

# Open Agenda



## Licensing Sub-Committee

Thursday 7 November 2019  
10.00 am  
Room G06 - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Barrie Hargrove  
Councillor Kath Whittam

### Reserves

Councillor Lorraine Lauder MBE

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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: 6 November 2019



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## Licensing Sub-Committee

Thursday 7 November 2019  
10.00 am  
Room G06 - 160 Tooley Street, London SE1 2QH

### Order of Business

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#### PART A - OPEN BUSINESS

##### 1. APOLOGIES

To receive any apologies for absence.

##### 2. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

##### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

##### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

##### 5. LICENSING ACT 2003: CLUB 701, BASEMENT AND GROUND FLOORS, 516 OLD KENT ROAD, LONDON SE1 5BA

1 - 80

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

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## **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: 6 November 2019

|                                    |                                |   |  |
|------------------------------------|--------------------------------|---|--|
| <b>Item No.</b><br>5.              | <b>Classification:</b><br>Open | <b>Date:</b><br>28 November 2019  | <b>Meeting Name</b><br>Licensing Sub-Committee |
| <b>Report title:</b>               |                                | Licensing Act 2003: Club 701, Basement and Ground Floors, 516 Old Kent Road, London SE1 5BA |  |
| <b>Ward(s) or groups affected:</b> |                                | Old Kent Road   |  |
| <b>From:</b>                       |                                | Strategic Director of Environment and Leisure   |  |

## RECOMMENDATIONS

1. That the licensing sub-committee considers whether it is appropriate to take interim steps pending the determination of an application for a summary review, made under Section 53A of the Licensing Act 2003 by the chief of police for the metropolitan police area, of the premises licences issued in respect of the premises known as Club 701, Basement and Ground Floors, 516 Old Kent Road, London SE1 5BA.
2. **Notes:**
  - a) Under section 53A(2) of the licensing act 2003 the licensing authority must consider interim steps within 48-hours following the submission of an application under Section 53A of the licensing act 2003.
  - b) A copy of the full application and certificate is attached as Appendix B.

## BACKGROUND INFORMATION

### The Licensing Act 2003

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

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

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence**

8. The premises licence issued in respect of the premises known as Club 701, Basement and Ground Floors, 516 Old Kent Road, London, SE1 5BA allows licensable activities as follows:
  - Plays, films, live music, recorded music, performances of dance, entertainment similar to live or recorded music, the sale of alcohol to be consumed on the premises:
    - Wednesday: 22:00 – 02:00
    - Thursday to Saturday: 22:00 – 04:00
    - Sunday: 22:00 – 01:00
  - Late night refreshment (indoors):
    - Wednesday: 23:00 – 02:00
    - Thursday to Saturday: 23:00 – 04:00
    - Sunday: 23:00 – 01:00
  - Opening Hours:
    - Wednesday: 22:00 – 03:00
    - Thursday to Saturday: 22:00 – 05:00
    - Sunday: 22:00 – 02:00.
9. A copy of the current premises licence is attached as Appendix A.

### **Designated premises supervisor**

10. The designated premises supervisor (DPS) of the premises is Mr Alfred Mansaray.

### **The review application and certificate**

11. On 5 November 2019 the Metropolitan Police Service applied to this licensing authority for a summary review of the premises licence issued in respect of the premises known as Club 701, Basement and Ground Floors, 516 Old Kent Road, London SE1 5BA.
12. On 5 November 2019 a Superintendent for the Metropolitan Police Service certified that in their opinion the premises are associated with serious crime, serious disorder or both.
13. The application is concerned with a serious incident that took place on 31 October 2019. A male victim was found in the smoking area to the rear of club. He was unconscious, unresponsive and bleeding from the head. The London Ambulance Service arrived at the scene and administered treatment for approximately 45 minutes and subsequently had to put the victim into an induced coma.
14. Police officers viewed CCTV of the incident. According to the time stamp on the CCTV the incident took place at 02:17, however this is inconsistent with calls made to the emergency services meaning that the premises was possibly open past its permitted

closing time, or that calls made to the emergency services were not made until an hour after the incident.

15. Police investigations also indicate that the identification scanning system at the premises was not working at the time of the incident. This constitutes a possible breach of condition 342 of the premises licence issued in respect of the premises.
16. CCTV footage shows that some of the people involved in the incident either had hoods up or were wearing hats. Condition 373 of the premises licence issued in respect of the premises states: "That customers shall not be permitted to wear hats or hoods whilst inside the venue."
17. The police state that the incident mainly took place in the smoking area to the rear of club and that this area is used as a shisha smoking area. The smoking of shisha using shisha coals is not permitted at the premises. The crime report in respect of the incident indicates that the use of shisha coals was taking place at the time of the incident.
18. The police contend that the incident took place at a time when the premises were not being operated in accordance with an authorisation permitted by the Licensing Act 2003 and that, if the premises had been closed on time and also operating in accordance with the conditions of the premises licence issued in respect of the premises, the incident could have been avoided.
19. The police state that they have no confidence in the management of the premises and recommend that the following interim step is taken prior to the full review hearing in respect of the premises:
  - That the licence is suspended until such time that the full licensing review is determined.
20. The licensing sub-committee is not restricted to just considering this step.
21. Copies of the review application, review certificate and a witness statement from the police in support of the review application are attached to this report as Appendix B.

### **The review procedure**

22. The current hearing is for the purpose of considering if interim steps are needed as a result of the summary review submitted by the police, prior to the pending full review hearing that will be held on 28 November 2019.
23. The licensing sub-committee is not obliged to hear evidence from other parties at this stage of the procedure. However the premises licence holder and DPS have been invited to attend the hearing.
24. The review is currently being consulted on and a public notice is advertised at the premises for 10 days. Responsible authorities and any other persons may make representations that will then be considered at the full hearing of the licensing sub-committee.
25. Any interim steps made by the licensing sub-committee at this hearing will cease to have effect once the review has been determined.

### **Operating history**

26. A premises licence was issued in respect of the premises to Erico Entertainment Limited on 19 February 2016. The licence number was 851424. For reference, a copy of the licence is attached to this report as Appendix C.

27. On 8 July 2016 a licensing induction was undertaken with the DPS of the premises. At the induction the terms and conditions of the licence were explained, as were the role and remit of the Licensing Unit. A copy of an induction checklist signed by the DPS is attached in Appendix D.
28. On 13 August 2016 the Metropolitan Police Service issued a closure notice under section 19 of the Criminal Justice and Police Act 2001 regarding alleged breaches of licence conditions 297, 341, 342 and 297. A copy of the closure notice is attached in Appendix D.
29. On 10 September 2016 the Metropolitan Police Service issued a closure notice under section 19 of the Criminal Justice and Police Act 2001 regarding alleged breaches of licence conditions 289, 341 and 342. A copy of the closure notice is attached in Appendix D.
30. On 23 October 2016 the Metropolitan Police Service issued a closure notice under section 19 of the Criminal Justice and Police Act 2001 regarding an alleged breach of licence condition 359. A copy of the closure notice is attached in Appendix D.
31. On 26 November 2016 a second licensing induction was undertaken with the DPS of the premises. At the induction the terms and conditions of the licence were explained, as were the role and remit of the Licensing Unit. A copy of an induction checklist signed by the DPS is attached in Appendix D.
32. On 2 September 2017 a licensing inspection of the premises was undertaken. The premises were found to be being operated in breach of conditions 288, 307, 344, 345, 349, 353, 357, 379, 392, 4AI & 793 of the premises licence issued in respect of the premises.
33. On 14 October 2017 an application to vary the premises licence was submitted.
34. On 11 November 2017 a licensing re-inspection of the premises was undertaken. The premises were found to be being operated in breach of conditions 289, 307, 341, 342, 364, 377 and 793.
35. On 19 November 2017 the Metropolitan Police Service visited the premises. The premises were found to be being operated in breach of conditions 289 and 373 of the premises licence issued in respect of the premises.
36. On 11 January 2018 subsequent to the application to vary the premises licence submitted on 14 October 2017, and following a licensing sub-committee hearing, an amended premises licence was issued to Erico Entertainment Limited. The new licence number is 860699. Licence number 860699 is the current premises licence issued in respect of the premises and is attached to this report as Appendix A.
37. On 6 July 2018 the DPS of the premises accepted a simple caution regarding offences under the Licensing Act 2003 that occurred at the premises on 2 September 2017 and 11 and 19 November 2017. A copy of the caution is attached in Appendix D.
38. On 28 August 2018 the Metropolitan Police Service issued a Notification of Alleged Offence under the Licensing Act 2003 relating to the unauthorised operation of the premises on 28 August 2018. A copy of the notification is attached in Appendix D.
39. On 11 June 2019 the DPS of the premises accepted a simple caution regarding offences under the Licensing Act 2003 that occurred at the premises on 28 August 2018. A copy of the caution is attached in Appendix D.

40. On 11 June 2019 a third licensing induction was undertaken with the DPS of the premises. At the induction the terms and conditions of the licence were explained, as were the role and remit of the Licensing Unit. A copy of an induction checklist signed by the DPS is attached in Appendix D.
41. Details of night time visits to the premises by council licensing officers are provided in Appendix E.
42. Details of temporary event notices (TENs) submitted in respect of the premises are attached as Appendix F.

### **The local area**

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

### **Southwark Council statement of licensing policy**

44. Council Assembly approved Southwark's Statement of Licensing Policy 2019 - 2021 on 27 March 2019. The policy came into effect on 28 March 2019. 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.
45. 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**

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

### **Consultation**

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

### **Community impact statement**

48. 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**

49. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.

50. The principles, which sub-committee members must apply, are set out below.

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

51. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where:

- The application is properly made in accordance with Section 53A of the Act.
- The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.

52. 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.

53. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:

- Modify the conditions of the licence by altering, omitting or adding any condition
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the premises licence.

54. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.

55. The authority may decide to take no action if it finds no interim steps are appropriate to promote the licensing objectives.

56. 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.

57. 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**

58. Where the authority takes interim steps an application for review it must notify the determination and reasons why for making it to:

- The holder of the licence
- The chief officer of police for the area (or each police area) in which the premises are situated.

### **Hearing procedures**

59. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that

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

60. This matter relates to the review of the premises licence under section 53A of the Licensing Act 2003.

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

61. 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.

- 62. 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.
- 63. 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.
- 64. 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.
- 65. 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.
- 66. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
- 67. 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.
- 68. There is no right of appeal to a Magistrates' Court against the licensing authority's decision regarding the setting of interim steps at this stage.

### **Guidance**

- 69. 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**

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

## REASONS FOR LATENESS

71. When an application for an expedited summary review is received from the police under section 53a of the Licensing Act 2003 the council's licensing authority has a statutory duty hold a hearing within 48 hours from receipt of the application to consider interim steps that may be placed on the premises licence until such time as the application can be fully determined.

## REASONS FOR URGENCY

72. The council has a statutory duty under section 53a to hold an interim hearing within 48 hours of receipt of a summary review.

## BACKGROUND DOCUMENTS

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

## APPENDICES

| Name       | Title   |
|------------|---|
| Appendix A | Copy of current premises licence (licence number 860699)  |
| Appendix B | Copies of the review application, review certificate and witness statement in support of the review application |
| Appendix C | Copy of the previous premises licence issued in respect of the premises (licence number 851424)                 |
| Appendix D | Copies of documents relating to the operating history of the premises   |
| Appendix E | Details of licensing unit night time visits to the premises   |
| Appendix F | Details of temporary event notices submitted in respect of the premises   |
| Appendix G | Map of local area   |

## AUDIT TRAIL

|   |   |
|---|---|
| <b>Lead Officer</b>   | Caroline Bruce, Strategic Director of Environment and Leisure |
| <b>Report Author</b>  | Wesley McArthur, Principal Licensing Officer                  |
| <b>Version</b>  | Final   |
| <b>Dated</b>  | 5 November 2019   |
| <b>Key Decision?</b>  | No  |
| <b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b> |   |
| <b>Officer Title</b>  | <b>Comments sought</b>  |
| Director of Law and Democracy   | Yes   |
| Strategic Director of Finance and Governance                            | Yes   |
| <b>Cabinet Member</b>   | <b>Comments included</b>                                      |
|   | No  |
| <b>Date final report sent to Constitutional Team</b>                    |   |
| 6 November 2019   |   |

# Licensing Act 2003

## Premises Licence



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

Premises licence number

860699

### Part 1 - Premises details

|   |                             |
|---|-----------------------------|
| <b>Postal address of premises, or if none, ordnance survey map reference or description</b> |                             |
| Club 701<br>Basement And Ground Floors<br>516 Old Kent Road                                 |                             |
| Ordnance survey map reference (if applicable): 177968534180                                 |                             |
| <b>Post town</b><br>London  | <b>Post code</b><br>SE1 5BA |
| <b>Telephone number</b>   |                             |

### Licencable activities authorised by the licence

Plays - Indoors  
Films - Indoors  
Live Music - Indoors  
Recorded Music - Indoors  
Performance of Dance - Indoors  
Entertainment Similar to live/recording music / dance - Indoors  
Late Night Refreshment - Indoors  
Sale by retail of alcohol to be consumed on premises

### The opening hours of the premises

For any non standard timings see **Annex 2**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 03:00 |
| Thursday  | 22:00 - 05:00 |
| Friday    | 22:00 - 05:00 |
| Saturday  | 22:00 - 05:00 |
| Sunday    | 22:00 - 02:00 |

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

Sale by retail of alcohol to be consumed on premises

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

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

**Plays - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Films - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Live Music - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Recorded Music - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Performance of Dance - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Entertainment Similar to live/recording music / dance - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Late Night Refreshment - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 23:00 - 02:00 |
| Thursday  | 23:00 - 04:00 |
| Friday    | 23:00 - 04:00 |
| Saturday  | 23:00 - 04:00 |
| Sunday    | 23:00 - 01:00 |

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

|           |               |
|-----------|---------------|
| Wednesday | 23:00 - 02:00 |
| Thursday  | 23:00 - 04:00 |
| Friday    | 23:00 - 04:00 |
| Saturday  | 23:00 - 04:00 |
| Sunday    | 23:00 - 01:00 |

**Part 2**

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

Erico Entertainment Limited  
516 Old Kent Road  
London  
SE1 5BA

**Registered number of holder, for example company number, charity number (where applicable)**  
09977040

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

Alfred Mansaray  
[REDACTED]  
[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: [REDACTED]

Licence Issue date: 11/01/2018

[REDACTED]  
Head of Regulatory Services  
Hub 1, 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.

**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**

**276** That the premises shall be adequately ventilated to allow doors and windows to remain closed during licensed entertainment.

**288** That a CCTV system shall be installed and maintained in full working order. The CCTV system will record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered by the CCTV system including the bar and smoking areas.

**289** All CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available for inspection to officers of the Police and the Council on request.

**297** That a drugs / weapons amnesty box, approved by the police, shall be installed and maintained in use at the premises at all times that the premises are in operation.

**302** The manager shall notify the police of all drugs or weapons seized and deposited in the amnesty box as soon as possible and arrange for the police to collect the contents of the amnesty box as soon as is practicable to do so.

**303** That the licensee shall require any regular and external promoters or any other 3rd parties hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Police Licensing Unit and, once completed, you shall ensure that a copy of the agreement is provided to the central licensing unit as detailed on the form 696 and to Southwark Police Licensing Unit a minimum of fourteen days prior to the date of hire.

**305** That clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.

**307** That an accommodation limit shall be set in respect of the premises. All staff at the premises shall be made aware of the accommodation limit. The SIA security staff employed at the premises shall be responsible for ensuring that the accommodation limit is not exceeded and shall use counting devices to ensure that the accommodation limit is not exceeded. Once the accommodation limit of the premises has been reached the premises shall operate a 'one in, one out' policy.

**309** That a sound limiting device shall be installed, set and maintained, to ensure the maximum levels of volume and bass of music, song or speech from licensed entertainment permitted by the amplification system, does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.

**320** That the sound level of the music being played at the premises will be gradually reduced until no music is audible during the hour before the premises shuts. During this period lighting levels at the premises will be gradually increased until the premises are fully lit.

**336** That a personal licence holder is on the premises and on duty at all times after 22:00 when intoxicating liquor is supplied.

**340** That there shall be at least one member of staff on duty at all times the premises are in operation who is trained and proficient in the operation of the CCTV system and who is capable of operating and retrieving footage at the request of police, council or other authorised officers.

**342** That an ID scanning system of a specification to the reasonable satisfaction of the Police shall be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram on ID, read both passports and ID cards and be able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 22:00 when the premises are in operation and will be used to record the details of all persons entering the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document and / or if the person's details are already stored on the system and they are identified using a biometric identification system.

**343** That at all times the premises are in operation under the premises licence there will be at least one member of staff trained to a satisfactory standard able to operate the ID scan system and able to retrieve data from the system on request of police, council or other authorised officers.

**346** That the internal security door leading to the Old Kent Road will be fitted with an automatic security light and sound cut-out device which will automatically shut down all music systems when opened.

**347** That all beverages will be served in plastic / polycarbonate receptacles, no glasses or bottles will be permitted in the public areas of the venue.

**348** That all incidents of violence and / or disorder that result in an injury will be reported to the police as soon as practicable. The reasoning behind any delayed report will be recorded in the incident report book. This report book will be made available for inspection by police, council or other authorised officers on request.

**349** That acoustic seals, brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) shall be installed to all doors and fire doors leading out into external areas so as to minimise sound escape from the premises.

**350** That sound insulation shall be installed to baffle any vents or air extraction systems to prevent sound escape from the premises.

**351** That all external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.

**352** That amplified music, song or speech shall not be broadcast in external areas at any time.

**353** That no drinks shall be permitted outside at any time.

**354** That clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside.

**355** That any queue to enter the premises must be contained within suitable barriers and supervised at all times by door supervisors

**356** That external waste handling and cleaning of external areas, collections and deliveries shall only occur between the hours of 08.00hrs and 23.00hrs.

**357** That a comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and such training records shall be made available to the council or police on request.

**358** That licensable activities shall cease at a minimum 30 minutes before the premises' closing hours.

**359** That on Sunday after 00:30, on Wednesday and Thursday after 01:30 and on Friday and Saturday after 02:00 there shall be no new entry to the premises, other than those who leave the premises for the purpose of smoking a cigarette, those persons shall be subject to a further search on the re-entry to the premises.

**362** That all security staff shall be in radio communication with each other and the duty manager whilst working at the premises.

**363** That clearly legible notices will be prominently displayed where they can easily be seen and read by customers warning of potential criminal activity that may target patrons such as theft.

**364** An incident book / incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises:

- Instances of anti-social or disorderly behaviour
- Violence
- Calls to the police or fire brigade
- Abuse of staff and / or customers
- Ejections of people from the premises
- Visits to the premises by the local authority, police or fire brigade
- Refused sales of alcohol
- Any malfunction in respect of the CCTV system Seizures of drugs at the premises
- Any other relevant incidents

The incident book / incident recording system shall record the time, date, location and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available to officers of the council, police or fire brigade on request.

**365** That clearly legible notices will be prominently displayed where they can easily be seen and read by customers stating that all customers will be searched prior to entering the premises.

**366** That security staff should always attempt to search in front of a witness or, if possible, carry out the search within sight of the CCTV camera at the entrance to the Club.

**367** That any person who appears under the influence of drugs and will be refused entry.

**368** That where there is a suspicion that an individual is in possession of drugs that individual will be requested to submit to a search. If the individual refuses the search they will be ejected from the premises. Any person found in possession of drugs will be instructed to place the drugs in the drugs amnesty box at the premises.

**369** That the police will be called immediately if a person is found with a large quantity of drugs that suggests intent to supply, or in cases where a particularly dangerous weapon is found such as a firearm. No attempt will be made to force the person to remain at the premises however a good description of the person must be taken and be provided to the police. In all cases where drugs or weapons are found on a person a detailed note shall be made in the incident log.

**370** That any person who appears to any staff member to be intoxicated and will be refused entry to the premises.

**371** That re-entry to the premises will not be permitted to any customer who has been ejected earlier on during a particular night, who has been banned or who has in any way aggressively supported a person being ejected.

**372** That customers shall not be permitted to wear sunglasses, save for prescription glasses, inside the venue.

**373** That customers shall not be permitted to wear hats or hoods whilst inside the venue.

**374** That SIA staff shall periodically monitor who enters and exits parking lot.

**375** That the premises management reserve the right to ban anybody from the premises at any time or refuse entry to the premises by anybody at any time. The premises reserve the right to refused entry without explanation.

**376** That prior to entry or re-entry all customers must be subject to a search by the SIA security staff employed at the premises. Any person refusing such a search will not be permitted entry or re-entry to the premises.

**377** That customers shall be instructed that bulky items such as bulky bags and coats must be left in the cloakroom before entering the main area of the club. Anyone who refuses to place these types of belongings in the cloakroom will not be able to enter the main area of the club

**378** That all promoters hiring and using the premises must have attained a BIIAB Level 2 Award for Music Promoters prior to hiring and using the premises.

**379** That prior to the premises opening, security checks of the premises and the immediate vicinity that the premises are located in shall be undertaken. Details of such checks shall be recorded in the incident log.

**380** That security staff employed at the premises will be trained to be aware of what is happening inside the premises as well as on the door, and shall be instructed that patrols around the premises may be necessary. Consideration must be given to any hot spots within the premises and especially in the smoking area and regular monitoring of such areas must undertake by the security staff.

**381** That security staff shall be trained to be alert to and respond to alarms given by the DJ, toilet attendants or any other staff employed at the premises.

**382** That any customer who engages in anti-social behaviour in the smoking area shall not be permitted re-entry to the premises.

**383** That customers using the smoking area will be subject to a search upon re-entry to the premises. Clearly legible notices will be prominently displayed where they can easily be seen and read by customers stating that customers using the smoking area will be subject to a search upon re-entry to the premises.

**384** That staff who arrive early morning or depart late at night will be instructed to conduct themselves in such a manner to avoid causing disturbance or nuisance to nearby residents.

**386** That staff shall remove drinks receptacles from patrons who are attempting to leave the premises.

**388** That staff will advise customers not to congregate outside the premises or in the locale and shall be encouraged to disperse from the area. Any customers who are acting in a noisome or anti social manner when leaving the premises or when immediately outside of the premises will be requested to cease such behaviour.

**389** That two licensed taxi firms in the local area will be available to customers, so they can arrange suitable transportation home. If staff at the premises order a taxi for a customer they shall request that the taxi controller instructs the taxi-driver not to sound the vehicle's horn on arrival, but to approach a staff member and let the staff member know that the driver has arrived. Staff will inform the patron upon the arrival of their taxi.

**390** That a member of management will be visible with the door team until all customers have dispersed and shall ensure that the door team are acting effectively and in line with their responsibilities.

**391** That easily identified staff in high visibility vests will be assisting in customer dispersal, the clearing of any waste arising from the operation of the premises (including 'fliers') and the monitoring of customers whilst they move away from the premises.

**392** That the location of car parks in the area and other travel facilities shall be identified on all promotional materials, including the premises' website.

**393** That there will be enough staff in the cloakroom to ensure orderly and timely return of coats / possessions to customers.

**394** That details of transport links in the area (e.g. public transport options, taxi ranks etc.) shall be made available to customers on request.

**395** That the document titled 'Operational Polices for Club 701' as submitted on application for this licence shall be amended to reflect the conditions stated in this licence.

**396** That on Sundays prior to Bank Holiday Mondays, Christmas Eve and New Years Eve the permitted opening hours of the premises are between 22:00 to 05:00 and licensable activities must cease at 04:00 on these days.

**431** That during any licensed entertainment on the premises all doors and windows leading out to external areas shall remain closed.

**430** That there shall be no movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 08.00hrs.

**4AA** 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.

**4AK** That the licensee, premises' management or premises' DPS shall attend local 'Pub Watch' meetings if a 'Pub Watch' scheme exists in the local area.

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

**840** That all directors and management of MYTRIBE Limited shall not be allowed any involvement in the running of the premises at any time that licensable activities are taking place.

**841** That a minimum of 3 SIA registered door supervisors shall be employed at the premises if the premises open before 00:00 hours, one of whom shall be female, at all times that the premises are in use. They will be employed each night that the premises are in operation and will be on duty to receive patrons at the stated opening time of 22:00; after 00:00 hours, a minimum of 6 SIA registered door supervisors shall be employed, one of whom shall be female, at all times that the premises are in use. At least two will be provided with, and will use, electronic search wands. The electronic search wands shall be used at all times that the premises are open in respect of the search of all persons who wish to enter the premises. This includes all DJ's and associated staff and their equipment

**Annex 4 - Plans - Attached**

Licence No. 860699

Plan No. 01

Plan Date 11.12.13



**METROPOLITAN  
POLICE**

## TOTAL POLICING

### Form for Applying for a Summary Licence Review

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

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink.

Use additional sheets if necessary.

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

|       |                          |  |  |
|-------|--------------------------|--|--|
| Name: | Southwark Licensing Team |  |  |
|-------|--------------------------|--|--|

|          |  |  |  |
|----------|--|--|--|
| Address: |  |  |  |
|----------|--|--|--|

|                             |  |  |  |
|-----------------------------|--|--|--|
| 3rd Floor 160 Tooley Street |  |  |  |
|-----------------------------|--|--|--|

|            |           |            |         |
|------------|-----------|------------|---------|
| Post town: | Southwark | Post code: | SE1 2QH |
|------------|-----------|------------|---------|

|           |  |  |  |
|-----------|--|--|--|
| Ref. No.: |  |  |  |
|-----------|--|--|--|

#### I Police Constable Ian Clements

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

#### 1. Premises details

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

|                             |  |  |  |
|-----------------------------|--|--|--|
| Club 701, 516 Old Kent Road |  |  |  |
|-----------------------------|--|--|--|

|            |           |                          |         |
|------------|-----------|--------------------------|---------|
| Post town: | Southwark | Post code:<br>(if known) | SE1 5BA |
|------------|-----------|--------------------------|---------|

#### 2. Premises licence details

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

Erico Entertainment Limited

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

860699

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

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

Please tick the box to confirm:

**PROTECTIVE MARKING**

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

On the 31<sup>st</sup> August 2019 Police responded to a call to a fight inside club 701, 516 Old Kent Road. On arrival of Police a male victim was found in the smoking area at the rear of the club. He was unconscious and unresponsive and bleeding from the head. LAS arrived on scene and worked on the victim for approximately 45 minutes before putting him an induced coma and convey him to Kings College Hospital.

I have viewed the CCTV from the smoking area and note that the timing shows the incident taking place at 02:17. This is inconsistent with the timing of the calls to the emergency services. This either means that the premises were open to the public beyond their terminal hour of 03:00 or they waited an hour to call the emergency services.

I made contact with the investigating officer to advise him that the premises should have an ID scan system in operation at all times that the premises are in operation under the premises licence. The investigating officer got in touch with Eric Doe and was told that on the night they discovered a software fault with the ID scan and were unable to get an engineer out to fix it before they opened. This would appear to be in contradiction of the details I have been provided, the fault was first reported Thursday morning, this was confirmed in an email from Mr Doe.

I have an email chain between Mr Doe and ID scan, one of which describes the system to have physical damage and needs replacing. According to ID scan the issues with the system only started Wednesday night, Thursday morning, prior to that they have no issues logged on their system or faults reported.

Condition 373: That customers shall not be permitted to wear hats or hoods whilst inside the venue.

I have viewed the CCTV and note a number involved in the fight either had hoods up or wearing hats.

This incident largely took place in the smoking area in the rear courtyard of the premises. A section of the courtyard is set aside as a covered shisha smoking area. The smoking of Shisha using Cole is prohibited at this venue. I note from the crime report that the use of Coles appears to be taking place. The premises licence holder stated at an earlier hearing that only electronic Shisha devices would be used.

This incident took place in a licensed premises that at the time was operating without the correct authorisation, by way of a premises licence or a temporary event notice. If the premises had have closed on time and had been operating in line with the conditions on the premises licence, I believe this incident could have been avoided.

I have no confidence in the management of this premises, they have a number of control measures on the licence that were breached on the night in question. The addition of further conditions in my opinion is not appropriate on this occasion. I recommend that the licence is suspended pending the outcome of a full review of the premises licence.

**Signature of applicant**

|            |            |       |                               |
|------------|------------|-------|-------------------------------|
| Signature: | [REDACTED] | Date: | 5 <sup>th</sup> November 2019 |
|------------|------------|-------|-------------------------------|

Capacity: **Police Licensing Officer**

**Contact details for matters concerning this application**

|  |                 |              |                |
|--|-----------------|--------------|----------------|
| Surname:   | <b>Clements</b> | First Names: | <b>Ian</b>     |
| <b>Address:</b>  |                 |              |                |
| <b>Southwark police station, 323 Borough High Street</b> |                 |              |                |
| Post town:   | <b>London</b>   | Post code:   | <b>SE1 1JL</b> |

**Notes for guidance**

**TOTAL POLICING****Certificate under Section 53A(1)(b) of the Licensing Act 2003****Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG**

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

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

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

**Club 701, 516 Basement & Ground Floor Old Kent Road**

|                   |                  |                                 |                |
|-------------------|------------------|---------------------------------|----------------|
| <b>Post town:</b> | <b>Southwark</b> | <b>Post code:</b><br>(if known) | <b>SE1 5BA</b> |
|-------------------|------------------|---------------------------------|----------------|

**Premises licence number (if known):**

**860699**

**Name of premises supervisor (if known):**

**Mr Alfred Mansaray**

**I am a Superintendent\* in the Metropolitan Police Service.**

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

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

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

**PROTECTIVE MARKING**

**On Thursday the 31<sup>st</sup> October at approximately 03:15 Police were called to the above venue following reports of a fight inside the premises.**

**A male victim was idendified in the smoking area at the rear of the club, he was unconscious and bleeding from the head.**

**On initial investigation it would appear the victim has been attacked by a number of suspects and struck over the head with a metal bar or section of a shisha pipe.**

**He remained unconscious and was placed in an induced coma before being transferred to Kings College Hospital.**

**The premies appears to have been operating in breach of their premises licence, no ID scan system was in place when the premises were in operation under the premises licence.**

**The lack of ID scan has had a detrimental impact on the initial investigation and the timely identification of suspects involved in a serious assault.**

**It would also appear that the premises were operating beyond the terminal hour for licensable activities.**

**I am of the opinion that action is required to prevent further crime and disorder and to protect the public, the standard review procedure is not appropriate on this occasion due to the time involved.**

**Signature**

**Signature:**

*SLTT  
HOLDELLS*

**Date:**

*5/11/19*

Retention Period: 7 years  
MP 147/12

## 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 Ian Clements 2363AS

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

 2362 AS

Date: 06/11/2019

I have been a Police constable for over 26 years, I have been in my current role as the Police licensing officer for Southwark for over 9 years.

On the 6<sup>th</sup> November 2019, as part of my investigation into a serious assault at Club 701, 516 Old Kent Road I viewed the venues CCTV which covers the smoking area, and the body worn video from officers responding to the assault.

At 03:17 the CCTV shows a large disturbance taking place in the smoking area of the venue, the camera shows a large seated area with several red leather sofas, some tables and at least one shisha pipe on its stand. During the fight one of the suspects picks up this Shisha bar and strikes the victim who had been knocked to the floor.

A number of other suspects join in the fight and appear to be attacking the victim, it should be noted a number of the suspects are wearing hoods or hats, making facial recognition very difficult.

Condition 373: That customers shall not be permitted to wear hats or hoods whilst inside the venue.

I am aware of the terminal hours and conditions on the premises licence, the premises should be closed to the public at 0300 and the assault took place at 0318.

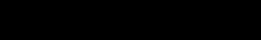
With regard to the smoking area and the presence of Shisha. On the 14<sup>th</sup> October 2017 the premises licence holder submitted an application to vary the premises licence, one of the variation sort was to amend the conditions relating to the consumption of drinks outside in the smoking area. This was to allow for the introduction of a Shisha bar in order to increase revenue.

The responsible authorities objected to this particular variation on the grounds of public safety and the prevention of crime and disorder.

This section of the variation was rejected by the licensing subcommittee and the variation to allow drinks outside was refused.

This is covered by condition 353: That no drinks shall be permitted outside at any time.

In response the representations from the responsible authorities with regard to the introduction of a Shisha Bar the premises licence holder provided the following response.

Witness Signature:  2362 AS

Signature Witnessed by Signature: 

Page 1 of 2

Continuation of Statement of:

**The smoking of shisha pipes will be of the electronic variety only, akin to e-cigarettes, and so no coal storage will be required. The issue of shisha fumes and their possible inhaling by staff and guests alike, will, accordingly, be made redundant.**

The CCTV shows the victim being attacked with what appears to be a free standing Shisha pipe and possibly one that uses Coles to heat. The following is a direct lift from the crime report relating to the assault on Wednesday and is a statement from a member of staff.

**He stated that XXXXX was misusing the shisha pipes. XXXXX tried to warn XXXXX about the way he was using it and some of the coal from it fell in front of XXXXX which caused him to become angry and he said that XXXXX didn't care about his life. XXXXX then started to be abusive about XXXXX family and started swearing. XXXXX grabbed the pipe from XXXXX and XXXXX has then put his hand on XXXXX chest.**

This statement would appear to support the evidence that despite the promises not to use anything but electronic Shisha the venue have been using the Shisha Coles.

In addition to the CCTV I also viewed the body worn video from one of the police officers on scene and dealing with the victim of the assault. This shows the broken Shisha pipe lying next to the victim along with what appears to be a glass bottle of beer.

Condition 353: No drinks permitted outside at any time.

Condition 347: That all beverages will be served in plastic/polycarbonate receptacles, no glasses or bottles will be permitted in the public area of the venue.

The above footage would appear to contradict these conditions.

All of the above are in my opinion contributory factors that have resulted in a victim being seriously assaulted, in my opinion a situation that could have been avoided if the premises were operating responsibly and within the restrictions of the current premises licence.

Witness Signature: [REDACTED]

2362 95

Signature Witnessed by Signature: [REDACTED]

Page 2 of 2

# Licensing Act 2003

## Premises Licence



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

Premises licence number

851424

### Part 1 - Premises details

|   |                           |
|---|---------------------------|
| <b>Postal address of premises, or if none, ordnance survey map reference or description</b> |                           |
| Club 701<br>Basement And Ground Floors<br>516 Old Kent Road                                 |                           |
| Ordnance survey map reference (if applicable): 177968534180                                 |                           |
| <b>Post town:</b> London  | <b>Post code:</b> SE1 5BA |
| <b>Telephone number</b>   |                           |

### Licensable activities authorised by the licence

Plays - Indoors  
Films - Indoors  
Live Music - Indoors  
Recorded Music - Indoors  
Performance of Dance - Indoors  
Entertainment Similar to live/recording music / dance - Indoors  
Late Night Refreshment - Indoors  
Sale by retail of alcohol to be consumed on premises

### The opening hours of the premises

For any non standard timings see **Annex 2**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 03:00 |
| Thursday  | 22:00 - 05:00 |
| Friday    | 22:00 - 05:00 |
| Saturday  | 22:00 - 05:00 |
| Sunday    | 22:00 - 02:00 |

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

Sale by retail of alcohol to be consumed on premises

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

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

**Plays - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Films - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Live Music - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Recorded Music - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Performance of Dance - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Entertainment Similar to live/recording music / dance - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Late Night Refreshment - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 23:00 - 02:00 |
| Thursday  | 23:00 - 04:00 |
| Friday    | 23:00 - 04:00 |
| Saturday  | 23:00 - 04:00 |
| Sunday    | 23:00 - 01:00 |

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

|           |               |
|-----------|---------------|
| Wednesday | 23:00 - 02:00 |
| Thursday  | 23:00 - 04:00 |
| Friday    | 23:00 - 04:00 |
| Saturday  | 23:00 - 04:00 |
| Sunday    | 23:00 - 01:00 |

**Part 2**

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

Erico Entertainment Limited  
801 California Building  
Deals Gateway  
London  
SE13 7SF

**Registered number of holder, for example company number, charity number (where applicable)**  
09977040

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

Alfred Mansaray  
[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: [REDACTED]

Licence Issue date: 08/06/2016

[REDACTED]  
Head of Regulatory Services  
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.

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

**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**

**276** That the premises shall be adequately ventilated to allow doors and windows to remain closed during licensed entertainment.

**288** That a CCTV system shall be installed and maintained in full working order. The CCTV system will record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered by the CCTV system including the bar and smoking areas.

**289** All CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available for inspection to officers of the Police and the Council on request.

**297** That a drugs / weapons amnesty box, approved by the police, shall be installed and maintained in use at the premises at all times that the premises are in operation.

**302** The manager shall notify the police of all drugs or weapons seized and deposited in the amnesty box as soon as possible and arrange for the police to collect the contents of the amnesty box as soon as is practicable to do so.

**303** That the licensee shall require any regular and external promoters or any other 3rd parties hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Police Licensing Unit and, once completed, you shall ensure that a copy of the agreement is provided to the central licensing unit as detailed on the form 696 and to Southwark Police Licensing Unit a minimum of fourteen days prior to the date of hire.

**305** That clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.

**307** That an accommodation limit shall be set in respect of the premises. All staff at the premises shall be made aware of the accommodation limit. The SIA security staff employed at the premises shall be responsible for ensuring that the accommodation limit is not exceeded and shall use counting devices to ensure that the accommodation limit is not exceeded. Once the accommodation limit of the premises has been reached the premises shall operate a 'one in, one out' policy.

**309** That a sound limiting device shall be installed, set and maintained, to ensure the maximum levels of volume and bass of music, song or speech from licensed entertainment permitted by the amplification system, does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.

**320** That the sound level of the music being played at the premises will be gradually reduced until no music is audible during the hour before the premises shuts. During this period lighting levels at the premises will be gradually increased until the premises are fully lit.

**336** That a personal licence holder is on the premises and on duty at all times after 22:00 when intoxicating liquor is supplied.

**340** That there shall be at least one member of staff on duty at all times the premises are in operation who is trained and proficient in the operation of the CCTV system and who is capable of operating and retrieving footage at the request of police, council or other authorised officers.

**341** That a minimum of 6 SIA registered door supervisors shall be employed at the premises, one of whom shall be female, at all times that the premises are in use. They will be employed each night that the premises are in operation and will be on duty to receive patrons at the stated opening time of 22:00. At least two will be provided with, and will use, electronic search wands in respect of the search of all persons who wish to enter the premises. This includes all DJ's and associated staff and their equipment.

**342** That an ID scanning system of a specification to the reasonable satisfaction of the Police shall be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram on ID, read both passports and ID cards and be able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 22:00 when the premises are in operation and will be used to record the details of all persons entering the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document and / or if the person's details are already stored on the system and they are identified using a biometric identification system.

**343** That at all times the premises are in operation under the premises licence there will be at least one member of staff trained to a satisfactory standard able to operate the ID scan system and able to retrieve data from the system on request of police, council or other authorised officers.

**344** That all staff concerned in the sale or supply of intoxicating liquor shall undertake a recognised training scheme for such duties. Records of such training should be kept at the premises and made available for inspection to police, council or other authorised officers on request.

**345** That no beverages will be consumed in the smoking area. Patrons will be encouraged to leave this area as soon as practicable. At least one member of SIA staff will be situated in the smoking area at all times the premises are in operation.

**346** That the internal security door leading to the Old Kent Road will be fitted with an automatic security light and sound cut-out device which will automatically shut down all music systems when opened.

**347** That all beverages will be served in plastic / polycarbonate receptacles, no glasses or bottles will be permitted in the public areas of the venue.

**348** That all incidents of violence and / or disorder that result in an injury will be reported to the police as soon as practicable. The reasoning behind any delayed report will be recorded in the incident report book. This report book will be made available for inspection by police, council or other authorised officers on request.

**349** That acoustic seals, brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) shall be installed to all doors and fire doors leading out into external areas so as to minimise sound escape from the premises.

- 350 That sound insulation shall be installed to baffle any vents or air extraction systems to prevent sound escape from the premises.
- 351 That all external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.
- 352 That amplified music, song or speech shall not be broadcast in external areas at any time.
- 353 That no drinks shall be permitted outside at any time.
- 354 That clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside.
- 355 That any queue to enter the premises must be contained within suitable barriers and supervised at all times by door supervisors
- 356 That external waste handling and cleaning of external areas, collections and deliveries shall only occur between the hours of 08.00hrs and 23.00hrs.
- 357 That a comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and such training records shall be made available to the council or police on request.
- 358 That licensable activities shall cease at a minimum 30 minutes before the premises' closing hours.
- 359 That on Sunday after 00:30, on Wednesday and Thursday after 01:30 and on Friday and Saturday after 02:00 there shall be no new entry to the premises, other than those who leave the premises for the purpose of smoking a cigarette, those persons shall be subject to a further search on the re-entry to the premises.
- 360 That customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area. No more than 7 customers will be permitted to remain in the designated smoking area at any one time.
- 361 That all security staff employed at the premises will hold a current valid SIA license.
- 362 That all security staff shall be in radio communication with each other and the duty manager whilst working at the premises.
- 363 That clearly legible notices will be prominently displayed where they can easily be seen and read by customers warning of potential criminal activity that may target patrons such as theft.

**364** An incident book / incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises:

- Instances of anti-social or disorderly behaviour
- Violence
- Calls to the police or fire brigade
- Abuse of staff and / or customers
- Ejections of people from the premises
- Visits to the premises by the local authority, police or fire brigade
- Refused sales of alcohol
- Any malfunction in respect of the CCTV system Seizures of drugs at the premises
- Any other relevant incidents

The incident book / incident recording system shall record the time, date, location and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use in accordance with this licence and shall be made available to officers of the council, police or fire brigade on request.

**365** That clearly legible notices will be prominently displayed where they can easily be seen and read by customers stating that all customers will be searched prior to entering the premises.

**366** That security staff should always attempt to search in front of a witness or, if possible, carry out the search within sight of the CCTV camera at the entrance to the Club.

**367** That any person who appears under the influence of drugs and will be refused entry.

**368** That where there is a suspicion that an individual is in possession of drugs that individual will be requested to submit to a search. If the individual refuses the search they will be ejected from the premises.

Any person found in possession of drugs will be instructed to place the drugs in the drugs amnesty box at the premises.

**369** That the police will be called immediately if a person is found with a large quantity of drugs that suggests intent to supply, or in cases where a particularly dangerous weapon is found such as a firearm. No attempt will be made to force the person to remain at the premises however a good description of the person must be taken and be provided to the police In all cases where drugs or weapons are found on a person a detailed note shall be made in the incident log.

**370** That any person who appears to any staff member to be intoxicated and will be refused entry to the premises.

**371** That re-entry to the premises will not be permitted to any customer who has been ejected earlier on during a particular night, who has been banned or who has in any way aggressively supported a person being ejected.

**372** That customers shall not be permitted to wear sunglasses, save for prescription glasses, inside the venue.

- 373 That customers shall not be permitted to wear hats or hoods whilst inside the venue.
- 374 That SIA staff shall periodically monitor who enters and exits parking lot.
- 375 That the premises management reserve the right to ban anybody from the premises at any time or refuse entry to the premises by anybody at any time. The premises reserve the right to refused entry without explanation.
- 376 That prior to entry or re-entry all customers must be subject to a search by the SIA security staff employed at the premises. Any person refusing such a search will not be permitted entry or re-entry to the premises.
- 377 That customers shall be instructed that bulky items such as bulky bags and coats must be left in the cloakroom before entering the main area of the club. Anyone who refuses to place these types of belongings in the cloakroom will not be able to enter the main area of the club
- 378 That all promoters hiring and using the premises must have attained a BIIAB Level 2 Award for Music Promoters prior to hiring and using the premises.
- 379 That prior to the premises opening, security checks of the premises and the immediate vicinity that the premises are located in shall be undertaken. Details of such checks shall be recorded in the incident log.
- 380 That security staff employed at the premises will be trained to be aware of what is happening inside the premises as well as on the door, and shall be instructed that patrols around the premises may be necessary. Consideration must be given to any hot spots within the premises and especially in the smoking area and regular monitoring of such areas must undertake by the security staff.
- 381 That security staff shall be trained to be alert to and respond to alarms given by the DJ, toilet attendants or any other staff employed at the premises.
- 382 That any customer who engages in anti-social behaviour in the smoking area shall not be permitted re-entry to the premises.
- 383 That customers using the smoking area will be subject to a search upon re-entry to the premises. Clearly legible notices will be prominently displayed where they can easily be seen and read by customers stating that customers using the smoking area will be subject to a search upon re-entry to the premises.
- 384 That staff who arrive early morning or depart late at night will be instructed to conduct themselves in such a manner to avoid causing disturbance or nuisance to nearby residents.
- 385 That towards the end of trade on each day announcements will be made via the premises' PA system requesting that customers leave the premises in a quiet and orderly manner and reminding customer that they cannot take drinks outside of the premises.
- 386 That staff shall remove drinks receptacles from patrons who are attempting to leave the premises.
- 387 That patrons will be requested to leave the premises in a quiet and orderly manner.
- 388 That staff will advise customers not to congregate outside the premises or in the locale and shall be encouraged to disperse from the area. Any customers who are acting in a noisome or anti social manner when leaving the premises or when immediately outside of the premises will be requested to cease such

behaviour.

**389** That two licensed taxi firms in the local area will be available to customers, so they can arrange suitable transportation home. If staff at the premises order a taxi for a customer they shall request that the taxi controller instructs the taxi-driver not to sound the vehicle's horn on arrival, but to approach a staff member and let the staff member know that the driver has arrived. Staff will inform the patron upon the arrival of their taxi.

**390** That a member of management will be visible with the door team until all customers have dispersed and shall ensure that the door team are acting effectively and in line with their responsibilities.

**391** That easily identified staff in high visibility vests will be assisting in customer dispersal, the clearing of any waste arising from the operation of the premises (including 'fliers') and the monitoring of customers whilst they move away from the premises.

**392** That the location of car parks in the area and other travel facilities shall be identified on all promotional materials, including the premises' website.

**393** That there will be enough staff in the cloakroom to ensure orderly and timely return of coats / possessions to customers.

**394** That details of transport links in the area (e.g. public transport options, taxi ranks etc.) shall be made available to customers on request.

**395** That the document titled 'Operational Polices for Club 701' as submitted on application for this licence shall be amended to reflect the conditions stated in this licence.

**396** That on Sundays prior to Bank Holiday Mondays, Christmas Eve and New Years Eve the permitted opening hours of the premises are between 22:00 to 05:00 and licensable activities must cease at 04:00 on these days.

**431** That during any licensed entertainment on the premises all doors and windows leading out to external areas shall remain closed.

**426** That customers must be at least 21 years old to gain entry to the premises.

**430** That there shall be no movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 08.00hrs.

**4AA** 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.

**4AI** That a register of refused sales of alcohol shall be maintained at the premises and shall include the time and date of any refused sale of alcohol, the reason the sale was refused and the name of the member of staff who refused the sale. 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 made immediately available for inspection at the premises to council or police officers on request.

**4AK** That the licensee, premises' management or premises' DPS shall attend local 'Pub Watch' meetings if a 'Pub Watch' scheme exists in the local area.

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

**793** That all staff involved in the sale of alcohol or the operation of the premises under this licence shall be trained in their responsibilities under the Licensing Act 2003 and trained in respect of the full terms and conditions of this licence. Records pertaining to such training shall be kept and be accessible at the premises at all times and will be updated every six months. The training records 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, a basic summary of what the training included and a declaration that the training has been received. The training records shall be made immediately available to officers of the police and / or the council upon request.

**840** That all directors and management of MYTRIBE Limited shall not be allowed any involvement in the running of the premises at any time that licensable activities are taking place.

**Annex 4 - Plans - Attached**

Licence No. 851424

Plan No. 01

Plan Date 11.12.13

Licensing Unit induction checklist for new licensees / management.

Premises Name & address: **Club 701, Basement and Ground Floors, 516 Old Kent Road, SE1 5BA**

Licensee: **Erico Entertainment Limited**

DPS: **Alfred Mansaray**

**1. INTRODUCTION**

- Who Licensing Unit are
- Why meeting is being held – to ensure every licensee / DPS is fully aware of his / her responsibilities from the onset

**2. THE LICENCE**

- Introduce the licence document & the special & standard licence conditions
- How long the licence lasts & what happens when it is time for renewal
- What must be done if the licensee decides to alter the premises
- Other circumstances in which a variation application may be necessary

**3. INSPECTIONS**

- Reason for inspections and why conducted without warning and during performance
- Risk assessment
- Will conduct additional inspections where problems found and complaints made
- Explain inspections aim to help but that persistent and serious safety failures will result in action
- The potential consequences of licence contravention – formal caution / legal proceedings / licence revocation

**4. ASSISTANCE**

- Emphasise that if the licensee has any problems he should contact the office and discuss
- Leave calling cards

Officer(s) Attending: \_\_\_\_\_ (Sign)

(Print) **Wesley McArthur**

Person(s) Present: \_\_\_\_\_ (Sign)

(Print) **Alfred Mansaray**

(Sign)

(Print)

Date of Meeting: **8 July 2016**

**CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001**Date of the Closure Notice: 13/08/16 Time Served: 23 05hrs

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PC LYNN H 24babbSignature: 24babb

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

701, 516 OLD KENT ROAD SE1 5BA.**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:

247- DRUGS WEAPONS AMMUNITION BOX SHOULD BE IN USE.341- 6 SIX SIA STAFF SHOULD BE ON DUTY FROM 2200hrs342- ID SCANNER TO BE USED STAFF, PUBLIC, PROMOTERS & DJS.

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

247- NO DRUGS WEAPONS BOX / 347- ONLY TWO 2SIA SECURITY STAFF ON DUTY AT 2200hrs / 342- STAFFPROMOTERS DJS NOT BEEN SCANNED PRIOR TO ENTRY.

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))

247- OBTAIN DRUGS BOX / 341 ENFORCE 6 SIX SIA STAFFARE ON DUTY AS OF 2200hrs / 342- ID SCAN ALL PERSONSENTRANCE PLACED STAFF AND OTHERWISE.**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) NO FOOD MANSARAYA.

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 ERIC DOE

Signature

Date 13 08 16

**CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001**Date of the Closure Notice: 10/01/16 Time Served: 02:00

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PC DUNN 245MDSignature: [Redacted]

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

701 Club - Site 1 Old Park Road SE2  
Opposite St. Paul's Cathedral SE1**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:

2016-ALL REAL TAKES SINCE BE REPT TO SIBS/341-MINIMUM 65%  
REAL SALES SINCE MAR 16/341-10% SCANNING SYSTEM TO BE USED  
FOR ALL REAL TAKES SINCE

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

2016-UNABLE TO PROVIDE CCTV FOOTAGE 2016-NO EVIDENCE TO BE PROVIDED FOR  
RECENTLY 4 RECALLS ON 2016/342-NO INDIVIDUALS NOT BILLED  
ADMITTED TO - SAME PLATE NO. IS

**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))**

RECALLED OVER 10 TRADE CONDITIONS 31 DAYS LATER-IF 61% OF  
SIA STAFF STAFF TO BE ON SITE FROM 7:00AM/10 SCANNED  
TO BE USED AS REAL LICENSE

**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) NO

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:

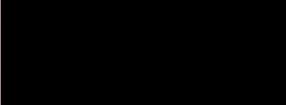
Name AUFRIGO Signature [Redacted]

Signature [Redacted]

Date 10/01/16

**CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001**Date of the Closure Notice: 23/10/16 Time Served: 0254

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PC LYNCH 246MDSignature:  246MD

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

CLUB 701 - 516 CANTRELL ROADSE1 8BA**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:

359-11A ON SATURDAY AFTER 0200AM THERE  
SHOULD BE NO NEW ENTRY TO PREMISES.

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

OBSERVED A NUMBER OF MALES ENTER PREMIS.  
ON SATURDAY AFTER 0200AM THE PAY ARE BEING MADE  
THREE DRINKS

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))

NO ENTRY AFTER 0200 ON SATURDAY/SUNDAY  
MORNING

**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) NO DOC

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 ACTWUD MANSAR

Signature 

Date 23/10/2016

Licensing Unit induction checklist for new licensees / management.

Premises Name & address: 701 Club, 516 Old Kent Road SE1 5BA  
 Licensee: *Epic Entertainment Limited*  
 DPS: *Alfred Mansarray*

1. INTRODUCTION

- Who Licensing Unit are
- Why meeting is being held – to ensure every licensee is fully aware of his / her responsibilities from the onset

2. THE LICENCE

- Introduce the licence document & the special & standard licence conditions
- How long the licence lasts & what happens when it is time for renewal
- What must be done if the licensee decides to alter the premises
- Other circumstances in which a variation application may be necessary

3. INSPECTIONS

- Reason for inspections and why conducted without warning and during performance
- Risk assessment
- Will conduct additional inspections where problems found and complaints made
- Explain inspections aim to help but that persistent and serious safety failures will result in action
- The potential consequences of licence contravention – formal caution / legal proceedings / licence revocation

4. ASSISTANCE

- Emphasise that if the licensee has any problems he should contact the office and discuss
- Leave calling cards

Officer(s) Attending: \_\_\_\_\_ (Sign) \_\_\_\_\_

(Print) *Richard Kahn*

Person(s) Present: \_\_\_\_\_ (Sign) \_\_\_\_\_

(Print) *Alfred Mansarray*

(Sign)

(Print)

Date of Meeting: *26 November 2016*



Eric Doe  
 Club 701  
 Basement and Ground Floors  
 516 Old Kent Road  
 London  
 SE1 5BA

Licensing Unit  
 Direct Dial - 020 7525 5748  
 Facsimile - 020 7525 5705

16 May 2018

Dear Mr Doe

**Simple Caution**  
**Section 136 (1) (a) and (b) of the Licensing Act 2003**

The facts surrounding the alleged offence(s), briefly described in the attached document, have been reported to me by an officer of this service. I have carefully considered these facts and concluded that there are sufficient grounds to institute legal proceedings under the above legislation.

However, on this occasion I am proposing to issue a simple caution in respect of the allegation. This course of action is subject to your agreement and admission of the alleged offence.

Before making your decision I recommend you seek independent legal advice about this matter and ensure you are aware of the consequences of accepting a simple caution. These are listed on the attached document.

If you agree you need to attend our office and sign the declaration attached or an officer may be able to meet you elsewhere. A countersigned copy of the caution will then be issued to you in due course.

If you have any queries about this matter please do not hesitate to contact us.

Yours faithfully,

[Redacted]  
 David Littleton  
 Head of Regulatory Services

# SOUTHWARK COUNCIL

## SIMPLE CAUTION (INDIVIDUAL)

|                        |                         |
|------------------------|-------------------------|
| CASE REFERENCE:        | [REDACTED]              |
| OFFENDER'S SURNAME:    | [REDACTED]              |
| FORENAME(S):           | [REDACTED]              |
| NATIONAL INSURANCE No. | [REDACTED]              |
| OCCUPATION:            | PREMISES LICENCE HOLDER |
| ADDRESS:               | [REDACTED]              |
| DATE OF BIRTH:         | Insert: [REDACTED]      |

|                                    |   |
|------------------------------------|---|
| DATE OF OFFENCE(S):                | 2 September 2017<br>19 November 2017<br>11 November 2017  |
| PLACE OF OFFENCE(S):               | CLUB 701, 516 OLD KENT ROAD<br>LONDON<br>SE1 5BA  |
| BRIEF CIRCUMSTANCES OF OFFENCE(S): | <b>2 September 2017 at 00:20hrs</b><br><b>19 November 2017 at 01:51hrs</b><br><b>11 November 2017 at 00:55hrs</b><br><br>Breach of licensing conditions<br><br>This matter potentially constitutes a breach of the licence issued under the Licensing Act 2003 by this Council in respect of the above named premises.<br><br>Relevant offence breach:<br><b><u>Section 136 (1) (a) and (b) of the Licensing Act 2003</u></b> |

**Ministry of Justice guidance on simple cautions (issued 8<sup>th</sup> April 2013)**

Please read the guidance below and the attached declaration. Make sure you understand it before you sign. You may seek independent legal advice before you accept the caution. Some of these points are applicable to cautions issued by the Police and will not be relevant to this matter.

1. A simple caution is an admission of guilt to committing an offence and forms part of an offender's criminal record. A record will be retained by the Council for future use. It may also be disclosed in a court in any future proceedings.
2. If after the simple caution has been administered, new evidence comes to light suggesting that the offence(s) committed are more serious, a prosecution may still be brought.
3. A simple caution may be disclosed to a current or prospective employer in certain circumstances. Separate guidance governs the disclosure of criminal record information.

**Licensing Unit - Environment & Social Regeneration, Hub 1, Floor 3, 160 Tooley Street, London, SE1 2QH**

**Switchboard - 020 7525 5000 Website - [www.southwark.gov.uk](http://www.southwark.gov.uk)**

**Strategic Director Environment & Social Regeneration - Deborah Collins**

**Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373**

4. Simple cautions become spent immediately they are administered. This means that you do not need to disclose a simple caution when asked unless you are seeking work in an occupation that is listed in the Exceptions Order to the Rehabilitation of Offenders Act 1974 such as working with children and vulnerable adults or for other excepted purposes such as seeking to obtain certain licences. Police Cautions will also be disclosed under Disclosure and Barring Service (DBS) standard and enhanced checks. Further information can be obtained from the DBS.
5. The DBS maintains the lists of those barred from working with children and vulnerable groups, including adults. A simple caution may be taken into account by the DBS when reaching a decision about the suitability of persons to work with children and adults. Accepting a simple caution for certain offences may lead to the offender's inclusion on such a list which will prevent them from working in a regulated post with children and vulnerable groups. Further information should be obtained from the DBS.
6. If the offence(s) involve a victim or victims they might still take civil action or bring a private prosecution against you. The Council may provide your details to the victims if this is necessary for legal action to take place.
7. Countries requiring foreign nationals to obtain entry visas may require applicants to declare simple cautions on their application forms or at interview. Other country's immigration rules may mean that a person who has received a simple caution is refused entry as though they have a criminal conviction. The Rehabilitation of Offenders Act 1974 only applies within the UK which means simple cautions, even if spent, may still need to be disclosed to some countries in some circumstances. This will vary from country to country and may apply to people who want to emigrate permanently or those who simply want to visit for short term purposes, such as on business, for a holiday or to study. For specific information on what an individual may be required to disclose, the relevant embassy of the country of travel should be contacted.

#### **Further information relating to certain cautions**

If this caution relates to the sale of age restricted products (ARPs) or services please note that further covert test purchases will be attempted by the Council at your business. This means we will send in underage, or young looking, volunteers to attempt to buy ARPs or services. Such test purchasing may be covertly observed and recorded. You should also advise all sales staff of this.

**Licensing Unit - Environment & Social Regeneration, Hub 1, Floor 3, 160 Tooley Street, London, SE1 2QH**

**Switchboard - 020 7525 5000 Website - [www.southwark.gov.uk](http://www.southwark.gov.uk)**

**Strategic Director Environment & Social Regeneration - Deborah Collins**

**Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373**

**SOUTHWARK COUNCIL  
SIMPLE CAUTION (INDIVIDUAL)****DECLARATION:**

I have read and understand all this information.  
I hereby declare that I (insert name)  
[REDACTED]

admit the offences described above and agree to accept a caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should I be found to be infringing the law in the future. I further understand that this caution may be cited should I subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances I may be under a duty to disclose the existence of this caution.

[REDACTED] [REDACTED]

NAME: [REDACTED] SIGNED: [REDACTED]  
*(Block capitals)*

DATED THIS 06/0 DAY of JULY 2018

After a signature has been added above, an officer of Southwark Council will countersign and return a copy.

[REDACTED]

NAME: David Littleton SIGNED: [REDACTED]

DESIGNATION: HEAD OF REGULATORY SERVICES

DATED THIS 7 DAY of JUN 2018

# Request to Authorise the Instigation of Legal Proceedings / Or a Simple Caution

**CASE      London Borough of Southwark V Mr Eric Doe**

**Location ID 9232**

**PART A:**

**1. Alleged Offence(s) including statute details**

Licencable activities were carried on at the premises without authorisation contrary to Section 136(1) (a) and (b) of The Licensing Act 2003.

A person commits an offence if -

he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or knowingly allows a licensable activity to be so carried on.

**2. Place and Date of Offence**

**Club 701, Basement and Ground Floors, 516 Old Kent Road, London,  
SE1 5BA**

**2 September 2017 at 00:20hrs**

**19 November 2017 at 01:51hrs**

**11 November 2017 at 00:55hrs**

The alleged activities taking place at the premises were contrary to Section 136 (1) (a) and (b) of the Licensing Act 2003 which states that:

A person commits an offence if;

(a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or

(b) Knowingly allows a licensable activity to be so carried on

**3. Offender(s)**

Mr Eric Doe – Premises Licence Holder (Person in charge)

Offence date - **2 September 2017 at 00:20hrs**

**19 November 2017 at 01:51hrs**

**11 November 2017 at 00:55hrs**

|              |              |        |            |
|--------------|--------------|--------|------------|
| Case Officer | Richard Kalu | Date : | 26/04/2018 |
|--------------|--------------|--------|------------|

|             |                |        |            |
|-------------|----------------|--------|------------|
| Team Leader | David Franklin | Date : | 26/04/2018 |
|-------------|----------------|--------|------------|

|              |                |        |            |
|--------------|----------------|--------|------------|
| Unit Manager | (Sarah Newman) | Date : | 11/05/2018 |
|--------------|----------------|--------|------------|

|                 |                   |        |  |
|-----------------|-------------------|--------|--|
| Service Manager | (David Littleton) | Date : |  |
| Comments        |                   |        |  |

## PART B

### **1 Background**

The premises consist of a ground floor premises leading into an open plan bar and dancing area via a front entrance into the premises.

The current licence in respect of the premises known as the Club 701, Basement and Ground Floors, 516 Old Kent Road, London, SE1 5BA was issued on the 19 February 2016. The premises licence granted permitted the following licensable activities:

#### **Plays - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

#### **Films - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Live Music - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Recorded Music - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Performance of Dance - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Entertainment Similar to live/recording music / dance - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 22:00 - 02:00 |
| Thursday  | 22:00 - 04:00 |
| Friday    | 22:00 - 04:00 |
| Saturday  | 22:00 - 04:00 |
| Sunday    | 22:00 - 01:00 |

**Late Night Refreshment - Indoors**

|           |               |
|-----------|---------------|
| Wednesday | 23:00 - 02:00 |
| Thursday  | 23:00 - 04:00 |
| Friday    | 23:00 - 04:00 |
| Saturday  | 23:00 - 04:00 |
| Sunday    | 23:00 - 01:00 |

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

|           |               |
|-----------|---------------|
| Wednesday | 23:00 - 02:00 |
| Thursday  | 23:00 - 04:00 |
| Friday    | 23:00 - 04:00 |
| Saturday  | 23:00 - 04:00 |
| Sunday    | 23:00 - 01:00 |

On the 28 September 2017 a warning letter was sent to the operator of the premises Mr Eric Doe in relation to breaches of his premises licence following a visit to the premises on the 2 September 2017.

On the 19 November 2017 a Section 19 Closure Notice under the Criminal Justice and Police Act 2001 was issued to Mr Eric Doe by night time economy police officers carrying out an inspection of his premises.

On the 12 December 2017 a warning letter was sent to the premises licence holder in relation to breaches of the premises licence following a visit to the premises on the 11 November 2017.

On the 18 December 2017 a variation application was determined at licensing sub - committee to refuse a variation application to extend them permitted licensable hours and to add electronic shisha smoking at the premises. The Licensing Sub – Committee resolved to allow some amendment to the conditions on the premises licence in relation to SIA staffing.

A letter of alleged offence was sent to the premises licence holder Mr Eric Doe on the 28 September 2017 alleging offences at his premises and inviting him in to attend a PACE interview.

On the 14 February 2018 Mr Eric Doe attended offices at Southwark Council on 160 Tooley Street, London, SE1 2QH. Under PACE interview conditions Mr Eric Doe was asked about the offences which were witnessed taking place at his premises. Mr Eric Doe admitted that all the offences put to him had occurred at his premises. Mr Eric Doe confirmed that as Premises Licence Holder he took full managerial responsibility for allowing these offences to take place at his premises.

## **2 Brief Summary**

On the **2 September 2017 at 00:20hrs** council officers undertook an inspection to determine whether the licensable activities at your premises were carried out in accordance with the premises licence issued in respect of your premises.

In the course of the inspection officers witnessed the below breaches of the premises licence issued in respect of your premises;

The clock on your CCTV within your premises was three minutes slow which is a breach of **Condition 288** of your premises licence which states;

That a CCTV system shall be installed and maintained in full working order. The CCTV system will record footage of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered by the CCTV system including the bar and smoking areas.

No accommodation limit had been set or was in use at the premises. Only one counting device (to count customers 'in') was being used at the premises. No 'out' clicker was being used in conjunction with the 'in' clicker, so there was no way to ascertain an accurate tally of customers at the premises.

This was in breach of **Condition 307** of your premises licence which states;

That an accommodation limit shall be set in respect of the premises. All staff at the premises shall be made aware of the accommodation limit. The SIA security staff employed at the premises shall be responsible for ensuring that the accommodation limit is not exceeded and shall use counting devices to ensure that the accommodation limit is not exceeded. Once the accommodation limit of the premises has been reached the premises shall operate a 'one in, one out' policy. Staff at the premises hadn't undertaken a recognised training scheme in regards to the sale of alcohol.

This was a breach of **Condition 344** of your premises licence which states;

That all staff concerned in the sale or supply of intoxicating liquor shall undertake a recognised training scheme for such duties. Records of such training should be kept at the premises and made available for inspection to police, council or other authorised officers on request.

Beverages were witnessed being consumed in the smoking area.

This was a breach of **Condition 345** of your premises licence which states;

That no beverages will be consumed in the smoking area. Patrons will be encouraged to leave this area as soon as practicable. At least one member of SIA staff will be situated in the smoking area at all times the premises are in operation.

Acoustic seals, brushes & self closers were not installed on relevant doors.

This was a breach of **Condition 349** of your premises licence which states;

That acoustic seals, brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) shall be installed to all doors and fire doors leading out into external areas so as to minimise sound escape from the premises.

Drinks were being permitted outside (in the smoking area).

This was a breach of **Condition 353** of your premises licence which states;

That no drinks shall be permitted outside at any time.

There was no dispersal policy in place at the premises.

This was a breach of **Condition 357** of your premises licence which states;

That a comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and such training records shall be made available to the council or police on request.

No pre-opening security checks had been undertaken or logged at your premises.

This was a breach of **Condition 379** of your premises licence which states;

That prior to the premises opening, security checks of the premises and the immediate vicinity that the premises are located in shall be undertaken. Details of such checks shall be recorded in the incident log.

Not all promotional material identified the location of car parks in the area or other travel facilities

This was a breach of **Condition 392** of your premises licence which states;

That the location of car parks in the area and other travel facilities shall be identified on all promotional materials, including the premises' website.

There was no refusal register available at your premises.

This was a breach of **Condition 4A1** of your premises licence which states;

That a register of refused sales of alcohol shall be maintained at the premises and shall include the time and date of any refused sale of alcohol, the reason the sale was refused and the name of the member of staff who refused the sale. 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 made immediately available for inspection at the premises to council or police officers on request.

No staff training records were available in respect of the Licensing Act 2003 or the terms and conditions of the premises licence issued in respect of the premises.

This was a breach of **Condition 793** of your premises licence which states;

That all staff involved in the sale of alcohol or the operation of the premises under this licence shall be trained in their responsibilities under the Licensing Act 2003 and trained in respect of the full terms and conditions of this licence. Records pertaining to such training shall be kept and be accessible at the premises at all times and will be updated every six months.

The training records 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, a basic summary of what the training included and a declaration that the training has been received. The training records shall be made immediately available to officers of the police and / or the council upon request.

On the **19 November 2017 at 01:51hrs** Metropolitain Police officers visited your premises to carry out a routine licensing inspection. In the course of the inspection officers witnessed breaches of your premises licence.

When officers entered your premises they witnessed patrons within your premises wearing hats.

This was a breach of **Condition 373** of your premises licence which states;

That customers shall not be permitted to wear hats or hoods whilst inside the venue.

Officers all requested to see footage from the CCTV system installed at your premises. Officers were advised that CCTV footage for 31 days could not be shown as the premises had changed over its hard - drive.

This was a breach of **Condition 289** of your premises licence which states;

All CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available for inspection to officers of the Police and the Council on request.

On **Friday 11 November 2017 at 00:55hrs** council officers visited your premises to undertake an inspection of your premises and witnessed only three SIA staff working within your premises.

This was a breach of **Condition 341** of your premises licence which states;

That a minimum of 6 SIA registered door supervisors shall be employed at the premises, one of whom shall be female, at all times that the premises are in use. They will be employed each night that the premises are in operation and will be on duty to receive patrons at the stated opening time of 22:00. At least two will be provided with, and will use, electronic search wands in respect of the search of all persons who wish to enter the premises. This includes all DJ's and associated staff and their equipment.

Officers undertook a check of the ID scanning system in operation at the premises and noted that patrons and staff entering into the premises were not being scanned through the ID scanning system required to be in place and in operation at the premises.

This was a breach of **Condition 342** of your premises licence which states;

That an ID scanning system of a specification to the reasonable satisfaction of the Police shall be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram on ID, read both passports and ID cards and be able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 22:00 when the premises are in operation and will be used to record the details of all persons entering the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document and/or if the person's details are already stored on the system and they are identified using a biometric identification system.

Officers also requested to see footage from the CCTV system installed at the premises. At the time of the inspection no staff were able to gain access to the CCTV system and did not know how to operate the CCTV system within the premises.

This was a Breach of **Condition 289** which reads;

All CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available for inspection to officers of the Police and the Council on request. At the time of the inspection officers requested to know the approximate numbers of patrons within the premises. It was noted that comprehensive records were not available detailing patrons entering into the premises.

This was a breach of **Condition 307** which reads;

That an accommodation limit shall be set in respect of the premises. All staff at the premises shall be made aware of the accommodation limit. The SIA security staff employed at the premises shall be responsible for ensuring that the accommodation limit is not exceeded and shall use counting devices to ensure that the accommodation limit is not exceeded. Once the accommodation limit of the premises has been reached the premises shall operate a 'one in, one out' policy.

In the course of the inspection officers requested to see staff training records and were advised that these could not be provided;

This was a breach of **Condition 793** which states;

That all staff involved in the sale of alcohol or the operation of the premises under this licence shall be trained in their responsibilities under the Licensing Act 2003 and trained in respect of the full terms and conditions of this licence. Records pertaining to such training shall be kept and be accessible at the premises at all times and will be updated every six months. The training records 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, a basic summary of what the training included and a declaration that the training has been received. The training records shall be made immediately available to officers of the police and/or the council upon request.

Mr Eric Doe has shown remorse for his actions and has accepted that changes are required at his premises. The licensing unit have been informed that Mr Eric Doe proposes that he will no longer leave day to day management control of the premises to his Designated Premises Supervisor. Mr Eric Doe has confirmed that when the premises is operational he will be at the premises.

Mr Eric Doe has accepted full responsibility for the offences which have been committed at his premises.

Discussion has taken place with Mr Eric Doe and he has been advised that should further offences or breaches of his premises licence be witnessed at the premises, the licensing unit would need to consider if instigating legal proceedings would be appropriate.

Mr Eric Doe has been informed that in this particular case the officer recommendation will be for a Simple Caution and he has indicated a willingness to accept the caution. Mr Eric Doe has been advised that in the event of a similar offence re-occurring at the premises and a decision to prosecute taken, this offence would be cited as a first offence.

**3 Other Matters** (including brief details of special circumstances and/or previous convictions)

A licensing inspection was carried out at the premises on the 14 April 2018. Officers carried out a full licensing inspection and the premises was found to be compliant. A compliance letter was issued to the Premises Licence Holder on the 14 April 2018.

**4 Conclusions**

Mr Eric Doe has admitted to the offence of breach of licensing conditions – Contrary to Section 136 (1)(a) and (b) of the Licensing Act 2003 at his premises when he had active control of the premises as the Premises Licence Holder.

**5 Recommendations**

Taking into consideration that Mr Eric Doe has admitted the offence, and now implemented measures to ensure that breaches of his premises licence conditions do not occur again.

Under these circumstances it seems contrary to the public good to proceed to prosecution and incur the loss of officer time and expenses in doing so, when in this case a simple caution would seem to provide an expedited conclusion.

I recommend that a Simple Caution is offered to Mr Eric Doe for the offences witnessed at the Club 701 on the **2 September 2017 at 00:20hrs, 19 November 2017 at 01:51hrs & 11 November 2017 at 00:55hrs**.

## Notification of alleged offences under the Licensing Act 2003

Venue Name: Club 701

REF: (CAD/CRIS etc.)

Address: 516 Old Kent Road, London  
SE1 5BA

Date: 20/8/18

Time:

01:19

Details of person in charge at the relevant time:

Mr Alfred Mansaray

DPS  Personal Licence Holder 

### Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y  No )
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y  No )
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y  No )
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

Opening the club on a Bank holiday Monday  
27th August 2018 going into Tuesday 28th August  
2018 without a license to do so.

Issuing officer: [REDACTED]

Print: PC 6ER57 782IC

I acknowledge receipt of this form: (venue) [REDACTED]

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001



Mr Alfred Mansaray



Licensing Unit  
Direct Dial - 020 7525 2436  
Facsimile - 020 7525 5705

10 June 2019

Dear Mr Mansaray,

**Simple Caution**

Section 136 (1) (a) of The Licensing Act 2003, which states that:

"A person commits an offence if -

- (a) *He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or*
- (b) *knowingly allows a licensable activity to be so carried on.*

The facts surrounding the alleged offences, briefly described in the attached document, have been reported to me by an Officer of this service. I have carefully considered these facts and concluded that there are sufficient grounds to institute legal proceedings under the above legislation.

However, on this occasion I am proposing to issue a simple caution in respect of the allegations. This course of action is subject to your agreement and admission of the alleged offences.

Before making your decision I recommend you seek independent legal advice about this matter and ensure you are aware of the consequences of accepting a simple caution. These are listed on the attached document.

If you agree you need to sign the declaration attached. A countersigned copy of the caution will then be issued to you in due course.

If you have any queries about this matter please do not hesitate to contact us.

Yours faithfully,



**David Littleton**  
**Head of Regulatory Services**  
licensing@southwark.gov.uk

|  |   |
|--|---|
|  | <p>Section 138 of the Licensing Act 2003 – Keeping Alcohol on a premises for an unauthorised sale.</p> <p>On the 18<sup>th</sup> February 2019, Mr Mansaray attended our office for an interview under caution where the allegations were put to him. Mr Mansaray made a full and frank admission has therefore accepted the offence as his responsibility.</p> |
|--|---|

### **Ministry of Justice guidance on simple cautions (issued 8<sup>th</sup> April 2013)**

Please read the guidance below and the attached declaration. Make sure you understand it before you sign. You may seek independent legal advice before you accept the caution. Some of these points are applicable to cautions issued by the Police and will not be relevant to this matter.

1. A simple caution is an admission of guilt to committing an offence and forms part of an offender's criminal record. A record will be retained by the Council for future use. It may also be disclosed in a court in any future proceedings.
2. If after the simple caution has been administered, new evidence comes to light suggesting that the offence(s) committed are more serious, a prosecution may still be brought.
3. A simple caution may be disclosed to a current or prospective employer in certain circumstances. Separate guidance governs the disclosure of criminal record information
4. Simple cautions become spent immediately they are administered. This means that you do not need to disclose a simple caution when asked unless you are seeking work in an occupation that is listed in the Exceptions Order to the Rehabilitation of Offenders Act 1974 such as working with children and vulnerable adults or for other excepted purposes such as seeking to obtain certain licences. Police Cautions will also be disclosed under Disclosure and Barring Service (DBS) standard and enhanced checks. Further information can be obtained from the DBS.
5. The DBS maintains the lists of those barred from working with children and vulnerable groups, including adults. A simple caution may be taken into account by the DBS when reaching a decision about the suitability of persons to work with children and adults. Accepting a simple caution for certain offences may lead to the offender's inclusion on such a list which will prevent them from working in a regulated post with children and vulnerable groups. Further information should be obtained from the DBS.
6. If the offence(s) involve a victim or victims they might still take civil action or bring a private prosecution against you. The Council may provide your details to the victims if this is necessary for legal action to take place.
7. Countries requiring foreign nationals to obtain entry visas may require applicants to declare simple cautions on their application forms or at interview. Other country's immigration rules may mean that a person who has received a simple

Licensing Unit - Environment & Housing, Hub 2, Floor 3, 160 Tooley Street, London, SE1 2QH

Switchboard - 020 7525 5000 Website - [www.southwark.gov.uk](http://www.southwark.gov.uk)

Strategic Director Environment & Housing - Deborah Collins

Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373

**SOUTHWARK COUNCIL**  
**SIMPLE CAUTION (INDIVIDUAL)**

|                        |                                |
|------------------------|--------------------------------|
| CASE REFERENCE:        |                                |
| OFFENDER'S SURNAME:    | [REDACTED]                     |
| FORENAME(S):           | [REDACTED]                     |
| NATIONAL INSURANCE No. | [REDACTED]                     |
| OCCUPATION:            | Designated Premises Supervisor |
| ADDRESS:               | [REDACTED]                     |
| DATE OF BIRTH:         | [REDACTED]                     |
|                        |                                |

|                                    |  |
|------------------------------------|--|
| DATE OF OFFENCES:                  | 28 August 2018   |
| PLACE OF OFFENCE(S):               | Club 701, 516 Old Kent Road SE1 5BA  |
| BRIEF CIRCUMSTANCES OF OFFENCE(S): | <p>On the 28<sup>th</sup> August 2018 during a police visit from the Night Time Economy Team following the Notting Hill Carnival it was witnessed that the above premises was operating licensable activities without authorisation. On the premises licence condition 396 stipulates: <b>That on Sundays prior to Bank Holiday Mondays, Christmas Eve and New Year's Eve the permitted opening hours of the premises are between 22:00 to 05:00 and licensable activities must cease at 04:00 on these days.</b></p> <p>The following breaches to the premises licence were committed contrary to:</p> <p>Section 136 (1) (1) of the Licensing Act 2003 states that:</p> <p>"A person commits an offence if –</p> <ul style="list-style-type: none"> <li>(a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or</li> <li>(b) knowingly allows a licensable activity to be so carried on."</li> </ul> <p>Section 137 of the Licensing Act 2003 – Exposing Alcohol for retail without authorisation, and;</p> |

**SOUTHWARK COUNCIL  
SIMPLE CAUTION (INDIVIDUAL)**

**DECLARATION:**

I have read and understand all this information.

I hereby declare that I (insert name)

**Alfred Mansaray**

I admit the offence described above and agree to accept a caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should I be found to be infringing the law in the future. I further understand that this caution may be cited should I subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances I may be under a duty to disclose the existence of this caution.

NAME: [REDACTED]  
(*Block capitals*)

SIGNED: [REDACTED]

DATED THIS 11 DAY of June 2019

After a signature has been added above, an officer of Southwark Council will countersign and return a copy.

NAME: DAVID LITTLETON SIGNED: [REDACTED]

DESIGNATION: Environmental Health & Trading Standards Business Manager

DATED THIS 11 DAY of June 2019

caution is refused entry as though they have a criminal conviction. The Rehabilitation of Offenders Act 1974 only applies within the UK which means simple cautions, even if spent, may still need to be disclosed to some countries in some circumstances. This will vary from country to country and may apply to people who want to emigrate permanently or those who simply want to visit for short term purposes, such as on business, for a holiday or to study. For specific information on what an individual may be required to disclose, the relevant embassy of the country of travel should be contacted.

#### **Further information relating to certain cautions**

If this caution relates to the sale of age restricted products (ARPs) or services please note that further covert test purchases will be attempted by the Council at your business. This means we will send in underage, or young looking, volunteers to attempt to buy ARPs or services. Such test purchasing may be covertly observed and recorded. You should also advise all sales staff of this.

Licensing Unit induction checklist for new licensees / management.

Premises Name: Club 701.....

Address: Brixton and Croydon Place, S16 010 Kent road SE1 5BA

Licensee: Eric Entertainment Limited.....

DPS: Alfred Marques.....

## 1. INTRODUCTION

- Who staff are.
- Why meeting is being held – to ensure every licensee is fully aware of his / her responsibilities from the onset

## 2. THE LICENCE

- Introduce the licence document & the Annexes.
- Explain the mandatory conditions in Annex 1.
- Explain the special conditions in Annex 2 and 3.
- Give details of what happens if the conditions are breached.
- Explain about responsible authorities or interested parties, what their role is and how they can call a review. Give full details of what is involved with a review and what the outcomes can be.
- Explain that there is an annual maintenance fee to be paid for the licence.
- What must be done if the licensee decides to alter the premises.
- Other circumstances in which a variation application may be necessary
- Explain in detail about when you need to apply for a variation, what is involved and what the procedure is. Also about varying the dps.
- Advise them that if they leave about surrendered the licence and the consequences for the licensee and the dps if they leave without surrendered the licence.
- Door Supervisors requirements that must be SIA registered.
- Drugs Misuse, drug policy.
- Challenge 21, suitable identification.
- Covert inspections by police, licensing and trading standards.
- Noise nuisance.

## 3. INSPECTIONS

- Reason for inspections and why conducted without warning and during performance
- Early inspection(s) conducted and thereafter risk-assessed. Give details of what we look for and what documents we will need to see. Also the outcome if we find things wrong – what happens next?

- Will conduct additional inspections where problems found and complaints made.
- Will listen to proposals for putting right. Will give timescale for matters that cannot be rectified easily.
- Explain inspections aim to help but that continually to operate outside of the terms of the licence will result in action
- The potential consequences of licence contravention – formal caution / legal proceedings / licence revocation
- Make sure any special arrangements at premises are understood (i.e. lobby door arrangements / removal of bolts / numbers control etc)

#### 4. ASSISTANCE

- Emphasise that if the licensee has any problems he should contact the office and discuss

Leave calling cards:

Officer(s) Attending: (Sign)..... [REDACTED]

(Print)..... [REDACTED] .....

Persons Present: (Sign).... [REDACTED] .....

(Print)..... [REDACTED] .....

Date of Meeting: .... *11 June 2019* .....

## APPENDIX E

| Date       | Time  | Officer            | Notes   |
|------------|-------|--------------------|---|
| 05/03/2016 | 23:25 | Farhad Chowdhury   | Notice check photo taken notice displayed.  |
| 08/07/2016 | 22:56 | Wesley McArthur    | I undertook an induction with the premises' DPS Alfred Mansaray. Induction sheet signed by Mr. Mansaray.  |
| 16/09/2016 | 23:15 | Alexander Lisowski | Venue visited at 23.15pm, Friday, 16th September, 2016, with Adam Burchett (Markets) and NTE Police. The owner, Mr Doe, and the DPS were present. Doe stated that the venue wasn't open yet. However, although there weren't any customers present, the front door was open and manned by SIA staff. The search arch by the front door was switched on and there was lighting on in the public area of the bar. Following breaches of the licence were found: Only 4 SIA staff, instead of the 6 required by the licence, were present. Two of the SIA staff are meant to have search wands. None of them had a search wand. There were 2 search wands at the venue in a cupboard away from the front door. Each day, all the SIA staff working at the venue are meant to be recorded on the ID scanning system. At the time of my visit they weren't logged on. The venue is meant to have a drugs & weapons amnesty box of a design approved by the Police. The one they had was not approved by the Police. Doe stated that he had informed Police of 3 possible designs he was prepared to buy, but was awaiting the approval of the Police.  |
| 26/11/2016 | 01:30 | Richard Kalu       | Visit to premises with Farhad Chowdhury. Licensing induction completed with management DPS of the premises Alfred Mansaray. When we arrived there was X2 male SIA members of staff and X1 female member of staff on the door. Club scan was operational and we witnessed club scan being used. The entry of scanned patrons was checked and found to be compliant ATOV. We entered the premises and identified ourselves to the DPS Alfred Mansaray who was on site and completed the licensing induction. Words of advice given in relation to the incident record book and I advised that this needed to be updated every time there was the refusal of sale of alcohol. I have also advised the DPS that the premises licence required additional SIA staff to be present on site when the premises was operational. The DPS advised me that a visit had been carried out by the Police last weekend and that no issues in relation to the licence had been raised. Club scan was operational and CCTV was operational and he did not understand why we were at the premises to check the same thing again. The DPS raised concern that the premises was receiving a higher than average amount of visits. I |

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|------------|-------|-------------------|--|
|            |       |                   | advised him that the Night Time Economy worked over the weekends so it was likely as a major venue in the borough that he would receive visits from various responsible authorities to check compliance as this was done jointly and independently as we were all checking various aspects to ensure compliance with the licensing Act 2003. Management welcomed the visits and advised us that his door was open and that he did not mind the visits, however it caused tension with patrons when there was a visible police presence. I advised management that he should use this as assurances to patrons that they were safe and that the premises was being monitored. The DPS enquired about some of the conditions on the premises licence and enquired about how he could get some of the conditions removed as they were some what confusing due to the numbers of conditions placed on the licence which essentially meant the same thing. CCTV checked and found to be compliant. There was a comprehensive CCTV system in place at the premises and all entry points covered by cameras. The DPS was fully conversant in the licensing hours of trade and conditions on licence. X6 patrons were in the premises when we left the premises and I will be scheduling a repeat visit to the premises when they fully operational. |
| 03/12/2016 | 02:15 | Richard Kalu      | Visit to premises with Ken Andrews. Arrived at the premises and parked up just at the front of the premises. Noted X2 SIA members of staff just at the entrance of the premises and X1 female SIA member of staff. Noted X8 patrons leave the premises within a 10 min period however we did not witness and new entry into the premises. I note that there was large group of patrons waiting to gain entry into K-CHE.   |
| 04/12/2016 | 02:00 | Natasha O'Donogue | Attended premises with Ken Andrews to ascertain if allowing entry after the permitted time of 02.00hrs, observed a queue of approx. 10 people to get into the premises, SIA staff seen 1xfemale and 3x male. Spoke to DPS Alfred Mansaray, ID scanner in operation. Advised of reason for visit and to ensure that after 02:00 shall be no new entry to premises, he did say that they shut the barrier / gate at 02:00 to make sure no one else can enter. Smoking area is at the back of the premises and he said they close the club at 04:00 hrs, capacity is 400 was about 150 people in at time of visit.  |
| 10/12/2016 | 02:20 | Richard Kalu      | Visit to premises with Adam Burchett. X3 SIA staff stood at the front of the premises. X1 SIA member of staff stood at the front of the premises with a metal detector. X1 of the SIA members of staff stood at the front of the premises was a female SIA member of staff. Front doors were closed by SIA staff then they went into the premises. No patrons located at the front of the premises.  |
| 07/01/2017 | 02:30 | Richard Kalu      | Visit to premises with Sue Hunter. Premises closed ATOV.   |
| 26/08/2017 | 03:05 | Richard Kalu      | Visit to premises with Farhad Chowdhury. Full licensing inspection carried out with Alfred Mansaray. Arrived at premises and no audible amplified music could be heard outside the   |

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|            |       |                 | <p>premises. X4 SIA staff at the front of the premises carrying out ID checks before being ushered to a hole in the wall where club scan was being operated from. X 2 patrons waiting to gain entry into the premises who were checked by SIA staff then allowed entry. Requested to speak to management of the premises and SIA staff called out a Mr Alfred Mansaray to the front of the premises. Mr Mansaray invited us into the premises which was operational with X15 patrons within the premises. X6 patrons were beside the bar some drinking and some ordering alcohol. The rest of the patrons were dancing and talking. The premises had a very low occupancy and Mr Mansaray asked if we would like to come down to his office. I said that would be fine however I would like to have a quick walk around the premises. Amplified music was being played and I checked the doors leading to the main street at the side of the premises which was closed. X1 SIA security member of staff was located in the smoking area however no patrons were located in this area at the time of inspection. We then proceeded to go to the basement of the premises to the office room. Within the office were two very large monitoring screens which were connected to the CCTV system of the premises. The CCTV system had a multi point camera system with HD quality footage being relayed to the viewing screens. CCTV recordings for 31 days were in place. No doors of the premises left open or ASB activity witnessed ATOV. A white party was taking place in the premises (all patrons dressed in white) and it was commented that they did not think the night was going to be very busy and they would probably finish early. I was advised that that it was envisaged that there would be possibly be 100people attending the premises but it was highly unlikely that this would happen. Complaint discussed with Mr Mansaray about sound escape from the premises and ASB. Mr Mansaray advised me that his premises was under control and that management were acting responsibly to ensure dispersal from the premises was done quickly and efficiently. Mr Mansaray advised me that there had been numerous incidents in regards to Club located above the 701 club. Mr Mansaray advised me that the sound escape that was being complained about was actually coming from the club upstairs as they frequently left their doors open and that the club had bad acoustic soundproofing which meant sound travelled. Operator has raised concern about some of the conditions which have been placed on the licence. Operator would like to discuss the licence and conditions with the responsible authorities to tidy up the licence. I have provided my contact details and asked operator to contact me next week to discuss.</p> |
| 02/09/2017 | 00:20 | Wesley McArthur | <p>Visit to the premises with Roy Fielding (RF). I met with the DPS, Alfred Mansaray (AM) and the business owner, Eric Doe (ED). I conducted a full inspection. Breaches of the following conditions were noted:</p> <p>288 – The clock on the CCTV was three minutes slow</p>   |

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|            |       | <p>307 – No accommodation limit has been set in respect of the premises. There was only an ‘in’ clicker being used so there wasn’t an accurate tally of how many persons were at the premises; however the premises were very under occupied as only about 20 customers (max) were present ATOV.</p> <p>344 - Staff hadn’t undertaken a ‘recognised’ training scheme (I advised ED that I would inform him of a suitable training scheme).</p> <p>345 – Beverages were being consumed in the smoking area. N.B. it is unlikely that the smoking area is compliant with the Smokefree reg’s – information to be sent in regards to the Smokefree legislation</p> <p>349 – Acoustic seals, brushes or self closers were not installed on relevant doors</p> <p>353 – Drinks were being permitted outside (in the smoking area)</p> <p>357 – There was no dispersal policy</p> <p>379 – No pre-opening security checks had been undertaken</p> <p>392 – The location of car parks and travel facilities were not identified on all promotional materials (see attached flyer)</p> <p>4AI – No refusal register was available</p> <p>793 – No staff training records were available re’ the LA2003 or the premises licence T&amp;C’s On conducting a walk-round of the premises no H&amp;S concerns were noted. The premises appeared to be sound and in good repair. The toilets were in good order and no emergency routes / exits were obstructed / locked. ED stated that he wanted to vary the licence to remove conflicting / superfluous conditions. I briefly advised him of the procedure and told him to contact me for more detailed information.</p> |   |
| 11/11/2017 | 00:55 | Mark Orton   | Visited premises to re-inspect as a variation application had been submitted. Also present was Matt Bourne, Trading Standards and Sgt Keith Dempster, NTET Police. Approached premises and introduced ourselves to the door staff and I ask to speak with the DPS Alfred Mansaray who invited us into the premises. I informed him that I was to inspect the premises to ensure compliance as a variation had been submitted. I asked Alfred M how many security staff were on duty as when I checked the register only three had signed in. It was evident that there was Inadequate SIA provision, with only three on duty ATOV, 2 males and 1 female. Upon checking records for previous nights, it was apparent that the provision of SIA has fallen short of requirements. DPS stated that as it was quiet on Fridays they only had 3 SIA. I asked if he was expecting any more security staff on duty and he stated that no further security staff were expected. Search wands were available to security staff. Breach of condition 341<br>I had to check whether the CCTV system was working satisfactorily but Alfred M was unable to show me as he didn't have access to the office in the basement where the CCTV system |

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|  |  | <p>was accessed from. At this point I asked if there was anyone available who could give me access and he stated his manager, Eric Doe could but he wasn't available as he was out. Alfred M called Eric Doe and informed him of our presence and Alfred was able to relay to me that his manager would be coming to the premises. (Licensee / Director turned up to premises approx. 45 minutes after we arrived and was able to show footage from 13 October 2017 at 03:00hrs. Mr Eric Doe stated that there is usually one person present who operates the CCTV system if he isn't there. I asked Mr Doe why he wasn't there and he stated that his partner had just had a baby. I asked what procedure was in place for incidents such as this and he became irate and said that people can't always work all the time. Mr Doe was able to operate the CCTV system and show that it holds footage for the required duration of 31 days. If Mr Doe hadn't been able to attend, the CCTV footage would not have been available.</p> <p>Breach of condition 289</p> <p>I asked to check the ID scan system, and this only showed 4 males as being allowed entry, this didn't tally with patrons (males and females) inside the premises atov. There were two staff members in the area used to scan ID, but neither could explain why only 4 patrons had been scanned. This also could not be explained by licensee or DPS. Atov there were approximately 20 patrons present, male and female. This did not include members of staff working in the bar area, ID scanning area or any of the security staff. Breach of condition 342</p> <p>No record keeping of numbers of patrons in the premises atov was provided. I estimated there approximately 30 persons including staff members at the premises atov. Breach of condition 307.</p> <p>The training records were very poor, and certainly did not cover all members of staff present. No written authorisations for bar staff. In general, record keeping was ad-hoc. Breach of condition 793.</p> <p>When Alfred M was questioned re. search provisions and "large bags" cloakrooms etc. answers were vague as to what constituted a large bag and when bags were allowed into the venue. Breach of condition 377.</p> <p>The incident book was very poorly filled in and didn't tally with security log with details of incidents. For example when the security log stated it was busy on a particular date, the incident log had no corresponding entry. Breach of condition 364.</p> <p>As a note of concern, when Mr Eric Doe returned to the premises after receiving the call from the DPS Alfred Mansaray, he was very agitated and stated he was being victimised as other officers of the council and the police had visited in the recent past. He suggested that it could be because of nature of the premises and it's mostly African patrons that it was getting attention. I responded to Mr Doe that the reason we were present was because of the</p> |
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|            |       |                  | variation that had been submitted. Mr Doe was very loud and demonstrative for approx. 5 minutes. Mr Doe stated that he was a recognised member of the community and had just returned from a fund raising event in central London with his partner, who was also present. Whilst the inspection was taking place, and the deficiencies in the managing of the premises became evident, Mr Doe appeared to become agitated with the DPS, Alfred Mansaray, with Mr Doe stating that the DPS should know better and is familiar with how the premises should operate. The summary of the licence was present as was the copy of the premises licence. Drinks were being served in plastics, no drinks were being consumed outside, barriers were in place to assist with crowd control, SIA staff had radio sets available, no customers were seen wearing sunglasses or hats, but the DPS was wearing a peaked cap atov. A drugs amnesty box was available and the DPS stated that periodically the Police will empty it. I asked if the use of the amnesty box is recorded and the DPS stated it was. Left the premises at 02:35. |
| 22/12/2017 | 23:54 | Farhad Chowdhury | Open seem six SIA door staff outside very quiet tonight.   |
| 07/01/2018 | 00:08 | Andrew Heron     | Closed.  |
| 07/01/2018 | 23:35 | Andrew Heron     | Visit to discuss BBQ - they say that they do not want the man there, and will try to move him on as it is their land. Looked at the smoking area - still potentially not compliant as not 50% exposed. Took pictures. Will take advice from H&S.   |
| 12/01/2018 | 21:45 | Richard Kalu     | Visit to premises with Clarissa O'Toole. Premises closed ATOV.   |
| 19/01/2018 | 23:45 | Richard Kalu     | Visit to premises with John Uzodinma Okeke. Premises closed ATOV.  |
| 21/01/2018 | 00:51 | Farhad Chowdhury | Closed.  |
| 27/01/2018 | 01:57 | Richard Kalu     | Visit to premises with Clarissa O'Toole. Premises non-operational no activity taking place at the premises ATOV.   |
| 14/04/2018 | 00:45 | Richard Kalu     | Visit to premises to complete full licensing inspection with Farhad Chowdhury. Arrived at the premises and walked up to the main entrance where SIA staff were carrying out security checks and processing patrons through the premises club scan system. Myself & Farhad Chowdhury identified ourselves to SIA staff at the entrance and asked to speak to the manager of the premises. A Mr Alfred Manasary came to the entrance door and asked myself and Farhad Chowdhury to come into the premises. When we entered the premises I noted that there were approximately X10female patrons within the premises X2 patrons were in the middle of the room dancing. We were led down a flight of stairs to the basement of the premises and met by A Mr Eric Doe. I advised Mr Doe that it was my intention to carry out a full licensing inspection of the premises. Mr Doe began discussing the issue of the shisha area at the premises with Farhad Chowdhury. Farhad tried to explain that in order for the shisha area to be compliant that it needed to be 50 / 50 i.e. 50 percent of the space needed to be              |

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|            |       |                  | open. Mr Doe asked myself and Farhad to come to the shisha area as he had done some alterations to make it 50/ 50 compliant. I would suggest that minor alterations have been completed which is to take a wooden structure wall to the side of the shisha lounge at the front side of the premises is still not 50 / 50 compliant. While in the shisha area the door from the premises leading to the external shisha area was being opened and closed by patrons wishing to smoke. Each time the door was opened a loud burst of amplified bass music would travel from within the venue outside. I advised Mr Doe that this was an issue and may be the reason why complaints had been received about noise coming from his premises. Mr Doe stated that he would now begin to think about installing an acoustic lobby to resolve the issue. A full inspection was carried out and the premises was found to be compliant with no breaches of the premises licence identified. Observations of the front of the premises did not identify any issues of ASB there does however remain an issue in relation to amplified music emanating from the premises traveling from the now partially open external shisha area of the premises. |
| 26/05/2018 | 21:53 | Andrew Heron     | Closed.   |
| 31/08/2018 | 23:30 | Richard Kalu     | Visit to premises with Farhad Chowdhury. Premises non-operational ATOV.   |
| 01/09/2018 | 01:30 | Richard Kalu     | Visit to premises to check premises to see if patrons are gaining access via a side door. Observed premises and no patrons admitted into the premises and no patrons were observed being admitted entry into the premises via bypass of club Scan at the front of the premises and in breach of a specific condition on the premises licence. No ASB or compliance issues noted ATOV.   |
| 13/10/2018 | 02:43 | Richard Kalu     | Visit to premises with Clarissa O'Toole to check premises to see if patrons are gaining access via a side door. Arrived at premises and X2patrons outside the premises. Observed premises and did not witness any patrons attempting to gain or being allowed to gain access via the side door to the premises.   |
| 17/11/2018 | 22:05 | Farhad Chowdhury | Closed.   |
| 15/12/2018 | 02:34 | Richard Kalu     | Visit to premises with Ken Andrews (Principal Environmental Health Officer). Invite for PACE interview with a Mr Alfred Mansaray – [REDACTED] hand delivered to him in person. Mr Mansaray advised that he will call in on Monday to arrange a PACE interview with Justin Williams Licensing Enforcement Officer.   |
| 23/02/2019 | 21:15 | Farhad Chowdhury | Closed.   |
| 24/02/2019 | 00:31 | Farhad Chowdhury | Food hygiene inspection and H&S inspection done looking at the smoking shelter, PC Crampton found one nitrous oxide bottle and spoke to manager Alfred Mansaray it was in the shisha area the security need to do better door searches. She said she will do a full   |

|            |       |                  |  |
|------------|-------|------------------|--|
|            |       |                  | inspection another time. No Major H&S issues needs a new fire extinguisher and service all the fire extinguishers.   |
| 13/04/2019 | 23:20 | Charlie Jerrom   | Visit to the premises with Adam Burchett Environmental Officer and Maria O'Mahoney Licensing Police to do a full licensing inspection. 2breaches of the licence were found conditions 309 and 357. I advised that a warning would follow visit regarding the breaches found ATOV. Left the premises at 23:55.Action: Notes to be appended onto APP/Complaint   |
| 13/04/2019 | 23:20 | Charlie Jerrom   | Visit to the premises with Adam Burchett Environmental Officer and Maria O'Mahoney Licensing Police to do a full licensing inspection. 2 breaches of the licence were found conditions 309 and 357. I advised that a warning would follow visit regarding the breaches found ATOV. Left the premises at 23:55. Action: Notes to be appended onto APP/Complaint   |
| 04/05/2019 | 01:30 | Charlie Jerrom   | I Adam Burchett and Tracey Crampton drove past club 701 to check if the barbecue seller was operating outside, the outside was quiet and only had SIA door staff for the two premises. Action: Append to APP   |
| 19/05/2019 | 00:37 | Farhad Chowdhury | Closed.  |
| 25/05/2019 | 00:50 | Farhad Chowdhury | Club 701, ground floor 516 Old Kent Road. Revisit to check smoking shelter is compliant with the Health Act 2006. The SIA staff got us to sign in a book and to explain the purpose of our visit which I completed and explained that police were not happy with the smoking shelter. Mr Mansaray took us to the rear area the smoking shelter was all covered almost 90% of the surface was covered. They had installed a concertina roof which folds and opens to cover the whole roof area. I did not see anyone smoking as they were just opening up. I advised Mr Mansaray that the concertina roof which folds should not be used it needs to stay open permanently. Something that can be closed is not Smokefree and does not comply with the law. Warning advice letter to be sent out. |
| 28/09/2019 | 23:35 | Farhad Chowdhury | Closed.  |

## APPENDIX F

| Date       | Ref.   | Start date | End date   | Time          | Maximum attendees | Alcohol? | Entertainment? | Late refreshment? | MPS objection? | EPT objection? | Counter notice?   |
|------------|--------|------------|------------|---------------|-------------------|----------|----------------|-------------------|----------------|----------------|---|
| 16/08/2017 | 860080 | 28/08/2017 | 29/08/2017 | 23:00 - 04:00 | 300               | Yes      | Yes            | Yes               | No             | No             |   |
| 24/11/2017 | 861178 | 10/12/2017 | 11/12/2017 | 23:00 - 03:00 | 300               | Yes      | Yes            | Yes               | No             | No             |   |
| 05/10/2018 | 865190 | 13/10/2018 | 14/10/2018 | 23:00 - 05:00 | 300               | No       | No             | No                | Yes            | No             |   |
| 16/10/2018 | 865422 | 28/10/2018 | 29/10/2018 | 23:00 - 04:00 | 300               | Yes      | Yes            | Yes               | Yes            | No             | Yes, as it was a late TEN.                              |
| 01/11/2018 | 865669 | 17/11/2018 | 18/11/2018 | 23:30 - 05:00 | 300               | Yes      | No             | No                | Yes            | No             | No. Application rejected as it was not full and proper. |
| 06/12/2018 | 866192 | 24/12/2018 | 25/12/2018 | 23:00 - 05:00 | 350               | Yes      | Yes            | Yes               | No             | No             |   |
| 31/01/2019 | 866741 | 17/02/2019 | 18/02/2019 | 01:00 - 03:00 | 150               | Yes      | Yes            | Yes               | No             | No             |   |
| 12/06/2019 | 868529 | 06/07/2019 | 07/07/2019 | 04:00 - 05:00 | 350               | Yes      | Yes            | Yes               | No             | No             |   |
| 07/08/2019 | 869364 | 26/08/2019 | 27/08/2019 | 23:00 - 04:00 | 300               | Yes      | Yes            | Yes               | No             | No             |   |



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