

## Licensing Sub-Committee

Monday 4 December 2017

10.00 am

Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Sunny Lambe  
Councillor Bill Williams

### Reserves

Councillor Sunil Chopra

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

Andrew Weir on 020 7525 7222 or email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 24 November 2017



## Licensing Sub-Committee

Monday 4 December 2017  
10.00 am

Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

### Order of Business

Item No.	Title	Page No.
<b>PART A - OPEN BUSINESS</b>		
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003: DIRTY RENEGADE, 138 RYE LANE, LONDON SE15 4RZ</b>	1 - 33
6.	<b>LICENSING ACT 2003: SOUTHWARK ROOMS, 60 SOUTHWARK STREET, LONDON SE1 1UN</b>	34 - 111

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**PART B - CLOSED BUSINESS**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

Date: 24 November 2017

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 4 December 2017	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Dirty Renegade, 138 Rye Lane, London SE15 4RZ	
<b>Ward(s) of group(s) affected</b>		The Lane	
<b>From</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers whether an application made by London Spacemakers Limited for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as Dirty Renegade, 138 Rye Lane London, SE15 4RZ.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 13 to 19 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report as Appendix B. A map showing the location of the premises is attached to this report as Appendix C.
  - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## 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 premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence application**

8. On 7 November 2017 London Spacemakers Limited applied to this council for the grant of a premises licence in respect of Dirty Renegade, 138 Rye Lane, London, SE15 4RZ
9. The application and is summarised as follows:
- **The provision of live music**
    - Monday to Sunday 13:00 to 15:00 and then 19:00 to 21:00
  - **The provision of recorded music inside and outside**
    - Monday to Sunday 06:30 to 03:00 the following day
  - **The provision of late night refreshment**
    - Monday to Sunday 23:00 to 03:00 the following day
  - **The sale of alcohol for consumption on the premises**
    - Monday to Sunday 10:00 to 03:00 the following day \*
  - **Proposed opening hours of the premises**
    - Monday to Sunday 06:30 to 03:00 the following day.

\* **N.B.** – The applicant has amended the application so that sales of alcohol cease at 02:30. Email correspondence confirming this is attached as part of Appendix A.

10. The premises licence application form provides the applicant's operating schedule. Parts E, F, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operational control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report as appendix A.
11. The premises are described as a cocktail bar serving hot food and providing a DJ for late night entertainment. The premises have a garden to the rear to be used as a seating area. Breakfast and lunch will also be provided at the premises.

### **Designated premises supervisor**

12. The proposed designated premises supervisor (DPS) is Olga Zajac.

### **Representations from responsible authorities**

13. Representations have been submitted by this council's Director of Public Health, licensing responsible authority and trading standards service. The Metropolitan Police Service has also submitted a representation.
14. The Director of Public Health's representation has been submitted in respect of the prevention of crime and disorder, the prevention of public nuisance and the protection of public safety licensing objectives. The representation states concerns regarding the hours requested in respect of alcohol sales. The representation notes that the hours applied for are longer than those recommended in this council's statement of licensing policy for public houses, wine bars or other drinking establishments where the premises are located. The representation notes that the premises are situated in the Peckham cumulative impact policy (CIP) area and contends that the application has not adequately rebutted the presumption that the premises will add to the cumulative impact of alcohol related harm in the local area. The representation recommends that the finish times for alcohol sales be reduced so that they are in line with those recommended in this council's statement of licensing policy and that an accommodation limit is provided by the applicant.
15. In regards to the above representation please note that this council's statement of licensing policy does not provide recommended hours in regards to licensable activities but provides recommended closing times for various types of premises.
16. The licensing responsible authority's representation has been submitted in respect of the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The representation notes that the premises are situated in the Peckham CIP area. The representation contends that the application has not addressed the presumption to refuse the application. The representation notes that the closing times applied for are later than those recommended in this council's statement of licensing policy for public houses, wine bars or other drinking establishments where the premises are located. The representation suggests that the application is amended so that the closing times of the premises are congruent with those suggested in this council's statement of licensing policy, that alcohol sales cease 30 minutes prior to closing time on each night, that the hours permitted for recorded music cease at the closing time of the premises on each night, that an accommodation limit is provided and that a dispersal policy is written in respect of the premises.

17. The Metropolitan Police Service's representation notes that the premises are situated within Peckham major town centre area (as defined in this council's statement of licensing policy) and also within the Peckham (CIP) area. The representation notes that the closing times proposed in the application aren't congruent with those suggested in the statement of licensing policy in respect of public houses, wine bars or other drinking establishments where the premises are located. The representation contends that the application contains very little in the way of detail of the proposed control measures and conditions to promote the licensing objectives, in particular the prevention of crime and disorder and that the application should therefore be refused.
18. The trading standards' representation suggests conditions, in regards to the implementation of a 'challenge 25' policy, which trading standards contend should be included in any premises licence issued subsequent to the application. Trading standards further contend that the applicant has failed to properly address children being on the premises and object to the application until this issue has been properly addressed.
19. The representations submitted by responsible authorities are attached as Appendix B.

#### **Representations from other persons**

20. No representations were submitted by other persons.

#### **Conciliation**

21. The applicant was sent the representations that have been submitted and has been advised to contact directly the responsible authorities who have submitted the representations, should the applicant wish to attempt to conciliate those responsible authorities. At the time of the writing of this report all of the representations remain outstanding and so must be considered by the licensing sub-committee. At the hearing to determine the application the licensing sub-committee will be apprised of any progress in regards to the conciliation of outstanding representations.

#### **Premises history**

22. No licensing authorisation has been issued in respect of the premises under the Licensing Act 2003 or any previous legislation.
23. No temporary event notices have been submitted in regards to the premises.
24. On 7 November 2017 London Spacemakers Limited applied to this council for the grant of a premises licence in respect of Dirty Renegade, 138 Rye Lane, London SE15 4RZ

#### **Deregulation of entertainment**

25. On 6 April 2015 entertainment became deregulated and as a result:
  - Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
  - Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.

26. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

### Map

27. A map showing the location of the premises is attached to this report as Appendix C. The following licensed premises are also shown on the map and provide licensable activities as stated:

**Family Carnation Supermarket, 151A Rye Lane, London SE15 4TL** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Saturday from 08:00 to 22:00
  - Sunday from 09:00 to 20:30.

**Roosters Hut, 177-179 Rye Lane, London SE15 4TP** licensed for:

- The provision of late night refreshment:
  - Sunday to Thursday from 23:00 to 02:00 the following day
  - Friday and Saturday from 23:00 to 03:30 the following day.

**John The Unicorn, 157-159 Rye Lane, London SE15 4TL** licensed for:

- The provision of late night refreshment:
  - Sunday to Thursday from 23:00 to 00:30 the following day
  - Friday and Saturday from 23:00 to 01:30 the following day.

The sale of alcohol to be consumed on the premises and recorded music:

- Sunday to Thursday from 11:00 to 00:00 (midnight)
- Friday and Saturday from 11:00 to 01:00 the following day.

**Four Quarters, 187 Rye Lane, London SE15 4TP** licensed for:

- The provision of late night refreshment:
  - Sunday to Wednesday from 23:00 to 00:30 the following day
  - Thursday from 23:00 to 01:00 the following day
  - Friday & Saturday from 23:00 to 01:30 the following day.
- The sale of alcohol to be consumed on the premises & films:
  - Sunday to Wednesday from 11:00 to 00:30 the following day
  - Thursday from 11:00 to 01:00 the following day
  - Friday and Saturday from 11:00 to 01:30 the following day.
- Recorded music:
  - Thursday from 23:00 to 01:30 the following day
  - Friday and Saturday from 23:00 to 02:00 the following day.



**Rye Express, 137-139 Unit 1 Rye Lane, London SE15 4ST** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Sunday from 08:00 to 00:00.

**Taco Queen, 191 Rye Lane, London SE15 4TP** licensed for:

- The sale of alcohol to be consumed on the premises:
  - Monday to Saturday from 09:00 to 23:00
  - Friday to Saturday from 09:00 to 22:00.

**Stella's African Food, 154 Rye Lane, London SE15 4NB** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Sunday from 10:00 to 22:00.

**Bargain Booze, 164 Rye Lane, London SE15 4NB** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Saturday from 08:00 to 23:00
  - Sunday from 10:00 to 22:30.

**Bims African Store, 102 Rye Lane, London SE15 4RZ** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Sunday from 09:30 to 00:00.

**ASDA Supermarket, 174 Rye Lane, London SE15 4NB** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Saturday from 08:00 to 23:00
  - Sunday from 10:00 to 22:30.

**Swaizie Food Store, 1A Choumert Road, London SE15 4SE** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Saturday from 08:00 to 22:00
  - Sunday from 10:00 to 22:30.

**The Montpelier, 43 Choumert Road, London SE15 4AR** licensed for:

- Live music, anything similar to live or recorded music and films:
  - Monday to Thursday from 10:00 to 00:00
  - Friday from 10:00 to 01:00 the following day
  - Sunday from 10:00 to 23:30.

- The sale of alcohol to be consumed on and off the premises:
  - Monday to Thursday from 10:00 to 00:00
  - Friday from 10:00 to 01:00 the following day
  - Sunday from 12:00 to 23:30.
- The provision of late night refreshment:
  - Monday to Thursday from 10:00 to 00:00
  - Friday from 10:00 to 01:00 the following day
  - Sunday from 12:00 to 23:30.

**Cafe Viva Ltd, 44 Choumert Road, London SE15 4SE** licensed for:

- The sale of alcohol to be consumed on and off the premises:
  - Tuesday to Saturday from 11:00 to 23:00
  - Sunday from 11:00 to 17:00.

**Miss Tapas, 46 Choumert Road, London SE15 4SE** licensed for:

- The sale of alcohol to be consumed on and off the premises:
  - Monday to Sunday 19:00 - 23:00.

**Rootz, 181 Rye Lane, London SE15 4TP** licensed for:

- The sale of alcohol to be consumed on premises:
  - Monday to Saturday from 11:00 to 23:30
  - Sunday from 10:00 to 17:30.
- The provision of late night refreshment:
  - Monday to Saturday from 23:00 to 00:00.

**Southwark council cumulative impact policy for Peckham**

28. Council assembly approved the introduction of a cumulative impact policy for Peckham on 12 October 2011. This was renewed in November 2015 when council assembly approved the 2016 - 2020 statement of licensing policy.
29. The decision to introduce the cumulative impact policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
30. The effect of this special policy is that is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

31. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

### **Southwark council statement of licensing policy**

32. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 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.

33. 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.

34. The premises are located in the Peckham major town centre area. Below are closing times suggested in the statement of licensing policy for various types of premises in the Peckham major town centre area:

- Restaurants, cafes and takeaway establishments:
  - Sunday to Thursday 00:00

- Friday and Saturday 01:00.
- Public houses, wine bars or other drinking establishments:
  - Sunday to Thursday 00:00
  - Friday and Saturday 01:00.
- Night clubs (with 'sui generis' planning classification):
  - Sunday 00:00
  - Monday to Thursday 01:00
  - Friday and Saturday 03:00.

### **Resource implications**

35. A fee of £190.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band B.

### **Consultation**

36. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and similar notices were exhibited outside of the premises for a period of 28 consecutive days.

### **Community impact statement**

37. 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**

38. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.
39. The principles which sub-committee members must apply are set out below.

#### **Principles for making the determination**

40. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
41. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

42. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
    - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
    - Any condition which must under section 19, 20 or 21 be included in the licence
  - To exclude from the scope of the licence any of the licensable activities to which the application relates
  - To refuse to specify a person in the licence as the premises supervisor
  - To reject the application.

### **Conditions**

43. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
44. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
45. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
46. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
47. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

### **Reasons**

48. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

### **Hearing procedures**

49. 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 and 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.
50. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

51. 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.
52. 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.
53. 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.

54. 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.
55. 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.

The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.

56. 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.
57. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee 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.

### **Guidance**

58. 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.

### **Strategic Director of Finance and Governance**

59. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark statement of licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Kirty Read Tel: 020 7525 5748

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Copy of the application and correspondence confirming an amendment to the application
Appendix B	Copies of representations submitted by responsible authorities
Appendix C	Map of the local area

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Social Regeneration	
<b>Report Author</b>	Wesley McArthur, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	21 November 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law & Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	22 November 2017	



Business - Application for a premises licence to be granted under the Licensing Act 2003

07/09/2017

Business - Application for a premises licence to be granted under the Licensing Act 2003

Ref No. 881374

Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

	LONDON SPACEMAKERS Ltd
--	------------------------

Premises Details

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

£	21,000
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	Yes

Premises trading name

	Dirty Renegade
--	----------------

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

Address Line 1	138 RYE LANE
Address Line 2	
Town	LONDON
County	
Post code	SE15 4RZ
Ordnance survey map reference	TQ 34319 76160
Description of the location	Shop Front on Rye Lane
Telephone number	

Applicant Details

Please select the capacity in which you are applying to convert your existing licence

	a person other than an individual (limited company, partnership, etc)
--	---

Business - Application for a premises licence to be granted under the Licensing Act 2003

If you applying as an individual or non-individual please select one of the following:-

	I am carrying on or proposing to carry on a business which involves the use of the  premises for licensable activities
--	--

Other Applicants

Personal Details - First Entry

Name	London Spacemakers ltd
------	------------------------

Address - First Entry

Street number or building name	
Street Description	
Town	
County	
Post code	
Registered number ( where applicable )	
Description of applicant ( for example, partnership, company, unincorporated association etc )	Limited Company

Contact Details - First Entry

Telephone number	
Email address	

Operating Schedule

When do you want the premises licence to start?

	01/11/2017
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If you wish the licence to be valid only for a limited period, when do you want it to end?

--	--

General description of premises ( see guidance note 1 )

Business - Application for a premises licence to be granted under the Licensing Act 2003

	138 Peckham Rye will open as a cocktail bar, serving hot food and providing a DJ for late night entertainment. There is a garden to the back of the premises which will be used as an additional seating area for customers. We plan on opening for a breakfast and lunch service in the future.
--	--

Please select the range of the number of people expected to attend the premises at any one time.

	Less than 5000
If 5,000 or more people are expected to attend the premises at any one time. Please state the number expected to attend	

Operating Schedule part 2

What licensable activities do you intend to carry on from the premises?

	(Please see sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 to the Licensing Act 2003)
--	---

Provision of regulated entertainment

	e) live music
	f) recorded music

Provision of late night refreshment

	i) Late night refreshment
--	---------------------------

Supply of alcohol

	j) Supply of alcohol
--	----------------------

E - Live Music

Will the performance of live music take place indoors or outdoors or both? ( Please read guidance note 2 )

## Business - Application for a premises licence to be granted under the Licensing Act 2003

	Both
--	------

Please give further details here ( Please read guidance note 3 )

	We plan to occasionally allow for the provision of live music most likely un-amplified. This provision however will not be part of a weekly routine
--	---

Standard days and timings for Live Music ( Please read guidance note 6 )

Day	Start	Finish
Mon	13:00	15:00
	19:00	21:00
Tues	13:00	15:00
	19:00	21:00
Wed	13:00	15:00
	19:00	21:00
Thur	13:00	15:00
	19:00	21:00
Fri	13:00	15:00
	19:00	21:00
Sat	13:00	15:00
	19:00	21:00
Sun	13:00	15:00
	19:00	21:00

State any seasonal variations for the performance of live music ( Please read guidance note 4 )

--	--

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. ( Please read guidance note 5 )

--	--

## F - Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? ( Please read guidance note 2 )

	Both
--	------

Please give further details here ( Please read guidance note 3 )

	Whilst recorded music will be played outside, it will be at a much lower volume than
--	--

	inside, and be regarded as background music. The garden will be closed at an earlier point in the evening, as to not upset any neighbours and so adhering to our public nuisance licensing objective.
--	--

Standard days and timings for Recorded Music ( Please read guidance note 6 )

Day	Start	Finish
Mon	06:30	03:00
Tues	06:30	03:00
Wed	06:30	03:00
Thur	06:30	03:00
Fri	06:30	03:00
Sat	06:30	03:00
Sun	06:30	03:00

State any seasonal variations for playing recorded music ( Please read guidance note 4 )

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. ( Please read guidance note 5 )

--	--

#### I - Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? ( Please read guidance note 2 )

	Indoors
--	---------

Please give further details here ( Please read guidance note 3 )

	Hot food and alcohol will only be able to be purchased inside. It will only be able to be consumed outside until such a time before a late night refreshment provision is required.
--	---

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 6)

Day	Start	Finish
Mon	23:00	03:00
Tues	23:00	03:00
Wed	23:00	03:00
Thur	23:00	03:00

Business - Application for a premises licence to be granted under the Licensing Act 2003

Monday	23:00	03:00
Tuesday	23:00	03:00
Wednesday	23:00	03:00

State any seasonal variations for the provision of late night refreshment ( Please read guidance note 4 )

--	--

On standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, ( Please read guidance note 5 )

--	--

Supply of Alcohol

Will the supply of alcohol be for consumption ( Please read guidance note 7 )

	On the premises
--	-----------------

Standard days and timings for Supply of alcohol ( Please read guidance note 6 )

Day	Start	Finish
Monday	10:00	03:00
Tuesday	10:00	03:00
Wednesday	10:00	03:00
Thursday	10:00	03:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	10:00	03:00

State any seasonal variations for the supply of alcohol ( Please read guidance note 4 )

--	--

On standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, ( Please read guidance note 5 )

--	--

Please upload the consent form completed by the proposed premises supervisor

	DPS-Consent-1.jpg
--	-------------------

## Business - Application for a premises licence to be granted under the Licensing Act 2003

## Premises Supervisor

Full name of proposed designated premises supervisor

First names	Olga
Surname	Zajac

Address of proposed designated premises supervisor

Street number or Building name	
Street Description	
Town	
County	
Post code	

Personal licence number of proposed designated premises supervisor, if any,

Personal licence number ( if known )	
Issuing authority ( if known )	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children ( Please read guidance note 8 )

	n/a
--	-----

L - Hours premises are open to public

Hours premises are open to the public ( standard timings Please read guidance note 6 )

Day	Start	Finish
Mon	06:30	03:00
Tues	06:30	03:00
Wed	06:30	03:00
Thur	06:30	03:00
Fri.	06:30	03:00
Sat	06:30	03:00
Sun	06:30	03:00

State any seasonal variations ( Please read guidance note 4 )

## Business - Application for a premises licence to be granted under the Licensing Act 2003

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, ( Please read guidance note 5 )

--	--

## M - Steps to promote four licencing objectives

a) General - all four licensing objectives (b,c,d,e) ( Please read guidance note 9 )

	<ul style="list-style-type: none"> <li>-Effective training of all staff so licensing objectives are adhered to.</li> <li>-No underage people to be served alcohol.</li> <li>-Challenge 25 to be implemented.</li> <li>-No drunk and disorderly behaviour allowed on premises.</li> <li>-Vigilance in preventing use and sale of illegal drugs.</li> <li>-Attention paid to children in order to prevent harm.</li> <li>-CCTV installed.</li> </ul>
--	--

b) the prevention of crime and disorder

	<ul style="list-style-type: none"> <li>-CCTV system to be installed.</li> <li>-Clear notices warning patrons of potential criminal activity.</li> <li>-Drunk customers not to be served.</li> <li>-Vigilance and prevention of illegal drug use.</li> <li>-Clear notice informing public of licensable activity and timings.</li> </ul>
--	---

c) public safety

	<ul style="list-style-type: none"> <li>-All staff trained to environmental health requirements.</li> <li>-Underage I.D checks to be implemented.</li> <li>-Log book kept of inspections made.</li> <li>-Premises to be kept well lit.</li> <li>-All fittings and apparatus within the premises to be maintained regularly.</li> </ul>
--	---

d) the prevention of public nuisance

	<ul style="list-style-type: none"> <li>-A direct line will be given to residents so that any issues can be dealt with immediately.</li> <li>-Noise reduction measures to be implemented.</li> <li>-Clear notices displayed requesting patrons to respect neighbours.</li> <li>-Deliveries only made during respectable hours.</li> <li>-Adequate time given to customers to leave premises to minimise public nuisance.</li> </ul>
--	--

e) the protection of children from harm

	<ul style="list-style-type: none"> <li>-Challenge 25 to be implemented.</li> <li>-Staff trained on identity checks.</li> <li>-Under 18's only allowed on premises with an adult after a set time.</li> </ul>
--	--



Business - Application for a premises licence to be granted under the Licensing Act 2003

Please upload a plan of the premises

	Plan-of-Premises.1.jpg
--	------------------------

Please upload any additional information i.e. risk assessments

	risk-assessment-and-policy.4.doc
--	----------------------------------

Checklist

	I have enclosed the plan of the premises. I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application  will be rejected.
--	--

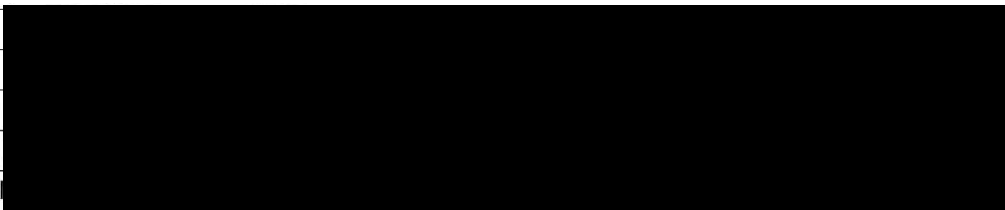
Home Office Declaration

Please tick to indicate agreement

	<input type="checkbox"/> I am a company or limited liability partnership
--	--

Declaration

I agree to the above statement

	
PaymentDescription	
AuthCode	
LicenceReference	
PaymentContactEmail	

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

**From:** McArthur, Wesley

**Sent:** 10 October 2017 11:55

**To:** Sharpe, Carolyn; 'Alcohol@homeoffice.gsi.gov.uk'; Newman, Paul; Fox, Roy; Earis, Richard; Tear, Jayne; SSCB; 'Ian.Clements@met.pnn.police.uk'; 'Graham.S.White@met.pnn.police.uk'; 'mark.A.Lynch@met.pnn.police.uk'; 'SouthwarkLicensing@met.pnn.police.uk';

'firesafetyregulationSE@london-fire.gov.uk'; Planning.Enquiries; environmental protection; Regen, Trading Standards; Regen, OHS; Public Health Licensing

**Subject:** RE: Application for a premises licence - Dirty Renegade, 138 Peckham Rye, London, SE15 4RZ (our ref: L1U 860293)

Dear Responsible Authorities,

Please note that the applicant has amended the above application so that the sale of alcohol at the premises finishes 30 minutes prior to the proposed closing time of the premises on each day, to allow for 'drinking up' time.

Therefore it is now proposed that the sale of alcohol finishes at 02:30 on each day of the week.

Regards,

**Wesley McArthur**

Principal Enforcement Officer

London Borough of Southwark

**E-mail:** [wesley.mcarthur@southwark.gov.uk](mailto:wesley.mcarthur@southwark.gov.uk)

**General:** [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Phone:** 020 7525 5779

**Fax:** 020 7525 5705

**Address:** Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH

---

**From:** [REDACTED]

**Sent:** Tuesday, October 10, 2017 12:55 AM

**To:** McArthur, Wesley

**Subject:** Re: Application for a premises licence - Dirty Renegade, 138 Peckham Rye, London, SE15 4RZ (our ref: L1U 860293)

Hi Wesley,

A pleasure speaking with you earlier.

In regard to the on sales in our application and 'drinking up time', I can confirm we will cease sale of alcohol 30 minutes prior to closing time, so the last drink that will be served will be at 2:30am. Patrons will then be given 30 minutes to vacate - ensuring all customers will have left the venue by 3am.

Please don't hesitate to contact me if you would like any further clarification.

Kind regards,

[REDACTED]

[REDACTED]

**From:** Sharpe, Carolyn **On Behalf Of** Public Health Licensing  
**Sent:** Tuesday, October 10, 2017 9:54 AM  
**To:** Regen, Licensing  
**Cc:** Public Health Licensing  
**Subject:** RE: Consultation - 138 Rye Lane, Dirty Renegade

To whom it may concern:

**Re: Dirty Renegade, 138 Rye Lane, SE15 4RZ**

On behalf of the Director of Health and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

This representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

The applicant requests a new premises license for the supply of alcohol on the premises between 10:00 and 03:00 Monday to Sunday and an opening time of between 06:30 and 03:00 daily.

I have concerns regarding the hours of alcohol sales requested. Research suggests that increased hours of alcohol sales are associated with increased alcohol consumption, increased alcohol-related injuries, and increased alcohol-related harm. Additionally, the hours requested are considerably later than what is recommended in Southwark's Statement of Licensing Policy which suggests a closing time for public houses wine bars or other drinking establishments of 23:00 Sunday to Thursday and 00:00 Friday and Saturday.

Furthermore, this premises is located within the Peckham Cumulative Impact Policy area and in my opinion the applicant has not adequately rebutted the presumption that this premises will add to the cumulative impact of alcohol related harm in the local area.

Under section 140 of Southwark's Statement of Licensing Policy, examples of factors that Southwark may consider as demonstrating that there will be no impact in a Cumulative Impact Policy Area may include:

- Small premises intended to cease operation before midnight
- Premises which are not alcohol led and only operate during the day time economy
- Instances where an existing business operation is being relocated while maintaining the same style of operation
- Where a suite of conditions is proposed that will ensure that the premises operates in a specified manner. For instance, in the case of a food led operation, a suite of conditions that governs the minimum number of covers provided; that alcohol will only be provided by waiter / waitress service and together with a table meal.

Therefore I would recommend a closing time for alcohol sales be reduced to be in line with what is recommended in Southwark's Statement of Licensing Policy and I would request an accommodation limit for the premises is provided by the applicant.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

Carolyn Sharpe

*on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)*

Carolyn Sharpe | [carolyn.sharpe@southwark.gov.uk](mailto:carolyn.sharpe@southwark.gov.uk) | 02075250025 | 07927563567

Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

**From:** [Tear, Jayne](#)  
**To:** [Regen. Licensing](#)  
**Cc:** [McArthur, Wesley](#)  
**Subject:** REPRESENTATION RE DIRTY RENEGADE  
**Date:** 10 October 2017 17:45:22  
**Attachments:** [Dirty Renegade.pdf](#)  
**Importance:** High

---

Dear Licensing

Please find attached my representation regarding the above application,

With kind regards

Jayne

**Jayne Tear - Principal Licensing Officer – As Responsible Authority for Licensing**

Southwark Council | Licensing Unit

160 Tooley Street | London | SE1 2QH

Direct line 020 7525 0396 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages <http://www.southwark.gov.uk/licensing>

## MEMO: Licensing Unit

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<b>To</b>	Licensing Unit	<b>Date</b>	10 October 2017
<b>Copies</b>			
<b>From</b>	Jayne Tear	<b>Telephone</b>	020 7525 0396
<b>Email</b>	Jayne.tear@southwark.gov.uk		

---

**Subject** Re: Dirty Renegade, 138 Rye Lane, London, SE15 4RZ

Application for a premises licence.

I write with regards to the above application for a premises licence submitted by London Spacemakers Limited under the licensing act 2003.

The application seeks the follows licensable activities:

- Live music (indoors and outdoors) on Monday to Sunday from 13:00 to 15:00 and 19:00 to 21:00
- Recorded music (indoors and outdoors) on Monday to Sunday from 06:30 to 03:00 the following day
- Late night refreshment (indoors) on Monday to Sunday from 23:00 to 03:00 the following day
- Supply of Alcohol (on the premises) on Monday to Sunday from 10:00 to 03:00 the following day
- The proposed opening hours will be on Monday to Sunday from 06:30 to 03:00 the following day

The premises is described as a *'Cocktail bar, serving hot food and providing a DJ for late night entertainment. There is a garden to the back of the premises which will be used as an additional seating area for customers. We plan on opening for a breakfast and lunch service in the future'*.

The premises is situated in Peckham Major Town Centre and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for public houses wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours. This premises also falls within the Peckham CIP Area.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy 2016 – 2020.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham area as defined in paragraph 135 of the policy and as a cocktail bar this premises falls into the class of premises in 136 of the policy.

Therefore under 119 of the policy there is a rebuttable presumption that applications for new

premises licences/ variations that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not be contributing to crime and disorder and public nuisance within the policy area.

Further to this the application has not left any time between the last sale of alcohol and the closing time when patrons should have left the premises, this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the end of the night which can lead to antisocial behavior problems when patrons have left the premises.

As the hours asked for within the application are in excess of what is deemed appropriate for this area within the licensing policy. To promote the prevention of crime and disorder and the prevention of public nuisance I ask the applicant to consider the following:

- To amend the closing hours within the application to be in line with hours as appropriate within the licensing policy (that the premises will close on Sunday to Thursday at 23:00 hours and for Friday and Saturday 00:00 hours.)
- To amend the sales of alcohol 'on sales' and late night refreshment to cease at least half hour before the closing time of the premises on each night
- To amend recorded music to cease in line with the closing times on each night.

Due to the limited information on the application form I ask the applicant to provide the following information:

- An accommodation limit for the premises (to be conditioned)
- A written dispersal policy for the premises (to be conditioned)

I therefore submit this representation and welcome any discussion with the applicant to consider the above representation

Southward's Statement of Licensing Policy 2016 – 2020 can be found on the following link:  
[http://www.southwark.gov.uk/downloads/download/4399/licensing\\_act\\_2003 -  
\\_southwark\\_statement\\_of\\_licensing\\_policy\\_2016 - 2020](http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020)

Jayne Tear  
Principal Licensing officer  
In the capacity of the Licensing Responsible Authority

**The Licensing Unit  
Floor 3  
160 Tooley Street  
London  
SE1 2QH**

Metropolitan Police Service  
Licensing Office  
Southwark Police Station  
323 Borough High Street  
LONDON  
SE1 1JL

**Tel:** 020 7232 6756

**Email:** [southwarklicensing@met.police.uk](mailto:southwarklicensing@met.police.uk)

**Our reference:** MD/21/ 3031/17

**Date:** 11th October 2017

Dear Sir/Madam,

**Re:- Dirty Renegade, 138 Rye Lane, SE15 4RZ**

Police are in possession of an application from the above for a new premises licence. The application describes the operation as a Cocktail bar, serving hot food and providing late night DJ led entertainment.

**Mon – Sun**

**Premises open to the public:** 06:30 to 03:00

**Supply of alcohol:** 10:00 to 02:30

**Recorded Music:** 06:30 to 03:00

**Late night refreshment:** 23:00 to 03:00

The premises falls within the Peckham cumulative Impact Zone (CIZ) and the Peckham Major Town centre area as set out within the Council Licensing policy.

The application stops short of describing this venue as a night club and in fact seems to suggest that this is a Cocktail bar with ancillary entertainment by way of a DJ.

The operating schedule doesn't contain sufficient control measures for this venue to operate as a night club. I will therefore base my representation as this being (Other drinking establishment) as per Southwark's Licensing Policy.

The terminal hour as per the policy for such establishments would be no later than midnight at the weekends and 23:00 Sunday to Thursday.



The hours as per the application are substantially greater, coupled with the fact that this venue is situated in Peckham's CIZ, I would have expected to see an application containing evidence to rebut the presumption that this application is refused.

For a premise hoping to operate and provide regulated entertainment for between 06:30 and 03:00 and alcohol between 10:00 and 02:30 I would have expected a very detailed application with detailed control measures with attached business plans, including a detailed dispersal policy and security provisions.

This application contains very little in the way of detail of the proposed control measures and conditions to promote the licensing objectives, in particular the prevention of crime and disorder.

It is for this reason that I am of the opinion that the applicant has failed to address the licensing objectives and this application should be refused.

Submitted for consideration

Yours Sincerely

**PC Ian Clements 362MD**

Southwark Police Licensing Unit

**Tel:** 020 7232 6756

**Email:** [ian.clements@met.pnn.police.uk](mailto:ian.clements@met.pnn.police.uk)

**From:** Masini, Bill [bill.masini@southwark.gov.uk](mailto:bill.masini@southwark.gov.uk)  
**Sent:** Friday, October 27, 2017 1:43 PM  
**To:** Regen, Licensing  
**Cc:** Tear, Jayne  
**Subject:** Application for premises licence - Dirty Renegade 138 Rye Lane SE15 4RZ

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of the application by London Spacemakers Ltd for a Premises Licence for a premise to be known as Dirty Renegade at 138 Rye Lane London SE15 4RZ and respond accordingly under the Licensing objective of The Protection of Children from harm.

The application seeks to have licensable hours up to 3.00am

The application makes a number of statements about the operating schedule at Paragraph M in the application but no details as to how it intends to implement these. Whilst Trading Standards welcome the statements about such things as staff training and Challenge 25, if a Premises Licence is to be granted, for clarity and avoidance of any doubt, Trading Standards would therefore like the following conditions on the licence:

- That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.

However, of serious concern is the failure to properly address children being on the premise, namely the issues around them being accompanied by a responsible adult and times at which they can be on the premises whether accompanied or not.

The statement in the application “Under 18’s only allowed on premises with an adult after a set time” in paragraph e of section M is totally unacceptable. It is vague and, as worded, allows unaccompanied children on the premises until an undisclosed “set time” (how was that to be “set”?) and also seeks to allow accompanied children on the premises 7 days a week until 3.00am. Trading Standards object to the licence application as submitted and request the applicant to address this issue.

**Bill Masini - Trading Standards Officer**

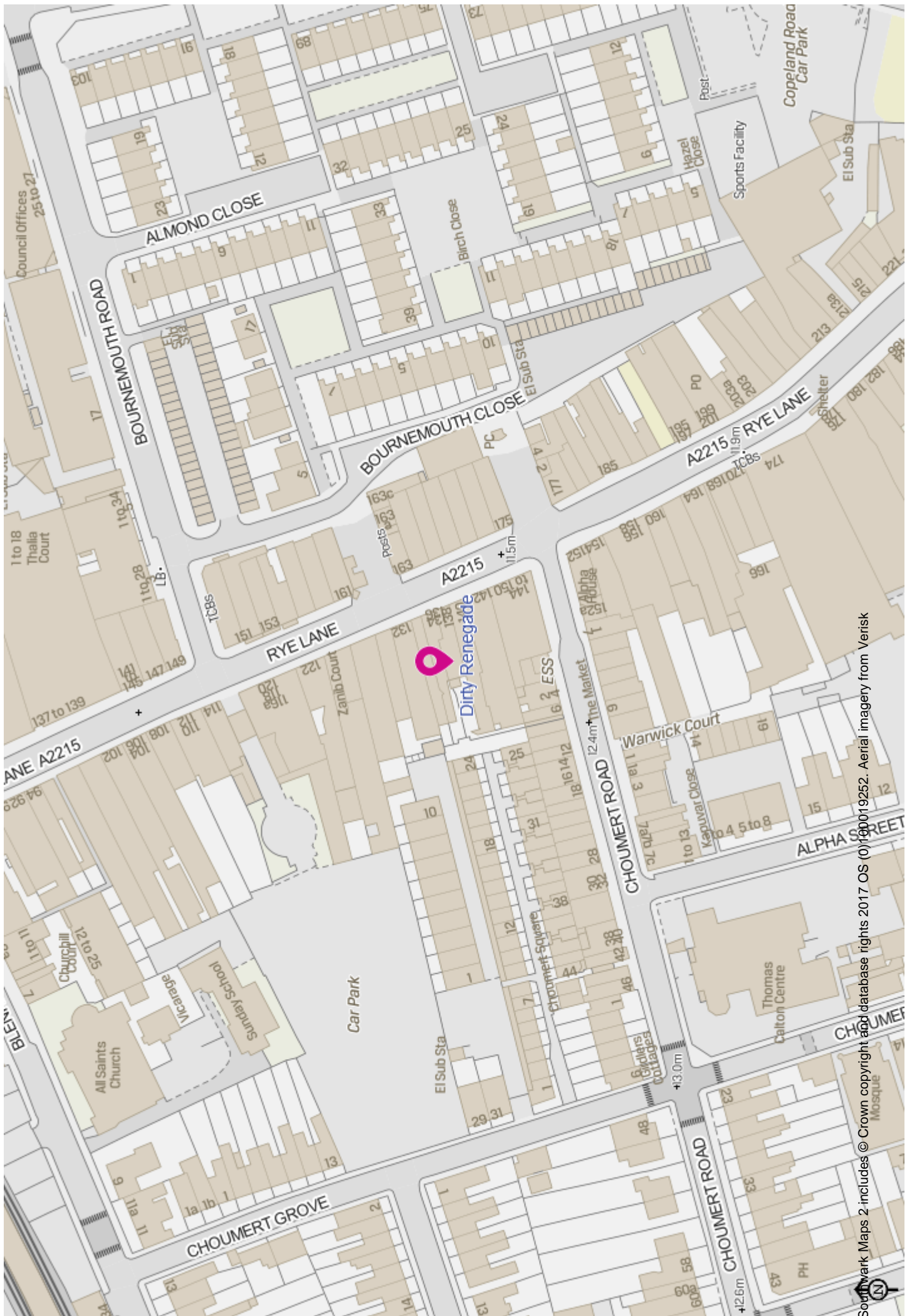
Southwark Council Trading Standards | Environment & Social Regeneration

3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 2629 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages [www.southwark.gov.uk/TradingStandards](http://www.southwark.gov.uk/TradingStandards)

Need clear practical consumer advice? Visit Consumer Direct at [www.direct.gov.uk/consumer](http://www.direct.gov.uk/consumer)



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<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 4 December 2017	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: Southwark Rooms, 60 Southwark Street, London SE1 1UN	
<b>Ward(s) or groups affected:</b>		Cathedrals	
<b>From:</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made under Section 51 of the Licensing Act 2003 by the Metropolitan Police Service for a review of the premises licence in respect of the premises known as Southwark Rooms, 60 Southwark Street, London SE1 1UN
2. Notes:
  - a) The grounds for the review are stated in paragraphs 13 to 16 of this report. A copy of the review application and additional supporting information are provided as Appendices A/A1.
  - b) Paragraphs 9 to 11 detail the existing premises licence and is attached as Appendix B.
  - c) Paragraphs 17 to 23 of this report deals with the representations received to the review application and supporting documentation. Copies of the relevant representations from responsible authorities and other persons are attached as Appendices C and D.
  - d) Paragraph 28 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix E.
  - e) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## 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 applications process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.
  
8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 53C(8) of the Act it remains open to any responsible authority or other person to apply to the local licensing authority for a review of the premises licence where there are concerns regarding one or more of the four stated licensing objectives.

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence**

9. The premises in respect of the premises licence consists of a basement and ground floor. The premises licence was carried over from the justices licence in the 2005 transition period.
  
10. The premises licence was transferred to the current premises licence holder Magdalena Zalinska on 5 May 2015 and is summarised as follows:
  - Live music – indoors:
    - Monday to Wednesday from 19:00 to 00:00 (midnight)
    - Thursday from 19:00 to 01:00 (the following day)
    - Friday and Saturday from 19:00 to 03:00 (the following day)
    - Sunday from 18:00 to 00:00.

- Recorded Music – Indoors:
  - Monday to Wednesday from 08:00 to 00:00
  - Thursday from 08:00 to 01:00
  - Friday and Saturday from 08:00 to 03:00
  - Sunday from 08:00 to 00:00.
- Facilities for Dancing – Indoors:
  - Monday to Wednesday from 18:00 to 00:00
  - Thursday from 18:00 to 01:30
  - Friday and Saturday from 18:00 to 03:30
  - Sunday from 18:00 to 00:00.
- Provisions Similar to making music and dancing – Indoors:
  - Sunday to Wednesday from 08:00 to 00:00
  - Thursday from 08:00 to 01:00
  - Friday and Saturday from 08:00 to 03:00.
- Late Night Refreshment – Indoors:
  - Sunday to Wednesday from 23:00 to 00:00
  - Thursday from 23:00 to 01:00
  - Friday and Saturday from 23:00 to 03:00.
- Sale by retail of alcohol to be consumed on premises:
  - Sunday to Wednesday from 10:00 to 00:00
  - Thursday from 10:00 to 01:00
  - Friday and Saturday from 10:00 to 03:00.
- Sale by retail of alcohol to be consumed off premises:
  - Sunday to Wednesday from 08:00 to 00:30
  - Thursday from 08:00 to 01:30
  - Friday and Saturday from 08:00 to 03:30.
- Operating hours:
  - Sunday to Wednesday from 08:00 to 00:30
  - Thursday from 08:00 to 01:30
  - Friday and Saturday from 08:00 to 03:30.

11. A copy of the current premises licence is attached as Appendix B.

#### **Designated premises supervisor**

12. The current designated premises supervisor (DPS) is Patrick Witter who has been the DPS of the premises since and holds a personal licence issued by the London Borough of Newham.

### **The review application**

13. On 3 October 2017 the Metropolitan Police applied to the licensing authority for a review of the premises licence issued in respect of the premises known as Southwark Rooms, 60 Southwark Street, London SE1 1UN.
14. The Metropolitan Police seek to review the premises licence on the basis of non-compliance and failure of the premises to promote the below licensing objectives:
  - Prevention of Crime and disorder:
    - The operation of the premises falls below the standard expected from a responsible premises licence holder and they believe the profits are taking precedence over the promotion of the licensing objectives.
    - On 4 April 2015 a serious assault occurred in the basement area of the premises and the victim received two stab wound to the chest and arm and following this conditions were added to the licence by a minor variation process.
    - On 11 March 2017 there was an incident of serious disorder outside the venue, several calls were made to the police relating to 100 persons in the street fighting.
  - Public Safety:
    - The premises have failed to submit 696 promoted event risk assessment forms as per conditions 532 and 353.
    - The ID scanner has not been operating and during July and September the premises had been issued with at least five section 19 closure notices, on each occasion the ID Scanner was not working or not being operated correctly.
15. The Metropolitan Police Service are concerned that the premises is now operating with absolutely no regard given to the promotion of the licensing objectives despite the continued warnings and engagement with the management there has been no improvement in the operation of the venue and would like the committee to consider a revocation of the premises licence.
16. A copy of the application and supporting information are attached to this report as Appendix A/A1.

### **Representations from responsible authorities**

17. Representations from the London Fire and Emergency Planning Authority, health and safety and licensing as a responsible authority were submitted in support of the review application.
18. The London Fire and Emergency Planning Authority representation consists of a schedule of works submitted to the premises on 12 October 2017, highlighting areas of concern and steps to remedy the contraventions.



19. The health and safety representation states that the premises is in a poor state of repair, there are numerous exposed live electrical wall sockets in the premises and hanging electrical wires in the ceiling of the premises. Three Prohibition Notices have been served on the premises and despite warnings the premises were open using broken and exposed wall sockets, all three Prohibition Notices have been contravened and a prosecution case is pending on this matter.
20. The licensing representation is concerned with the failure of the licensee Magdalena Zalinska and DPS Patrick Witter to abide by the conditions on the premises licence and failure to promote the licensing objectives. The representation is concerned with the prevention of crime and disorder, the prevention of public nuisance and public safety.
21. The licensing authority advise that the premises has been subject to enforcement action following breaches of the premises licence witnessed by council officers and officers of the Metropolitan Police Service. Support and advice regarding running the premises in line with the premises licence and responsible operation of the venue has been given on several occasions by council officers and also officers of the Metropolitan Police Service and despite this, the licensee has continued to commit breaches.
22. The licensing unit are prosecuting the above offences under the Licensing Act 2003 and the Health Act 2006 and fully support the Metropolitan Police in asking for the premises licence to be revoked. The Licensing sub committee will be updated on 4 December 2017.
23. Copies of the representations submitted are attached as Appendix C.

#### **Representations from other persons**

24. There are no representations from other persons.

#### **Operating history**

25. Following the operational issues raised, on 22 March 2017 Patrick Witter attended the Council Offices at 160 Southwark Street to meet with the Licensing Department and a Police Licensing Officer. Mr Witter signed a document stating that he understood his obligations under the Licensing Act 2003.
26. Since then there have been a number of visits and breaches of licence conditions observed as detailed in the representation by the Licensing Unit (as a responsible authority).
27. A log of visits by the licensing unit is attached as Appendix D.

#### **The local area**

28. A map of the area is attached to this report as Appendix E. The premises is identified by a triangle at the centre of the map. For purposes of scale only, the circle on the map has a 100 metre radius. The following licensed premises terminal hours are also shown on the map:

- **Public houses/restaurants/theatres**
  - Bunker Theatre, 53a Southwark Street, London SE1 (Sunday to Thursday until 01:00 and Friday and Saturday till 02:00)
  - Southwark Rose Hotel, 43-47 Southwark Bridge Road, London SE1 (24 hours) (licensed activities Monday to Thursday until 01:00, Friday and Saturday until 02:00 and Sunday until 00:30)
  - Novotel, 51-53 Southwark Bridge Road, London SE1 (24 hours) (licensed activities Monday to Saturday until 00:30 and Sunday until 00:00)
  - O'ver Pizzeria, Right Side/East Wing, 44-46 Southwark Street, London SE1 (Monday to Saturday until 23:30 and Sunday until 23:00)
  - Menier Chocolate, 51 Southwark Street, London SE1 (Monday to Saturday until 01:00 and Sunday until 00:00)
  - YWCA Central Club, 73-81 Southwark Bridge Road, London SE1 (Monday to Saturday until 01:00 and Sunday until 22:30)
  - Est India, 73-75 Union Street, London SE1 (Monday to Sunday until 00:00).

### **Deregulation of entertainment**

29. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
  - Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.
30. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

### **Borough and Bankside cumulative impact policy**

31. Council assembly approved the introduction of a cumulative impact policy for Borough and Bankside on 5 November 2008, and extended the area in April 2011. This application falls within the policy area.
32. The decision to introduce saturation policy was taken with regard to the licensing committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
33. The effect of this special policy is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

### Southwark council statement of licensing policy

34. Within the Southwark statement of licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for the categories of premises as follows:
- Closing time for public houses, wine bars or other drinking establishments:
    - Sunday to Thursday is 23:00
    - Friday and Saturday 00:00.
35. Council assembly approved Southwark's statement of licensing policy 2016-20 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.
36. 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**

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

### **Consultation**

38. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was exhibited outside the premises for a period of 10 working days.

### **Community impact statement**

39. 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**

40. The sub-committee is asked to determine, under Section 51 of the Licensing Act 2003, following an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
41. The principles, which sub-committee members must apply, are set out below.

### **Principles for making the determination**

42. Under Section 52 of the Licensing Act, the licensing authority must hold a hearing to determine the review and any relevant representations.
43. 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.
44. 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 licence for a period not exceeding three months
  - Revoke the licence.
45. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:

- Are relevant to one or more of the licensing objectives
  - Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period
  - Have not been withdrawn
  - If made by an other person (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.
46. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
47. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
48. 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 an appropriate and proportionate response.
49. 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**

50. Where the authority determines an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
  - The applicant
  - Any person who made relevant representations
  - The chief officer of police for the area (or each police area) in which the premises are situated.

### **Hearing procedures**

51. 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, and
    - 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.
52. This matter relates to the review of the premises licence under section 51 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

53. 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.
54. 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.
55. 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.
56. 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.

57. 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.
58. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.
59. 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.
60. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee 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.

#### **Guidance**

61. 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.

#### **Strategic Director of Finance and Governance**

62. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

#### **BACKGROUND DOCUMENTS**

<b>Background papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	Southwark Licensing, C/o Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Kirty Read Phone number: 020 7525 5748

**APPENDICES**

No.	Title
Appendix A/A1	Review application and supporting documents
Appendix B	Premises licence
Appendix C	Representations from responsible authorities
Appendix D	Licensing visit log
Appendix E	Map of area

**AUDIT TRAIL**

<b>Lead Officer</b>	Strategic Director of Environment and Social Regeneration	
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	22 November 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law & Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	23 November 2017	



## PROTECTIVE MARKING

Form 691


**METROPOLITAN  
POLICE**
**TOTAL POLICING**

## Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Ian Clements PC 362MD

apply for the review of a Premises Licence under Sec 51 of the Licensing Act 2003  
for the premises described in Part 1 below

### Part 1 – Premises or club premises details

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

Southwark Rooms 60 William Shakespear, Southwark Street

**Post town:** London **Post code:** SE1 1UN  
(if known)

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

Magdalena Zalinska

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

849090

### Part 2 – Applicant details

I am:

Please tick Yes

- |   |   |                                     |
|---|---|-------------------------------------|
| 1 | an individual, body or business which is not a responsible authority<br>(please read guidance note 1 and complete (A) or (B) below) | <input type="checkbox"/>            |
| 2 | a responsible authority (please complete (C) below)   | <input checked="" type="checkbox"/> |
| 3 | a member of the club to which this application relates (please complete section (A) below)  | <input type="checkbox"/>            |

## PROTECTIVE MARKING

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

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:				First Names:					
I am 18 years old or over				<input type="checkbox"/>					
Current postal address if different from premises address:									
Post town:				Post code:					
Daytime Tel. No.:				Email: (optional)					

**(B) DETAILS OF OTHER APPLICANT** (fill in as applicable)

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT** (fill in as applicable)

Name and Address:	
Metropolitan Police Service, Southwark Police Station, 323 Borough High Street London SE1 1JL	
Telephone Number (if any):	0207 232 6756
Email address: (optional)	ian.clements@met.pnn.police.uk

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

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

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

The operation of this premises falls well below the standard we would expect from a responsible premises licence holder.

Despite continued engagement, advice and warnings the premises continues to operate in breach of the premises licence conditions, in particular those designed to promote the prevention of crime and disorder and public safety licensing objectives.

It has reached a situation where we believe profits are now taking precedence over the promotion of the licensing objectives.

**PROTECTIVE MARKING**

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

Southwark Rooms is a bar, night club venue set over two floors. The bar being on the ground floor and the night club situated in the basement.

We have noticed a decline in the overall use of the premises in recent months, it is very rare for the venue to open between Sunday & Thursday and tends to be Friday or Saturday nights when a promoted event is taking place.

The overall condition of the premises has fallen into disrepair, a number of concerns have been raised by the health & safety team at Southwark Council who have recently served a prohibition notice on the premises. The London Fire Brigade have also recently served them with an improvement notice,

The premises licence holder Magdalena Zalinska has been very difficult to engage with due to her apparent absence from the country. We strongly suspect that the DPS Mr Patrick Whitter is now in overall control of the premises and has been the main cause of the venues decline. Although it must be stressed that we believe Ms Zalinska is aware of the current situation.

It has now reached the stage where Police are of the opinion that to allow this premises to continue to operate would seriously undermine the promotion of the licensing objectives, in particular the prevention of crime and disorder and public safety.

On the 4<sup>th</sup> April 2015 a serious assault occurred in the basement area of the Southwark Rooms, the victim received two stab wounds to the chest and arm.

Despite a lengthy investigation the only remaining line of investigation was the CCTV from the venue. Despite a significant number of verbal and written requests from the investigating officer the CCTV was never produced, as a result the investigation was closed.

Shortly after this incident Police from Southwark's licensing unit engaged with the premise licence holder Magdalena Zalinska and the current DPS Mr Patrick Whitter.

Following discussions it was agreed between Police and the Premises licence holder, that a number of additional control measures were required for the promotion of the prevention of crime and disorder and public safety licensing objectives.

In July 2015 the following amendments were made to the licence by way of a minor variation.

1. An ID scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21.00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01.00hrs. All persons that enter the premises including staff, Patrons, DJ's and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.
2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling a clear facial image of every person entering in any light conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. (To replace condition 288)
3. That three(3) SIA registered door supervisors one of whom shall be female will be engaged when the premises are in operation and the terminal hour is greater than 01:30. They will be employed at all times after 21:00 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 and dealing with conflict.
4. Hand held metal detection units will be used by SIA when employed in order to ensure that searches are carried out in respect of all admissions to 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.

**PROTECTIVE MARKING**

5. That you shall require any regular and external promoters hiring the premises to complete the '696' provided by Southwark Police and once completed, you shall ensure that it should also be completed for all events featuring a DJ.
6. A '696 Promotion Event Risk Assessment' Form must be submitted for any occasion in the premises using a DJ or MC performing to recorded background music, operating any time between 10pm and 6am, 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. A copy of the form must be provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.

As early as August 2015 it became apparent that the premises was having difficulty in operating in line with the amended premises licence. In particular was the failure to operate the ID scanning system as per condition 348 of the premises licence. Please see attached exhibit **(IJC1)**

On 27<sup>th</sup> January 2016 Police wrote to Ms Zalinska & Mr Patrick Whitter warning them that the operation of the premise is falling below the standard expected and that action is required to prevent further enforcement action. Please see attached exhibit **(IJC2)**

On the 30<sup>th</sup> January 2016 Police and Local authority officers from the Night Time Economy Team visited the venue to check on their compliance with the licence conditions. It soon became apparent that their ID scan system was not in operation. PC Lynch issued Mr Patrick Whitter with a closure notice under section 19 of the Criminal Justice & Police Act 2001. Mr Whitter acknowledged this notice and signed it as being served. Please see exhibit **(IJC3)**

On the 11<sup>th</sup> February 2016 Police again met with the Ms Zalinska & Mr Whitter. During the meeting we advised them that they should cease selling alcohol unless they are able to comply with all the conditions on the premises licence, in particular the operation of the ID scan system. We were given verbal assurances that they would remain closed if the system was not operating correctly.

On the 13<sup>th</sup> February 2016 Police attended the venue to check on compliance issues, it was immediately apparent that the ID scan system was not working, Police entered the venue unchallenged as there were no door staff on duty. On entering the venue it was noted that alcohol was being served to patrons stood at the bar. The DPS Mr Whitter was present and was serving customers at the time of the visit. He was advised that he was in breach of his premises licence and that he did not have the correct authorisation to continue to sell alcohol. Mr Whitter indicated that he would continue to serve alcohol and remain open as he has bills to pay. Please see attached exhibit **(IJC4)**

Through the months of March 2016 to May 2016 we continued to receive notification from the suppliers of the clubs Entry Scanner system that they had not paid their licence fees and that the system was offline as a result. Although there appears to be little in the way of engagement with the venue at this point it could be said with some certainty that the venue if open would have been in breach of the licence conditions. Between 16<sup>th</sup> April 2016 and the 31<sup>st</sup> March 2017 the venue advertised and promoted 17 events.

On the 3<sup>rd</sup> March 2017 Police attended the venue and found that they were operating in breach of a number of conditions of the premises licence.

349 - That three (3) SIA registered door supervisors one of whom shall be female will be engaged when the premises are in operation and the terminal hour is greater than 01:30. They will be employed at all times after 21:00 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 and dealing with conflict

348 - An ID scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21.00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01.00hrs. All persons that enter the premises including staff, Patrons, DJ's and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

350 - Hand held metal detection units will be used by SIA when employed in order to ensure that searches are carried out in respect of all admissions to 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.

## PROTECTIVE MARKING

PC Spedding 915MD issued Mr Witter with a Section 19 Criminal Justice and Police Act 2001 – Closure Notice. Mr WITTER signed for receipt of this.  
Please see attached exhibit **(IJC5)**

On the 11<sup>th</sup> March there was an incident of serious disorder outside of the venue 2017. Several calls were made to the Police relating to 100 persons in the street fighting.

Police units on scene arrived to find disorder in the streets, a call for urgent assistance was made to control the situation. At least 10 police units attended including units from the City Of London Police.

During the incident Police made a tactical decision to draw their Tazer guns to control violent situations.

Using this evidence of the breaches and the disorder call, Police submitted representations against a Temporary Event Notice for an event on the 26<sup>th</sup> March 2017. A counter notice was issued.

It was after this date that we noticed that the premise stopped sending in their 696 promoted event risk assessment forms as per condition 352&353.

Since this date the premises have advertised and promoted around 29 events, as I type this report there are further events promoted for the coming weekends.

Please see attached exhibit **(IJC6)**

It should be noted that no 696 forms have been received by this office or by the central licencing team as per instructions. I have personally spoken with Mr Whitter in addition to emails. On each occasion Mr Whitter has assured me the 696s forms have been submitted and he that he can't understand why we haven't received them. On each occasion I have spoken with Mr Whitter he has also assured me he will send the forms again as soon as possible,

To date these forms have not arrived.

The engagements and visits to the venue have continued throughout recent months, unfortunately we have no improvement in the operation of the premises. During July and September the premises has been issued with at least five sec19 closure notices, on each occasion the ID scanner was not working or not being operated correctly. This was backed up by a number emails still being received from the providers of the system. This is in addition to the failure to provide the 696 forms.

Of particular note and one I feel should be highlighted to the licensing sub committee is the detail of a visit conducted on the 12<sup>th</sup> August 2017.

Police and officers from Southwark councils licensing team attended the venue at 2334hrs. The ID scanner was again not working, Mr Whitter was unable to operate the system. When asked by PC Lynch to show him that the CCTV was operating correctly, Mr Whitter stated that a new hard drive had been fitted as Police had removed the original hard drive following the Borough Market attack, he further stated that he had documents to support this, however was unable to produce these at the time. This statement made by Mr Whitter is untrue. Police did not remove any CCTV or hard drive from the venue following the Borough Market tragedy.

A Sec19 closure order was issued.

Please see attached exhibit **(IJC7)**

Police are concerned that the premises is now operating with absolutely no regard given to the promotion of the licensing objectives. Despite the continued warnings and engagement there has been no improvement in the operation of the venue.

The conditions on the licence are fit for purpose and sufficient for the promotion of the licensing objectives. It has been the choice of the premises licence holder to operate in breach if these conditions.

With no confidence that matters will improve Police are asking the licensing subcommittee to revoke the premises licence.

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

(Please tick yes)

PROTECTIVE MARKING

Day	Month	Year
-----	-------	------

If yes, please state the date of that application:

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

## PROTECTIVE MARKING

Please tick Yes

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

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

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

### Part 3 – Signatures (please read guidance note 4)

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

Signature:

Date:

3<sup>rd</sup> OCTOBER 2017

Capacity:

**Contact name (where not previously given) and postal address for correspondence associated with this application: (please read guidance note 6)**

Ian Clements Southwark Police Station, 323 Borough High St  
 Post town: London Post code: SE1 1JL

**Telephone Number (if any):**

020 7 232 6756

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

#### Notes for Guidance

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

**WITNESS STATEMENT**

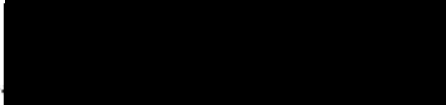
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Mark Lynch 246MD ..... URN: 

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

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

Signature: .....  ..... Date: Friday 18<sup>th</sup> August 2017 .....

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

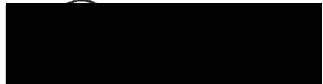
On Saturday 12<sup>th</sup> August 2017 I was on duty in plain clothes and was in the company Southwark council officers Andrew Heron and Roy Fielding. I was attached to Southwark Night Time Economy Team and part of my duties was to attend venues on the borough in the company of Southwark licencing officers and ensure that they were complying with there license conditions. At 2334hrs we parked our unmarked vehicle in Southwark Bridge Road having left the vehicle we approached the venue called the Southwark Rooms 60 Southwark Bridge Road SE1 1UN. The venue was open and there were some roped barriers which led to the entrance of the venue. On approaching the door I was aware that there were two male Sia and one female sia doors staff present, at this point I did not see any patrons entering the venue, I asked the sia officers if the ID entry scanner system was working (condition 348) to which they stated it was working and they had been using it, I further asked to see how many people they had scanned in and photos and identification provided to which they stated they could not access the system only the manager/dps Patrick Witter could. I asked to speak to Mr Witter to which a member of staff went to locate him, a few minutes late Mr Witter appeared and I asked him to show me that the ID entry scanner system was working correctly however Mr Witter stated that he could not access the system and that he had spoken to the ID entry scanner operators regarding being unable to gain access and they had sent him an operators manual however MrWitter was still unable to operate the system which surprised me as the system had been installed for over 2 years and he had on previous visits similar operating difficulties. I gave Mr Witter a few minutes to gain access to the system however he clearly could not operate the ID entry scanner competently. I then asked Mr Witter if the cctv system was in operation to which he stated yes, I asked to view the cctv system to ensure it complied with the licence conditions 288-289, he then led me to the rear of the bar area through a door that said 'private', I then walked up a set of stairs and through another door where Mr Witter walked over to a tv screen where he stated the cctv system was however he was not able to operate the system and stated that this was due to a new hard drive being fitted as police had removed the original hard drive following the Borough market attack , he further stated he had documents to support this however he did not produce them at the time ,

Signature:  Signature witnessed by: .....



Continuation of Statement of .....

he then stated that he could operate the system on line and he led us to another room, on opening the door a male and female were sat at a desk smoking cigarettes. Mr Witter then attempted to operate the on line system however again he was not competent in its operation and failed to show the cctv system in working order. I explained to Mr Witter that I would be issuing him with a closure notice section 19 criminal justice and police ACT 2001 and I later explained the requirements of the form though I was not sure if he was fully listening. Whilst completing the form Mr Witter stated that the police were at fault for recommending the ID entry scanner system however I pointed out that police do not endorsed any system however there are only two systems in use and it was his choice which company he employed. I then went to the entrance door and observed patrons entering the venue, I saw that there was very limited searching taking place of those entering the venue being bags and that no search wand detectors were being used or visible as per condition 350, I also observed the door staff scanning patrons identity onto the ID entry scanner however they were not taking a photos of the patron at the same time so as to allow the identification to be aligned to the photo, I then stood outside the venue and observed the searching of patrons which improved to the patrons being patted down however there were still no hand held metal detectors being used. I completed my section 19 form for the licence breaches I had found and returned inside the venue where I issued Mr Witter with the form at 2355hours. We then left the venue and continued our duties.



Signature: ..

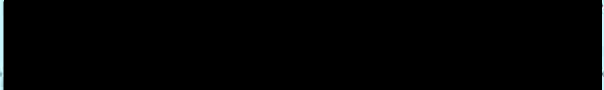
Signature witnessed by: .....

# CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

Date of the Closure Notice: 120817 Time Served: \_\_\_\_\_

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PC MARK LYNCH - 2466A

Signature: 

Name (if applicable) and address of the affected premises:  
SATHWARH ROOMS 603 SATHWARH STREET  
SE11 6AW

### Alleged unauthorised use of the premises (section 19 (6)(a))

The officer serving this notice is satisfied that the above premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of the premises. The specific details of the alleged use are:

- 288-289 - MAINTAIN CCTV SYSTEM CONTINUALLY RECORDS / 31 DAYS
- 348 - ID SEARCHING SYSTEM - MAINTAIN RECORDS 31 DAYS -
- 350 - HAND HELD METAL DETECTORS -

Grounds upon which the person serving the Notice was satisfied of the existence of such unauthorised use:

- 288-289 - OPS UNABLE TO GAIN ACCESS TO CCTV UNABLE TO CHECK SYSTEM MAINTAINED - 348 - UNABLE TO CHECK SEARCHING SYSTEM BEING USED OR OPERATING AS OPS CANNOT OPERATE 350 - NO DETECTORS

### Steps that may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring (section 19 (6) (c))

- 288-289 - CCTV MAINTAINED 348 - ACCESS PASSWORD + BE COMPETENT IN OPS OPERATION / ENSURE METAL DETECTORS ARE WORKING

### Third party consideration (section 19.4)

Are there any other persons occupying the premises who need to be informed of this notice?

Yes/No (details) MAGDALENA ZALUSKA

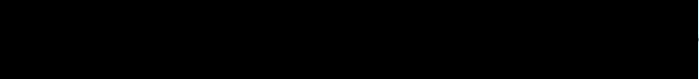
If yes they must be issued with a copy of this form

### Effect of section 20, Application for closure order.

A failure to take remedial action to prevent further or continued unauthorised use may lead to an application being made to a Magistrates court for a closure order under section 21 Criminal Justice and Police Act 2001.

The Person (if applicable) on whom the closure notice has been served:

Name: 

Signature: 

Date: 120817

**Clubbing**  
 THE COMPOZERS AFTERPARTY  
 Saturday 11th March  
 LA Lounge, London

11/03/2017  
 LA Lounge, London

**Clubbing**  
 STRAIGHT CLASS II LON...

18/03/2017  
 Southwark Rooms, London

**Clubbing**

**ADELEKS VIP BDAY AT...**  
 24/03/2017  
 Southwark Rooms, London

**Clubbing**

**SMADEAFROFEST AFTE...**  
 31/03/2017  
 Southwark Rooms, London

**Clubbing**  
 RICH LIFESTYLE CLUB

31/03/2017  
 Southwark Rooms, London

**Clubbing**  
 SMADESATURDAYS AT...

08/04/2017  
 Southwark Rooms, London

**Clubbing**  
 PRESTIGE - EASTER BA...

14/04/2017  
 Southwark Rooms, London

**Clubbing**  
 SMADESATURDAYS 15T...

15/04/2017  
 Southwark Rooms, London

**Clubbing**  
 SEXY & SOPHISTICATED

22/04/2017  
 Southwark Rooms, London

**Clubbing**  
 LIT CITY

28/04/2017  
 Southwark Rooms, London

**Clubbing**  
 FOREPLAY FRIDAYS

05/05/2017  
 Southwark Rooms, London

**Clubbing**  
 FOREPLAY FRIDAY

12/05/2017  
 Southwark Rooms, London

**Clubbing**  
 FOREPLAY FRIDAYS!

19/05/2017  
 Southwark Rooms, London

**Clubbing**  
 LIT CITY

26/05/2017  
 Southwark Rooms, London



**RSVP | LONDON**

14/06/2017  
Southwark Rooms, London

Clubbing

15



**RSVP - SMOOTH SEDUCT...**

24/06/2017  
Southwark Rooms, London

Clubbing



**PRESTIGE - THE SUMME...**

08/07/2017  
Southwark Rooms, London

Clubbing



**SEXY & SOPHISTICATED**

05/08/2017  
Southwark Rooms, London

Clubbing

**ONO LONDON - CITY SOL...**

24/06/2017  
Southwark Rooms, London



**PRESTIGE - THE SUMME...**

12/08/2017  
Southwark Rooms, London

Clubbing



**ROUTE 2 LOVE**

19/08/2017  
Southwark Rooms, London

Clubbing



**HIGHLIFE - LADIES EDIT...**

01/09/2017  
Southwark Rooms, London

Clubbing



**BUSHEAD! - THE ULTRA...**

09/09/2017  
Southwark Rooms, London

Clubbing



**MIDNIGHT PASSION - TH...**

18/09/2017  
Southwark Rooms, London

Clubbing



**LUSH - THE LADIES SPE...**

23/09/2017  
Southwark Rooms, London

Clubbing



**PRESTIGE - LADIES EDI...**

26/09/2017  
Southwark Rooms, London

Clubbing



**SEXY & SOPHISTICATED**

13/10/2017  
Southwark Rooms, London

Clubbing



**DANCEHALL IN THE CIT...**

20/10/2017  
Southwark Rooms, London

Clubbing



**SPOOKIE NIGHTS: HALL...**

28/10/2017  
Southwark Rooms, London

Clubbing



**MIDNIGHT PASSION - TH...**

04/11/2017  
Southwark Rooms, London

Clubbing

PREVIOUS

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

NEXT

### WITNESS STATEMENT

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

URN 

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Statement of: PC Maria O'MAHONEY 321MD

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

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

Witness Signature: [Redacted] ..... Date: 09/03/2017

On Friday the 03/03/17 at approximately 2330 hours I was on duty in full uniform in a marked police carrier call sign MD49 Nights. As part of the Night Time Economy Team our duties include checking that licensed venues adhere to their licence conditions. Also in the vehicle was PC SPEDDING 915MD, PS DEMPSTER 116MD along with two Special Police Constables. We were patrolling along SOUTHWARK ROAD SE1 when my attention was drawn to THE SOUTHWARK ROOMS. There was about 5 to 6 people standing outside and I could only see one SIA door staff. We parked up and walked over to the venue to check how many SIA registered door staff were working as part of the Southwark Rooms licence conditions are

349 - That three (3) SIA registered door supervisors one of whom shall be female will be engaged when the premises are in operation and the terminal hour is greater than 01:30. They will be employed at all times after 21:00 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 and dealing with conflict.

I spoke to the door supervisor who I now know to be [Redacted] date of birth [Redacted] SIA Licence number [Redacted]. He told me that it was his company MMSEC LTD was supplying the SIA door staff for the venue. I asked him who the other SIA staff that were working and [Redacted] introduced me to [Redacted] date of birth [Redacted] SIA licence number [Redacted]. I asked [Redacted] where the female SIA door supervisor was and he told me she was inside the venue. I asked him if he would ask her to come out as I needed to confirm her details and licence number. After waiting approximately 5 minutes a female door supervisor had still not appeared we requested to speak to the DPS Patrick WITTER. Mr WITTER came out and when asked where his female SIA door supervisor was. Mr WITTER stated that he had been told that he did not need to have a Female SIA door supervisor until after midnight. I pointed out to Mr WITTER that it was on his licence that he needed to have 3 SIA door staff one being a female from 21:00 hours. Mr WITTER then said that he did have a female SIA door supervisor working and that he would phone the manager of the security company to see where she was. I pointed out to Mr WITTER there was no need to phone the manager of the security company as [Redacted] was standing next to him. Mr WITTER then said that the female SIA door supervisor had gone home as she had to look after her children. At 23:55 hours PC SPEDDING 915MD issued Mr WITTER with a Section 19 Criminal Justice and Police Act 2001 – Closure Notice. Mr WITTER signed for receipt of this.

Witness Signature: ..... [Redacted] .....

Signature Witnessed by Signature: [Redacted] .....

Continuation of Statement of:

I then asked [redacted] could he show me on ID scan that he and the other members of staff had scanned in. [redacted] said that he would show me he then admitted that none of the members of staff, DJ's or SIA door supervisors had been scanned in. This was in breach of condition

348 - An ID scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21.00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01.00hrs. All persons that enter the premises including staff, Patrons, DJ's and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

Whilst I was conducting my checks I noticed that the hand held metal detector was not being used properly. I could clearly see it being waved across patrons and the wand indicating that there was metal present. The SIA staff did not seem to notice and did not conduct a further search. None of the female customers were searched before entering the venue. This was in breach of condition

350 - Hand held metal detection units will be used by SIA when employed in order to ensure that searches are carried out in respect of all admissions to 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.

[redacted] and Mr WITTER were advised of these further breaches. [redacted]

Witness Signature

[redacted signature area]

Signature Witnessed by Signature:

**WITNESS STATEMENT**

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

Statement of **PC Graham White 288MD** ..... URN: 

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 192581** .....

This statement (consisting of: ... **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false


Signature:  ..... Date: **15th February 2016** .....

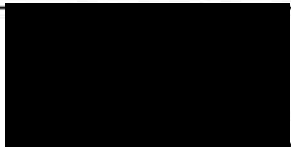
Tick if witness evidence is visually recorded  (supply witness details on rear)

I am Police Constable Graham White and I have worked for the Metropolitan Police Service for over 23 years. I am currently posted as the Licensing Officer for Southwark Borough Police, dealing with all the licensed premises across Southwark borough. My role involves proactive patrols of these premises, offering help and reassurance to both patrons and management, as well as ensuring premises fully uphold the licensing objectives.

On Saturday the 13th February 2016 at about 22.00hrs I was on duty in plain clothes when I attended Southwark Rooms, Southwark Street, London to check if the ID scanning system was working correctly as the premises had been issued with a section 19 closure notice under the criminal justice and Police act 2001 on the 30th January 2016 by PC Lynch. We also had information from the ID Scanning company that the system had not been connected to them since August 2015. This is part of the contract and the system will not work correctly if not updated. They also informed us they had now been disconnected for failure to pay the rental contract. I had also had a meeting with the premises management Mr Patrick Witter who is the DPS and Ms Magdalena Zalinska who is the Licence holder on Wednesday the 11th February 2016. During the meeting Mr Witter explained that they had been having trouble with the broadband and unable to connect but it would be connected Friday the 12th February 2016. Mr Witter stated that if the system was not online he would not open at the weekend.

On entering the premises I could clearly see the ID Scanning system was not connected. I approached the bar where a number of customers were stood and purchasing alcoholic drinks. Mr Witter was behind the bar and observed me approaching and came out from behind the bar. I asked if the ID Scanning system was working as it was after 9pm and he was serving alcohol. He stated it was not as he had paid his bill to late on Friday and the payment and software update did not go through in time so the system could not be updated. I pointed out that he should not be open and serving alcohol as he is in breach of conditions on the licence and as such any further sales of alcohol should not take place. Mr Witter responded "I have to pay the bills" indicating to me he was going to continue to trade in breach of the licence.

When entering the premises there did not appear to be any SIA monitoring the door carrying out searches with hand held metal detection devices or counting device as I entered the premises and approached the bar unchallenged. Both of which are conditions on the Licence. I was unable to return later to check further due to other commitments. 

Signature:  ..... Signature witnessed by: .....

**WITNESS STATEMENT**

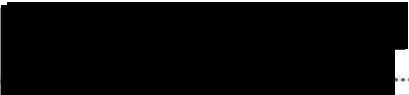
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Mark Lynch ..... URN: 


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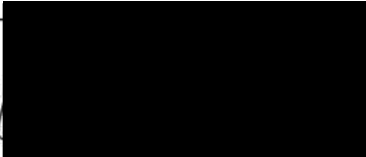
Age if under 18 Over 18 ..... (if over 18 insert 'over 18') Occupation: Police Constable 246MD .....

This statement (consisting of: .... 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: .....  ..... Date: 02nd February 2016 .....

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

On Saturday 30th January 2016 I was on duty in full uniform attached to Southwark Night Time Economy Team. I was in the company of Jayne Tear a Southwark Council Principle Licensing Officer. My duties were to attend various licensed premises and ensure they are complying with their license conditions. At 0210hours we attended the Southwark Rooms , 60 Southwark Street London SE1 1UN in order to carry out a license conditions check as I was aware that they had been operating in breach of their license conditions, as the id scanning system had not been working and they had been sent an email on the 27th January 2016 outlining the breach and requesting they rectify. On entering the venue I enquired with staff as to the use of their id scanning system to which I was informed that it was not working which was a breach of code 348 of the venues licence conditions. We requested to speak to the venue's manager and a few minutes later a male who gave his name as Mr Patrick Witter appeared and identified himself as the venue manager. I asked the manager why the id scanning system was not being used, to which he stated that British Telecom had installed a line but it was not working so the online scanning system could not operate as this requires online connection, he further stated that there was a charity function taking place. Whilst in the premises I was aware that the bar area was staffed .The manager was informed that by operating and selling alcohol without the id scanning being in operation he was in breach of the licence conditions. At 0225hours I issued a Closure Notice-Section 19 Criminal Justice and Police Act 2001 for breach of licence conditons which was explained fully to Mr Witter, he was advised to cease the sale of alcohol until the breach had been rectified. We left the premises continuing to operate. 

Signature: .....  ..... Signature witnessed by: .....



# CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

Date of the Closure Notice: 3001 2016 Time Served: 0225WS

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PC MARK WOOD 245110

Signature: 

Name (if applicable) and address of the affected premises:  
SOUTHWARK ROOMS, 60 SOUTHWARK STREET  
LONDON SE11 1AA

### Alleged unauthorised use of the premises (section 19 (6)(a))

The officer serving this notice is satisfied that the above premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of the premises. The specific details of the alleged use are: breach of conditions

348 - ID SCANNING SYSTEM TO THE REASONABLE  
SATISFACTION OF POLICE BE INSTALLED AND IN USE AND MAINTAINED

Grounds upon which the person serving the Notice was satisfied of the existence of such unauthorised use:

348 - ID SCAN SYSTEM NOT WORKING, AFFECTED  
INTERNET PROBLEM

### Steps that may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring (section 19 (6) (c))

RESOLVE INTERNET PROBLEM, AND GET ID SCAN TO  
operate correctly

### Third party consideration (section 19.4)

Are there any other persons occupying the premises who need to be informed of this notice?  
Yes/No (details) MAGSALWA ZAUNSHA


If yes they must be issued with a copy of this form

### Effect of section 20, Application for closure order.

A failure to take remedial action to prevent further or continued unauthorised use may lead to an application being made to a Magistrates court for a closure order under section 21 Criminal Justice and Police Act 2001.

The Person (if applicable) on whom the closure notice has been served:

Name 

Signature 

Date 3001 2016



Magdalena Zalinska &  
Patrick Witter  
**Southwark Rooms**  
60 Southwark Street  
London  
SE1 1UN

**Metropolitan Police Service**  
**Licensing Office**  
Southwark Police Station,  
323 Borough High Street,  
LONDON,  
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/ /14

Date: 27th January 2016

**Re:- Southwark Rooms, 60 Southwark Street**

Dear Ms Zalinska & Mr Witter

Southwark Police Licensing Team and Night Time Economy team have become aware that the Id scanning system that is a condition on your licence is no longer in operation as per the Licence. We have been informed that operator licence to your ID scanning System has expired and can no longer carry out the functions it was intended to do.

The following is the wording of condition 348 on your licence:-

“An ID scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21.00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01.00hrs. All persons that enter the premises including staff, Patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days”

Failure to connect and update the system would be a breach of your licence as the system would not be able to share information of banned customers with other venues and could not be updated with new software and this would leave the premises vulnerable to allowing in violent offenders banned from other premises.

It is vital for well-run premises to adhere to the conditions listed on the Premises Licence and the responsibilities under the Licensing Act. This responsibility lies with the Designated Premises Supervisor and the Premises Licence holder to ensure compliance. Failure to rectify this matter prior to Friday would make you in breach of the licence and subject to being issued a Closure Notice under section 19 of the Criminal Justice and Police Act 2001 for unauthorised sale of alcohol. We could also

then apply for a review of the Licence and/or prosecution for a breach of the licensing Act.

Yours Sincerely

**PC Graham White 288MD &  
PC Ian Clements 362MD**  
Southwark Police Licensing Unit  
Tel: 0207 232 66756

**From:** Technical Support [support@entryscanner.co.uk]  
**Sent:** 25 August 2015 20:02  
**To:** 'A [REDACTED]'  
**Cc:** Clements Ian J - MD  
**Subject:** RE: Your system is offline

**Follow Up Flag:** Follow up

**Flag Status:** Red


Dear Southwark Rooms

Your system is still offline, this is now that third time we have written to you, but we have not received a response.

In agreement with the terms of your contract you MUST inform us if your system is going to be offline for more than 48 hrs, your system has now been offline for more than 72 hrs, despite several emails to you we have still not received a response from you.

If we do not here from you within 24 hrs we will invoke safety procedures and suspend your licences.

Kind Regards

 es-logo.jpg

### Technical Support

**Address:** Entry Scanner Ltd, 27/40 Horseferry Road | London E14 8DF | UK  
**Phone:** +44 (0)20 7791 3370 | [support@entryscanner.co.uk](mailto:support@entryscanner.co.uk) | [www.entryscanner.co.uk](http://www.entryscanner.co.uk)

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**From:** Technical Support [mailto:support@entryscanner.co.uk]  
**Sent:** 24 August 2015 13:36  
**To:** 'A [REDACTED]'  
**Subject:** Your system is offline

Dear Southwark Rooms

Your machine is offline, please make arrangements to place your system back online. If you are unable to place your system back online today please email us.

Please check that your system is:

- Switched on
- Connected to the internet
- Team Viewer is running


- Passport camera is connected at all times

Your machines must be online and connected by an ethernet cable at all times, the reasons are stated below:

- We update reports which are readily available for the Data Commissioner on a weekly basis as to the security safety of all the documents that have been recorded by any of our clients.
- We must perform regular updates to your document template database as and when new versions of documents are released globally.
- Maintenance work can only be carried out during non trading hours when you are not using your system.

Your machine is strictly prohibited from being offline for more than 48 hours.

Kind Regards

 es-logo.jpg

### Technical Support

**Address:** Entry Scanner Ltd, 27/40 Horseferry Road | London E14 8DF | UK

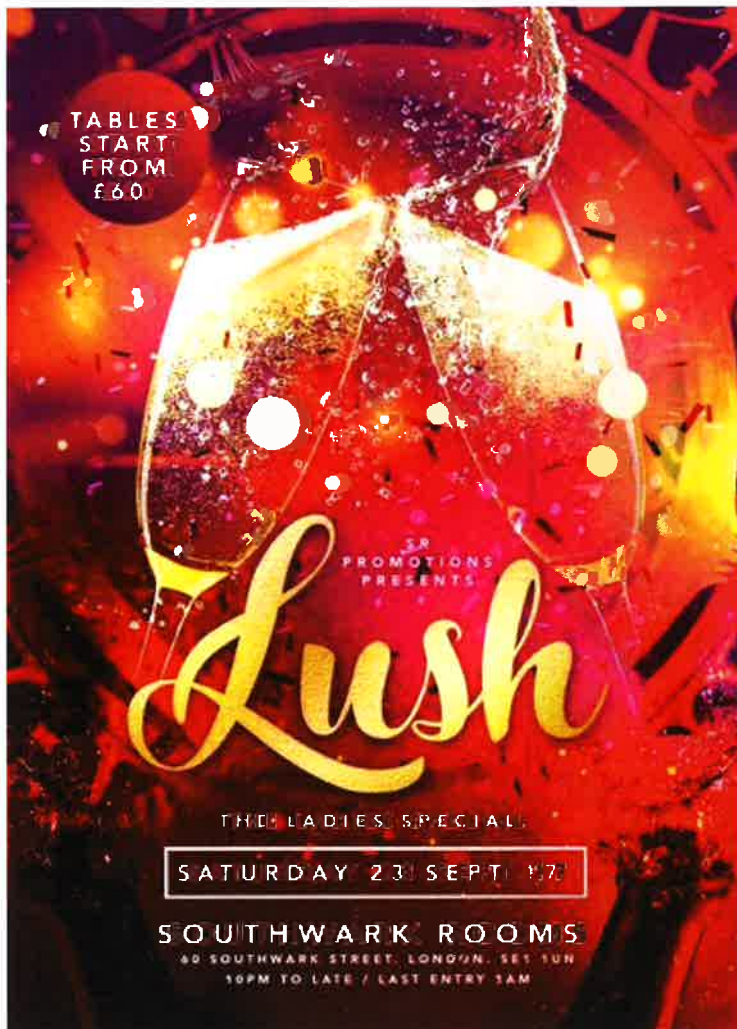
**Phone:** +44 (0)20 7791 3370 | [support@entryscanner.co.uk](mailto:support@entryscanner.co.uk) | [www.entryscanner.co.uk](http://www.entryscanner.co.uk)

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[www.avast.com](http://www.avast.com)



## Event description

SR Promotions Presents

LUSH - THE LADIES SPECIAL

- > Saturday 23rd September 2017 // 10PM Till 4AM
- > @ SOUTHWARK ROOMS, 60 Southwark Street, London SE1 1UN

Your DJ's Playing The Best In:

Hip Hop - RnB - Dancehall - Reggae - Afrobeats - House - Party Classics - Slow Jams

- ☆ DJ NATE
- ☆ SUPA NYTRO
- ☆ GODFATHER
- ☆ BILLGATES
- ☆ SHARKS

Table Packages

~~Bronze Table~~ Bronze Table: £60

Silver Table: £120

Gold Table: £200

Diamond Package: £300

# CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

Date of the Closure Notice: 24/9/17 Time Served: 0134h

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: Thomas Deason PUSLIND

Signature: 

Name (if applicable) and address of the affected premises:

SALVAGE PARK 60 WILSON STREET BOSTON LUTON  
SE1 1UN

### Alleged unauthorised use of the premises (section 19 (6)(a))

The officer serving this notice is satisfied that the above premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of the premises. The specific details of the alleged use are:

288-289 CCTV not recording & ID JOURNAL NOT WORKING  
348 - ID JOURNAL NOT WORKING

Grounds upon which the person serving the Notice was satisfied of the existence of such unauthorised use:

Both systems were checked but the DPJ Parish were unable to get either  
systems working.

### Steps that may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring (section 19 (6) (c))

The DPJ has had external parties advising to be aware however should  
be regarding the parties the surrounding parties should advise

### Third party consideration (section 19.4)

Are there any other persons occupying the premises who need to be informed of this notice?

Yes/No (details) \_\_\_\_\_

If yes they must be issued with a copy of this form

### Effect of section 20, Application for closure order.

A failure to take remedial action to prevent further or continued unauthorised use may lead to an application being made to a Magistrates court for a closure order under section 21 Criminal Justice and Police Act 2001.

The Person (if applicable) on whom the closure notice has been served:

Name 16 

Signature 

Date 24 September 2017

### WITNESS STATEMENT

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

URN

Statement of: Jonathan Ducker Pc494MD

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

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: ..... Date:

On Sunday 24<sup>th</sup> September 2017 I was on duty in full uniform in company with Pc 246MD Lynch as the Night Time Economy Team when at about 0120hrs we attended Southwark Rooms 60 William Shakespear, Southwark Street SE1 1UN. The venue is a nightclub and in recent months there have been several licensing concerns surrounding its running. Two weeks prior to tonight I reported numerous failures regarding the venue and its licence conditions not being adhered to. Its DPS [REDACTED] was issued a form 699 closure notice under section 19 Criminal Justice and Police Act 2001 and I informed him that we'd be returning soon to check that those issues had been remedied. Tonight we carried out the visit in the company of two of the councils licensing officers and we immediately established that condition 348 had been breached. The license condition states that An ID scanning system to the reasonable satisfaction of the police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 2100hrs whilst the premises are in operation under the premises license when the terminal hour is after 0100hrs. All persons that enter the premises including staff, patrons, DJ's and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days. [REDACTED] did not have a working ID scanner and therefore no-one present at the venue had been checked. We went upstairs and after about 10 minutes of trying to prove that the system works it was established that his CCTV was not recording breaching licence conditions 288 which states the premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling clear facial image of every person entering in any lighting conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Condition 289 says that recordings taken by the CCTV system installed on the premises shall be kept and made available for inspection by authorised officers for a period of 31 days. By definition this rule was also breached. These issues were raised with me by Southwark Council Licensing officer Andrew Heron and at 0134hrs I wrote out another form 699 for a section 19 closure and read through the breaches with [REDACTED] who signed the form. He does not seem at all concerned by his failures to adhere to the license conditions. The visit to the premises was recorded on BWV.

Witness Signature: .....

Signature Witnessed by Signature: .....



### WITNESS STATEMENT

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

URN

Statement of: Jonathan Ducker Pc494MD

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

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: ..... Date:

On Sunday 24<sup>th</sup> September 2017 I was on duty in full uniform in company with Pc 246MD Lynch as the Night Time Economy Team when at about 0120hrs we attended Southwark Rooms 60 William Shakespear, Southwark Street SE1 1UN. The venue is a nightclub and in recent months there have been several licensing concerns surrounding its running. Two weeks prior to tonight I reported numerous failures regarding the venue and its licence conditions not being adhered to. Its DPS [REDACTED] was issued a form 699 closure notice under section 19 Criminal Justice and Police Act 2001 and I informed him that we'd be returning soon to check that those issues had been remedied. Tonight we carried out the visit in the company of two of the councils licensing officers and we immediately established that condition 348 had been breached. The license condition states that An ID scanning system to the reasonable satisfaction of the police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 2100hrs whilst the premises are in operation under the premises license when the terminal hour is after 0100hrs. All persons that enter the premises including staff, patrons, DJ's and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days. [REDACTED] did not have a working ID scanner and therefore no-one present at the venue had been checked. We went upstairs and after about 10 minutes of trying to prove that the system works it was established that his CCTV was not recording breaching licence conditions 288 which states the premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling clear facial image of every person entering in any lighting conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. Condition 289 says that recordings taken by the CCTV system installed on the premises shall be kept and made available for inspection by authorised officers for a period of 31 days. By definition this rule was also breached. These issues were raised with me by Southwark Council Licensing officer Andrew Heron and at 0134hrs I wrote out another form 699 for a section 19 closure and read through the breaches with [REDACTED] who signed the form. He does not seem at all concerned by his failures to adhere to the license conditions. The visit to the premises was recorded on BWV.

Witness Signature: .....

Signature Witnessed by Signature: .....

### WITNESS STATEMENT

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

URN

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Statement of: Jonathan Ducker Pc 494MD

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

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

Witness Signature: ..... Date:

On Sunday 10<sup>th</sup> September 2017 I was on duty in full uniform in company with Pc 246 Mark Lynch working as the Night Time Economy Team when at about 0240hrs we attended the Southwark Rooms, 60 Southwark Street SE11UN on a follow up visit because the venue has recently been breaching it's license conditions. As we were parked nearby to the front doors of the venue I could see about 25 people were outside smoking and chatting. I turned on my body worn video and myself and Pc Lynch went over to the front doors. There were two SIA door staff present by the open doors. We walked in and explained that we were from Licensing and wanted to speak to Patrick Witter, the DPS. As I stood there about 5 metres in from the door I saw all the people who had been outside being shepherded back into the premises and going off downstairs. Some were picking up drinks that had been left near the door when they'd gone out. Due to the time they were being re admitted and this was a breach of the premises license 345 – There shall be no entry or re-entry of patrons after 0200hrs on the days operating after 0200hrs. Condition 305 states that signs shall be displayed at the entrance to the premises that state "Drug Free Zone" and "No search, No entry. Management reserve the right to Refuse Entry". There were no signs. As already stated there were well in excess of 15 patrons outside the venue when we arrived. This is in contravention of condition 347 which states After 2200 hours , no more than 15 smokers to be allowed outside the premises. ██████ appeared and I asked him to show us his ID scanner list for the evening. He walked over to the machine which was switched on but seemed to struggle with inputting his password. Whilst doing this there was an influx of people to the upstairs bar from the basement and ██████ informed me that a 'small altercation' was happening downstairs and he disappeared off followed by his two door staff. Whilst I awaited his return I decided to start writing out the Closure Notice form 699 under section 19 of the criminal justice act 2001. Finding room on a table was a struggle because of screws and nails on the tables. Pieces of wood were lying around too, with power drills on the bar area too. This bar was not open but the area was being used by patrons whilst they hung about before starting to leave. There had been some kind of altercation downstairs between two females but no-one spoke to us about it. Eventually as people started leaving I noticed that another breach was in effect, condition 311 states that notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner. There were no signs, and I heard no announcements made. ██████ returned again and we again requested to see the ID scanner list for tonight. He eventually was locked out of the system so we couldn't look at it. He suggested that his password had changed which would suggest to me that it hadn't been used all night. We established that there were only two SIA doorstaff on duty and that both were male. Another breach was

Witness Signature: .....

Signature Witnessed by Signature: .....

Continuation of Statement of:

therefore under condition 349. This states that three SIA registered door supervisors one of whom shall be engaged when the premises are in operation and the terminal hour is greater than 0130 . They will be employed at all times after 2100hrs 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 and dealing with conflict. The lack of a female SIA was emphasised by the disturbance downstairs involving females. [REDACTED] was asked how many door staff he had on duty and replied that there were two. Most of the patrons had now left the premises but were milling about outside and quite vocal. I went through the breaches of the premises license I'd noted with [REDACTED] and he signed the form. I gave a copy of the form 699 to him and Pc Lynch began writing out a further form for the ID scanner. I went upstairs to check that Mr Witters CCTV was working and recording. I could see that the CCTV was on but [REDACTED] informed me that his Wi-Fi was not working and he could not show me any CCTV. This I relayed to Pc Lynch and the extra paperwork was completed accordingly. [REDACTED] appeared very dismissive of his breaches. Several were not his fault. They were because he couldn't undo a lock to his main door and had to use an adjacent door. We did enquire into a lack of 696 for that nights event and he told us he'd sent in about 6 of them at the same time. We have no record of receiving any documentation for this.

Witness Signature: .....

Signature Witnessed by Signature:.....

RESTRICTED (when complete)

MG11C

### WITNESS STATEMENT

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

URN

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Statement of: PC Maria O'MAHONEY 321MD

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

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

Witness Signature: ..... Date: 06/09/2017

I am a Police Officer attached to Southwark Night Time Economy Team and as part of my duties I visit licenced premises on the borough to check for compliance. On Saturday the 29<sup>th</sup> October 2017 at approximately 01:25 GMT hours I was on duty in full uniform in the company of PS DEMPSTER 116MD, PC ANDREWS 764MD and SC VORA 5313MD. We were in a marked police vehicle call sign MD49N patrolling along SOUTHWARK STREET when I noticed that the SOUTHWARK ROOMS 60 SOUTHWARK STREET LONDON SE1 1UN was open and there was a group of between 10 to 12 people standing outside the front. I was aware that the Southwark Rooms had an event on called "SPOOKY NIGHTS" which had been promoted on Shoobs and then shown as being cancelled. I had been informed that a Promotion Event Risk Assessment Form 696 had not been submitted. We walked over to the venue there were people going in and out of the premises and there was very loud music being played. There were 3 SIA door supervisors standing in front of the entrance. As we were speaking to them about the event the Designated Premises Supervisor [REDACTED] came out from the venue. [REDACTED] R confirmed that he had an event on called "SPOOKY NIGHTS". He said he had submitted a 696 Risk Assessment Form for the event and that he had hand delivered it to Southwark Police Station two weeks ago making it for the attention of Ian CLEMENTS. He also claimed he requested a receipt from the Station Officer when he delivered it and that he had also emailed it. He said that he had a photograph of the receipt on his mobile phone. [REDACTED] then got out his phone to show a copy of the receipt. After looking through his mobile phone but was unable to find the picture of the receipt. [REDACTED] then said he had the receipt in his office and he would go upstairs to get it. While [REDACTED] was looking for the receipt I asked the SIA door supervisor if he could show me their ID scanning system so I could confirm that it was working and being used. The doorman showed me the screen but the system was not working and had not been logged on. He then said he was unable to log on and [REDACTED] would have to do so and restart the ID scanner. He said that it had been working until we arrived and that they had been using it but someone had knocked the box of the wall. While we were waiting for [REDACTED] to return I witnessed people be allowed in who had not been ID scanned.

[REDACTED] returned about 15 minutes later saying he was unable to find the receipt. I then asked him about the ID san and he said that it had been working up until 5 minutes before we arrived.

Witness Signature: .....

Signature Witnessed by Signature: .....

Continuation of Statement of:

He said that the box had been knocked off the wall and it had stopped the ID scan from working. He said he was not letting anyone else in, but everyone that was already been let in had been ID scanned.

The system administrators have been contacted and they confirmed that the ID Scan had not used that night. This was a breach of licence condition

348 - An ID scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21.00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01.00hrs. All persons that enter the premises including staff, Patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

██████████ was unable to show proof that he had submitted a 696 form and this was also a breach of licence conditions

352 - That you shall require any regular and external promoters hiring the premises to complete the 696 provided by Southwark Police and once completed, you shall ensure that It should also be completed for all events featuring a DJ.

353 - A 696 Promotion Event Risk Assessment Form must be submitted for any occasion in the premises using a DJ or MC performing to recorded background music, operating any time between 10pm and 6am, 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. A copy of the form must be provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.

Witness Signature: .....

Signature Witnessed by Signature:.....

**RESTRICTED (when complete)**

**MG11(M)**

**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: Mark Lynch .....

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

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be true.

Signature: ..... Date 19/11/2017 .....

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

These are my original notes made as soon as practical after the occurrence whilst still fresh in my mind.

On Sunday 19<sup>th</sup> November 2017 I was on duty in full uniform in the company of Pc Ducker 494MD. I am part of the night time economy team and my taskings involve attending various licensed premises and carrying out inspections to ensure the venues are abiding by their licence conditions. At 0145hours we attended a venue called The Southwark rooms to which I am aware has been in breach of its licence conditions on a number of previous visits. On approaching the venue there were a number of people stood outside smoking, we approached the door supervisors and requested to speak to the DPS [redacted] to which one of the doors supervisors left to get [redacted] Whilst waiting for [redacted] we asked the remaining door supervisors if the id scanning system was working and being used as I could see an error message on the system stating it was offline, to which they said yes it was being used .We asked for them to demonstrate the use of the system to which one of the door supervisors produced his SIA identification and scanned it into the machine , the scanner accepted the id and it was shown on the screen however the system did not request a photo to be taken to which a fully working system should do and therefore the system was not being used correctly and none of the persons at the venue could be identified should there be an incident occur. We were then joined by the DPS [redacted] and we asked him why the id scanner was not working to which he stated it was an internet problem. The door supervisor was then asked if they had body scanner wands to which they said no they did not however on asking the DPS if they had wands he said "yes they are in my office were not letting anyone in now" . I was happy at this point that the id scanner was not being used correctly and that search wands had not been used during the evening this was in breach of licence conditions 348 and 350. We then asked to view the cctv system and to check it was in full working order as per the licence conditions to which [redacted] led us up to his office, on entering the office there was a distinctly strong smell of cannabis in the air. [redacted] then spent a few minutes attempting to operate the cctv system to which after sometime he was able to show us cctv footage from a week ago and he stated that he had had the

**RESTRICTED (when complete)**

**RESTRICTED (when complete)**

MG11(M)

hard drive changed just over a week ago ,this was in breach of licence conditions 288-289 as the system should be recording for 31days. We then left the venue at 0203hours and as we did so there were a number of people stood in the smoking area We returned to our vehicle where we observed the venue for some time and saw that the venue was re admitting people after 0200hrs which was in breach of licence condition 345. We then left the area



### WITNESS STATEMENT

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

URN

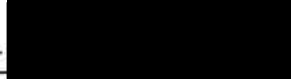
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Statement of: Jonathan Ducker Pc 494MD

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

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Witness Signature: .....

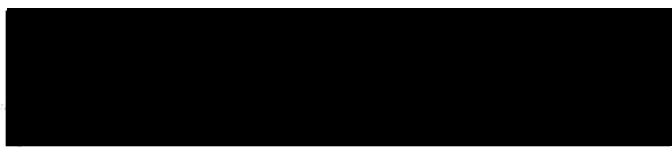


Date: 21/11/17

On Sunday 19<sup>th</sup> November 2017 at about 0145hrs I was on duty in full uniform in company with Pc 246 Mark Lynch when we attended the licensed premises known as the 'Southwark Rooms' 60 Southwark Street, SE1 1UN. The premises has been visited several times in recent months because of breaches of the license conditions. When we arrived we were met by three SIA door staff, one being female. There were several people stood outside the venue smoking and chatting. The ID scanning device was switched on but had a warning on the screen that effectively stated it wasn't working. We requested to see the list of people who'd been scanned in that evening. One of the door staff got his own ID out and showed that his picture would come onto the screen. It became quickly apparent that this was not stored anywhere and therefore was a pointless exercise. He could not properly work the machine and we were then joined by the DPS, a man whom I know to be [redacted] who seemed his usual carefree self. We pointed out the ID scanner issue and he blamed the internet connection (this is his regular excuse). I asked the female SIA whether they had a metal detector and had been using it. She replied that they had not been using one. I asked [redacted] whether he has a metal detector and he told me that it was in his office. We asked if the CCTV was working and he told us that it was and we were shown to his office on the first floor. I detected the stench of cannabis in his office and said as much to him. He was facing the CCTV monitor screen and mumbling to himself whilst trying to prove it was actually working. He did manage to show us that the CCTV was working the previous weekend and told us that someone had changed the Hard Drive for him. We then left the venue. The visit was recorded on body worn video. We left the venue at just after 2am and whilst in our vehicle nearby I saw several people leaving and re-entering and turning up and walking straight into the venue which is a breach of condition 345- No entry or re-entry of patrons after 0200hrs on days operating after 0200hrs. The venue was due to be open until 0330hrs. Condition 348 – An ID scanning system be installed and maintained. It was not working. 350- Hand held metal detectors be used by SIA when the terminal hour is greater than 0130hrs, the device was in Mr Witters office but never seen.



Witness Signature: .....



Signature Witnessed by Signature: .....



# Licensing Act 2003 Premises Licence

78

APPENDIX B



Environmental Health & Trading  
Standards  
Licensing Unit  
Hub 2, 3rd Floor  
PO Box 64529

Premises licence number

849090

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Southwark Rooms 60 Southwark Street London SE1 1UN	
Ordnance survey map reference (if applicable), 180180532287	
<b>Post town</b> London	<b>Post code</b> SE1 1UN
<b>Telephone number</b> 020 7357 9301	

<b>Where the licence is time limited the dates</b>
--

<b>Licensable activities authorised by the licence</b>
Live Music - Indoors Recorded Music - Indoors Facilities for Dancing - Indoors Provisions Similar to making music and 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

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            08:00 - 00:30
Tuesday          08:00 - 00:30
Wednesday       08:00 - 00:30
Thursday         08:00 - 01:30
Friday            08:00 - 03:30
Saturday          08:00 - 03:30
Sunday            08:00 - 00:30

<b>Where the licence authorises supplies of alcohol whether these are on and/ or off supplies</b>
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	19:00 - 00:00
Tuesday	19:00 - 00:00
Wednesday	19:00 - 00:00
Thursday	19:00 - 01:00
Friday	19:00 - 03:00
Saturday	19:00 - 03:00
Sunday	18:00 - 00:00

**Recorded Music - Indoors**

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 03:30
Saturday	08:00 - 03:30
Sunday	08:00 - 00:00

**Facilities for Dancing - Indoors**

Monday	18:00 - 00:00
Tuesday	18:00 - 00:00
Wednesday	18:00 - 00:00
Thursday	18:00 - 01:30
Friday	18:00 - 03:30
Saturday	18:00 - 03:30
Sunday	18:00 - 00:00

**Provisions Similar to making music and dancing - Indoors**

Monday	08:00 - 00:00
Tuesday	08:00 - 00:00
Wednesday	08:00 - 00:00
Thursday	08:00 - 01:00
Friday	08:00 - 03:00
Saturday	08:00 - 03:00
Sunday	08:00 - 00:00

**Late Night Refreshment - Indoors**

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday	23:00 - 03:00
Saturday	23:00 - 03:00
Sunday	23:00 - 00:00

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

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 01:00
Friday	10:00 - 03:00
Saturday	10:00 - 03:00
Sunday	10:00 - 00:00

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

Monday	08:00 - 00:30
Tuesday	08:00 - 00:30
Wednesday	08:00 - 00:30
Thursday	08:00 - 01:30
Friday	08:00 - 03:30
Saturday	08:00 - 03:30
Sunday	08:00 - 00:30

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**Magdalena Zalinska  
[REDACTED]  
[REDACTED]  
[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**Patrick Witter  
[REDACTED]  
[REDACTED]  
[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. [REDACTED]  
Authority L.B. NEWHAM

Licence Issue date 31/07/2015

[REDACTED]

Anti-Social Behaviour, Noise Nuisance &  
Licensing Manager  
Hub 2, 3rd Floor  
PO Box 64529  
London, SE1P 5LX  
020 7525 5748  
[licensing@southwark.gov.uk](mailto: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.

**107** Any individual carrying out security activities at the premises must be licensed by the Security Industry Authority. This does not apply where the premises are being used primarily as a Qualifying Club under a Club Premises Certificate, under a Temporary Event Notice, or primarily as a cinema, restaurant or theatre.

**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**

**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

**114** This licence allows for the premises to extend the following licensable activities for non standard timings as stated below on the following days: Provision of Live Music New Year's Eve 19:00 to 04:00 the following day.

**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.

**288** The premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling a clear facial image of every person entering in any light conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.

**289** That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

**294** Toughened glass shall be used for the service of drinks

**305** That signs shall be displayed at the entrance to the premises that state "Drug Free Zone" and "No Search, No Entry. Management reserve the right to Refuse Entry".



**309** That all musicians and DJs must play electrically amplified music/audio/PA through a sound cut out device. The cut-out device shall be maintained at levels set to the satisfaction of the Council's Noise Team

**310** That all doors 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

**311** That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner.

**340** That the use of outdoor tables will cease from 10pm and be cleared away out of sight.

**341** No amplified music shall be played on or broadcast to the external seating area.

**342** The outside area (tables and chairs) shall not be used for licensable activities after 22:00 hour on any day.

**343** The tables and chairs in the outside area are removed and stored by 22:00 hours on any day.

**344** No drinks shall be taken outside the premises after 22:00 hours.

**345** There shall be no entry or re-entry of patrons after 02:00 on the days operating after 02:00

**347** After 22:00 hours, no more than 15 smokers to be allowed outside the premises (subject to the provisions of Condition 6 above.

**348** An ID scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21.00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01.00hrs. All persons that enter the premises including staff, Patrons, DJ's and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

**349** That three(3) SIA registered door supervisors one of whom shall be female will be engaged when the premises are in operation and the terminal hour is greater than 01:30. They will be employed at all times after 21:00 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 and dealing with conflict.

**350** Hand held metal detection units will be used by SIA when employed in order to ensure that searches are carried out in respect of all admissions to 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.

**351** No amplified music shall be played on or brought on to the premises of a temporary nature shall be removed from the premises between midnight and 07:00 hours.

**352** That you shall require any regular and external promoters hiring the premises to complete the '696' provided by Southwark Police and once completed, you shall ensure that It should also be completed for all events featuring a DJ.

**353** A '696 Promotion Event Risk Assessment' Form must be submitted for any occasion in the premises using a DJ or MC performing to recorded background music, operating any time between 10pm and 6am, 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. A copy of the form must be provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.

**325** That after 21:00 hours children under 18 shall not be admitted in any area where alcohol is sold and consumed.

**4AA** The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

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

**Annex 4 - Plans - Attached**

Licence No. 849090

Plan No. 2121/8CC7176

Plan Date 14 Feb 2005

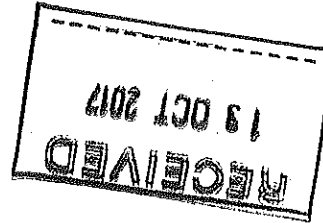


**LONDON FIRE  
AND EMERGENCY  
PLANNING AUTHORITY**

Fire Safety Regulation, South East 4 Team  
169 Union Street London SE1 0LL  
T 020 8555 1200 x89171

Minicom 020 7960 3629  
london-fire.gov.uk

The Company Secretary  
Magfos Ltd t/a Southwark Rooms  
60 Southwark Street  
London  
SE1 1UN



London Fire and Emergency Planning  
Authority runs the London Fire Brigade

Date 12 October 2017  
Our Ref 91/005885/CM

Dear Sir/Madam

## **REGULATORY REFORM (FIRE SAFETY) ORDER 2005: NOTIFICATION OF FIRE SAFETY DEFICIENCIES**

**Premises: Southwark Rooms , 60 Southwark Street , London , SE1 1UN**

The Authority's Inspectors have recently carried out an inspection of the above-mentioned premises. During the inspection, it was noted that some fire safety matters require attention to reduce the risk of fire and/or reasonably ensure the safety of people using the premises. These matters need to be addressed in order to comply with Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order). The matters that need to be addressed, together with the Authority's recommendations about the actions you should take are explained in the attached schedule. We recommend that action should be taken by **21 December 2017**.

If you are in any doubt about what you need to do to comply with the Fire Safety Order; or if there is anything in the schedule that you do not understand or need further explanation of then please contact the Inspector named at the end of this letter. If you are dissatisfied in any way with the response given please ask to speak to the Team Leader quoting the above reference.

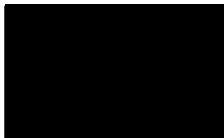
You may also wish to know that fire safety guidance for businesses can be found on the Authority's web-site at [www.london-fire.gov.uk](http://www.london-fire.gov.uk) under the heading 'Fire safety at work'. Additionally, guidance on general fire precautions and how to comply with the Fire Safety Order can be found at [www.Gov.uk](http://www.Gov.uk) under the heading 'Fire safety law and guidance documents for business'.

When undertaking fire safety works at your premises you may need to seek approval for what you are going to do. Examples of this would include:

- any building works for which you are obliged to notify or seek the approval of Building Control;
- if your premises have a listed heritage status, approval from the local authority conservation officer; or
- if your premises are licenced then you may need to consult the relevant licensing or approvals authority.
- It is your responsibility to consult the relevant bodies and obtain any necessary approvals.

I would ask you to note that as well as placing people at risk, operating premises without having adequate general fire precaution in place to remove or reduce fire risk and to ensure people can safely escape if a fire does occur can result in a criminal offence being committed. This letter and its associated schedule are consequently issued without prejudice to any legal action the Authority may subsequently take regarding failures to comply with the Fire Safety Order.

Yours faithfully,



**for Assistant Commissioner (Fire Safety)**

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer Andrew Brown

Direct T 020 8555 1200 x 89171

Enc: Form FS03\_01b Legislation Extracts  
Form FS03\_06 Definitions of standard terms  
GN 66

- cc Magda Zalinska , Southwark Rooms , 60 Southwark Street , London , SE1 1UN
- cc Patric Witter , Southwark Rooms , 60 Southwark Street , London , SE1 1UN
- cc Jayne Tear , Principal Licensing Officer , Southwark Council , Licensing Unit , 160 Tooley Street , London , SE1 2QH
- cc Farhad Chowdhury , Principal Health and Safety Officer , Southwark Council , 160 Tooley Street London , SE1 2QH
- cc Attn PC Ian Clements , Metropolitan Police Service , Licensing Office , Southwark Police Station , 323 Borough High Street , London , SE1 1JL

Notes to accompany the Notification of Deficiencies schedule.

**Important information to consider before taking remedial steps:**

1. Certain terms written in BLOCK CAPITALS in the attached schedule are standard terms defined in "Definitions of standard terms used in means of escape requirements" which form part of this schedule.
2. Officers of the Authority may visit your premises again to check on the action you have taken.
3. **Notwithstanding any consultation undertaken by the fire authority, before you make any alterations to the premises, you must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.**
4. There may be suitable alternative safety measures to those detailed in this schedule, which would meet the requirements of the Order. If you wish to propose or discuss any alternative measures you should get in touch with the person named as the contact above, before you take any action, to ensure that your proposed measures are deemed satisfactory by the Authority.
5. Remedial steps must be undertaken by a competent person who has sufficient training, experience, knowledge or other qualities to enable him or her to properly undertake them.
6. We recommend that remedial steps are undertaken in accordance with the appropriate British or European Standards, or recognised industry guidance.

**THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

Your rights when Fire Safety Inspecting Officers take action.

The fire authority has a duty to enforce the Regulatory Reform (Fire Safety) Order 2005.

If an Inspector:

**tells you to do something** - you have a right to a verbal and written explanation of what needs to be done and why.

**Intends to take immediate action** - for example by issuing an enforcement notice this will include a written explanation either forming part of the notice or by separate letter.

**Issues a formal notice** - you will be told in writing about your right to appeal to a magistrates' court. You will be told:

- ◆ how to appeal;
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- ◆ that action required by a prohibition/restriction notice is not suspended while an appeal is pending unless the court so directs.
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**Issues a Notification of Fire Safety Deficiencies** - full discussion should have taken place and agreed improvements to bring the premises up to minimal standards should be formulated. A Notification of Fire Safety Deficiencies carries no statutory force but may result in formal action being considered if the agreed improvements do not take place.

The procedures and rights above provide ways for you to have your views heard. If you are not happy with the inspecting officer's action you should contact the Team Leader on the telephone number shown at the head of the covering letter in the first instance.

## **ENVIRONMENT AND SAFETY INFORMATION ACT 1988**

### **SECTION 4 - PROTECTION OF TRADE SECRETS**

The above Act requires the London Fire and Emergency Planning Authority to maintain public registers of notices issued under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, (other than those which impose requirements or prohibitions solely for the protection of persons at work) and Sections 21 and 22 of the Health and Safety at Work etc, Act 1974.

Provisions are made within the Act for persons on whom the above notices are served to appeal against any proposed entry in the register which may disclose "trade secrets" or "secret manufacturing processes".

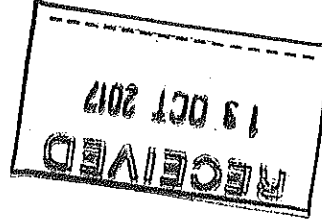
Entries in the register are required to be made after the period for appeal against the notice expires or after any appeal is disposed of.

If you feel that any such entry would disclose information about a trade secret or secret manufacturing process you may write to the Fire Authority within a period of 14 days following the service of the notice, requesting exclusion of these details (see Section 4 of the 1988 Act).





The Company Secretary  
Magfos Ltd t/a Southwark Rooms  
60 Southwark Street  
London  
SE1 1UN



London Fire and Emergency Planning  
Authority runs the London Fire Brigade

Date 12 October 2017  
Our Ref 91/005885/CM

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**for Assistant Commissioner (Fire Safety)**

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

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## SCHEDULE

**PREMISES:** Southwark Rooms , 60 Southwark Street , London , SE1 1UN

**File Number:** 91/005885

This schedule should be read in conjunction with the Authority's letter dated **12 October 2017**.

The condition(s) specified in the Regulatory Reform (Fire Safety) Order 2005, were being contravened and the following step(s) need(s) to be taken in order to comply with the above legislation:

Article	Area of Concern	Steps Considered necessary to remedy the contravention.
Article 9	At the time of the audit you did not provide evidence that a fire risk assessment had been undertaken.	Carry out a fire risk assessment (See guidance note No.66). In particular take into account fire prevention regarding the electrical wiring within the premises, the control of staff smoking and the maintenance of fire safety facilities.
Article 11	At the time of the audit your preventative and protective measures had not been planned, organised, controlled monitored or reviewed where required. It was found that no records were available at the time of inspection to satisfy that an auditable system of ongoing fire safety management is in place. No evidence or records for testing or maintenance could be demonstrated and there was clear evidence of staff smoking in the basement of the premises.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
Article 17	At the time of the audit you had not ensured that a suitable system of maintenance was in place in your premises. It was found that a number of emergency light units were defective and the fire extinguishers had not been serviced since October 2014. Electrical cables had been left exposed in the ceiling and walls with no certification from an electrician to indicate that they were not powered or had been made safe.	Arrange initial and ongoing maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by servicing the emergency lighting system the fire extinguishers and ensuring electrical cabling is secured and confirmed to be safe by a competent, qualified electrician

Article 21	At the time of the audit your employees had not been provided with adequate safety training. It was found that there was evidence of smoking in the basement and staff had not been trained in the monitoring of fire safety facilities or the keeping of fire safety testing and maintenance records.	Provide your staff with adequate safety training. In particular The monitoring of fire safety facilities i.e. the emergency lighting, fire extinguishers and ensure staff are keeping clear records for the testing and maintenance of the fire safety facilities. Ensure there is a strict no smoking policy within the building.
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**\*\*\*RECOMMENDATIONS NOT FORMING REQUIREMENTS OF THE SCHEDULE\*\*\***

The Authority would strongly urge that you consider the presence of combustible façade cladding materials as part of the risk assessment process for these premises. All relevant information about any replacement window and facade schemes should be made fully available to fire risk assessors. Where no reliable information is available for a given property, a strategy to assess the risk and where necessary implement short, medium and long term actions to address the risk should be implemented.

Where remedial measures are to be undertaken to which consultation requirements under Section 20 of the Landlord and Tenant Act 1985 will apply, the Authority would urge you to consider application of the disapplication provisions under Section 20ZA of that Act.

# MEMO: Licensing Unit

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**To** Licensing **Date** 5<sup>th</sup> October 2017

**Copies** Jayne Tear – Responsible Authority  
Ian Clements, Graham White – Met Police

**From** Farhad Chowdhury **Telephone** 020 7525 0398

**Email** [Farhad.chowdhury@southwark.gov.uk](mailto:Farhad.chowdhury@southwark.gov.uk)

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**Subject: Review of Premises Licence**  
**Southwark Rooms, 60 Southwark Street SE1 1UN**

I write with reference to the application made by Ian Clements from the Metropolitan Police regarding a review of the premises licence for Southwark Rooms, 60 Southwark Street London SE1 1UN.

I would make the following comments in support of the Police review.

- The premise is in a poor state of repair there are numerous exposed live electrical wall sockets in the premises and hanging electrical wires in the ceiling of the premises. Prohibition Notices have been served on the premises for this.
- Three Prohibition Notices have been served on the premises and despite warning the premises were open using broken and exposed wall sockets, all three Prohibition Notices have been contravened and a prosecution case is pending on this matter.
- On 9<sup>th</sup> September 2017 the Night Time Economy Police visited the premises at night and found that the front fire exit door were chained and locked with a bicycle lock. Police informed us that the club were using the rear fire exit door to allow members of the public into the club. I visited the premises on 14<sup>th</sup> September 2017 and discovered that the chain and lock was still on the door and the DPS Mr Witter informed me that he could not remember the combination number of the lock so it was left on the door.
- On 17<sup>th</sup> September 2017, my colleague Mark Orton visited the premises at night whilst working on the Night Time Economy Team. He discovered that the club had chained the rear fire exit doors with a padlock on it, while the premises were open and full of customers inside. This is a serious fire safety issue and in case of emergency members of the public would not be able to escape safely.
- I visited the premises on 30<sup>th</sup> September 2017 at 21:45hrs and discovered that all the bar staff had been smoking inside the premises in the basement, there were cigarette butts all over the floor and smell of smoke in the air. I challenged Mr Witter about the smoking he denied saying he was not here at the time staff were smoking.

**Licensing Unit** - Environment & Leisure, Hub 1b, 3rd Floor, PO Box 64529, London SE1P 5LX  
**Switchboard** - 020 7525 5000 **Website** - [www.southwark.gov.uk](http://www.southwark.gov.uk)  
**Strategic Director of Environment & Leisure** - Debra Collins  
**Register to vote.** Complete the forms delivered to your home. Information: 020 7525 7373

- The premises had a lot of wood and machinery and equipment such as circular saws drills lying around while the premises are open. There is a risk of slips trips or falls or serious personal injury from having machinery lying around the premises. The premises appears to be like a building site and not suitable for a nightclub where members of the public would have access to dangerous equipment. There is no explanation when the works would be completed in the premises.
- An NICEIC approved electrical engineers report needs to be provided to this Department and any works recommended by the electrician needs to be carried out.
- The WC's were filthy dirty with excrements all over the WC's these need to be thoroughly cleaned and sanitised and hot and cold water provide in the WC's for washing hands.
- Suitable and sufficient ventilation needs to be provided in the premises and both WC's.
- Emergency lighting were not working at the time of my visit, and needs to be provided in all parts of the premises and a certificate of testing needs to be provided.
- Fire Extinguishers have not been inspected by a competent person since 2014, they need to be tested and a certificate of test produced every 12 months.
- There were no lighting in the front and rear staircases, both the staircases need suitable lighting.

In my opinion Mr Witter and Ms Zalinska are not fit and proper persons to hold a premises licence, I therefore fully support the Police Review of the premises licence on grounds of public safety.

**Farhad Chowdhury**  
**Principal Enforcement Officer**



## MEMO: Licensing Unit

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**To** Licensing Unit                      **Date** 31 October 2017

**Copies**

**From** Jayne Tear                      **Telephone** 020 7525 0396                      **Fax**

**Email** jayne.tear@southwark.gov.uk

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**Subject** Re: The Southwark Rooms, 60 Southwark Street, London, SE1 1UN  
Application to review the premises licence

I write with regards to the above application to review the premises licence submitted by the Metropolitan Police under the Licensing Act 2003.

The application is concerned with the failure of the licensee Magdalena Zalinska and DPS Patrick Witter to abide by the conditions on the premises licence and failure to promote the licensing objectives.

My representation is concerned with the prevention of crime and disorder, the prevention of public nuisance and public safety.

The premises has been subject to enforcement action following breaches of the premises licence witnessed by council officers and officers of the Metropolitan Police Service.

Support and advice regarding running the premises in line with the premises licence and responsible operation of the venue has been given on several occasions by Council officers and also officers of the Metropolitan Police and despite this, the licensee continues to commit breaches.

**On 22 March 2017** Patrick Witter attended the Council Offices at 160 Southwark Street to meet with the Licensing Department and a Police Licensing Officer. Mr Witter signed a document stating that he understood his obligations under the Licensing Act 2017.

Since then the following visits have been made to the premises whereby breaches of the premises licence have been witnessed.

**On 9 July 2017 at 00:15** The Metropolitan Police attended the premises. The Police witnessed the premises open. The premises ID Scanner was inoperable.

**348** An ID Scanning System to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00hrs whilst the premises are in operation under the premises

licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

**On 12 August 2017 at 23:34** Licensing Enforcement Officers and Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

**348** An ID Scanning System to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

**288** the premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling a clear facial image of every person entering in any light conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.

**289** That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days.

**Staff were found to be smoking in the first floor office.**

**On 3 September at 01:30** Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

**353** A '696 Promotion Event Risk Assessment' Form must be submitted for any occasion in the premises using a DJ or MC performing to recorded background music, operating between 10pm and 6am, 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. A copy of the form must be provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire

**On 10 September at 02:40** Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

**345** There shall be no entry or re-entry of patrons after 02:00 on the days operating after 02:00

**305** That signs shall be displayed at the entrance to the premises that state “Drug Free Zone” and “No Search, No Entry. Management reserve the right to Refuse Entry”.

**347** After 22:00 hours, no more than 15 smokers to be allowed outside the premises.

**348** An ID Scanning System to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

**311** That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner.

**On 17 September at 01:45** Licensing Enforcement Officers and Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

**348** An ID Scanning System to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

**288** the premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling a clear facial image of every person entering in any light conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.

**289** That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days.

**On 24 September at 01:24** Licensing Enforcement Officers and Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

**348** An ID Scanning System to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able

to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.

**288** the premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling a clear facial image of every person entering in any light conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.

**289** That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days.

**On 30 September at 21:45** Health and Safety Enforcement Officers carried out an inspection. During the inspection **Staff were found to be smoking on the premises.**

The licensing unit are currently pursuing legal proceedings regarding the above offences under the Licensing Act 2003 and The Health Act 2006.

I fully support the Metropolitan Police in asking for the premises licence to be reviewed. I have no confidence in the management/licensee/DPS of the premises to abide by the conditions put upon the licence or to promote the prevention of crime and disorder, prevention of public nuisance and public safety licensing objectives and therefore recommend that the premises licence is revoked.

Jayne Tear  
Principal Licensing officer  
In the capacity of the Licensing Responsible Authority

adate	desc	aofficer	name	adtext
30/01/2016	02:16 NTE Visit	Jayne Tear	Southwark Rooms	02:16 on 30/01/2016 JMT & COT and PC MARK LYNCH at Southwark Rooms,60Southwark Street, London, SE1 1UN. Id ourselves to the head of SIA security and asked if could show me how many people had been scanned in on the clubscan tonight, he told me that no one had been scanned in as the clubscan was not working and that he had been complaining to the management who were inside. I asked if he could bring them to speak to me. There were 5 people outside in the queue waiting to be let in, some of them were smoking so may have already been inside the premises. The DPS Mr Witter came to speak to us. I ID myself and asked Mr Witter if he had received the warning letter dated 27th January 16from PCS Clements & White and he confirmed that he had. I told Mr Witter that the SIA door supervisor had told me that the was not working tonight and I asked why the premises was open knowing that tit was in breach of the conditions on the licence. Mr Witter apologised and said that the internet signal is not very good and went on to explain an argument with his internet providers stating that is why the clubscan was not working. I told him that he was committing an offence under the licensing Act by not operating to the terms and conditions of the premises licence. Whilst we were talking a woman with a russian accent, who was slurring her speech and staggering interrupted and started shouting at us – I am the owner and I have spent a million pounds on this premises we are not doing anything wrong. Mr Witter told her to calm down and to go away and let him deal with the matter. He apologised about the lady who was the licensee Ms Zalinska he told us that she had been drinking all day and was worse for wear. PC LYNCH SERVED A SECTION 19.
19/02/2016	21:40 NTE Visit	Farhad Chowdhury	Southwark Rooms	19/ 2/2016 21:40 FRC checked ID scanner was working with difficulty, it did not recognise some ID's, Ken asked to be scanned and he showed his ID it did not recognise it at first, but was working on Supervisor mode. Advise to get it repaired, we did see some people who have been checked in on the ID scanner.
27/02/2016	03:15 NTE Visit	Richard Kalu	Southwark Rooms	Visit to premises with Matt Bourne from Trading Standards. Premises was closed and non operational ATOV.
05/03/2016	01:15 NTE Visit	Richard Kalu	Southwark Rooms	Compliance check with Farhad Chowdhury. Premises was closed ATOV. Not issued noted.
16/04/2016	03:18 NTE Visit	Richard Kalu	Southwark Rooms	Visit to premises with Farhad Chowdhury and NTE police. Premises closed ATOV.
01/05/2016	01:40 NTE Visit	Richard Kalu	Southwark Rooms	Visit to premises with Adam Burchett. Club operational only in the basement. Spoke to management and the head of SIA staff and enquired about Club Scan and CCTV .We were led to an office and shown CCTV footage confirming that CCTV was fully operational and recording. Requested to see CCTV footage through a 31 day date time line. No issues identified .Myself and Adam were then led to the entrance of the premises and were shown club scan. Asked them to show the first entry on club scan and then went through club scan at different intervals. I can confirm that club scan was working and fully operational. We were advised that there had previously been an issue with club scan however this had now been rectified. We were also advised in regards to CCTV that they had upgraded there external hard drive for a greater memory capacity .Myself and Adam left the premises and no immediate issues were identified as part of the visit.
06/11/2016	2:20 NTE Visit	Farhad Chowdhury	Southwark Rooms	6/11/2016 2:20 FRC open all quiet

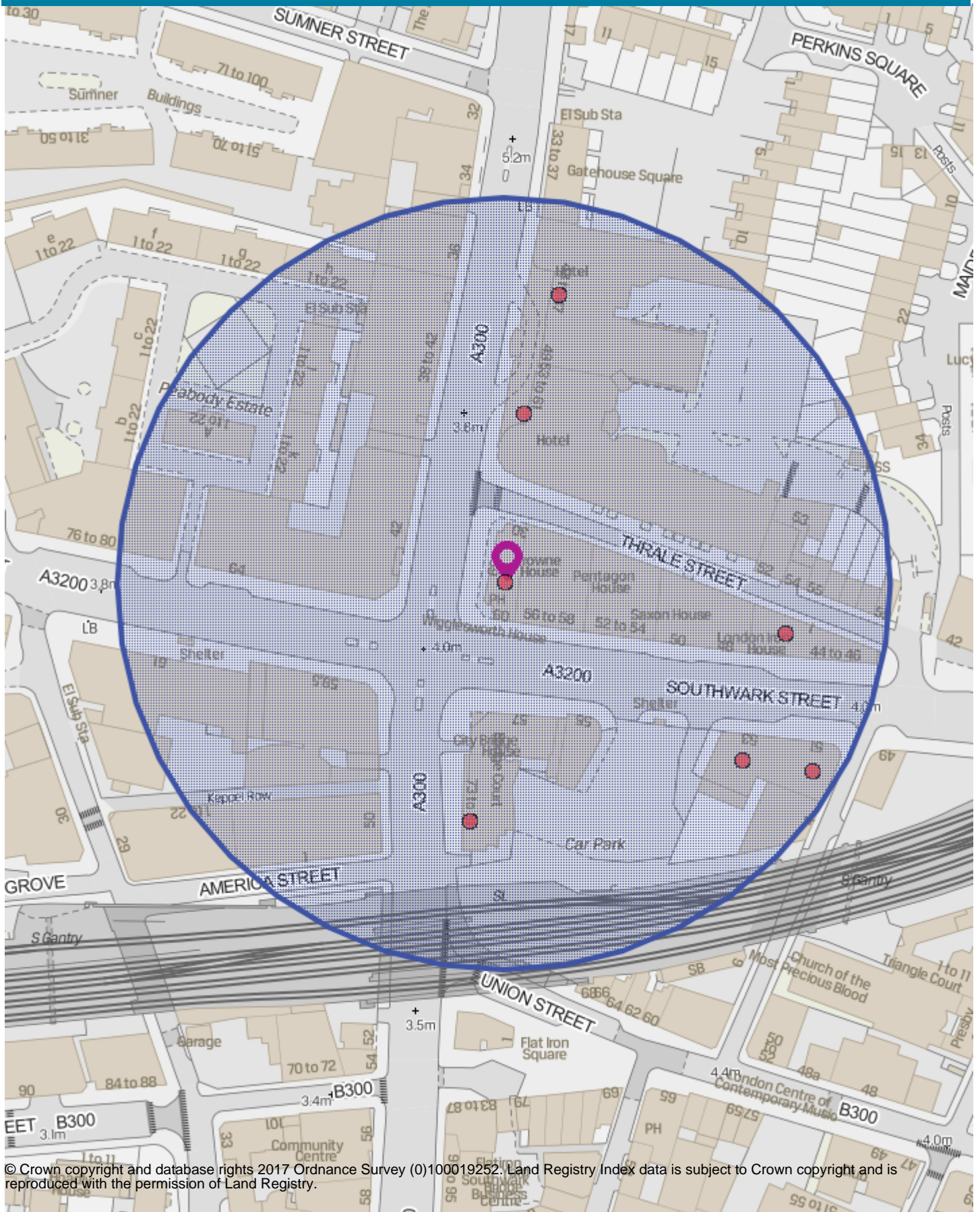
11/03/2017	21:05 NTE Visit	Alexander Lisowski	Southwark Rooms	Visited venue at 21.05pm, Saturday, 11th March, 2017, with PC MarkLynch (NTE Police) and Adam Burchett (Bankside Team). Venue was not open. Staff were preparing for an event that was going to start at 23.00pm and go on till 03.00am the next morning. Informed staff that we would return after 23.00pm to do an inspection. Returned at 00.01am. The venue was closed. There was a notice on the door stating that the event was now being held at the LA Lounge, Woolwich. Subsequent check with Police showed that a Form 696 had been submitted to the Police for this event. The LA Lounge is in Newham. E-mail sent to licensing teams at Newham for their info. 16/ 3/2017 14:56 MQ3
18/03/2017	2:17 NTE Visit	Farhad Chowdhury	Southwark Rooms	18/ 3/2017 2:17 FRC Open seen three people enter been searched while entering, then another person enters we think they were smokers who have gone smoking. Observed from the Bus stop on Southwark street.
19/03/2017	2:10 NTE Visit	Farhad Chowdhury	Southwark Rooms	19/ 3/2017 2:10 FRC monitoring outside, condition on the licence states no new entries after 2pm. We seen a tall large man with a large coat enter the premises at 2:12am and he was searched as he went inside the premises. No staff outside all were inside the premises. At 2:17 three people came outside to smoke, I went inside to speak to the manager of security company SIA. The Manager and DPS were on site Mr Patrick Witter. He told us that no new entries came inside. He said there was a fight last week outside that was due to a promoter they dont use that promoter any longer. And Mr Witter is now careful he does not allow anyone after 2am. I advised him to be careful and not to let any new entries after 2am.
25/03/2017	2:25 NTE Visit	Farhad Chowdhury	Southwark Rooms	25/ 3/2017 2:25 FRC approx 20 people smoking outside in the barriers, there were three men outside the barrier on southwark bridge road also smoking. Seen a man enter who was a new entry at 2:25am he was outside the barriers then another man went inside another new entry, then another two men went inside who were outside the barriers smoking. Told PC Stu Wythe we didnt visit as we had no Police.
08/04/2017	2:10 NTE Visit	Farhad Chowdhury	Southwark Rooms	8/ 4/2017 2:10 FRC poeple were leaving, observed for ten minutes did not see anyone entering.
03/06/2017	00:53 NTE Visit	Richard Kalu	Southwark Rooms	Visit to premises with Adam Burchett. Compliance check for activity however premises closed ATOV.
03/06/2017	20:46 NTE Visit	Farhad Chowdhury	Southwark Rooms	3/ 6/2017 20:46 FRC open and a few people outside the premises drinking will come back later tonight to check if club is open.
17/06/2017	21:30 NTE Visit	Andrew Heron	Southwark Rooms	Premises closed
24/06/2017	00:00 NTE Visit	Farhad Chowdhury	Southwark Rooms	24/ 6/2017 00:00 FRC closed all shut.
24/06/2017	03:28 NTE Visit	Richard Kalu	Southwark Rooms	Compliance check with Farhad Chowdhury. Premises closed ATOV.
16/07/2017	00:06 NTE Visit	Farhad Chowdhury	Southwark Rooms	16/ 7/2017 FRC closed tonight.
23/07/2017	1:30 NTE Visit	Farhad Chowdhury	Southwark Rooms	23/ 7/2017 1:30 FRC premises appears to be open, seen three people standing in the front smoking, no door staff seen. Called NTE Police Maria and informed her said she visited earlier and spoke to them they were told it was a staff meeting. I advised her it is no staff meeting it appears to be they are here for a party approx 20 people outside now all smoking. We did not visit due to personal safety and Police said they will visit again later. They still don't have a ID scanner at the premises.

12/08/2017	23:34 NTE Visit	Andrew Heron	Southwark Rooms	Visit with PC Lynch Patrick - DPS present. ID scanner on, but not accessible. CCTV on but neither system accessible, blames the company that he says the Police have recommended to him to use. Says that there is a fault on the hard drive. PC Lynch issued a S.19 Closure Notice
20/08/2017	1:30 NTE Visit	Farhad Chowdhury	Southwark Rooms	
26/08/2017	23:36 NTE Visit	Farhad Chowdhury	Southwark Rooms	closed atov 26/8/17
17/09/2017	01:45 NTE Visit MAD & KMA	Mark Orton	Southwark Rooms	<p>Visited premises with NTET Police to check if operating. Premises was open and operating with what appeared to be a birthday party taking place. Upon entering the premises we asked the female SIA at the door to inform the DPS Patrick Witter that we were to check the premises was operating safely since a prohibition notice had been served by Farhad Chowdhury earlier in the week. Upon checking the relevant parts of the premises it appeared that the DPS PW had not taken the advice given by FRC. In the fire exit route there was still wooden flooring in boxes on the left hand side of the corridor facing the fire exit doors. There was also paint pots, ladders, a chrome stand, and other debris in the area. I asked PW to clear the area of everything except the wood flooring otherwise he would have to close the premises. Upon further examination I noticed that the fire exit doors were locked with a padlock and chain. This would have prevented anyone leaving from this exit if there had been an emergency. When I brought this to PW's attention he stated that it had earlier been unlocked and that somebody else must have locked it without him knowing. I asked why someone would do that and he stated he didn't know. I asked him to immediately unlock the doors which he did, the padlock key was on a box mounted on the wall to the left of the doors. At this point PW accused me of being bureaucratic. I left the area whilst he cleared it and stood in the front bar area of the premises whilst he removed the rest of the debris. Whilst I was in the corridor area I took some photos of the condition of the area, showing none working emergency lighting, the chain on the fire exit doors and the debris in the area. Whilst I was stood in the front bar area I also took some photos showing the poor condition of the electrical plug sockets attached to the wall, one of which had a piece of electrical equipment plugged into it. Wires were visible behind the face plates of the sockets and it would have been very easy to put a hand in behind the faceplate. I brought this to PW's attention and he stated that someone had displayed some artwork on the wall and to do this they needed to move the sockets away from the wall and they were supposed to put them back before they left the premises. I asked why they had needed to be opened and didn't receive an answer. I also asked PW about the clubscan and he stated it wasn't working because the internet was intermittent and could not secure a connection. I asked to see footage from the CCTV and PW stated that because the internet was down, he couldn't access it. There were three SIA present, one female and two male. The patrons present appeared in good spirits and there didn't appear to be any issues with behaviour whilst we were there. I questioned PW about the locked fire exit and the potential consequences and PW was quite aware of what could happen. When I asked what could happen if people couldn't get out in an emergency he stated that people could get injured or die. PW didn't appear to have any concerns about the locked fire exit or the poor condition of the premises. When I had attempted to open the fire exit doors once the chain was removed, it took four or five hard</p>

				<p>pushes on the bar for the door to open. Once I had opened it, I pulled it shut, and attempted to open it again. It was very stiff and took several more pushes to open. I closed it again and it opened quite freely. I asked PW about the stiffness of the fire exit door and he stated that he knew about it and had had to use WD40 to ease it and had replaced screws. At this stage the patrons were beginning to leave the premises and it was due to close in 20 minutes. Before we left the premises, we informed PW that H&amp;S would be informed of what was witnessed and to expect another visit. The time was now 03:10</p>
22/09/2017	23:35 NTE Visit	Farhad Chowdhury	Southwark Rooms	<p>22/ 9/2017 23:35 FRC Met up Police at the station says Southwark Rooms was closed tonight.</p>
24/09/2017	01:24 NTE Visit	Andrew Heron	Southwark Rooms	<p>Visit with Police and Clarissa O'Toole. Patrick Witter present. Admits that the ID scanner is on, but not working. Did notice that metal detector wants were being used. Says that the CCTV "is working". Can see that it is turned, on, but it is not recording. Says that he has not received my invitations for an interview under caution, despite having sent 4 individual letters. Gave me an email address: [REDACTED] Also showed me second 'online' CCTV, but could not get this to work either. Police issued S19. Again.Re. H&amp;S issues - fire door chain has gone, the timber has been moved. However, the plug sockets have simply been taped to the wall. Also noted that a smoke detector was dangling from the ceiling. Photos taken and sent to Farhad.</p>
30/09/2017	21:45 NTE Visit	Farhad Chowdhury	Southwark Rooms	<p>30/9/2017 21:45 FRC We visited with PC Maria O'Mahoney and Special Constable Shane Dumphy. The premises was open and getting ready to open for tonight, as we entered the premises there were 7 staff inside, I seen staff in the nightclub in the basement all smoking inside. lot of smoke I took photos of the cigarette butts, both the WC's were filthy dirty with excrements on the floor. The electrical sockets on the walls on the ground floor were hanging off the wall I noticed it was connected to a DJ desk I took some more photos of this. This was another breach of the Prohibition Notice served on the premises. I Spoke to Jason the events manager he was not very co-operative and said nobody were smoking inside, when in fact the smoke was filled in the air of the premises we all smelled it including the Police. As soon as we arrived we also met the Fire Officer Andrew Brown from LFEPa who arrived to carry out an inspection of the premises. I noticed that the emergency lighting was not working some of the signs did not have any power on them. There were No lighting to the staircases either, Mr Patrick Witter arrived shortly afterwards. Spoke to Mr Witter about the smoking he shouted at me saying " I was not here was I, I don't know" I said a she was the manager he cannot allow smoking in the premises. All the fire extinguishers were out of test date they were last serviced in 2014. Advised mr Wittter they need to be serviced as soon as possible .The Fire officer found lots of fire deficiencies and said that he would be serving an Improvement Notice on the owners. Mr Witter gave us Ms Zalinska's email address: [REDACTED] and said she was the leaseholder. He also gave us his email address which is [REDACTED] He told us the company name was MAGFOS LIMITED which has the lease for the premises he said that Ms Zalinska was in Poland. PC Maria O'Mahoney noticed that Mr Witter was making strange noises clucking his face and she said that it was symptoms of someone who takes Cocaine I was quite alarmed by this. There were a lot of staff now arrived for work including</p>



				door staff bar staff and DJ, I warned Mr Witter that he had now breached the Prohibition notice on three occasions now and that it was an offence and he would be prosecuted. He should not open the premises as it was dangerous for Public Safety.*WARNING DO NOT VISIT* this premises alone without Police assistance.00:30 premises was open Mr Witters car was parked outside seen the bouncer inside the door, the front door was closed because it was raining. Club was open as usual.
07/10/2017	02:45 NTE Visit MAD & 9BM	Mark Orton	Southwark Rooms	Visited premises to check if operating. Lights on in ground floor bar area but no sign of activity or signs that it had been open. No persons in the immediate vicinity or sound of music emanating from the premises.
15/10/2017	15.10.17NTE Visit	Farhad Chowdhury	Southwark Rooms	15/10/2017 2:05 FRC premises closed.
04/11/2017	23:30 NTE Visit	Andrew Heron	Southwark Rooms	Premises Closed.
11/11/2017	23:36 NTE Visit MAD & MEB	Mark Orton	Southwark Rooms	Monitored premises from outside as no Police available. Premises appears to be operating, SIA on duty, stocky white male approx 55years of age stood at the door, SIA badge on his arm visible. People coming and going from premises, some smoking and making calls. A couple leave with two children that appear to be one girl of under 10years of age and a boy of about 11 years of age, all smartly dressed .Left at 23:50
18/11/2017	01:20 NTE Visit	Richard Kalu	Southwark Rooms	Visit to premises with Clarissa O'Toole to carry out observational checks of premises. Premises closed and non-operational ATOV.



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**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18**

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