

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 31 July 2017 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Sandra Rhule (in the chair)
Councillor Sunil Chopra
Councillor Maria Linforth-Hall

OTHERS PRESENT: Craig Baylis, legal representative, The Coronet
Samantha Porter, designated premises supervisor, The Coronet
Ian Clements, Metropolitan Police Service
Karen Horsley, local resident
Michael Heneghan, premises user, The Anchor
Peter Hobbs, The Anchor

OFFICER SUPPORT: Debra Allday, legal officer
Andrew Heron, licensing officer
Alexander Lisowski, licensing officer
Jayne Tear, licensing responsible authority officer
Mark Prickett, environmental protection officer
Andrew Weir, constitutional officer

1. ELECTION OF CHAIR

In the absence of the chair, Councillor Sandra Rhule was nominated to chair the meeting by Councillor Sunil Chopra. This was seconded by Councillor Maria Linforth-Hall.

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

4. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

It was agreed to consider the following urgent item:

- Licensing Act 2003: The Anchor Bankside, 34 Park Street, London SE1 9EF – Temporary Event Notice.

5. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

6. LICENSING ACT 2003: THE CORONET, 28 OLD KENT ROAD, LONDON SE1 6TJ & THE CORONET, RAILWAY ARCH 3,4 ,5 AND 6, ELEPHANT ROAD, ELEPHANT MEWS, LONDON SE17 1LB

The licensing officer presented their report. Members had no questions for the licensing officer.

The Metropolitan Police Service representative, the applicant for the review, addressed the sub-committee. Members had questions for the police.

The licensing officer as a responsible authority addressed the sub-committee. Members had questions for the licensing officer.

The local resident supporting the review addressed the sub-committee. Members had questions for the local resident.

The representatives for the premises addressed the sub-committee. Members had questions for the representatives for the premises.

All parties were given five minutes for summing up.

The meeting went into closed session at 11.37am.

The meeting resumed at 11.57am and the legal officer read out the decision of the sub-committee.

RESOLVED:

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 Coronet, 28 Old Kent Road, London SE1 6TJ and The Coronet, Railway Arch 3, 4, 5 and 6, Elephant Road, Elephant Mews, London SE17 1LB, and also having had regard to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

To modify the licence to add the following conditions:

1. That when any event is deemed to be a "Late Arrivals" event as agreed between the venue and the Metropolitan Police, the premises shall complete a late attendance risk

assessment which shall be shared with the Metropolitan Police Service licensing team and the licensing team for Southwark Council.

2. That any late arrivals event shall be operated in accordance with the late attendance policy as agreed between the premises and the Metropolitan Police Service.
3. That the maximum capacity permitted for any 'Late Arrivals' event shall be 1500.
4. That tickets for a late arrivals event shall only be sold in advance and shall not be available on the door on the night of the event.
5. That whenever possible, a time sensitive pricing system for tickets will be operated for a late arrivals event in order to encourage early arrival at the venue.
6. That SIA security shall be employed at a ratio of 1:50 at any late arrivals event.
7. That condition number 858 on premises licences number 850322 and condition 851 on premises licence number 850325 be amended to read "That there shall be no entry or re-entry to the premises after 02:00 hours".
8. That the premises licences numbers 850322 and 850325 for The Coronet be modified to time limited premises licences and terminating at 00:00 hours on 2 January 2018.
9. That the events Jamaican Ind. on 12 August 2017. Foam Party on 19 August 2017, Carnival Party on 25 August 2017, Twisted on 28 August 2017, Dancehall London 15 September 2017 and Dancehall v Soca on 29 December 2017 be cancelled.
10. That the interim steps imposed on 6 July 2017 be modified to reflect the conditions of the Licensing Sub-Committee on 31 July 2017.

Reasons

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 incident on took place in the early hours of Sunday 2 July 2017 at (approximately 02:06) was an extremely serious incident that had a huge impact on police resources which took several hours to being under control.

The police had met with the premises and identified the problem as being the sheer number of people trying to enter the even and the time it was taking for people to enter. This caused frustration with patrons and resulted in serious disorder and violence with missiles being thrown and fights occurring. The road was blocked and the crowd estimated up to a thousand spanning round to the Walworth road.

The officer for the police referred to other occasions when similar incidents occurred, including 26 February 2017 at approximately 03:50 hours when a breach of the door at the venue occurred by a large group of males forcing their way into the venue at the entrance and the security. During this a firearm was seen and as such the club was closed and required considerable Police resources to manage the risk involved around this.

On 13 May 2017 at approximately 05:30 Southwark's CCTV reported a large disturbance outside and on police arrived reported about 100 people fighting and officers required

urgent assistance due to serious disorder.

Also, in November 2015, the premises licence holders were subject of another Section 53(A) (C) review relating to violence and breach of security where weapons got inside the venue which was considered a serious breach on security where one male was stabbed, a noxious substance was discharged and a firearm was believed seen. Conditions were placed on the licence in an attempt to prevent further violence and disorder being associated with the venue.

A number of instances have occurred since November 2015 and a number this year and in 2017 Police have received at least 15 emergency calls to the 999 system to the venue tagged as violent incidents. The venue is situated in a difficult position on a major road with limited pavement space outside to establish a safe and controlled queuing system. The amount of people attending DJ lead events and the security controls required at this sort of event appear to be causing the disorder and violence.

The Metropolitan Police requested that the licensing sub-committee consider revoking the licence.

The licensing sub-committee heard from licensing as a responsible authority in relation to the prevention of crime and disorder, the prevention of public nuisance and public safety. The primary concern was that the premises has had a similar review in November 2015 this leads to a concern that the premises is not being run responsibly as there is little faith in the management. Furthermore, condition 345 on licence number 850322 states that the submission of Metropolitan Police Venue Hire Agreements forms shall be submitted to the Walworth Police Station 28 days prior to an event. The premises had breached this condition in that they only submitted the Form 696 for the event on 1 and 2 July 2017 12 days in advance of the event.

The licensing sub-committee heard a local resident who submitted a representation supporting the review. A second resident was called as a witness, who also supported the review. The residents gave a rundown of anti-social behaviour caused by the patrons of the Coronet: using racist and homophobic abuse, rubbish including drug paraphernalia left strewn in the vicinity, urinating and defecating in public and parking issues. As a result of the conduct of the patrons, the resident stated that they planned their life around the Coronet and when late night events are advertised they would ensure that they were not in the immediate area, so that they could sleep.

The licensing sub-committee heard from the representatives for the premises who advised that the lease to the premises ends on 5 January 2017 and the last planned event would take place on 31 December 2017/ 1 January 2018. Their Form 696 for the event in question was returned and identified no risks.

The incident of 2 July 2017 occurred as a result of 10-15 male youths who did not want to join the queue, which was approximately 200 metres long, so they decided to jump it and rushed the door. As a result of the incident the event inside the premises was closed.

Whilst there were no concerns with the DJ running the event, concern had been raised as to the type of event it was, which arguably could be described as "urban", which in itself was difficult to define the type of audience and genre of music. That said, in the last two years approximately 216,000 people had gone through the doors of the Coronet and there had been 48 urban type events and in that time, the premises had been subject to two reviews. As a result, the premises offered a number of conditions that would allow the

premises to operate until the end of the lease in January 2018 safely, in addition, the premises would adopt an “event late attendance risk assessment policy”.

The licensing sub-committee considered all of the oral and written representations before it and were impressed by the local resident’s view that they did not want to see the premises closed down (before its time), but wanted to a stop to the types of events that were causing the problems and disturbances that they were experiencing. For that reason, the licensing sub-committee have imposed the condition (numbered 1-9 above).

The sub-committee accepts the difficulties in defining these types of events. Having considered the premises Event Late Attendance Risk Assessment Policy, we recommend that the section “Liaising with Authorities” be amended to read *“Once all information has been gathered and the risk assessment form complete, this must be sent to Southwark Borough Police Licensing Unit at Southwark Police Station at 323 Borough High Street , SE1 1JL at email: SouthwarkLicensing@met.police.uk and the police will share any concerns that they may have 48 hours after submitting the form and may request that a late night event be cancelled if necessary. No unreasonable requests will be made”*.

The interim steps imposed on 6 July 2017 shall also be modified to reflect the conditions of the licensing sub-committee on 31 July 2017.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate

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 is open to appeal by:

- a) The chief officer of police for the police area in which the premises is situated; or
- b) The holder of the premises licence

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.

7. LICENSING ACT 2003: THE ANCHOR BANKSIDE, 34 PARK STREET, LONDON SE1 9EF - TEMPORARY EVENT NOTICE

The licensing officer presented their report. Members had no questions for the licensing officer.

The premises user addressed the sub-committee. Members had questions for the premises user.

The environmental protection officer addressed the sub-committee. Members had questions for the environmental protection officer.

Both parties were given five minutes for summing up.

The meeting went into closed session at 12.25pm.

The meeting resumed at 12.26pm and the legal officer read out the decision of the sub-committee.

RESOLVED:

That a counter notice not be issued under Section 105 of the Licensing Act 2003 in respect of the temporary event notice (TEN) 853428 served by Mr Michael Heneghan in regards to an event to be held at Anchor Bankside, 34 Park Street, London SE1 9EF on Friday 11 August 2017 between 15.00 and 23.00.

Reasons

This was a temporary event notice (TEN) 853428 served by Mr Michael Heneghan in regards to an event to be held at Anchor bankside, 34 Park Street, London SE1 9EF on Friday 11 August 2017 between 15.00 and 23.00.

The licensing sub-committee heard evidence from the premises user who advised that the event was a music event for charity that would take place both inside and outside the premises. The TEN was to allow on and off sales of alcohol between 15.00 and 23.00, in addition to the provision of regulated entertainment between 15.00 and 23.00 on Friday 11 August 2017. Radio X would present a programme outside the premises between 16:00-19:00 hours after which, there would be a band that would play an acoustic set between 19:30-20:00 and then there would be a DJ between 20:30 from 20.30 to 23:00 indoors. The amplification would finish at 23:00 hours. The outdoor activities would very much be weather dependent, so if the weather was bad, it would be held indoors.

A maximum of 498 people are expected at the event at any one time and a total of 14 security staff would be employed who would operate under the method of statement for the event. The premises user was agreeable to have the conditions of the premises licence attached to the TEN.

The licensing sub-committee heard evidence from the environmental protection officer who advised that an objection notice was served in respect of the outdoor stage that would be used between 15.00-23.00 hours and the concern that this will lead to a public noise nuisance. The parties had discussed the TEN just prior to the meeting and felt that there was sufficient mitigation, if the conditions of the premises licence were attached to the TEN.

The licensing sub-committee considered all of the oral and written representations before it and were of the opinion that in view of the parties conciliating, no counter notice would be issued, but the premises licence conditions would be attached to this TEN.

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

Appeal rights

Where the relevant counter notice under Section 105(3) is given the premises user may appeal against the decision. Where counter notice is not given, the chief officer of the environmental protection team may appeal against that decision. The appeal must be made to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against. No appeal may be brought later than five working days before the day on which the event begins.

The meeting ended at 12.27 pm.

CHAIR:

DATED: