sub-committee suspended the licence as an interim step until such time as the full hearing (to be heard on 18 July 2017) could be determined, to prevent further incidents from occurring.
20. A copy of the notice of decision dated 22 June 2017 is attached to this report as Appendix D.

The representations against interim steps

21. The current hearing is for the purpose of considering if interim steps imposed 22 June 2017 on are needed following the receipt of the premises licence representations.
22. On 26 June 2017, representations were received from the solicitors for the premises licence requesting a reconsideration of the 22 June decision on the basis that a material change in circumstances had occurred since the decision:
 - The physical bar has been altered so as to prevent members of the public gaining access behind the bar
 - The CCTV system has been upgraded
 - All staff have received training in preventing and dealing with violence and aggression
 - An application to vary the licence has been submitted changing the designated premises supervisor to the current bar manager
 - The new DPS is able to operate the CCTV and is able to provide a live feed to his mobile phone.
23. A copy of the premises licence holder's representations together with supporting evidence is attached to this report as Appendix E.
24. The licensing sub-committee is not obliged to hear evidence from other parties at this stage of the procedure. However the premises licence holder and DPS have been invited to attend the hearing.
25. The review is currently being consulted on and is advertised at the premises for 10 days. Responsible authorities and any other persons may make representations that will then be considered at the full hearing of the licensing sub-committee.

26. Any interim steps made by the licensing sub-committee at this hearing will cease to have effect once the review has been determined.

Operating History

27. Four full premises inspections were made under the Licensing Act 2003, the first conducted on 5 August 2011 at 23:0, the premises was found to be in breach of six conditions of the premises licence, additionally there was no fire risk assessment in place. A warning letter was sent on 8 August 2011.
28. A revisit on 30 September 2011 found the premises compliant and a fire risk assessment in place.
29. The second conducted on 13 April 2012 at 23:26, found the premises to be in breach of one condition of the premises licence, additionally there was another 9 items of concern. A warning letter was sent on 8 May 2012.
30. A revisit on 17 December 2012 found the premises compliant and a fire risk assessment in place.
31. On 1 March 2014 at 21:06 an inspection found the premises to be fully compliant with the premises licence.
32. On 7 March 2015 at 21:00 an inspection found the premises to be fully compliant with the premises licence.
33. An inspection conducted on 20 March 2015 at 21:49, the premises was found to be in breach of one condition of the premises licence; additionally the premises licence and summary were unavailable. A warning letter was sent on 23 March 2015.
34. A revisit on 17 April 2015 found the premises compliant and a fire risk assessment in place.
35. A visit took place on 29 July 2016 at 18:30 following a complaint about parents with children consuming alcohol on the premises and patrons parking in front of the premises.
36. A revisit took place on 14 April 2017 at 19:07 to further discuss the parking issue and the use of the land by the premises to place tables and chairs there. The DPS advised that the premises had the permission of the Shopping Centre management to use the land.
37. A further revisit took place on 2 June 2017 at 18:08, no issues were found with external parking.
38. Visits by council licensing officers working on the night-time economy have been made.
39. As a result if an incident serious crime and/or serious disorder, a summary review was issued by the Metropolitan Police and on 22 June 2017 the premises licence was suspend.
40. The night time economy team log detailing visits to the premises are provided in Appendix F.

The local area

41. A map of the local area is attached at Appendix G.

Southwark Council statement of licensing policy

42. Council assembly approved Southwark's statement of licensing policy 2016 to 20 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 - Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 - Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 - Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 - The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 - Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 - The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 - The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
43. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

44. There is no fee associated with this type of application.

Consultation

45. The premises licence holder has been informed of the application for review and of the details of the interim hearing.

Community impact statement

46. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

47. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.
48. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

49. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where.
 - The application is properly made in accordance with Section 53A of the Act.
 - The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.
50. The four licensing objectives are:
 - The prevention of crime and disorder
 - The protection of public safety
 - The prevention of nuisance
 - The protection of children from harm.
51. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
 - Modify the conditions of the licence by altering, omitting or adding any condition
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the premises licence.
52. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.
53. The authority may decide to take no action if it finds no interim steps are appropriate to promote the licensing objectives.
54. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than a appropriate and proportionate response.
55. It is of particular importance that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

56. Where the authority takes interim steps an application for review it must notify the determination and reasons why for making it to:
 - The holder of the licence
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

57. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee
 - To the licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
58. This matter relates to the review of the premises licence under section 53A of the Licensing Act 2003.

Council's multiple roles and the role of the licensing sub-committee

59. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
60. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
61. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or

the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.

62. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
63. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
64. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
65. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
66. There is no right of appeal to a magistrates' court against the licensing authority's decision regarding the setting of interim steps at this stage.

Guidance

67. Members are required to have regard to the Home Office revised guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

REASONS FOR LATENESS

68. Due to the council's obligation to hold a hearing within 48 hours of receipt of a request from the premises licence holder to make representations against interim steps, there was not sufficient time to prepare and clear the report in time for the agenda dispatch.

REASONS FOR URGENCY

69. The council has a statutory duty to hold a hearing within 48 hours of receipt of a request from the premises licence holder to make representations against interim steps if there has been a material change in circumstances since the authority made its determination.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Mrs Kirty Read Tel:02075255748

APPENDICES

Name	Title
Appendix A	Copy of review application and certificate
Appendix B	Copy of notice of decision from licensing sub-committee on 12 April 2016
Appendix C	Copy of the existing premises licences
Appendix D	Copy of notice of decision from licensing sub-committee on 22 June 2017
Appendix E	Correspondence from premises requesting a hearing to make representations against interim steps
Appendix F	Night time economy visits to premises
Appendix G	Map of local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure		
Report Author	Andrew Heron, Principal Licensing Officer		
Version			
Dated	26 June 2017		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments sought	Comments included
Director of Law and Democracy		Yes	Yes
Strategic Director of Finance and Governance		No	No
Cabinet Member		No	No
Date final report sent to Constitutional Team			26 June 2017

A.

PROTECTIVE MARKING

Form 693A


**METROPOLITAN
POLICE**

TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with:
Serious Crime and Disorder

Premises (Include business name and address and any other relevant identifying details):

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

The Charlie Chaplin 26 New Kent Road

Post town: London

Post code:
(if known)

SE1 6TJ

Premises licence number (if known):

851670

Name of premises supervisor (if known):

Adrian Ennis

I am a Superintendent* in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

On Saturday 17th June 2017 at 2330hours police attended the Charlie Chaplin 26 New Kent Road SE1 6TJ in relation to serious crime and disorder where two males had been stabbed CAD 10213 referred. It had been reported that the two victims were very intoxicated and had been talking early in the evening to the suspect who was also believed to be intoxicated. Later in the evening the victims and suspect were heard arguing before the suspect was seen to go behind the bar area and remove a knife from the counter, which he then approached the victims and stabbed them with. This resulted in a 2-3 inch gash to one of the victims arms and the other victim was stabbed in the upper chest area. The suspect then left the pub and headed towards the Bricklayers roundabout.

On police arrival medical help was being provided by LAS and medics from the Coronet, there appeared to be no first aider on duty at the venue. Both victims were taken to hospital due to the seriousness of the injuries.

It has been reported that the bar staff at the venue were inebriated along with the landlord and that the bar staff would not at the time provide statements of the events. There were no persons at the venue who could operate the CCTV system which would have assisted in identifying the suspect.

At this stage of the investigation the suspect has not been identified.

PROTECTIVE MARKING

Concern/Observations

My immediate concerns are with regard to the levels of intoxication involved with the victims and suspects. There is also serious concern that the staff were intoxicated and their ability to manage the venue in this instance was seriously impaired, proven by the fact that a member of the public could get behind the bar and remove a knife and then use it to cause serious injury, this also shows the premises are not promoting the prevention of crime and disorder licence objective.

Licence conditions 788-789-793-842 refer to CCTV at the premises and that there should be a member of staff available to operate the CCTV at all times and be able to download immediately upon request.

This incident has already involved the use of significant resource from the Police, LAS and medical staff at the hospital and will continue to do so in regards to the investigation and identification of the suspect.

Considerations

This is not the first incident involving high levels of intoxication of patrons drinking inside the venue. The premises have failed to promote the licensing objectives by not maintaining their CCTV or staff training which were given at their 2016 review.

This incident in my opinion was entirely preventable had the premises stopped serving the intoxicated males at an early stage and if they had managed their premises in a safe secure way preventing the suspect from locating the knife behind the bar.

Recommendations That the premises licence is suspended with immediate effect pending a full review

Signature

Signature:

p238827

Date:

21/6/17

Retention Period: 7 years

MP 147/12

PROTECTIVE MARKING


**METROPOLITAN
POLICE**
TOTAL POLICING

Form 693

Form for Applying for a Summary Licence Review

Application for the review of a premises licence under section 53A of the Licensing Act 2003
(premises associated with serious crime, serious disorder or both)

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 the 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.

Insert name and address of relevant licensing authority and its reference number:

Name: London Borough of Southwark

Address: Licensing Team 3rd Floor 160 Tooley Street

Licensing Team 3rd Floor 160 Tooley Street

Post town: London

Post code: SE1 5LX

Ref. No.:

I Mark Lynch 246MD

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

The Charlie Chaplin 26 New Kent Road

Post town: London

Post code: SE1 6TJ
(if known)

2. Premises licence details

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

Adrian Ennis

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

851670

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm: ☒

PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both
(Please read guidance note 2)

On Saturday 17th June 2017 at 2330 hours police attended the Charlie Chaplin 26 New Kent Road SE1 6TJ in regards to serious crime and disorder in which two males were stabbed CAD 10213. It has been reported that the two victims were very intoxicated and had been talking early in the evening to the suspect who was also believed to be intoxicated. Later in the evening the victims and suspect were heard to have a disagreement to which the suspect was seen to go behind the bar area and remove a knife from the counter to which he then approached the victims and stabbed them, causing a 2-3 inch gash in one of the victims arms and the other victim was stabbed in the upper chest area. The suspect then left the pub and headed towards the Bricklayers roundabout.

On police arrival medical help was being provided by LAS and medics from the Coronet, there appeared to be no first aider on duty at the venue. Both victims were taken to hospital due to the seriousness of the injuries. It has been reported that the bar staff at the venue were inebriated along with the landlord and that the bar staff would not at the time provide statements of the events. There were no persons at the venue who could operate the CCTV system which would have assisted in identifying the suspect.

At this stage of the investigation the suspect has not been identified.

Concern/Observations

My immediate concerns are with regard to the levels of intoxication involved with the victims and suspects. There is also serious concern that the staff were intoxicated and their ability to manage the venue if the case was seriously impaired, proven by the fact that a member of the public could get behind the bar and remove a knife and then use it to cause serious injury, this also shows the premises are not promoting the prevention of crime and disorder licence objective.

Licence conditions 788-789-793-842 refer to CCTV at the premises and that there should be a member of staff available to operate the CCTV at all times and be able to download immediately upon request.

This incident has already involved the use of significant resource from the Police, LAS and medical staff at the hospital and will continue to do so in regards to the investigation and identification of the suspect.

Considerations

This is not the first incident involving high levels of intoxication of patrons drinking inside the venue. The premises have failed to promote the licensing objectives by not maintaining their CCTV or staff training which were given at their 2016 review.

This incident in my opinion was entirely preventable had the premises stopped serving the intoxicated males at an early stage and if they had managed their premises in a safe secure way preventing the suspect from locating the knife behind the bar.

Recommendations The premises licence is suspended with immediate effect pending a full review

Signature of applicant

Signature:

Date:

21 06 17

Capacity:

POLICE OFFICER

Contact details for matters concerning this application

Surname:

LYNCH

First Names:

MARK

Address:

SOUTHWALK POLICE STATION

Post town:

LONDON

Post code:

SE1 1SL

Tel. No.:

Email:

Notes for guidance

PROTECTIVE MARKING

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.
Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years
MP 146/12



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 12 APRIL 2016

LICENSING ACT 2003: THE CHARLIE CHAPLIN, 26 NEW KENT ROAD, LONDON SE1 6TJ

1. Decision

That the council's licensing sub-committee, having had regard to the application by the Metropolitan Police for a review of the premises licence in respect of the premises known as The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ and also having had regard to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

Modify the conditions of the licence by imposing the following additional conditions:

1. That three SIA registered door supervisors will be engaged when the upstairs of the premises are in operation and a DJ or MC performing to recorded music. They will be employed at all times until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.
2. That When SIA are required they will be provided with and held metal detection units in order to ensure that searches are carried out in respect of all admissions to the upstairs of the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
3. That a member of staff should be available at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removal device on request of Police or council officer.
4. That a personal licence holder will be on the premises at all times after 20:00 and intoxicating liquor is being offered for sale.

5. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises. It should cover all areas within the premises including upstairs and the outside area to the front in all lighting conditions.
6. That all CCTV footage shall be kept for a period of 31 days and shall, upon request, be made immediately available to officers of the police and the council.
7. That a 696 form must be submitted for any occasion in a premises licensed under the provisions of the Licensing Act 2003, using a DJ or MC performing to recorded background music, operating any time between 22:00 and 06:00, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket.
8. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to officers of the police and the council.
9. That Mr Seamus Love and Mrs Nichole Love be permanently excluded from the premises.
10. That all staff working at the premises shall undertake a training course in dealing with work related violence and aggression.
11. That training records of all staff that have undertaken the training course dealing with work related violence and aggression shall be kept at the premises and available for inspection by authorised officers of the police or the council.
12. That the accommodation limit of 150 people for the ground floor shall not be exceeded.
13. That the accommodation limit of 120 people for the first floor shall not be exceeded.

2 **Reasons for the Decision.**

The reasons for this decision are as follows:

The licensing sub-committee heard from the Metropolitan Police Service representative, the applicant for the review who advised that the police had applied to the licensing authority for a summary review of the premises licence on 17 March 2017. The application concerned a serious incident that took place on 16 March 2016 at approximately 22.50. It was alleged that a patron described as being extremely intoxicated became aggressive when last orders were called and left the premises, then smashed a window of the premises with a phone. Another patron then left the premises and assaulted the victim causing significant facial injuries

At the hearing on 18 March 2016, interim steps were considered and two interim steps were imposed (6 and 10 above).

The police advised the sub-committee that they were satisfied that the conditions listed above would promote the licensing objectives.

The licensing sub-committee heard from the licensing officer representing the council as a responsible authority who had highlighted previous breaches of the premises licence. However, they had also agreed conditions with the premises and were satisfied that they would address the officer's concerns.

The licensing sub-committee noted the written representation from the health and safety officer who had also agreed conditions with the licensing officer.

The representative from the premises informed the sub-committee that they had liaised closely with the police, the licensing authority and the health and safety authority and had agreed with all the conditions recommended. They reiterated that they were apologetic that this incident had occurred at the premises and assured the sub-committee that the relief manager had been permanently excluded from the premises immediately.

The licensing sub-committee were pleased that all the parties were able to resolve their concerns through their discussions and were content that the conditions agreed would satisfy the concerns.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and felt that this decision was appropriate and proportionate in order to address the licensing objectives.

3 **Appeal rights**

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application.

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

- a) The end of the period for appealing against this decision
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The interim steps will remain in place until either:

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation.

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 12 April 2016

Licensing Act 2003 Premises Licence

APPENDIX C



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

851670

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
THE CHARLIE CHAPLIN 26 New Kent Road London SE1 6TJ Ordnance survey map reference (if applicable), 179013532051	
Post town London	Post code SE1 6TJ
Telephone number [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Live Music - Indoors
 Recorded Music - Indoors
 Facilities for Dancing - Indoors
 Late Night Refreshment - Indoors
 Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

The opening hours of the premises

For any non standard timings see Annex 2

Monday	11:00 - 01:30
Tuesday	11:00 - 01:30
Wednesday	11:00 - 01:30
Thursday	11:00 - 01:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

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

Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Live Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Recorded Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Facilities for Dancing - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Late Night Refreshment - Indoors

Monday	23:00 - 01:30
Tuesday	23:00 - 01:30
Wednesday	23:00 - 01:30
Thursday	23:00 - 01:30
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 23:30

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

Sale by retail of alcohol to be consumed off premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

Part 2

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

Adrian Ennis
26 New Kent Road
London
SE1 6TJ
[REDACTED]

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

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

Adrian Ennis
[REDACTED]

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 No.
Authority

Licence Issue date 07/04/2016



Head of Regulatory Services
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

485 (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, 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 carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster 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; and

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

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

488 (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.

489 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: 1/2 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,

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

2. For the purpose of the condition set out in paragraph (1):

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

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, 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;
- (iv) "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

(v)"value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the 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.

Annex 2 - Conditions consistent with the operating Schedule

109 Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means the hours stated elsewhere on this licence and:

a. On Good Friday, 1200 to 2230 hours

b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

i) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

ii) The sale of alcohol to a trader or club for the purposes of the trade or club;

iii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

iv) The taking of alcohol from the premises by a person residing there; or

v) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or

vi) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

111 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

122 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies

a. He is the child of the holder of the premises licence

b. He resides in the premises, but is not employed there

c. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to and from which there is no other convenient means of access or egress

d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as ancillary to their table meals.

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- c. To a canteen or mess.

298 That suitable notices shall be displayed stating "No Drugs".

310 That all doors and windows excepting any that may be required to be locked open for the purposes of means of escape, shall be kept closed whenever public entertainment is being provided upon the premises to prevent noise escaping

311 That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner. Staff are to check the outside area regularly and disperse any customers who may gather outside

324 That a notice be displayed at the premises giving the telephone numbers of local mini-cab firm. Where possible staff will phone a taxi for people who need one and will give directions to people using public transport

325 That after 2100 hours children shall not be admitted in any area where alcohol is sold and consumed

327 That signs shall be displayed informing customers and staff that sales of alcohol will not be made to under 18s and that age identification will be required

332 All children on the premises will be accompanied by a parent or responsible adult at all times

334 That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

340 Our staff will refuse to serve a person who appears to be intoxicated. They will additionally discourage binge drinking and remove anyone behaving badly from the premises

342 Staff will be trained to react quickly and effectively in evacuating the premises in case of fire

343 The volume on music provided will be reduced half an hour before the premises closes

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

788 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises. It should cover all areas within the premises including upstairs and the outside area to the front in all lighting conditions.

789 That all CCTV footage shall be kept for a period of 31 days and shall, upon request, be made immediately available to officers of the police and the council.

793 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to officers of the police and the council.

840 That three SIA registered door supervisors will be engaged when the upstairs of the premises are in operation and a DJ or MC performing to recorded music. They will be employed at all times until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.

841 That when SIA are required they will be provided with and held metal detection units in order to ensure that searches are carried out in respect of all admissions to the upstairs of the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

842 That a member of staff should be available at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removal device on request of Police or council officer.

843 That a personal licence holder will be on the premises at all times after 20:00 and intoxicating liquor is being offered for sale.

844 That a 696 form must be submitted for any occasion in a premises licensed under the provisions of the Licensing Act 2003, using a DJ or MC performing to recorded background music, operating any time between 22:00 and 06:00, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket.

845 That the 2 persons mentioned in the notice of decision be permanently excluded from the premises.

846 That all staff working at the premises shall undertake a training course in dealing with work related violence and aggression.

847 That training records of all staff that have undertaken the training course dealing with work related violence and aggression shall be kept at the premises and available for inspection by authorised officers of the police or the council.

848 That the accommodation limit of 150 people for the ground floor shall not be exceeded.

849 That the accommodation limit of 120 people for the first floor shall not be exceeded.

Annex 4 - Plans - Attached

Licence No. 851670
Plan No. 1233801/237
Plan Date 5 October 2004

Licensing Act 2003 Premises Licence Summary



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

851670

Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
THE CHARLIE CHAPLIN 26 New Kent Road London SE1 6TJ Ordnance survey map reference (if applicable), 179013532051	
Post town London	Post code SE1 6TJ
Telephone number [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Live Music - Indoors
 Recorded Music - Indoors
 Facilities for Dancing - Indoors
 Late Night Refreshment - Indoors
 Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Live Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Licensing Unit - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director Environment & Leisure - Deborah Collins

Recorded Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Facilities for Dancing - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Late Night Refreshment - Indoors

Monday	23:00 - 01:30
Tuesday	23:00 - 01:30
Wednesday	23:00 - 01:30
Thursday	23:00 - 01:30
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 23:30

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

Sale by retail of alcohol to be consumed off premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

The opening hours of the premises

For any non standard timings see Annex 2

Monday	11:00 - 01:30
Tuesday	11:00 - 01:30
Wednesday	11:00 - 01:30
Thursday	11:00 - 01:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Licensing Unit - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director Environment & Leisure - Deborah Collins

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

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

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

Adrian Ennis
26 New Kent Road
London
SE1 6TJ

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

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

Adrian Ennis

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

Restricted

Licence Issue date 07/04/2016



Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
licensing@southwark.gov.uk

Licensing Unit - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 Website - www.southwark.gov.uk
Strategic Director Environment & Leisure - Deborah Collins



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 22 JUNE 2017

LICENSING ACT 2003: SECTION 53A: THE CHARLIE CHAPLIN, ELEPHANT AND CASTLE, 26 NEW KENT ROAD, LONDON SE1 6TJ – EXPEDITED REVIEW

1. Decision

That as an interim step to promote the licensing objectives, pending the determination of the review application at the full hearing, to be held on 18 July 2017:

- The licence be suspended.

2. Reasons

This was a hearing to consider if it is appropriate to take interim steps to promote the licensing objectives upon receipt of an application by the Metropolitan Police Service for an expedited summary review of the premises.

The licensing sub-committee have considered the application made by the Metropolitan Police Service and supplementary evidence from the police presented at this hearing. The police advised that on 21 June 2017 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence issued in respect of The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ after a Superintendent for the Metropolitan Police force certified that the premises were associated with serious crime or serious disorder or both as a result of a serious incident that took place on Saturday 17 June 2017 at approximately 23:30.

The Police attended the premises in which two males were stabbed. Both victims were reported to be heavily intoxicated. The suspect, a patron, was also believed to be intoxicated and was seen to go behind the bar and remove a knife from the counter and stab both victims before leaving. Both victims were taken to hospital. The suspect has not as yet been identified and apprehended. The CCTV was not operational.

The representative for the police advised that the premises were previously the subject of an expedited review when a serious incident that took place on 16 March 2016 at 22:50, when a an extremely intoxicated patron became aggressive when last orders were called and left the premises, then smashed a window of the premises with a phone. Another patron then left the premises were assaulted causing significant facial injuries. The licensing Sub-committee modified the licence by imposing additional conditions.

The licensing sub-committee then heard from the manager of the premises, who advised that he had been the manager for some four years and lived on the premises. He stated that he came down from the residential premises at 20:30 hours and sat by the bar. There was two mature female staff on duty. The suspect was with another person at the other end of the bar, his colleague left the bar. The suspect then sat near the manager and had a half pint. He then had three heated conversations on his phone. The first victim, a regular of the premises then approached the suspect and said "you don't remember me?"; it wasn't heated. The suspect then asked for another half pint. The manager then advised the bar staff to refuse to serve the suspect and for the suspect to leave. At this point the suspect dashed passed the manager and grabbed the knife that was by the till. The manager tried to grab the suspect as he came past. The suspect then stabbed the first victim, and then the second. The suspect left the premises with the knife. The police were then called and the premises vacated.

The leaseholder to the premises provided much of the representation for the premises licence holder during the discussion stage of the meeting, but he had not been present during the incident on 21 June. It was accepted that the designated premises supervisor rarely attended the premises. It was proposed following the previous review to transfer the DPS, but this had not transpired. The leaseholder accepted that access to the bar was easy due to there being no gate/hatch as an obstacle to customers. No explanation could be given for the CCTV not working apart from there being a "technical glitch", which had now been rectified. The work related violence and aggression training condition 846 had not been carried out as they were waiting for the police/licensing authority to provide details of relevant courses. Of the few courses found, they were extremely expensive and there were limited spaces available. They had carried out their own in house training on the subject and found this helpful.

The licensing sub-committee read and heard all the evidence before them. They noted the DPS made no comment whatsoever during the course of the meeting and that he rarely attended the premises. At this stage the committee were of the view that the DPS had no effectual role in the running of the premises.

The previous expedited review had taken place in March 2016 when conditions were imposed relating the CCTV and training. The sub-committee were not satisfied with the explanation that because of a technical glitch the CCTV was not working, particularly when the premises were unable to demonstrate any regular simple maintenance or checks were being conducted of the CCTV. The explanation for the failure to comply with the condition relating to work related violence and aggression training imposed at the previous review was similarly unacceptable; it is not a matter for the police or licensing authority to provide of relevant courses.

During the meeting the manager admitted to the sub-committee that he had committed a further breach of conditions by stating that he had come down to the licensed premises that evening (21 June) at 20:30. This is a breach of condition 843 "that a personal licence holder will be on the premises at all times after 20:00 and intoxicating liquor is being offered for sale". The sub-committee considered whether to modify the licence with conditions, but due to the conditions imposed at the review which was just over a year ago, the sub-committee had no confidence that they would be complied with.

The incident on 21 June 2017 could easily have been avoided. Having been the subject to the expedited review process a year before, the premises should have been running the premises in an exemplary condition. Staff and indeed management allowing customers to charge their mobile phones behind the bar is an extremely dangerous and negligent practice and shows the poor practices being operated at the premises. It is for this reason that the sub-committee have no alternative but to suspend the licence until the full review of the licence on 18 July 2017. In the meantime, for the benefit of the premises licence holder, it is recommended that a gate/hatch be installed at the bar, evidence of operational CCTV is provided and that the necessary staff training is undertaken and documented.

In coming to this decision, the licensing sub-committee were satisfied that the interim steps set out above were appropriate and proportionate in order to promote the licensing objectives

3. Appeal rights

There is no right of appeal to a Magistrates' Court against the licensing authority's decision at this stage.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation. The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 22 June 2017

WILSON BARCA LLP

SOLICITORS

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18 Carlisle Street
London
W1D 3BX
Tel: 020 7272 2072
Fax: 020 7439 1353
DX: 44710 Soho Square
Email: richardbarca@wilsonbarca.com
www.wilsonbarca.com

Our Ref: RGB/Ennis/ENN0002-2

Your Ref:

Date: 26th June 2017

The Senior Solicitor
Regulatory Team
London Borough of Southwark
Legal Services

DX: 136147 London Bridge 7

BY EMAIL ONLY: debra.allday@southwark.gov.uk

NO. OF PAGES: 15

Dear Sirs,

Our Client: Adrian Ennis
Interim Steps Order re "The Charlie Chaplin" Public House
26 New Kent Rd, London SE1 6TJ
Decision dated 22nd June 2017 ("the Decision")

Further to our recent exchange of emails, we write to confirm that our client wishes to request a reconsideration of the Decision.

The material change in circumstances that has occurred since the Decision is as follows: -

1. The physical bar has been altered so as to prevent members of the public gaining access behind the bar.
2. The CCTV system has been upgraded.
3. All staff have received training in preventing and dealing with violence and aggression.
4. Our client has applied to vary the Licence so as to change the Designated Premises Supervisor to Craig Morrison.
5. The new DPS can operate the CCTV, and it now provides a live feed to his mobile phone.



Solicitors & Members: Richard Barca, Maurice Evans, David Wilson
Solicitors: Eric Lo, Martin Hall
Consultant Solicitors: John Malnick, Ruchir Shah, Chris Hall, Ruchi Mishra
Immigration specialists: Ron Brickley, Alex Cranbrook (Non-Solicitors)
Office also at: 8 Archway Close London N19 3TD
Authorized and regulated by the Solicitors Regulation Authority
Registered Office: 18 Carlisle St London W1D 3BX
Registered No: OC312483
SRA No 420 605

Date: 26th June 2017

Senior Solicitor - Regulatory Team
London Borough of Southwark
Legal Services

In support of the above, we enclose herewith the following: -

1. Photograph showing the new arrangement of the bar.
2. Screenshots of the new CCTV system
3. Training Certificates of Achievement of the following: -
 - Donal Ennis
 - Tina Nicholls
 - Kelly Braster
 - Craig Morrison
 - Liz Cosgrove
 - Chelsea Mitchell
 - David Holt

We would be grateful if you would acknowledge safe receipt and if you would let us know the date and time of the reconsideration hearing as soon as possible.

Yours faithfully,

WILSON BARCA LLP

Direct Email: richardbarca@wilsonbarca.com

Encl.:

Application to vary a premises licence to specify an individual as designated premises supervisor 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 ~~am~~ ADRIAN ENNIS

(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

833045

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description The Charlie Chaplin

26 New Kent ROAD,

Post town

LONDON

Post code (if known)

SE1 6TS

Telephone number (if any)

Description of premises (please read guidance note 1)

Public House

Part 2

Full name of proposed designated premises supervisor

CRAIG MORRISON

Nationality

BRITISH

Place of birth

HAMILTON, Scotland

Date of birth

13/04/1956

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

006667

BARKING DAGENHAM

Full name of existing designated premises supervisor (if any)

ADRIAN ENNIS

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003



I have enclosed the premises licence or relevant part of it



(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee ☒
- I will give a copy of this application to the chief officer of police ☒
- I have enclosed the consent form completed by the proposed premises supervisor ☒
- I have enclosed the premises licence, or relevant part of it or explanation ☒
- I will inform the existing premises supervisor, if any, that an application has been made (Do not send a copy of this application form to the existing DPS as it contains personal information) ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971] FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND, PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature Adrian Ennis

Date 23/06/2017

Capacity Licence Holder

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

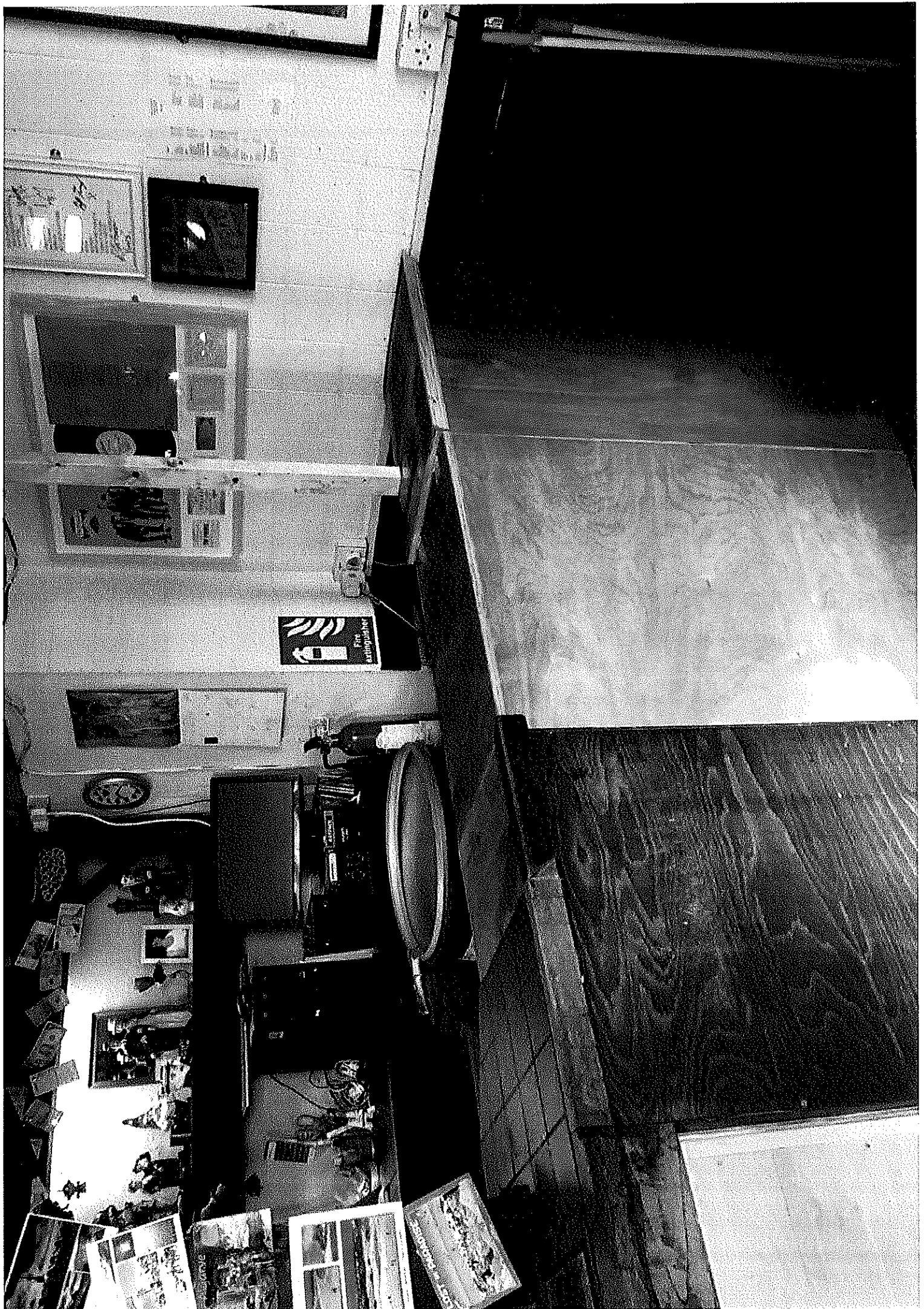
Please submit the completed form to along with the payment either by cheque or postal order made payable to London Borough of Southwark and dispatch to the following address below.

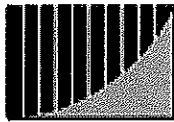
***Environment and Social Regeneration
Regulatory Services – Licensing Team
160 Tooley Street
3rd Floor Hub 1
PO Box 64529
London
SE1P 5LX
E-mail: licensing@southwark.gov.uk
Tel 020 7525 4261***

***Home Office
Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon CR9 2BY
Email - Alcohol@homeoffice.gsi.gov.uk***

***Commissioner of Police for the Metropolis Licensing Office Southwark
Police Station
323 Borough High Street
London
SE1 2ER
Tel: 0207 232 6756
Email: southwarklicensing@met.police.uk***







AT&F Solutions

TRAINING FOR SUCCESS

Certificate of Achievement

This is to certify that

.....Chelsea Mitchell.....

has completed the training course

.....Violence and Aggression.....

achieving a score of

90%

Date:

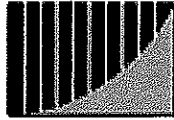
23 Jun 2017

**CPD
CERTIFIED**
The CPD Certification
Service
Endorsed Mark

APPROVED BY:

ROSPA
The Royal Society for the
Prevention of Accidents

This certificate carries one hour of CPD credit and is valid for 12 months from the above date



AT&F Solutions

TRAINING FOR SUCCESS

Certificate of Achievement

This is to certify that

.....**Craig Morrison**.....

has completed the training course

.....**Violence and Aggression**.....

achieving a score of

100%

Date:

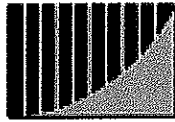
25 Jun 2017

**CPD
CERTIFIED**
The CPD Certification
Service
Exclusive Mark

APPROVED BY:

ROSPA
The Royal Society for the
Prevention of Accidents

This certificate carries one hour of CPD credit and is valid for 12 months from the above date



AT&F Solutions

TRAINING FOR SUCCESS

Certificate of Achievement

This is to certify that

.....David Holt.....

has completed the training course

.....Violence and Aggression.....

achieving a score of

100%

Date:

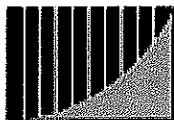
25 Jun 2017

CPD
CERTIFIED
The CPD Certification
Service
Endorsed Mark

APPROVED BY:

ROSPA
The Royal Society for the
Prevention of Accidents

This certificate carries one hour of CPD credit and is valid for 12 months from the above date



AT&F Solutions

TRAINING FOR SUCCESS

Certificate of Achievement

This is to certify that

..... Kelly Braster

has completed the training course

..... Violence and Aggression

achieving a score of

100%

Date:

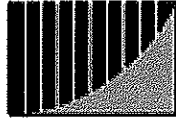
25 Jun 2017

CPD
CERTIFIED
The CPD Certification
Service
Excellence Mark

APPROVED BY:

ROSPA
The Royal Society for the
Prevention of Accidents

This certificate carries one hour of CPD credit and is valid for 12 months from the above date



AT&F Solutions

TRAINING FOR SUCCESS

Certificate of Achievement

This is to certify that

.....Liz Cosgrove.....

has completed the training course

.....Violence and Aggression.....

achieving a score of

100%

Date:

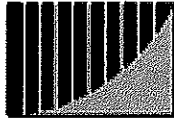
25 Jun 2017

CPD
CERTIFIED
The CPD Certification
Service
Exclusive Mark

APPROVED BY:

ROSPA
The Royal Society for the
Prevention of Accidents

This certificate carries one hour of CPD credit and is valid for 12 months from the above date



AT&F Solutions

TRAINING FOR SUCCESS

Certificate of Achievement

This is to certify that

.....Tina Nicholls.....

has completed the training course

.....Violence and Aggression.....

achieving a score of

100%

Date:

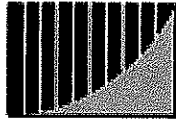
25 Jun 2017

CPD
CERTIFIED
The CPD Certification
Service
Exclusive Mark

APPROVED BY:

ROSPA
The Royal Society for the
Prevention of Accidents

This certificate carries one hour of CPD credit and is valid for 12 months from the above date



AT&F Solutions

TRAINING FOR SUCCESS

Certificate of Achievement

This is to certify that

Donal Ennis

has completed the training course

Violence and Aggression

achieving a score of

90%

Date:

23 Jun 2017

CPD
CERTIFIED
The CPD Certification
Service
Established 1985

APPROVED BY:

ROSPA
The Royal Society for the
Prevention of Accidents

This certificate carries one hour of CPD credit and is valid for 12 months from the above date

adate	desc	aofficer	name	adtext
01/03/2014	21:06 NTE Visit	Wesley McArthur	THE CHARLIE CHAPLIN	<p>1/ 3/2014 21:06 WJM Full inspection of the premises with KVD. I also undertook an induction with the premises manager. ATOV I spoke to a man who identified himself as Mr. Tarek Sidki (TS) and who stated that he was the manager of the premises. TS stated that the previous manager, Wayne Kidman, had now left the premises and confirmed that Adrian Ennis is still the DPS of the premises. TS stated that he had been working at the premises for a few months. The premises were compliant but the following issues were noted:</p> <ol style="list-style-type: none"> 1. It was not possible to ascertain if a fire risk assessment or general health and safety risk assessment had been devised in regard to the premises. TS stated that the unit housing the premises forms part of the shopping centre and to his knowledge the shopping centre management are responsible for all risk assessments in regards to the premises. I advised TS to find out whether this is the case or not ASAP, and to arrange to have a FRA undertaken if required. I also explained that a FRA was required under fire safety legislation. I advised TS that an H&S RA is required under H&S legislation and to arrange to have an H&S RA undertaken ASAP if required. 2. Some fire extinguishers at the premises had not been inspected for over 12 months. I advised TS to remove these extinguishers from service or to have them inspected. Some fire extinguishers were not in easily accessible locations. I recommended to TS that extinguishers should be wall mounted in easily accessible areas and maintained free from obstruction at all times. I also advised that staff should be made aware of where all the extinguishers in the premises are located, be trained in how to use them and be trained as to what types of flammable material(s) the extinguishers can be used on. 3. Various fire action notices at the premises had not been completed. TS stated that new fire action notices were going to be given to him by the shopping centre management and that he would ensure that the new notices are completed. 4. The fire exit to the r/o the stage on the first floor was locked. On looking between the gap between the fire exit doors it was observed that the doors were significantly obstructed on the other side by goods trolley. I advised TS that all emergency exits must be kept unlocked and maintained free from obstruction at all times that the premises are in operation. 5. There were unpackaged (and therefore non-sterile) materials in the first aid box. I advised TS that all materials in the first aid box should be kept in unopened packaging, and that any materials in opened packaging should be removed from the first aid box. 6. There was evidence of staff training in regards to the sale of alcohol, but I will send the Trading Standards a restricted sales pack in regards to alcohol to TS.
04/07/2014	21:35 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	Premises at capacity, audience appear to be well behaved
19/10/2014	02:16 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	premises closed

25/10/2014	01:55 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited the premises and noted that there were 6 IC3 males located at the front of the premises talking. Looked up from street level through the windows and it did not appear that there was any activity upstairs although the lights were on. I attempted to gain entry into the premises however all doors of the premises were closed. Whilst myself and Adam Burchett were standing at the front of the premises a IC3 male walked out the premises and I asked him how it is "was the place still open". The IC3 male stated no "they shut long time" and walked off. I approached another IC3 male outside the front of the premises and he also confirmed that the place was closed that I had missed out on a good night.</p>
23/11/2014	00:30 NTE	Mark Orton	THE CHARLIE CHAPLIN	<p>Visited first floor of premises, private booking for birthday party. SIA on the door, entry by invitation only. No issues, all appeared in good spirits.</p>
13/02/2015	20:45 NTE Visit AB & MB	Mark Orton	THE CHARLIE CHAPLIN	<p>Rockingham St issues letter delivered and signed for. Bar staff weren't happy regarding meeting, will follow up.</p>
20/03/2015	21:49 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	<p>Spoke to Craig Morrison who said he was in charge. DPS (also premises licence holder) not available. Craig said the upstairs bar is sublet to Gabriel & operates on Fri & Sat nights. There was an ashtray in the vestibule, advised to remove and to ensure that customers do not smoke in there. Should have some 'no smoking' signs on display. There is one premises licence being used for the ground floor pub and the upstairs CC Lounge, which is a bar. Craig said CCTV isn't functioning. Old licence and summary on the premises (licence number 832464). Breach of condition 298 – no signs stating 'No Drugs'. No fire risk assessment available. Breach of condition 310 – both premises have doors open and entertainment. Advised to close doors. Gabriel is in charge upstairs-discussed with both Craig and Gabriel the issue of having one licence to cover 2 premises. Both insisted that they are all working together and they are not separate premises. Warning letter to be sent.</p>
04/04/2015	02:32 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited the premises with Sarah Newman. TEN in place premises compliant. Entrance doors closed and x2 SIA staff at the front of the premises. No noise breakout from premises. Myself and Sarah discussed submissions of TENS with the operator of the premises. Query on submission how many days a TEN could cover resolved with operator.</p>

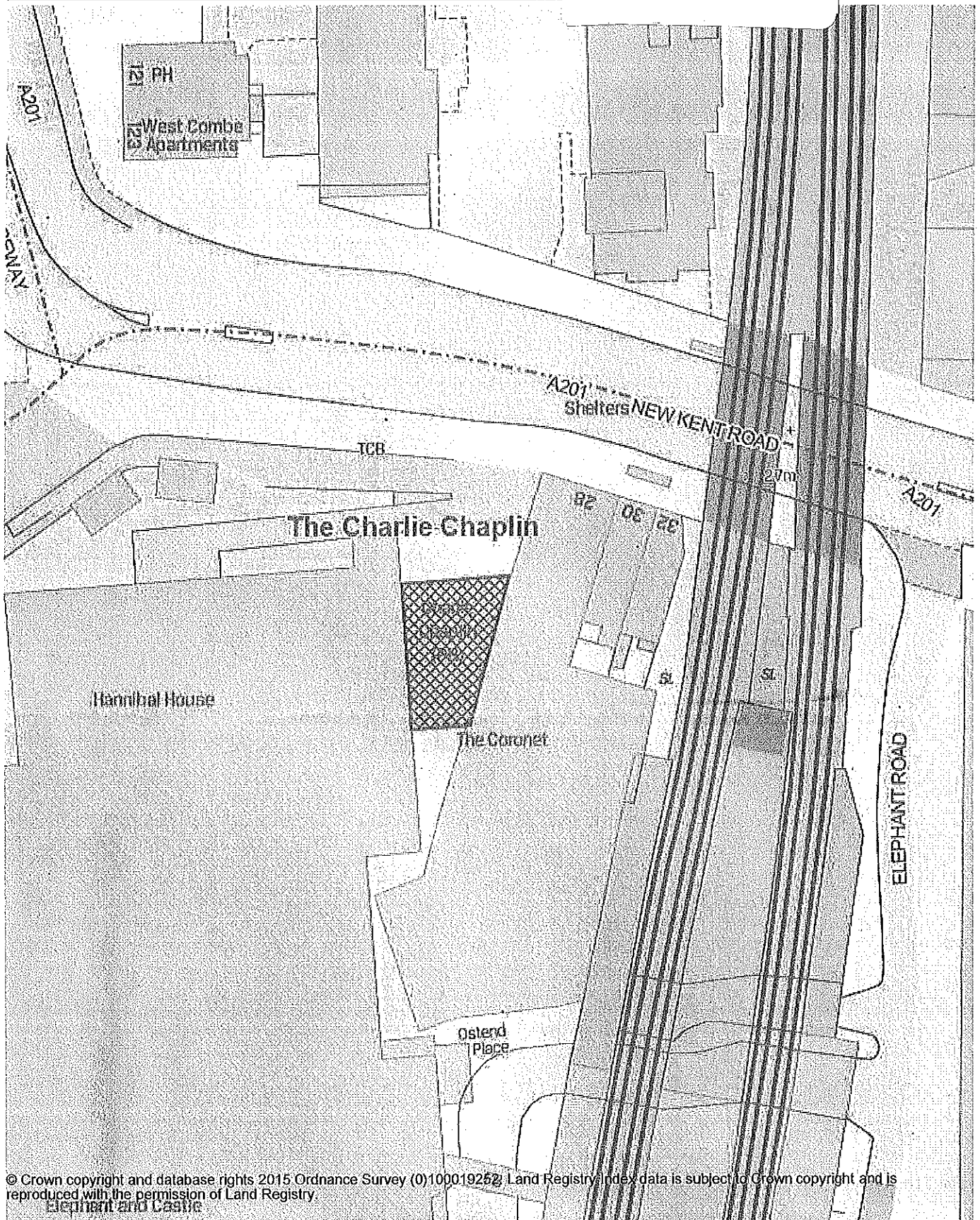
17/04/2015	22:27 NTE Visit	Wesley McArthur	THE CHARLIE CHAPLIN	<p>17/4/2015 22:27 WJMLicensing revisit with Farhad Chowdhury (FC). I entered the premises and ID'd myself to an IC1 barman and asked to speak to the manager. The barman left the bar and came back with an IC1 male who identified himself as Craig Morrison (CM) and who identified himself as the manager of the premises. I asked CM if Mr. Ennis (the licensee) stated on the premises licence issued in respect of the premises still had an interest in the premises. CM stated that Mr. Ennis operated the CC Lounge. I asked CM if the CC Lounge was the 1st floor of the premises and CM stated that it was. CM stated that the ground floor and the 1st floor operated as two separate premises. I explained that the current premises licence had been issued in regards to the entire premises and that the licence conditions apply to the entire premises. I conducted the revisit. The premises were compliant. On our way out of the premises I noted that an IC3 D/S was controlling entries to the CC Lounge via the separate entrance to the 1st floor of the premises. I ID'd myself to the D/S and asked to see his SIA badge. The badge was valid. Compliance letter to follow.</p>
24/04/2015	20:55 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	<p>20:55 24/4/2015 JMT & TMT THE CHARLIE CHAPLIN, 26 New Kent Road, SE1 6TJ - Visited the premises and spoke to the person in charge Shamus Love. Explained about the meeting re the 'Business Action Group' to be held at the Coronet on 12 May 2015 at 18:00hrs and gave him a copy of the invite letter. Asked him to please give a copy to the licensee who was upstairs having a break and ask him to call RAP on the number at the top of the letter to confirm attendance.</p>
06/06/2015	21:52 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	<p>With Sue Hunter. Drove by to see if doorman was wearing E&C shopping centre hi vis. Doorman was there but not wearing hi vis from E&C.</p>
19/09/2015	20:45 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited the premises and discussed fight at the premises and why the temp personal licence holder at the premises was intoxicated. Spoke with the manager of the premises initially in the presence of Mr Love (temp personal licence holder at premises). Manager of Charlie Chaplin was not aware or should I say he had not been advised by Mr Love what had happened. I do not think Mr Love was expecting us and certainly did not envisage a conversation with his boss about this while he was stood there. I pulled the manager aside and advised him this is not what we expected from a licensed premises. I think he was genuinely taken aback and was genuinely not aware of what had happened at the premises as he was not there when this fight had occurred. He was also taken aback that one of his members of staff was 'allegedly' drunk while in charge of his premises. He has asked for some time to discuss with Mr Love to get an understanding of what has actually happened so a response can be provided. The DPS on the licence is working at the premises intermittently and it is my understanding that there may be an imminent change of DPS as a result of my visit. No lead time could be provided in relation to when we can expect the DPS to be a 'constant' at the premises. Management appear to be trying to get staff possibly with a view to finding the right fit and then applying for a change of DPS. I have advised the Charlie Chaplin manager Craig Morrison (-07951229121) that an officer would contact him to discuss the matter further. No compliance issues noted ATOV. No SIA staff were wearing Elephant & Castle high visibility.</p>

24/01/2016	01:20 NTE Visit MAD & JU	Mark Orton	THE CHARLIE CHAPLIN	Met with Police at CC Lounge at 01:20 following flyer advertising hours beyond currently permitted. Spoke with manager of CC Lounge Izzy Orlukwu who stated he wasn't aware of the flyer and had planned to close at the usual time. The flyer wasn't something that the premises had approved. KD and I spoke with IO of the conditions currently in place for the CC Lounge and suggested that he submits a minor variation to add conditions to the first floor of the premises as it currently has conditions more suited to a pub and not what it currently operates as. IO stated he would liaise with the Police on this.
30/01/2016	02:04 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	02:04 on 30/01/2016 JMT & COT and PC MARK LYNCH CC LOUNGE 26 New Kent Road, London, SE16TJ – Premises closed ATOV
31/01/2016	01:58 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	01:58 on 31/01/2016 JMT & KMA at CC LOUNGE 26 New Kent Road, London, SE16TJ – Checked premises not open past its hours. Premises was closed at ov.
18/03/2016	22:03 NTE Visit ERECTED REVIEW POSTERS	Jayne Tear	THE CHARLIE CHAPLIN	18/3/2016 22:03 JMT, COT & MQ3 at The Charlie Chaplin, 26 New Kent Road, London, SE16TJ. Erected 2 premises poster regarding expedited summary review. One displayed at the beginning of the ramp going up to the shopping centre and the other displayed nearer the payment on a post. SEE ATTACHED PHOTO'S
20/03/2016	00:18 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	20/3/2016 00:18 JMT & COT - The Charlie Chaplin, 26 New Kent Road, London, SE16TJ. EXPEDITED SUMMARY REVIEW POSTERS STILL DISPLAYED AND IN SITU.

29/07/2016	18:30 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visit to premises with Clarissa to discuss concerns about the premises allowing irresponsible parking at the front of the premises. Complaint raised about parents highly intoxicated and being allowed to sit outside the front of the premises with children. Also concerns raised about Continually serving alcohol to highly intoxicated patrons and the premises allowing irresponsible parking at the front of the premises. Arrived at the premises and noted that there was a couple sat at a table at the front of the premises with two children. The couple did not appear to be drunk and were just enjoying a drink and talking to their children. Entered the premises and there were X10 patrons within the premises drinking. Myself and Clarissa identified ourselves and asked to speak to management of the premises. The manager of the premises presented himself and we discussed the allegations that had been made. The manager advised us that he did not like children on site and did not think that a pub was a place that children should be around. Advised that he actively discouraged this and this was the message that had been filtered down to staff. We advised him that there were two children sat outside and he stated that he would keep an eye on them and that they were locals who he knew. I was advised that the immediate front of the premises was not under the control of Charlie Chaplin and was in fact managed by the shopping centre. Also advised that the cars that parked up at the front of the Charlie Chaplin were not his patrons cars and were in fact market traders who were parking their cars. From the vantage point of the bar the manager stated that if he or staff had served alcohol to a customer who then headed to a vehicle that they would immediately call the police. Words of advice given about the perceptions of having young children around when adults were consuming alcohol. Was advised that he would speak to the shopping centre about putting in place some restrictions so that traders could load and unload but not park up outside the Charlie Chaplin for an indefinite period of time. Manager advised that he was becoming increasingly concerned about the street drinkers that were drinking outside the front of his premises. He confirmed that he would not sell to street drinkers but there was obviously a premises in the local vicinity that was. He advised that the street drinkers had moved from the shopping centre and were now using the road leading to the market as a place to stand and drink. When myself and Clarissa left the premises noted X6 street drinkers just along the street at the front of Charlie Chaplin with bottles of brandy and whisky drinking from the bottles. Notes to be placed against complaint reference: 837583</p>
14/04/2017	19:07 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited premises with Adam Burchett and discussed the parking issue at the front of the premises with the DPS of the premises MR Adrian Ennis. Advised that the parking related matter had nothing to do with the Charlie Chaplin pub and that the land was in fact owned by the Elephant & Castle Shopping Centre. We were advised that Elephant & Castle gave permission to the Charlie Chaplin Pub to place tables and chairs on their land.</p>
02/06/2017	18:08 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visit to premises with Adam Burchett. X1 patron stood at the front of the premises smoking. No cars parked at the front of the premises. The immediate front of the premises was all clear without any obstruction or restrictions put in place.</p>

Southwark
Council

The Charlie Chaplin - 26 New Kent Road, SE1 6TJ



No information available



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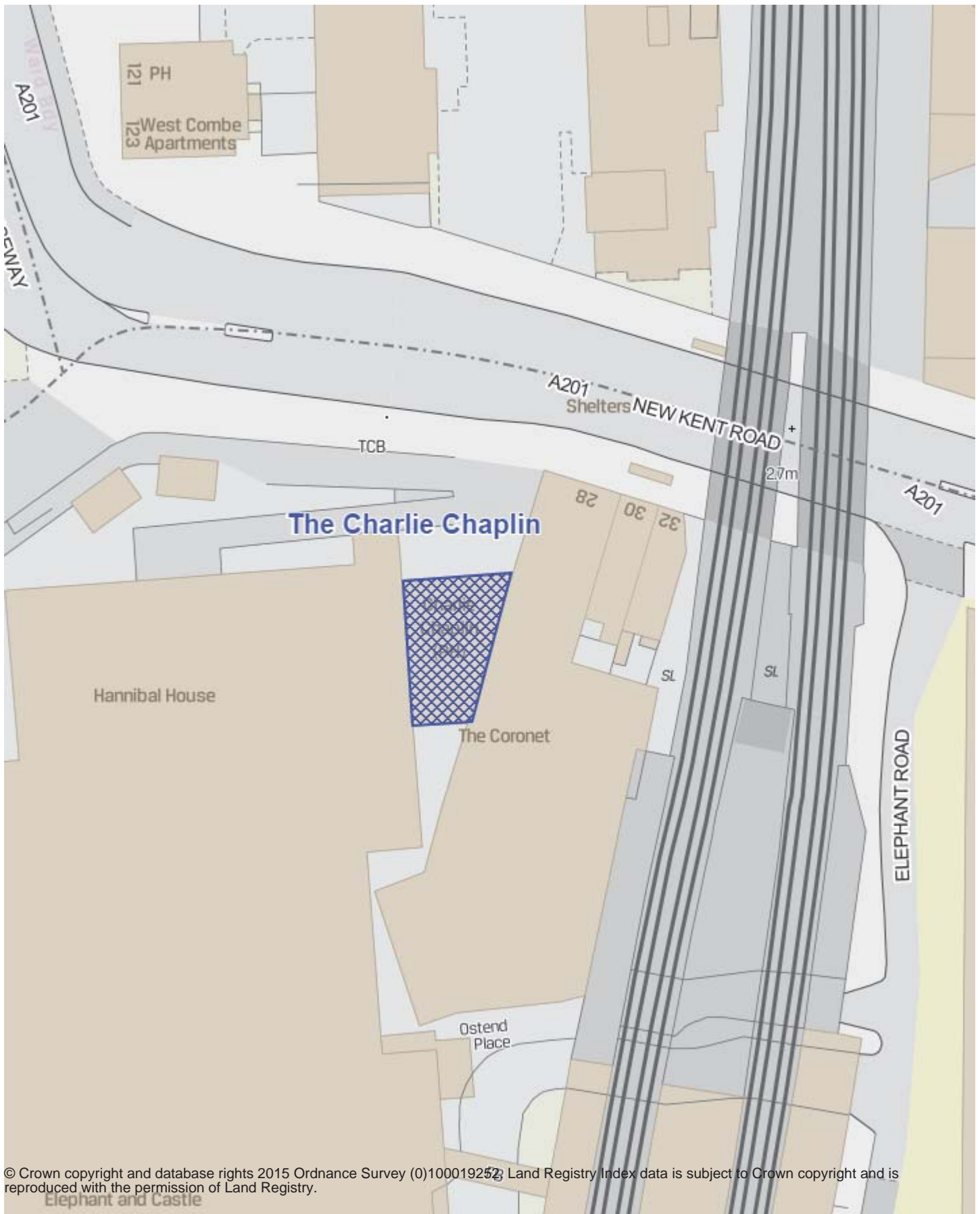
adate	desc	aofficer	name	adtext
01/03/2014	21:06 NTE Visit	Wesley McArthur	THE CHARLIE CHAPLIN	<p>1/ 3/2014 21:06 WJM Full inspection of the premises with KVD. I also undertook an induction with the premises manager. ATOV I spoke to a man who identified himself as Mr. Tarek Sidki (TS) and who stated that he was the manager of the premises. TS stated that the previous manager, Wayne Kidman, had now left the premises and confirmed that Adrian Ennis is still the DPS of the premises. TS stated that he had been working at the premises for a few months. The premises were compliant but the following issues were noted:</p> <ol style="list-style-type: none"> 1. It was not possible to ascertain if a fire risk assessment or general health and safety risk assessment had been devised in regard to the premises. TS stated that the unit housing the premises forms part of the shopping centre and to his knowledge the shopping centre management are responsible for all risk assessments in regards to the premises. I advised TS to find out whether this is the case or not ASAP, and to arrange to have a FRA undertaken if required. I also explained that a FRA was required under fire safety legislation. I advised TS that an H&S RA is required under H&S legislation and to arrange to have an H&S RA undertaken ASAP if required. 2. Some fire extinguishers at the premises had not been inspected for over 12 months. I advised TS to remove these extinguishers from service or to have them inspected. Some fire extinguishers were not in easily accessible locations. I recommended to TS that extinguishers should be wall mounted in easily accessible areas and maintained free from obstruction at all times. I also advised that staff should be made aware of where all the extinguishers in the premises are located, be trained in how to use them and be trained as to what types of flammable material(s) the extinguishers can be used on. 3. Various fire action notices at the premises had not been completed. TS stated that new fire action notices were going to be given to him by the shopping centre management and that he would ensure that the new notices are completed. 4. The fire exit to the r/o the stage on the first floor was locked. On looking between the gap between the fire exit doors it was observed that the doors were significantly obstructed on the other side by a goods trolley. I advised TS that all emergency exits must be kept unlocked and maintained free from obstruction at all times that the premises are in operation. 5. There were unpackaged (and therefore non-sterile) materials in the first aid box. I advised TS that all materials in the first aid box should be kept in unopened packaging, and that any materials in opened packaging should be removed from the first aid box. 6. There was evidence of staff training in regards to the sale of alcohol, but I will send the Trading Standards a restricted sales pack in regards to alcohol to TS.
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25/10/2014	01:55 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited the premises and noted that there were 6 IC3 males located at the front of the premises talking. Looked up from street level through the windows and it did not appear that there was any activity upstairs although the lights were on. I attempted to gain entry into the premises however all doors of the premises were closed. Whilst myself and Adam Burchett were standing at the front of the premises a IC3 male walked out the premises and I asked him how it was "it was the place still open". The IC3 male stated no "they shut long time" and walked off. I approached another IC3 male outside the front of the premises and he also confirmed that the place was closed that I had missed out on a good night.</p>
23/11/2014	00:30 NTE	Mark Orton	THE CHARLIE CHAPLIN	<p>Visited first floor of premises, private booking for birthday party. SIA on the door, entry by invitation only. No issues, all appeared in good spirits.</p>
13/02/2015	20:45 NTE Visit AB & MB	Mark Orton	THE CHARLIE CHAPLIN	<p>Rockingham St issues letter delivered and signed for. Bar staff weren't happy regarding meeting, will follow up.</p>
20/03/2015	21:49 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	<p>Spoke to Craig Morrison who said he was in charge. DPS (also premises licence holder) not available. Craig said the upstairs bar is sublet to Gabriel & operates on Fri & Sat nights. There was an ashtray in the vestibule, advised to remove and to ensure that customers do not smoke in there. Should have some 'no smoking' signs on display. There is one premises licence being used for the ground floor pub and the upstairs CC Lounge, which is a bar. Craig said CCTV isn't functioning. Old licence and summary on the premises (licence number 832464). Breach of condition 298 – no signs stating 'No Drugs'. No fire risk assessment available. Breach of condition 310 – both premises have doors open and entertainment. Advised to close doors. Gabriel is in charge upstairs-discussed with both Craig and Gabriel the issue of having one licence to cover 2 premises. Both insisted that they are all working together and they are not separate premises. Warning letter to be sent.</p>
04/04/2015	02:32 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited the premises with Sarah Newman. TEN in place premises compliant. Entrance doors closed and x2 SIA staff at the front of the premises. No noise breakout from premises. Myself and Sarah discussed submissions of TENS with the operator of the premises. Query on submission how many days a TEN could cover resolved with operator.</p>

17/04/2015	22:27 NTE Visit	Wesley McArthur	THE CHARLIE CHAPLIN	<p>17/ 4/2015 22:27 WJMLicensing revisit with Farhad Chowdhury (FC). I entered the premises and ID'd myself to an IC1 barman and asked to speak to the manager. The barman left the bar and came back with an IC1 male who identified himself as Craig Morrison (CM) and who identified himself as the manager of the premises. I asked CM if Mr. Ennis (the licensee) stated on the premises licence issued in respect of the premises still had an interest in the premises. CM stated that Mr. Ennis operated the CC Lounge. I asked CM if the CC Lounge was the 1st floor of the premises and CM stated that it was. CM stated that the ground floor and the 1st floor operated as two separate premises. I explained that the current premises licence had been issued in regards to the entire premises and that the licence conditions apply to the entire premises. I conducted the revisit. The premises were compliant. On our way out of the premises I noted that an IC3 D/S was controlling entries to the CC Lounge via the separate entrance to the 1st floor of the premises. I ID'd myself to the D/S and asked to see his SIA badge. The badge was valid. Compliance letter to follow.</p>
24/04/2015	20:55 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	<p>20:55 24/4/2015 JMT & TMM THE CHARLIE CHAPLIN, 26 New Kent Road, SE1 6TJ- Visited the premises and spoke to the person in charge Shamus Love. Explained about the meeting re the 'Business Action Group' to be held at the Coronet on 12 May 2015 at 18:00hrs and gave him a copy of the invite letter. Asked him to please give a copy to the licensee who was upstairs having a break and ask him to call RAP on the number at the top of the letter to confirm attendance</p>
06/06/2015	21:52 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	<p>With Sue Hunter. Drove by to see if doorman was wearing E&C shopping centre hi vis. Doorman was there but not wearing hi vis from E&C.</p>
19/09/2015	20:45 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited the premises and discussed fight at the premises and why the temp personal licence holder at the premises was intoxicated. Spoke with the manager of the premises initially in the presence of Mr Love (temp personal licence holder at premises). Manager of Charlie Chaplin was not aware or should I say he had not been advised by Mr Love what had happened. I do not think Mr Love was expecting us and certainly did not envisage a conversation with his boss about this while he was stood there. I pulled the manager aside and advised him this is not what we expected from a licensed premises. I think he was genuinely taken aback and was genuinely not aware of what had happened at the premises as he was not there when this fight had occurred. He was also taken aback that one of his members of staff was 'allegedly' drunk while in charge of his premises. He has asked for some time to discuss with Mr Love to get an understanding of what has actually happened so a response can be provided. The DPS on the licence is working at the premises intermittently and its my understanding that there may be an imminent change of DPS as a result of my visit. No lead time could be provided in relation to when we can expect the DPS to be a 'constant' at the premises. Management appear to be trying out staff possibly with a view to finding the right fit and then applying for a change of DPS. I have advised the Charlie Chaplin manager Craig Morrison -07951229121 that an officer would contact him to discuss the matter further. No compliance issues noted ATOV. No SIA staff were wearing Elephant & Castle high visibility.</p>

24/01/2016	01:20 NTE Visit MAD & JU	Mark Orton	THE CHARLIE CHAPLIN	Met with Police at CC Lounge at 01:20 following flyer advertising hours beyond currently permitted. Spoke with manager of CC Lounge Izzy Orlukwu who stated he wasn't aware of the flyer and had planned to close at the usual time. The flyer wasn't something that the premises had approved. KD and I spoke with IO of the conditions currently in place for the CC Lounge and suggested that he submits a minor variation to add conditions to the first floor of the premises as it currently has conditions more suited to a pub and not what it currently operates as. IO stated he would liaise with the Police on this.
30/01/2016	02:04 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	02:04 on 30/01/2016 JMT & COT and PC MARK LYNCH CC LOUNGE 26 New Kent Road, London, SE16 6TJ – Premises closed ATOV
31/01/2016	01:58 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	01:58 on 31/01/2016 JMT & KMA at CC LOUNGE 26 New Kent Road, London, SE16 6TJ – Checked premises not open past its hours. Premises was closed at 01:58.
18/03/2016	22:03 NTE Visit ERECTED REVIEW POSTERS	Jayne Tear	THE CHARLIE CHAPLIN	18/3/2016 22:03 JMT, COT & MQ3 at The Charlie Chaplin, 26 New Kent Road, London, SE16 6TJ. Erected 2 premises poster regarding expedited summary review. One displayed at the beginning of the ramp going up to the shopping centre and the other displayed nearer the payment on a post. SEE ATTACHED PHOTO'S
20/03/2016	00:18 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	20/3/2016 00:18 JMT & COT - The Charlie Chaplin, 26 New Kent Road, London, SE16 6TJ. EXPEDITED SUMMARY REVIEW POSTERS STILL DISPLAYED AND IN SITU.

29/07/2016	18:30 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visit to premises with Clarissa to discuss concerns about the premises allowing irresponsible parking at the front of the premises. Complaint raised about parents highly intoxicated and being allowed to sit outside the front of the premises with children. Also concerns raised about continually serving alcohol to highly intoxicated patrons and the premises allowing irresponsible parking at the front of the premises. Arrived at the premises and noted that there was a couple sat at a table at the front of the premises with two children. The couple did not appear to be drunk and were just enjoying a drink and talking to their children. Entered the premises and there were X10 patrons within the premises drinking. Myself and Clarissa identified ourselves and asked to speak to management of the premises. The manager of the premises presented himself and we discussed the allegations that had been made. The manager advised us that he did not like children on site and did not think that a pub was a place that children should be around. Advised that he actively discouraged this and this was the message that had been filtered down to staff. We advised him that there were two children sat outside and he stated that he would keep an eye on them and that they were locals who he knew. I was advised that the immediate front of the premises was not under the control of Charlie Chaplin and was in fact managed by the shopping centre. Also advised that the cars that parked up at the front of the Charlie Chaplin were not his patrons cars and were in fact market traders who were parking their cars. From the vantage point of the bar the manager stated that if he or staff had served alcohol to a customer who then headed to a vehicle that they would immediately call the police. Words of advice given about the perceptions of having young children around when adults were consuming alcohol. Was advised that he would speak to the shopping centre about putting in place some restrictions so that traders could load and unload but not park up outside the Charlie Chaplin for an indefinite period of time. Manager advised that he was becoming increasingly concerned about the street drinkers that were drinking outside the front of his premises. He confirmed that he would not sell to street drinkers but there was obviously a premises in the local vicinity that was. He advised that the street drinkers had moved from the shopping centre and were now using the road leading to the market as a place to stand and drink. When myself and Clarissa left the premises noted X6 street drinkers just along the street at the front of Charlie Chaplin with bottles of brandy and whisky drinking from the bottles. Notes to be placed against complaint reference: 837583</p>
14/04/2017	19:07 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited premises with Adam Burchett and discussed the parking issue at the front of the premises with the DPS of the premises MR Adrian Ennis. Advised that the parking related matter had nothing to do with the Charlie Chaplin pub and that the land was in fact owned by the Elephant & Castle Shopping Centre. We were advised that Elephant & Castle gave permission to the Charlie Chaplin Pub to place tables and chairs on their land.</p>
02/06/2017	18:08 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visit to premises with Adam Burchett. X1 patron stood at the front of the premises smoking. No cars parked at the front of the premises. The immediate front of the premises was all clear without any obstruction or restrictions in place.</p>



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