

Licensing Sub-Committee

Thursday 28 November 2019

10.00 am

Ground Floor Meeting Room G01C - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Sunny Lambe
Councillor Charlie Smith

Reserves

Councillor Sirajul Islam

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Andrew Weir on 020 7525 7222 or email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 19 November 2019



Licensing Sub-Committee

Thursday 28 November 2019
10.00 am

Ground Floor Meeting Room G01C - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
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: AFRIKIKO BAR, RESTAURANT AND NIGHTCLUB, 871 OLD KENT ROAD, LONDON SE15 1NX	1 - 66
6.	LICENSING ACT 2003: CLUB 701, BASEMENT AND GROUND FLOORS, 516 OLD KENT ROAD, LONDON SE1 5BA	67 - 149

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

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

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

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

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

Date: 19 November 2019

Item No. 5.	Classification: Open	Date: 28 November 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Afrikiko Bar, Restaurant and Nightclub, 871 Old Kent Road, London SE15 1NX	
Ward(s) or groups affected:		Old Kent Road	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Afrikiko Bar, Restaurant and Nightclub Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: Afrikiko Bar, Restaurant and Nightclub, 871 Old Kent Road, London SE15 1NX.
2. Notes:
 - The application seeks to vary the premises licence held under the Licensing Act 2003 in respect of the premises known as: Afrikiko Bar, Restaurant and Nightclub, 871 Old Kent Road, London, SE15 1NX under section 34 of the Act. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to representations submitted by responsible authorities and / or other persons and is therefore referred to the sub-committee for determination. The premises licence is attached as Appendix A.
 - Paragraphs 10 to 12 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix B.
 - Paragraphs 14 to 18 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached as Appendix C.
 - A map showing the location of the premises is attached as Appendix F.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a new licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, this council wholly administers the licensing responsibility.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:

- The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to:
- The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The Licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The current premises licence

8. The current premises licence in respect of the premises known as Afrikiko Bar, Restaurant and Nightclub, 871 Old Kent Road, London SE15 1NX allows the following licensable activities:
- Live music, recorded music, performances of dance, entertainment similar to live & recorded music and the sale of alcohol to be consumed on or off the premises:
 - Sunday to Thursday: 11:00 – 00:00 (midnight)
 - Friday and Saturday: 11:00 – 01:00
 - Late night refreshment:
 - Sunday to Thursday: 23:00 – 00:00
 - Friday and Saturday: 23:00 – 01:00
 - Opening hours:
 - Sunday to Thursday: 11:00 – 00:00
 - Friday and Saturday: 11:00 – 01:00
 - Mr Phillip Kwasi Asare is the designated premises supervisor (DPS) in respect of the premises.
9. A copy of the existing premises licence is attached as Appendix A.

The variation application

10. On 30 September 2019 Afrikiko Bar, Restaurant and Nightclub Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises known as Afrikiko Bar, Restaurant and Nightclub, 871 Old Kent Road, London SE15 1NX.
11. The application is summarised as follows:
 - To amend the terminal hours in respect of all licensable activities and the closing times of the premises to:
 - Monday to Thursday: 00:00
 - Friday to Sunday: 03:00
 - To amend conditions appended to the existing premises licence and to add additional conditions to the premises licence, should the application be granted.
12. The application form provides the applicant's operating schedule. Parts E, F, G, H, I, J, K, L and M of the operating schedule set out the proposed licensable activities, operating hours and operational control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should an amended premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be included in the licence.
13. A copy of the application is attached as Appendix B.

Representations from responsible authorities

14. Representations have been submitted by this council's planning enforcement team, the Metropolitan Police Service, and this council's licensing responsible authority.
15. The planning enforcement team's representation has been submitted in respect of the prevention of crime and disorder and the protection of public safety licensing objectives. The representation notes that the premises has been used as a night club in the past, that the premises has not operated as a night club recently and that the premises do not have permission to operate as a night club. The planning service has no objection to the use of the premises as a public house and restaurant. The planning service contends that the building and its location are not suited to the use of the building as a night club. The representation notes the premises' location and orientation. The planning service note that when the premises were previously being operated as a night club an incident occurred in August 2017 that resulted in a man dying. The planning service contends that the premises' layout, location and orientation contribute to a lack of security in the immediate area and that the area is vulnerable to crime. The planning service object to any extension of the premises' operating hours.
16. The Metropolitan Police Service's representation notes that, according to this council's statement of licensing policy, the premises are located in a residential area and that the statement of licensing policy recommends that residential areas are not suitable locations for night clubs. The Metropolitan Police Service states that the application clearly indicates that the licensee intends to operate the premises as a night club. The representation contends that any extension of the premises'

operating hours is likely to have a detrimental effect on local residents. The Metropolitan Police Service states that the premises were subject to a summary review following a serious incident at the premises during which a person died and as a result of the review the licence was suspended for three months, the operating hours of the premises were drastically reduced, and it was instructed that the premises should only be operated as a restaurant. The Metropolitan Police Service contends that, since the reduction in hours and restriction of the use of the venue to that of a restaurant, they have seen a reduction in the violent incidents and crime associated with the premises operation. The Metropolitan Police Service further contend that any return to the premises' previous operation as a nightclub would have a negative impact on the crime and disorder licensing objective and likely lead to an increase in violent incidents. The Metropolitan Police Service object to any extension of the premises' operating hours and for the operation of the premises to move away from that of a restaurant to that of a nightclub.

17. The licensing responsible authority's representation has been submitted in regards to the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The representation notes that, according to this council's statement of licensing policy, the premises are located in a residential area, that the statement of licensing policy recommends that residential areas are not suitable locations for night clubs and that the existing permitted operating hours are in excess of what is recommended in the statement of licensing policy for a bar (or public house) in a residential area. The licensing responsible authority object to any extension of the premises' operating hours. The licensing responsible authority also note that in the application no time has been left between the last sale of alcohol 'on sales' and the closing time of the premises and that this could lead to conflict between staff and the customers if customers who have purchased an alcoholic drink for consumption on the premises minutes before closing time are then asked to either finish the drink or hand it back to staff before leaving the premises.
18. Copies of the representations submitted by responsible authorities, and related correspondence, are attached as Appendix C

Conciliation

19. The applicant was sent copies of the representations and was advised to directly contact the responsible authorities should the applicant wish to attempt to conciliate the responsible authorities.
20. At the time of the writing of this report all of the representations remain outstanding and so must be considered by the licensing sub-committee.
21. At the hearing to determine the application the licensing sub-committee will be apprised as to the conciliation, whether partial or full, of any responsible authority that submitted a representation in respect of the application.

Representations from other persons

22. No representations were submitted by other persons.

Operating history

23. A premises licence was issued in respect of the premises on 4 October 2005.

24. Various transfers and / or amendments to the licence have taken place. On 31 August 2011 a further application was submitted to transfer the licence to Afrikiko Limited and an application was also submitted to specify Emmanuel Koku Dodzi Kpakpah as the DPS of the premises. The premises' name was also changed on this date to Afrikiko Bar, Restaurant and Nightclub. Mr Kpakpah was a director of Afrikiko Limited at this time and remained so until the company went into liquidation. Mr Daniel Dornor was also a director of Afrikiko Limited and remained so until 9 May 2012.
25. On 29 June 2012 a licensing inspection of the premises was undertaken. The premises were found to be being operated in breach of licence conditions 289, 308 and 336 of the premises licence issued in respect of the premises. A warning letter was sent to the premises in regards to the breached conditions. On 8 December 2012 a re-visit of the premises was undertaken and the premises were found to be being operated compliantly.
26. On 21 March 2014 a licensing inspection of the premises was undertaken. The premises were found to be being operated in breach of conditions 291 and 303 of the premises licence issued in respect of the premises. A warning letter was sent to the premises in regards to the breached conditions.
27. On 4 October 2015 a licensing inspection of the premises was undertaken. The premises were found to be being operated compliantly.
28. On 27 February 2016 the Metropolitan Police Service visited the premises. As a result of the visit they served a closure notice in regards to the premises under s.19 of the Criminal and Justice Police Act 2001 in respect of breaches of various conditions of the premises licence issued in respect of the premises.
29. On 30 July 2016 the Metropolitan Police Service visited the premises. As a result of the visit they served a closure notice in regards to the premises under s.19 of the Criminal and Justice Police Act 2001 in respect of the breach of condition 344 of the premises licence issued in respect of the premises.
30. On 13 August 2016 the Metropolitan Police Service visited the premises. As a result of the visit they served a closure notice in regards to the premises under s.19 of the Criminal and Justice Police Act 2001 in respect of the breach of condition 291 of the premises licence issued in respect of the premises.
31. On 14 August 2016 the Metropolitan Police Service visited the premises. As a result of the visit they served a closure notice in regards to the premises under s.19 of the Criminal and Justice Police Act 2001 in respect of the breach of conditions 302 and 344 of the premises licence issued in respect of the premises.
32. On 6 January 2017 an application, to have immediate effect, was submitted to transfer the licence to the current licensee, namely Afrikiko Restaurant and Night Club Limited. The DPS remained Emmanuel Koku Dodzi Kpakpah. Mr Emmanuel Kpakpah was a director of Afrikiko Restaurant and Night Club Limited at this time and remained so until 2 June 2017.
33. On 9 August 2017 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 Afrikiko Bar, Restaurant and Nightclub, 871 Old Kent Road, London SE15 1NX.

34. On 9 August 2017 a Superintendent for the Metropolitan Police Service certified that in her opinion the premises are associated with serious crime, serious disorder or both.
35. An expedited review hearing was held on 11 August 2017 to decide whether to implement the interim step suggested by the police in their review application of 9 August 2017. The licensing sub-committee decided to implement the interim step suggested by the police and suspended the premises licence until the full review hearing is held on 6 September 2017.
36. At the full review hearing of 6 September 2017 the licensing sub-committee decided to suspend the licence for a period of 9 weeks, impose additional conditions on the premises licence and to reduce the operating hours of the premises to the current operating hours. A copy of the notice of decision pertaining to this hearing is attached as Appendix D.
37. On 11 December 2017 an application, to have immediate effect, was submitted to specify Mr Daniel Dornor as the DPS in respect of the premises.

Deregulation of entertainment

38. On 6 April 2015 entertainment became deregulated and as a result:
 - Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
 - Live amplified music and recorded music are deregulated between 08:00 and 23:00 at on licensed premises for an audience of up to 500 people.
 - Plays and the performance of dance are deregulated between 08:00 and 23:00 for an audience of up to 500 people.
 - Indoor sporting events are deregulated between 08:00 and 23:00 for an audience of up to 1000 people.
39. Live music and recorded music can become licensable in on-licensed premises if the licensing authority removes the effect of deregulation following a licence review ('licence review mechanism').
40. The showing of films has not been de-regulated.

Map

41. A map of the area is attached to this report as Appendix G. The premises are identified at the centre of the map. The following premises are in the area displayed on the map and are licensed as stated:

The Empire, 777 Unit 2 Old Kent Road, London SE15 1NZ licensed for:

- The sale of alcohol to be consumed on & off the premises:
 - Sunday to Thursday: 11:00 - 23:30
 - Friday and Saturday: 11:00 - 00:30

- Late night refreshment:
 - Sunday to Thursday; 23:00 - 23:30
 - Friday & Saturday: 23:00 - 00:30

Iceland, 789-799 Old Kent Road, London SE15 1NZ licensed for:

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

805 Restaurant, 805-809 Old Kent Road, London SE15 1NX licensed for:

- The sale of alcohol to be consumed on the premises & recorded music:
 - Monday to Sunday: 14:00 - 00:30
- Late night refreshment:
 - Monday to Sunday: 23:00 - 00:30
- Live music:
 - Monday to Sunday: 21:00 - 00:00

ESQ Bar & Grill, 817 Old Kent Road, London SE15 1NX licensed for:

- The sale of alcohol to be consumed on the premises:
 - Sunday to Thursday: 10:00 - 00:00
 - Friday and Saturday: 10:00 - 03:00
- Late night refreshment:
 - Sunday to Thursday: 23:00 - 00:00
 - Friday & Saturday: 23:00 - 03:00

Nisa Local, 813 Old Kent Road, London SE15 1NX licensed for:

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

Lidl, 760 Old Kent Road, London SE15 1NJ licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Sunday 07:00 - 23:00

Aldi, 840 Old Kent Road, London SE15 1NQ licensed for:

- The Sale of alcohol to be consumed off the premises:

- Monday to Saturday 08:00 - 23:00
- Sunday 10:00 - 22:30

The Windsor Hotel, 888 Old Kent Road, London SE15 1NQ licensed for:

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Saturday 10:00 - 23:00
 - Sunday 12:00 - 22:30
- Late night refreshment:
 - Monday to Saturday 23:00 - 23:30

Southwark council statement of licensing policy

42. 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.

43. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on

its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

44. According to the statement of licensing policy the premises are located in a residential area. In residential areas the statement of licensing policy recommends the following closing times in respect of the types of premises stated:
- Night clubs (with 'sui generis' planning classification):
 - Not recommended for residential areas
 - Restaurants and cafes:
 - 23:00 daily
 - Public houses, wine bars or other drinking establishments:
 - 23:00 daily

Resource implications

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

Consultation

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

Community impact statement

47. 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

48. The sub-committee is asked to determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.
49. The principles which sub-committee members must apply are set out below.

Principles for making the determination

50. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
51. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

52. Relevant representations are those which
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
53. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- Add to, omit, and/or alter the conditions of the licence or,
 - Reject the whole or part of the application for variation.

Conditions

54. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
55. The four licensing objectives are
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
56. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
57. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
58. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced three new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional two conditions will come into force – age verification policy and smaller measures for alcoholic drinks.
59. Members are also referred to the Home Office revised guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

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

Hearing procedures

61. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing
 - This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

62. 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.
63. 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.

64. 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.
65. 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.
66. 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.
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. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

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 regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

BACKGROUND DOCUMENTS

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Copy of the premises licence
Appendix B	Copy of the application
Appendix C	Copies of the representations submitted by the responsible authorities
Appendix D	Copy of the notice of decision pertaining to the review hearing of 6 September 2017
Appendix E	Details of licensing night time visits to the premises
Appendix F	List of TENs submitted in respect of the premises
Appendix G	Map

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	13 November 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	15 November 2019	

Licensing Act 2003

Premises Licence



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

Premises licence number

861588

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Afrikiko Bar, Restaurant & Night Club 871 Old Kent Road	
Ordnance survey map reference (if applicable): 177370535176	
Post town: London	Post code: SE15 1NX
Telephone number: [REDACTED]	

Licensable activities authorised by the licence

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

The opening hours of the premises. For any non standard timings see Annex 2

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

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
Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

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

Live Music - Indoors

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

Recorded Music - Indoors

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

Performance of Dance - Indoors

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

Entertainment Similar to live/recorded music - Indoors

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

Late Night Refreshment - Indoors

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

Sale by retail of alcohol to be consumed on premises

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

Sale by retail of alcohol to be consumed off premises

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

Part 2

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

Afrikiko Restaurant and Night
Club Limited
871 Old Kent Road
London
SE15 1NX
[REDACTED]
[REDACTED]

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

10510069

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

Phillip Kwasi Asare
[REDACTED]
[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: 11.12.2017

[REDACTED]
Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

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

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

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

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

112 This licence allows for the premises to be open from the start time on New Years Eve until the finish time on New Years Day.

114 This licence allows for the premises to extend the following licensable activities for non standard timings: live music, recorded music, performance of dance, entertainment similar to live/recorded music, facilities for making music, facilities for dancing, provisions similar to making music and dancing, late night refreshment, sale of alcohol on and off the premises from the start time on New Years Eve until the finish time on New Years Day.

255 That fire extinguishers will be checked annually.

276 That the basement area is to be equipped with extract ventilation and chilled intake replacement air to facilitate music and dancing until requested terminal hour.

288 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing an image of every person who enters the premises.

289 That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the Police and the Council.

291 That any events operating after 22:00 hours shall have two SIA registered door supervisors, one of whom shall be female, until the terminal hour that the premises are in use under the licence including any temporary event notice. Hand held search wands will be used to assist in searching all persons entering the premises. All persons to include staff, performers, guests and members of the public. Counting devices shall be used to ensure that the accommodation capacity is not exceeded. The number of attendees shall be recorded periodically whilst the premises is in operation. This information will be made available to the Police and officers of the council and any other authorised persons immediately upon request.

298 That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'.

302 That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs.

303 That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Southwark Licensing a minimum of fourteen (14) days prior to the date of hire.

308 There shall be no new entry or re-entry to the premises after 03:00hrs other than to those who temporarily leave the premises to smoke a cigarette. A maximum of 10 persons at any one time. Those who temporarily leave for this reason shall be subjected to the requirement of a further search. The premises must assign a designated smoking area separate from other members of the public.

309 That all amplification equipment is to be played through the sound limiting device; the level set in conjunction with the Environmental Protection Team.

310 That doors and windows are to be kept closed except for access and egress.

311 That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.

312 Customers shall use no outside area after 22:00hrs except those who temporarily leave to smoke, with no more than 10 persons at any one time. Those customers shall be identified by a token or some other method with approval of the Police and Local Authority. Customers shall not take drinks outside after 22:00hrs.

313 That there shall be no movement of musical or amplification equipment from the premises between the hours of 12 midnight and 08:00am.

332 That children under 16 may only be present at the premises between 12 midnight and 04.30am when accompanied by a person aged over 18.

336 That a personal licence holder shall be on the premises at all times that intoxicating liquor is supplied.

340 That a Personal Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch scheme should there be one in existence for the area in which the premises is located.

341 That all children will be supervised.

342 That doors and windows are to remain closed during performance.

343 That floor speakers are to be mounted on resilient material between floor and speakers to reduce bass transmission.

344 An ID scanning system to the reasonable satisfaction of police will be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passport and ID cards, able to identify fake or forged ID documents.

428 That all audio and musical equipment on the premises shall be played through the approved sound limiting/cut out device.

345 An ID Scanning system to the reasonable satisfaction of Police be installed and maintained. The system should be capable of sharing information of banned customers with other venues, identify the hologram from a form of ID and read passports and ID cards, and be able to identify fake or forged ID documents. This system is to be used for access to the basement area of the premises only. All members of the public, DJ's and associated staff will have their ID scanned and stored on the system prior to being permitted access to the basement area. The system will be in use at all times after 22:00 and the terminal hour the premises are in use under its licence and when regulated entertainment is being provided in the basement area of the premises.

346 All customers entering the basement area will be identified with an ink stamp on initial entry. Persons without the approved ink stamp will not be permitted entry to the basement area via the internal ground floor door and will be required to enter via the external door located in Ilderton Road only. Restaurant users are to access the premises via the entrance on Old Kent Road only. If restaurant users wish to gain access to the basement area, they must conform with the usual security requirements and enter via the entrance on Ilderton Road.

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

840 That all staff are trained in their responsibilities under the Licensing Act 2003 in addition to the terms and conditions of the premises licence in addition to training specific to premises licence terms and conditions and training records should be kept and signed, these records shall be updated every six months and shall, upon request, be made immediately available to officers of the police and the council.

841 That alcohol shall be served ancillary to food, excluding snacks.

842 That there are no externally promoted DJ events at any time, including when the premises operate under a temporary event notice.

843 That the premises licence holder operates according to a comprehensive written dispersal policy and staff training pertaining to it. The dispersal policy must include provisions regarding the car park at the premises (e.g. when the premises are shut that vehicles are made to vacate the car park). The dispersal policy is to be submitted to the licensing authority prior to the premises operating.

844 That all event bookings and full details are to be logged and made known to all staff. The booking log is to be kept at the premises and made available for inspection immediately upon request by police and/or council officers.

845 That when events take place, the premises shall carry out pre-opening security checks of the premises and car park for both drugs and weapons to ensure that these items are not brought inside.

Annex 4 - Plans - Attached

Licence No. 861588

Plan No. N/A

Plan Date 12 June 2009

30/09/2019

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 1311398

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive

days.

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.

13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

15. This is the address which we shall use to correspond with you about this application.

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	Afrikiko Restaurant and Night Club Ltd
Premises licence number	861588

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

£	15500
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Postal address of premises or, if none, Ordnance Survey map reference or description

Address Line 1	Afrikiko Bar, Restaurant and Nightclub
Address Line 2	871 Old Kent Road
Town	London
County	
Post code	SE15 1NX
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Part 2 - Applicant details

Daytime contact telephone number	██████████
Email address	██████████
Postal Address if different from premises address	
Town / City	
Postcode	

Do you want the premises licence to have effect as soon as possible?

Please tick	<input checked="" type="checkbox"/> Yes
-------------	---

If not from what date do you want the variation to take effect?

(DD/MM/YYYY)	
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Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

	<input type="checkbox"/> No
--	-----------------------------

Please describe briefly the nature of the proposed variation (see guidance note 2)

	<p>This is an application to amend the opening hours of the premises and the hours for licensable activities as follows:</p> <p>Sale of alcohol (on-sales) – from 11:00 daily until 00:00 Monday to Thursday and until 03:00 the day following Friday to Sunday (currently permitted from 11:00 daily until 00:00 Sunday to Thursday and until 01:00 the day following Friday and Saturday)</p> <p>Sale of alcohol (off-sales) – to be removed as a licensable activity.</p>
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	<p>Late Night Refreshment (indoors only) – from 23:00 daily until 00:00 Monday to Thursday and until 03:00 the day following Friday to Sunday (currently permitted from 23:00 daily until 00:00 Sunday to Thursday and until 01:00 the day following Friday and Saturday)</p> <p>Recorded Music (indoors only) – from 23:00 daily until 00:00 Monday to Thursday and until 03:00 the day following Friday to Sunday (currently permitted from 11:00 daily until 00:00 Sunday to Thursday and until 01:00 the day following Friday and Saturday – to take into account the effects of deregulation of Regulated Entertainment)</p> <p>Live Music (indoors only) – from 23:00 daily until 00:00 Monday to Thursday and until 03:00 the day following Friday to Sunday (currently permitted from 11:00 daily until 00:00 Sunday to Thursday and until 01:00 the day following Friday and Saturday – to take into account the effects of deregulation of Regulated Entertainment)</p> <p>Performances of Dance (indoors only) – from 23:00 daily until 00:00 Monday to Thursday and until 03:00 the day following Friday to Sunday (currently permitted from 11:00 daily until 00:00 Sunday to Thursday and until 01:00 the day following Friday and Saturday – to take into account the effects of deregulation of Regulated Entertainment)</p> <p>Anything Similar to Live Music, Recorded Music and Performance of Dance (indoors only) – from 23:00 daily until 00:00 Monday to Thursday and until 03:00 the day following Friday to Sunday (currently permitted from 11:00 daily until 00:00 Sunday to Thursday and until 01:00 the day following Friday and Saturday – to take into account the effects of deregulation of Regulated Entertainment)</p> <p>By virtue of the above, the Applicant seeks to amend a number of conditions appended to the existing premises licence and to add a number of additional conditions to promote the four licensing objectives. These amendments and additional conditions are set out in full in the attached schedule of proposed conditions.</p> <p>There is no variation to the layout of the premises proposed by way of this application.</p>
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number

Please select number from range	Less than 5000
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Notes

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

IN ALL CASES COMPLETE BOXES K, L AND M

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

	e) Live music (If ticking, fill in box E)
	f) Recorded music (If ticking, fill in box F)

	g) Performance of dance (If ticking, fill in box G)
	h) anything of similar description to that falling within (e), (f) or (g) (Fill in box H)

Provision of late night refreshment (if ticking fill in box I)

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

Supply of alcohol (if ticking fill in box J)

	j) Supply of alcohol
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In all cases complete boxes K, L and M

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

	As per current licence.
--	-------------------------

Standard days and timings for Live Music (Please read guidance note 8)

Day	Start	Finish
Mon		03:00
	23:00	00:00
Tues	23:00	00:00
Wed	23:00	00:00
Thur	23:00	00:00
Fri	23:00	
Sat		03:00
	23:00	
Sun		03:00
	23:00	

State any seasonal variations for the performance of live music (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. (Please read guidance note 7)

--	--

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

	As per current licence.
--	-------------------------

Standard days and timings for Recorded Music (Please read guidance note 8)

Day	Start	Finish
Mon		03:00
	23:00	00:00
Tues	23:00	00:00
Wed	23:00	00:00
Thur	23:00	00:00
Fri	23:00	
Sat		03:00
	23:00	
Sun		03:00
	23:00	

State any seasonal variations for playing recorded music (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 7)

--	--

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

- 5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Will the performances of dance take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

	As per current licence.
--	-------------------------

Standard days and timings for Performance of dance (Please read guidance note 8)

Day	Start	Finish
Mon		03:00
	23:00	00:00
Tues	23:00	00:00
Wed	23:00	00:00
Thur	23:00	00:00
Fri	23:00	
Sat		03:00
	23:00	
Sun		03:00
	23:00	

State any seasonal variations for the performance of dance (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed. (Please read guidance note 7)

--	--

- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Please give a description of the type of entertainment you will be providing

	Anything Similar to Live Music, Recorded Music or Performances of Dance considered by the Licensing Authority not to fall specifically within those categories.
--	---

Will the entertainment take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

	As per current licence.
--	-------------------------

Standard days and timings for Anything of a similiar description to that falling within (e), (f) or (g) (Please read guidance note 8)

Day	Start	Finish
Mon		03:00
	23:00	00:00
Tues	23:00	00:00
Wed	23:00	00:00
Thur	23:00	00:00
Fri	23:00	
Sat		03:00
	23:00	
Sun		03:00
	23:00	

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. (Please read guidance note 7)

--	--

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

- 5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 4)

	Indoors
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Please give further details here (Please read guidance note 5)

	Hot food and drink after 23:00h.
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Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 8)

Day	Start	Finish
Mon		03:00
	23:00	00:00
Tues	23:00	00:00
Wed	23:00	00:00
Thur	23:00	00:00
Fri	23:00	
Sat		03:00
	23:00	
Sun		03:00
	23:00	

State any seasonal variations for the provision of late night refreshment (Please read guidance note 6)

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Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 7)

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- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week you intend the premises to be used for the activity.

Will the supply of alcohol be for consumption (Please read guidance note 9)

	On the premises
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Standard days and timings for Supply of alcohol (Please read guidance note 8)

Day	Start	Finish
Mon		03:00
	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	
Sat		03:00
	11:00	
Sun		03:00
	11:00	

State any seasonal variations for the supply of alcohol (Please read guidance 6)

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Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 7)

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- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'.
If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'.
If you wish people to be able to do both, please tick 'both'.

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 10)

	None
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Guidance Notes

10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

Hours premises are open to the public (standard timings Please read guidance note 8)

Day	Start	Finish
Mon		03:00
	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	
Sat		03:00
	11:00	
Sun		03:00
	11:00	

State any seasonal variations (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 7)

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6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

	The applicant has put together a comprehensive operating schedule to promote the four licensing objectives. This operating schedule is to replace all of the conditions currently appended to the existing premises licence. Where conditions are updated versions of existing conditions this is indicated within the operating schedule. All other conditions are additional appropriate and proportionate conditions to promote the licensing objectives.
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I have uploaded relevant part of the previous premises licence (Please send a hard copy in the post)

	[REDACTED]

Reason for not uploading the premises licence

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a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 11)

	<p>GENERAL – ALL FOUR LICENSING OBJECTIVES</p> <p>AT ALL TIMES</p> <ol style="list-style-type: none"> 1. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 150 persons. 2. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises. 3. The consumption of alcohol on the premises shall cease at midnight Monday to Thursday and at 03:00 the day following Friday to Sunday. 4. There shall be no admittance or re-admittance to the premises after 23:00 Monday to Thursday and 01:30 the day following Friday to Sunday with the exception of patrons permitted to temporarily leave the premises e.g. to smoke. 5. From 21:00 daily patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to ten (10) patrons at any one time. 6. From 21:00 daily patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them. 7. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. 8. The premises licence holder shall supply a direct telephone number for the designated premises supervisor to the Responsible Authorities. 9. The ground floor of the premises shall only operate as a restaurant: <ol style="list-style-type: none"> a) in which customers are shown to their table; b) where the supply of alcohol is by waiter or waitress service only, c) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, d) which do not provide any take away service of food or drink for immediate consumption, e) which do not provide any take away service of food or drink after 23.00, and f) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. <p>Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.</p> <ol style="list-style-type: none"> 10. The premises licence holder will ensure that all staff are trained commensurate with their roles at the premises in: <ul style="list-style-type: none"> • The Licensing Act
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	<p>2003</p> <ul style="list-style-type: none"> • Dealing with incidents and the prevention of crime and disorder • Sale of alcohol (to underage persons, drunks etc.) • The Premises' policies in respect of drugs, weapons, dispersal etc. <p>11. The premises licence holder will ensure that records of staff training are kept and made available to Responsible Authority Officers on request.</p> <p>12. The premises licence holder will ensure that refresher training is provided every 6 months.</p> <p>13. The premises licence holder will devise and maintain the following policies:</p> <ul style="list-style-type: none"> • Dispersal • Security • Drugs • Weapons • Entry <p>14. Copies of each of these policies will be kept at the premises and made available to Responsible Authority Officers on request. A copy of each of these policies will be lodged with the Licensing Authority. In the event that changes are made to any of the policies a further copy will be lodged with the Licensing Authority within 7 days of the changes taking effect.</p> <p>WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC</p> <p>15. There shall be a personal licence holder on duty on the premises at all times.</p> <p>16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to ten (10) patrons at any one time.</p> <p>17. All patrons leaving the premises temporarily, e.g. to smoke, will be required searched on re-entry.</p> <p>18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.</p>
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b) the prevention of crime and disorder

	<p>THE PREVENTION OF CRIME AND DISORDER</p> <p>AT ALL TIMES</p> <p>19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Southwark Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.</p> <p>20. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</p> <p>21. Signs must be displayed at all entrances and exits advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.</p> <p>22. Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:</p> <ul style="list-style-type: none"> (a) The day and date when the door supervisors were deployed; (b) The full name and SIA registration number of each door supervisor on duty at the premises; and (c) The start and finish time of each door supervisors work duty period. <p>This record shall be retained on the premises for 31 days and be immediately provided to Responsible Authority Officers upon</p>
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request

23. Any person employed as a door supervisor at the premises either directly or by way of a third party shall be required to undertake a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by an SIA endorsed awarding organisation and has an SIA required qualification for trainers). Such training must have been received within the last 12 months.

24. When engaged, all SIA licensed door supervisors shall:

- a) wear their SIA badges;
- b) be equipped with closed circuit radios;
- c) be equipped with "body worn video" camera devices that shall record both sound and images. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon request of the Police or Responsible Authority Officer throughout the preceding 31 day period; and
- d) when stationed outside the premises, wear high visibility jackets or vests.

25. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

26. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

27. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

28. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available

29. The Designated Premises Supervisor will actively seek to be a member of any active local Pub Watch and attend pub watch meetings on a regular basis.

30. The premises Licence Holder shall participate and support the 'banned from one, banned from all' principle in respect of disorderly conduct, as promoted by Pub Watch.

31. A drugs safe and log system will be employed at the premises to account for the seizure of drugs from customers. The premises management will liaise with police for regular collection of seized drugs.

32. The management shall instruct security staff and other staff members to assist police or local authority officers with any enquiries they make.

WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC

33. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all

	<p>empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.</p> <p>34. No patrons shall be admitted or re-admitted to the premises unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search.</p> <p>35. The premises licence holder shall employ additional SIA licensed door supervisors on a risk-assessed basis. When employed, the premises licence holder shall ensure that any SIA licensed door supervisors remain outside the premises for at least 30 minutes after the premises has closed to the public to assist with the dispersal of customers.</p> <p>36. No patrons, DJ's, performers, (along with their guests and entourage) or guests of staff shall be admitted (or re-admitted) to the premises unless:</p> <p>(a) They have had their ID scanned on entry;</p> <p>(b) They have passed through a functioning metal detecting search arch and been physically searched in accordance with the Premises' entry policy which will include a full bag search and;</p> <p>(c) The searching will be supplemented by the use of two functional metal detecting wands operated by a male and (so far as reasonably possible) female door supervisor dedicated to that duty either until the end of permitted hours or until there are no further admissions. Where a female Door Supervisor is not available this shall be logged.</p> <p>37. Notwithstanding the above patrons, DJs, performers (along with their guests and entourage) or guests of staff may be admitted to the premises if:</p> <p>(a) they are attending a private, pre-booked event (when a list of attendees will be kept at the premises for a minimum of 31 days after the event); or</p> <p>(b) a biometric scanning systems is in place (where fingerprint scanning is required for all customers) and they have had their ID scanned previously; or</p> <p>(c) with the written agreement of the police, a copy of which will be kept at the premises.</p> <p>38. The premises licence holder shall not permit entry to any person who refuses to be searched.</p> <p>39. No less than two weeks' notice will be given to the Police where any outside promoter is to be used at the premises, and the details of the promoter are to be given to the Police.</p>
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c) public safety

	<p>PUBLIC SAFETY</p> <p>AT ALL TIMES</p> <p>55. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.</p> <p>56. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.</p> <p>57. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.</p> <p>WHEN NIGHTCLUB ELEMENT OPEN TO THE</p>
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	<p>PUBLIC</p> <p>58. The premises licence holder shall designate at least one (1) staff member as responsible for customer welfare.</p>
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d) the prevention of public nuisance

	<p>THE PREVENTION OF PUBLIC NUISANCE</p> <p>AT ALL TIMES</p> <p>40. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.</p> <p>41. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>42. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.</p> <p>43. Loudspeakers shall not be located in the entrance lobby or outside the premises building.</p> <p>44. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.</p> <p>45. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.</p> <p>46. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.</p> <p>47. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.</p> <p>48. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day.</p> <p>49. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 08:00 on the following day.</p> <p>50. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.</p> <p>51. The licence holder shall enter into an agreement with a taxi service to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.</p> <p>WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC</p> <p>52. The licence holder shall ensure that any queue to enter the premises which</p>
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	<p>forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway</p> <p>53. An attendant shall be on duty in the cloakroom during the whole time that it is in use.</p> <p>54. The premises licence holder shall inform patrons by way of an announcement 30 minutes before the premises closes asking customers to respect the needs of local residents when they leave and to leave the area quickly and quietly.</p>
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e) the protection of children from harm

	<p>THE PROTECTION OF CHILDREN FROM HARM</p> <p>AT ALL TIMES</p> <p>59. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.</p> <p>WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC</p> <p>60. Should the premises licence holder organise any event for persons under the age of 18, the premises shall have in place the following practices:</p> <ul style="list-style-type: none"> (a) An admission policy; and (b) A code of conduct for staff; and (c) Child Protection/Safeguarding policy. <p>61. The premises licence holder shall designate a member of staff responsible for welfare for the duration of the event.</p>
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Guidance note 11

Please list here steps you will take to promote all four licensing objectives together.

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	
Upload existing plans	

Checklist

	<p>I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.</p>
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I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

	I agree
PaymentDescription	■

AuthCode	██████████
LicenceReference	██████████
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state in what capacity.

Full name	██████████
Date (DD/MM/YYYY)	30/09/2019
Capacity	Solicitor to Applicant

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 14). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 15)

Contact name and address for correspondence	██████████ ██████████
Telephone No.	██████████
If you prefer us to correspond with you by e-mail, your email address (optional)	██

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

GUIDANCE NOTES

15. This is the address which we shall use to correspond with you about this application.

Please tick to indicate agreement

<input type="checkbox"/>	I am a company or limited liability partnership
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[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of

entitlement to work, if appropriate.

I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

	Yes
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IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

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

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

Licensing team

Place and Wellbeing Department

Planning Division

Our ref: CE/19/0626

Your ref: 870250

Contact:

Tel:

Email:

Website: <http://planning.southwark.gov.uk>

Date: 9 October 2019

Dear Sir/Madam

Premises Licence application.

APPLICATION: CE/19/0626

PROPOSAL: Premises licensing application variation of current application

AT: Former Canterbury Arms 871 Old Kent Road London

The Planning department objects to hours of use being extended at this venue beyond 11:00pm. Whilst the venue has in the past attempted to promote itself as a nightclub, it is understood that this has not been the case recently. The premises does not have planning permission to be a nightclub. It has been a public house and there is no objection to use as a public house and restaurant.

The building and location are not well suited to a nightclub. The location is on the edge of the Borough near to the boundary with Lewisham and the busy intersection of Ilderton Road with Old Kent Road.

The building stands on its own at the corner of the Tustin Estate. The building has limited windows and activity inside is not immediately apparent from the exterior. The building is not beneath any flats in the Tustin Estate, but is near to a car park on Ilderton Road that is not directly overlooked. When it has operated as a nightclub it has resulted in disturbances that in August 2017 led to the loss of a young man's life. The layout of the building and its position on the street and lack of any relationship to any other building in the vicinity contribute toward a lack of security in the immediate area. Experience has shown that it is a location that is vulnerable to having crime committed, because particularly at night the area does not have a sense of being overlooked, or owned by anyone.

A building and its immediate context do not cause crime, but when their arrangement is particularly poor they can contribute to a sense of an unsecure area. The building was built as a public house many years ago and this is understood to be its permitted planning use. The architecture of the building, the absence of any other complementary uses nearby, the blank façade of the properties opposite and the set back of the Tustin Estate mean that this location has none of the elements of a secure design.

An extension of hours is objected to on grounds of prevention of crime and public safety.

Yours sincerely,

Gavin Blackburn – Team Leader Planning Enforcement

Gavin.Blackburn1@southwark.gov.uk



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

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: AS/21/157/19

Your reference: 870250

Date: 28th October 2019

Re:- Afrikiko, 871 Old Kent Road, London SE15 1NX

Dear Sir/Madam

Police are in possession of an application from the above for a variation to their current licence. The application seeks to increase the hours for licensable activities and opening hours to midnight Monday to Thursday and 3am Friday to Sunday.

The premises are situated in a designated residential area under the Southwark statement of licensing Policy, which recommends that nightclubs are not suitable for this area.

The application clearly indicates that they wish to operate as a nightclub and even offers conditions that will apply only when operating as a nightclub. The venue has a number of residential blocks in close proximity and has undergone considerable redevelopment in the area with additional new residential blocks. Any extension to the hours is likely to have a detrimental effect on those residents with customers likely to park in the surrounding streets when leaving in the early hours of the morning.

The current licence is for a restaurant as the premises licence for this venue was subject of a section 53a review of the licence following a serious incident where a person died. During the investigation into the incident, it became apparent that serious issues with the management and security at the premises had occurred. The Licence was suspended for 3 months, the hours drastically reduced, and they should only operate as a restaurant.

Since the reduction in hours and conditions restricting the use of the venue to that of a restaurant, we have seen a reduction in the violent incidents and crime associated with the premises operation. This indicates that the conditions and operating restrictions has gone some way to resolve the problems.

In April 2018, officers from the police Night Time Economy Team issued and section 19-closure notice for breaching the licence. Since then a number of visits have been carried out but have not found the venue open. This may be reasons for the reduced crime around the premises rather than improvement by the management. Prior to August 2017, we had five serious incidents including a murder. In the 2 years since the change to the licence, we have had none. Any return to the previous operation as a nightclub would have a negative impact on crime and disorder licensing objective and likely lead to an increase in violent incidents.

The police object to any extension to the hours and for them to move away from a restaurant based business to that of a nightclub.

Yours Sincerely

Graham White PC288MD
Police Licensing Officer
Graham.S.White@met.police.uk

MEMO: Licensing Unit

To Licensing Unit Date 28 October 2019

Copies

From Jayne Tear Telephone 020 7525 0396 Fax

Email jayne.tear@southwark.gov.uk

Subject Re: Afrikiko Restaurant and Night Club, 871 Old Kent Road, London,
SE15 1NX – Application to vary a premises licence

I write with regards to the above application to vary a premises licence under the Licensing Act 2003 submitted by Afrikiko Restaurant and Nightclub Limited, which seeks to extend the following licensable activities:

- To extend live music; recorded music, performance of dance and anything similar description to live/recorded music and performance of dance (all indoors) on Saturday and Sunday from 01:00 to 03:00 Monday from 00:00 to 3:00
- To extend late night refreshment (indoors) on Saturday and Sunday from 01:00 to 03:00 Monday from 00:00 to 3:00
- To extend supply of alcohol (to be consumed on the premises) on Saturday and Sunday from 01:00 to 03:00 Monday from 00:00 to 3:00
- To extend opening times shall be on Saturday and Sunday from 01:00 to 03:00 Monday from 00:00 to 3:00

The application also seeks to remove all conditions on the current premises licence and replace with a new set of conditions as stated within the operating schedule.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy 2019 – 2021

This premises is situated within **a residential area** and under the Southwark Statement of Licensing Policy the closing times appropriate for public houses, wine bars or other drinking establishments and restaurants and cafes is 23:00 hours daily. Night clubs (with sui generis planning classification) are not considered appropriate for this area.

The hours applied for are in excess of what it appropriate for a bar in this area within the statement of licensing policy and the premises already has hours in excess of what is considered appropriate for this area.

The premises is very close to local resident's who could be disturbed by patrons leaving the premises late at night. I object to the granting of the extended hours asked for within this application under the prevention of crime and disorder and public nuisance licensing

objectives as the operation of the premises and of people leaving the premises even later at night could impact upon local residents living nearby and in the surrounding streets. The management would have no control of patrons that have left the premises and the possible impact of any rowdy and anti-social behaviour or crime and disorder and this application has not addressed the dispersal of patrons.

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

It would seem that the premises is moving away from operating as a restaurant/bar and wants to operate more as a bar/or night club.

I may submit further supporting information to this representation at a later stage.

I therefore submit this representation and welcome any discussion with the applicant to address my concerns

Southwark's Statement of Licensing Policy 2019 – 2021 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

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



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 6 SEPTEMBER 2017

LICENSING ACT 2003: AFRIKIKO BAR, RESTAURANT AND NIGHT CLUB 871 OLD KENT ROAD, LONDON, SE15 1NX

1. That the council's licensing sub-committee, having considered an application made under Section 53C of the Licensing Act 2003 by the Metropolitan Police Service for the review of the premises licence issued in respect of the premises known as Afrikiko Bar, Restaurant and Night Club 871 Old Kent Road, London, SE15 1NX, and having had regard to all other relevant representations, has decided that it is appropriate, necessary and proportionate in order to promote the licensing objectives to:
 1. Suspend the licence for a period of 9 weeks.
 2. Modify the conditions of the licence by adding the following conditions:
 - i. That the hours of operation will be:
Sunday to Thursday from 11:00 to 00:00
Friday and Saturday from 11:00 to 01:00
 - ii. That all staff are trained in their responsibilities under the Licensing Act 2003 in addition to the terms and conditions of the premises licence in addition to training specific to premises licence terms and conditions and training records should be kept and signed, these records shall be updated every six months and shall, upon request, be made immediately available to officers of the police and the council.
 - iii. That alcohol shall be served ancillary to food, excluding snacks.
 - iv. That there are no externally promoted DJ events at any time, including when the premises operate under a temporary event notice.
 - v. That the premises licence holder operates according to a comprehensive written dispersal policy and staff training pertaining to it. The dispersal policy must include provisions regarding the car park at the premises (e.g when the premises are shut that vehicles are made to vacate the car park). The dispersal policy is to be submitted to the licensing authority prior to the premises operating.

- vi. That all event bookings and full details are to be logged and made known to all staff. The booking log is to be kept at the premises and made available for inspection immediately upon request by police and/or council officers.
- vii. That when events take place, the premises shall carry out pre-opening security checks of the premises and car park for both drugs and weapons to ensure that these items are not brought inside.
- viii. That condition 291 be amended to read: "Any events operating after 22:00 hours shall have two SIA registered door supervisors, one of whom shall be female, until the terminal hour that the premises are in use under the licence including any temporary event notice. Hand held search wands will be used to assist in searching all persons entering the premises. All persons to include staff, performers, guests and members of the public. Counting devices shall be used to ensure that the accommodation capacity is not exceeded. The number of attendees shall be recorded periodically whilst the premises is in operation. This information will be made available to the Police and officers of the council and any other authorised persons immediately upon request.
- ix. That conditions 347, 348 and 349 be removed from the licence.

2. **Reasons**

The reasons for this decision are as follows:

The licensing sub-committee heard from Metropolitan Police Service, the applicant for the review. They advised that on 9 August 2017 they applied to the licensing authority for a summary review of the premises licence in respect of the premises known as Afrikiko Bar, Restaurant and Nightclub, 871 Old Kent Road, London SE15 1NX after a Superintendent for the Metropolitan Police Service certified that in his opinion the premises are associated with serious crime or serious disorder or both.

The application related to a very serious fatal incident that took place on the previous day, Tuesday 8 August 2017 at approximately 02:00 when an emergency call was made to the police reporting that a large fight, including the use of a knife, and involving approximately 34 persons who had previously been in the premises was taking place outside of the premises. Police attended the premises and found a male unresponsive on the floor. A large number of people were still in the vicinity of the premises.

Police officers viewed CCTV of the incident which showed a large group of people outside the premises at 02:00. The closing time of the premises on 8 August 2017 was 01:30. The CCTV showed a fight involving weapons. The victim was stabbed and died as a result of the injuries the victim received.

The police stated, and we accept, that the premises were being operated on 8 August in breach of various conditions on the premises licence, namely condition 303 (completion of Form 696/venue hire agreement), condition 336 (personal licence holder to be on premises when alcohol is supplied) and condition 347 (only over 21s to be admitted to the basement area). They stated further that there was a significant history of non-compliance at the premises with regards to the terms and conditions of the premises licence issued in respect of the premises. They informed the sub-committee that four Section 19 closure notices had been issued and recommended that the premises licence be revoked. In our view the Police acted very properly in instigating this summary review.

The licensing sub-committee heard from the representative for the premises who accepted that there had been failings at the premises in the past. The incident took place some distance from the premises, most of which could not be seen on the CCTV footage as it occurred behind a tree/car.

The licensing sub-committee noted a representation from the other person, a resident, that over the course of the previous 2years, there were often fights outside the premises, loud disturbing music and patrons loitering outside the premises. There was a suggestion that there had been a stabbing outside the premises in November 2015.

The sub-committee considered very carefully whether to revoke the premises licence as requested by the police, particularly in light of the admitted breaches of the licence. Considerable weight was given to the fact that the fatal incident took place some distance away from the premises and after those involved in the violence had already left the premises.

The sub-committee took the view that the appropriate and proportionate steps to be taken should be specifically directed at the cause of the serious incident and should not exceed those steps that were appropriate to promote the licensing objectives.

The sub-committee, on balance, took the view that a significant reduction in operating hours as well as a condition that alcohol must now be provided as ancillary to food, taken together with all the other conditions imposed, was the appropriate and proportionate response on this occasion. These steps were likely to significantly reduce the risk of the licensing objectives being undermined in the future.

Therefore, the sub-committee concluded that revocation of the premises licence was not appropriate at this stage. The premises licence holder is expected to fully comply with all of the imposed conditions without fail. If further breaches occur in the future that have the effect of undermining the licensing objectives then the police would be well within their rights to instigate a further review of the premises licence and, without binding the hands of a future licensing sub-committee, it is likely that more severe action would be taken on that occasion.

3. **Appeal rights**

This decision is open to appeal by either:

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

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

This decision does not have effect until either

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

4. **Review of interim steps pending appeal**

This decision is open to appeal by either:

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

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

This decision does not have effect until either:

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

At the conclusion of the review hearing the licensing sub-committee reviewed the interim steps to determine which interim steps were appropriate for the promotion of the licensing objectives, pursuant to section 53D of the Licensing Act 2003. The sub-committee concluded that these interim steps were appropriate:

- To suspend the premises licence.

The interim steps is open to appeal by:

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

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

Issued by the Constitutional Team on behalf of the Director of Legal Services

Date: 6 September 2017

APPENDIX E

Date	Time	Officer	Notes
08/12/2012	01:50	Roy Fielding	Met DPS Emmanuel. Found to be compliant although Drug signage was missing on arrival. Emmanuel explained that it had been repainted and he had failed to put the signage back up. I could tell this was true and he put all the signage back up with tape whilst I was on site.
21/03/2014	22:02	Farhad Chowdhury	Checked car park, no BBQ. No activity will visit later with Police regarding fighting last weekend.
21/03/2014	23:20	Farhad Chowdhury	Visit with Police No SIA on the doors, met ██████████ manager. The Licensee Mr Emmanuel Kpakpah was not in at the time of the visit. Mr Donor said that he heard there was a fight outside. He didn't know his security staff would know about it. They would be here at 00:00hrs. They are open till 4:00am; we inspected the basement with the Police. There were no customers in the basement. DJ was however playing music very loud. There were no fire extinguishers in the basement they are stored in a cupboard upstairs by the staircase. There were no personal licence holders, the condition says that personal licence holders have to be on the premises all the time. They showed us a letter signed by the DPS nominating staff to sell alcohol, they said that Stu Wythe Police officer told them this insufficient. PC Letts told them this is incorrect. PC Letts said that they have an event tomorrow night and they did not submit a 696 or risk assessments. This was advertised on (www.filmmyaad.com). On the licence it says they need to employ SIA from 22:00hrs to closing time of 4:30am. Police served a section 19 closure notice for breaches of their licence conditions. This is a warning and gives the premises 7 days to rectify the breaches. The manager called their lawyer ██████████ who spoke to PC Tom Letts. One SIA staff turned up at 23:50hrs to work on the doors. I spoke to door staff his name was ██████████ number ██████████ expiry of card ██████████. The SIA staff is self employed does not work for any company. The SIA staff said that the second SIA comes around 1:00hrs. Mr ██████████ explained they are closed Sundays would they need a SIA on Sundays as well. PC Letts advised him to vary his licence or separate the club and the restaurant so they would not need SIA for the restaurant. They have 16 CCTV seen working, Police served section 19 notice and said they would be writing with all the breaches to the licensee. We left at 00:20hrs.
28/03/2014	23:30	Mark Orton	Visited premises with Police. SIA present. Went through licence conditions with the manager, all ok except no search wand. He stated he'd ordered one. Police have some they could distribute to licensed premises.
30/03/2014	04:15	Mark Orton	BBQ in situ in carpark of premises. I spoke with the operator to tell him he shouldn't be there and colleagues will be there to confiscate the equipment the weekend of the 4/5 April. There was some disturbance as the manager didn't want the BBQ there but the person hiring the venue had requested the operator to put his BBQ there. Voices became raised and I stepped in to calm things down. I spoke with all parties to come to an agreement as things were getting heated. I requested that the venue hirer asks his guests to go inside the premises to reduce the chance of nuisance. Further visits to be carried out.

05/04/2014	02:55	Richard Kalu	Barbecue drum seized from outside the front of the premises by Adam Burchett. Visit carried out with NTE police. I note that when we arrived at the premises a group of about 11 males and 4 females approached the door of the premises. The door was closed and myself and NTE requested that the management of the premises and the SIA security of the premises present themselves. SIA and management of the premises were with myself and NTE Police. Members of the public were located at the front of the premises and were attempting to gain entry. An SIA member of staff went to the entrance of the premises and the members of the public located at the front of the premises were advised that they would not gain entry into the premises. Request from the NTE police were done without issue and all SIA members of staff were happy to show there SIA badges. The management of the premises advised the NTE Police that there were two doors in order to gain entry into the premises. We were shown the initial entrance door and a further lobby door which was closed. All doors and windows of the premises were closed however there was some noise breakout at the premises. We were advised that this was due to the opening and closing of the lobby door when patrons were coming in and out of the premises to go and smoke. I have requested Adam provide an update on the barbecue drum which was seized.
12/04/2014	03:15	Kristie Ashenden	Pulled up outside Afrikiko in police van. Could hear LAM drum beat of music while in van with doors closed and radio on. ATOV a red cordon barrier is out and 3 men are standing in q. FRC took photos (see NTE team logs & photos on G: drive) to show the setup. The barrier system was open at the Old Kent Rd end, which gives the impression that it is there for people to walk up and join the queue. 2 SIA men outside with search wands. Approximately 12 people waiting around outside. Appears to be a breach of condition 309 (SLD condition) as there is very loud African music blaring out of the premises. Need to check with EPT to set it. Spoke to a man who identified himself as [REDACTED]; he said he's spoken to [REDACTED] about people outside. I raised concerns about people being admitted to premises beyond 2am (condition 308) and he claimed that he was advised to have smokers outside supervised by staff. I saw 2 white people enter who I had not seen outside; this appeared to be new admittance. I advised that I will speak to MAD. There was a man with a BBQ in the carpark - police dealt with him whilst I spoke to [REDACTED]. Registration [REDACTED]. Open window on Ilderton Rd near red queueing system says "Pay at window £10 from 1am". I asked Emmanuel about the sign - he said it was £5 before 1am, and £10 between 1am and 2am. Sound escape from open window - I asked why this was open if they were no longer admitting customers. FRC took photos as evidence.
13/04/2014	03:02	Kristie Ashenden	Drive past in police van - no one outside premises.
25/04/2014	02:38	Jayne Tear	Noted when we drove past to turn around into Ormside street, that there were appx 10-15 people waiting outside in a queue by the entrance (this included 3 women who looked very young).
02/05/2014	22:00	Mark Orton	Smoking area moved from rear of premises to side of premises to minimise noise disturbance. Downstairs area being painted, some improvements taking place. MD informed that music levels had been lowered and that he was monitoring the DJ's. He wishes to discuss noise limiters with MP. I advised MD to remedy a bare wire in stairwell.
03/05/2014	02:10	Mark Orton	Witnessed patrons entering after 02:00hrs.
03/05/2014	02:30	Mark Orton	Admitting patrons at time of visit, some patrons being verbally abusive, S19 served by Police.

17/05/2014	02:11	Kristie Ashenden	Saw approx. 6 men appear at premises and gain entry. Spoke to [REDACTED] who said he'd had a meeting with police and they have agreed 3am last admission. Sign at entrance stating last entry 3am. He produced a letter from Graham White which said they could vary their licence for a later admittance but I advised that they need to put an application in first - it is still 2am last admission until variation is granted. There is serious sound escape from the premises- they have a PA shouting over the music. Observed several people gaining entry whilst we were there. At 02:22hrs observed several cars parking up on opposite pavement, using it as a parking area. Door continually opening and huge sound escape. Gave details of colleagues [REDACTED] and advised them to do a draft variation app and go to office on Monday.
18/05/2014	01:58	Farhad Chowdhury	Had long queues outside barriers up, balloons up and SIA on doors, had 7 people in queue. Ken Dale called Police at 2:00hrs no answer.
18/05/2014	02:04	Farhad Chowdhury	People are going inside the premises. 16 People outside now and more taxis and people arriving. Security guard not SIA does not have armband. But he was using a wand to check people in. Hole on wall window people using to pay for entry after 2am. They have breached their condition; licence does not allow entry after 2am. Observed the queue all the people went inside.
18/05/2014	02:36	Farhad Chowdhury	Cabs arriving to the premises.
18/05/2014	02:50	Farhad Chowdhury	Approx. 22 people in queue and paying through window hole in wall. Loud people noisy outside. No intention of closing, still letting people in, taxis and cars tuning up to venue security guard is not SIA, but was using a wand.
24/05/2014	02:20	Wesley McArthur	Visit to premises re' SLD and entry / re-entry of persons into the premises after 02:00. Roy Fielding (RF) and I parked on Ilderton road and observed the entrance to the r/o the premises. There were 4 door supervisors by the entrance to the premises comprised of 1 IC3 female and 3 IC3 males. Waist height barriers were in place to guide customers into the club and to delineate the search area. We saw 4 IC3 males queue to enter the premises; they were searched and entered the premises. Approx.' 10minutes late we saw 7 people approach the premises (4 females – 3 IC3 and 1 IC1 and 3 Males – 2 IC1 and 1 IC3). They spoke amongst themselves in the queue for sometime and then one of the females approached a hole in the exterior wall of the premises adjacent to Ilderton Road, and appeared to be speaking to someone. The female then appeared to pass an object to somebody behind the hole in the wall. (It later transpired that the hole in the wall leads to a box office).The group then approached the door supervisors, were searched and entered the premises. Approx.' 10 minutes later 2 IC3 females approached the entrance to the premises, were searched and then entered the premises. Approx. 3minutes later an IC3 male left the premises and stood near to the junction of Ilderton Road and Old Kent Road. The IC3 male smoked a cigarette, after he finished he re-entered the premises. It was noted that there were 2 IC3 males in the car park to the r/o the premises. They were stood behind the security barriers and appeared to be associated with or known to the door supervisors as they were talking to the door supervisors for the duration of our observation. The door supervisors were using a hand held metal detector in regards to searches of male customers. We approached the entrance to the premises. I identified myself to a DS and asked to speak to the licensee. Approx.' 5 minutes later an IC3 male approached me and identified himself as Emmanuel Kpakpah (EK), the licensee of the premises. We entered the

			ground floor of the premises to talk. I reminded EK of condition 308 of the premises licence issued in respect of the premises prohibiting entry or re-entry to the premises after 02:00. EK stated that he had submitted an application to vary the premises licence and that the application included an amendment to condition 308 to allow an entry / re-entry time of 03:00. EK further stated that, as he requested in the application form that the variation take effect immediately, he thought that he was able to operate as per the amendments proposed in the application, including the amendment to condition 308. I explained that this was not the case and that he must adhere to the conditions of the current licence until such time that the variation application is granted, if it is granted. I enquired as to whether an SLD had been installed and was in use at the premises. EK wasn't sure and stated that he thought an SLD had been installed, but that he would have to check with his sound engineer. EK took me thorough the basement area to the DJ booth. Loud 'Bashment' style music was playing in the basement. There were approx. 50 people inside the basement. EK showed me an amp' rack which was connected to a DSP (digital signal processor) manufactured by Ohm Europe, model name 'Cleo'. EK stated that he thought the DSP included a sound limiter. I told EK that I wasn't sure if it included sound limitation in its functions, but that if it does he has to have it calibrated in conjunction with the EPT. <i>(N.B. I checked the spec' of the Cleo, and it doesn't appear to include a limiter or compressor function, however EK's sound engineer will have to confirm this)</i> . I asked EK if he had displayed a public notice in regards to the variation application he had submitted, he said that he did not, and was not aware of the requirement to display a public notice or advertise one. I explained the requirements in regards to public notices and variation applications and also showed EK a suitable place to display a public notice when he completes one. EK stated that he would contact me in regards to obtaining public notice pro-forma's. I left EK my business card. Before we left I reiterated the requirement to adhere to the conditions of the premises licence. As we were leaving a queue had built up outside the entrance. It appeared that the door supervisors had stopped letting people in as some people in the queue were agitated and enquiring as to why they hadn't been let in. The police NTET team had arrived and were speaking to some of the door supervisors. We left the police to continue with their visit.
25/05/2014	00:15	Farhad Chowdhury	Premises ready to open, security setting up barriers. No customers yet.
25/05/2014	01:37	Farhad Chowdhury	People arriving, one went inside. 4 men on the doors working, one customer outside smoking, cars pulled in, barriers up customers being let inside past their hours.
01/06/2014	03:10	Mark Orton	Some music audible, low level bass. Approx. 7 persons in car park talking. No BBQ evident.
13/06/2014	22:46	Farhad Chowdhury	No BBQ's set up yet
14/06/2014	01:52	Farhad Chowdhury	Long queues outside, people paying through window slot, no BBQ outside.
14/06/2014	12:06	Farhad Chowdhury	<u>N.B. – no visit notes on database</u>
22/06/2014	03:05	Farhad Chowdhury	No activity no customers or door staff tonight.
28/06/2014	00:25	Wesley McArthur	Visit to premises requested by MAD re' BBQ's. No BBQ on site ATOV. The car park to the r/o the premises was ringed with crowd control barriers.

29/06/2014	02:57	Farhad Chowdhury	No BBQ tonight, no SIA on doors very quiet.
12/07/2014	01:48	Mark Orton	Car park barriered off, no sign of patrons in that area. Orderly queue along Ilderton Road, some music noise audible but not loud.
03/08/2014	02:39	Farhad Chowdhury	No BBQ tonight, no queues.
16/08/2014	02:50	Mark Orton	Approx. 4 people queuing ATOV, no issues re noise or ASB.
24/08/2014	02:10	Farhad Chowdhury	Looks closed no activity.
30/08/2014	03:06	Kristie Ashenden	Drove into Ilderton Rd to find police van parked out the front. Barriers out, no customers outside as they are aware of police observations. Stu talking to female SIA.
13/09/2014	00:20	Richard Kalu	Very quiet at premises. Barriers are out. X2 SIA staff standing at the entrance of premises. All lights internally within the premises on. No noise breakout. X3 cars parked in the car park. No issues noted.
13/09/2014	01:43	Richard Kalu	ATOV 9 people within the premises when we went past. Parked up and observed 4 Patrons just by the entrance door smoking. Intermittent noise breakout when the entrance doors of the premises were opened and closed to let people in and out to smoke. X2 SIA members of staff X1female and X1 male at the entrance of the premises. Lights inside the premises were all on. Not very much activity taking place. No issues in relation to cars pulling up or small groups of members of the public attempting to gain entry to the premises. Noted that the carpark area was cordoned off and it appeared that SIA staff were only allowing staff members to park in the premises car park. Appeared to be a quite night for the premises with about 25 people within the premises.
20/09/2014	02:13	Dave Swaby	Drive-by, noted that people were queuing in an orderly manner.
27/09/2014	00:52	Kristie Ashenden	Drove past, no BBQ
04/10/2014	03:15	Richard Kalu	No barbecue seller at time of visit. Observed one patron leave the premises. When the door opened there was some noise breakout. When the patron attempted to re-enter he was stopped and searched before being allowed to re-enter the premises.
22/11/2014	02:10	Mark Orton	Drove past premises, no music audible, no queue, no BBQ o/s.
23/11/2014	02:15	Mark Orton	Premises quiet, no queue, no music audible, no BBQ o/s.
30/11/2014	04:07	Richard Kalu	Visited the premises with Adam Burchett and noted that no activity was taking place at the premises at the time of my visit. No barbecue sellers were around the venue and no issues noted in relation to compliance of the premises. X3 SIA staff were outside the front of the venue pulling away barriers and X2 cars were located in the carpark area of the premises. No barbecue sellers in the immediate vicinity of the premises.
20/12/2014	02:28	Farhad Chowdhury	Two SIA staff on the door.
21/12/2014	03:28	Richard Kalu	<u>N.B. – no visit notes on database</u>
27/12/2014	01:35	Richard Kalu	NTE visit with Adam Burchett. Premises were very quite. X5 SIA staff at the front of the premises. X3 patrons with the premises drinking. Heard conversation with management and the SIA staff advising them that if it remained quite that they would close up at 02:00. No compliance related issues noted no music was being played within the

			premises. Very quite night.
28/12/2014	01:30	Richard Kalu	Visited the premises with Adam Burchett. No patron activity at front of premises. Looked into premises X10 males seated having a meal at a table within premises. Not a club night at premises appeared to be a staff sit down meal. No ASB issues noted in and around the general area of the premises.
03/01/2015	01:50	Richard Kalu	Visit to premises with Adam Burchett. X10 patrons within the premises. X4 SIA staff at the front of the premises. No patrons attempting to gain entry into premises. Very quiet. No barbecue seller located outside the premises.
17/01/2015	01:40	Richard Kalu	No patrons within the venue ATOV. No compliance related issues noted.
18/01/2015	02:45	Richard Kalu	No patrons within the venue. No barbecue sellers located within the car park area of the premises.
01/03/2015	03:30	Richard Kalu	Visited premises with Justin Miller. X5 cars parked in the car park at the rear of the premises. Lights on within the premises. No SIA at the entrance of the premises. Appeared that that no event was taking place within the premises. When doors opened had sight of tables and chairs within and people eating a meal. No patrons waiting around to gain entry and no ASB issues noted ATOV.
04/03/2015	01:15	Richard Kalu	Visited the premises with Sarah Newman premises was operational with X4 patrons within the premises. Lights were all on within the venue. No noise breakout. X3 SIA staff at the front of the premises no patrons waiting to gain entry at the front of the premises. No compliance related issues noted.
12/04/2015	03:30	Farhad Chowdhury	03:30hrs we seen loads of cars parked in middle of the road, and in the chevrons about 15-20 cars taken photos, people arriving to a party with balloons.
03/05/2015	03:00	Richard Kalu	Afrikiko, 871 Old Kent Road – Compliance check of the premises. Noted X3 SIA staff at the entrance of the premises. Walked past the premises and spoke to SIA staff and asked them if they were busy. Was advised that it was a very quite night and they had not been busy all night. SIA staff said that they think that they would close soon as it was very quite and they had not drawn in big numbers into the venue. Whilst talking to SIA staff the manager came out and told the SIA staff that they were going to close. No noise breakout from the premises or congregation of patrons outside the premises.
13/06/2015	00:35	Mark Orton	SIA visible at entrance, no patrons queueing. No music noise
20/06/2015	02:50	Richard Kalu	Visit to Afrikiko with Adam Burchett. Noted that there were X7 patrons within the premises and X5 SIA staff. Very quite no sound escape at the premises. Advised that they would be closing by management as it was a very slow night quite night.
19/07/2015	03:32	Kristie Ashenden	With Adam Burchett. Asked to monitor by MP1 re: TEN and WJM re: complaint. Afrikiko has a TEN tonight until 06:30hrs. Bad parking noticed all over Ilderton Rd. Music from venue not audible above traffic. People still turning up to venue as its open late on TEN. People parked in the middle of Ilderton Rd right in front of the traffic light. 4 cars parked in RHT filter lane. At 03:44 TCT NTE to request they monitor premises for nuisance until they finish their shift and update me by email for Monday.
26/07/2015	02:34	Richard Kalu	Visited premises with Farhad Chowdhury and discussed operation of premises in regards to complaints about ASB and parking in the immediate vicinity of premises. Music was at background level and there was no dancing within

			premises. X10 patrons within the premises eating food within the premises seated at tables. Manager advised that they were going to stop using the premises as a club and wanted to move more to operating as a traditional restaurant. We were advised that from time to time they may put on events using TENS but generally they were moving back to being a restaurant as operating as a club was causing too many issues for management of the premises. Have been advised that SIA staff have been instructed to be stricter in respect of parking outside the premises. Have been advised that issues arise when the patrons park up and then come over to the premises. Advised that operationally it is very hard for them to stop this issue as they have no control over where people park. I have been advised that where this is witnessed SIA staff will ask patrons to either move their cars or in the most serious of cases refuse entry into the premises. Action - NTE to monitor premises next weekend.
09/08/2015	02:37	Mark Orton	Premises busy, there appeared to be patrons in the car park next to the venue and also a BBQ stall set up. There were cars parked all over the road also, further monitoring required. Will inform parking enforcement of the situation if there is a repeat.
16/08/2015	03:15	Richard Kalu	No barbecue seller located at this location. Premises were very quiet. No audible loud music no issues of concern noted.
30/08/2015	00:01	Farhad Chowdhury	Queue of patrons outside venue, bass beat audible on street but not a public nuisance.
06/09/2015	02:51	Farhad Chowdhury	15 people outside the premises
18/09/2015	23:40	Richard Kalu	Visit to Afrikiko with Farhad Chowdhury advised management of issue in relation to closure notice of River of Life. Advised management to be vigilant and to possibly expect an increase in patrons. Requested that any issues were immediately phoned through to the Police.
19/09/2015	03:15	Richard Kalu	Visit to premises with Farhad Chowdhury. Spoke to management who advised us that they had not encountered any issues as a result of closure notice served on River of Life. Advised that there had been some large parties of people attempting to gain entry however they were refused. Patrons had confirmed that they had intended to visit the River of Life however the event had been cancelled. Some patrons confirmed that they believed that there was another event planned the following week at either the Penarth or the River of life which tied into some of the information received from SIA staff at Mystique.
29/11/2015	02:25	Mark Orton	Area quiet, no music audible from the premises, SIA visible controlling access, very few people outside the premises, no BBQ, no parking issues.
05/12/2015	02:27	Richard Kalu	Visit to premises with Sarah Newman. Premises busy with X2 SIA security on door. No noise breakout from premises and no ASB issues identified.
03/01/2016	00:06	Farhad Chowdhury	All quiet. Had one SIA door staff male on doors.
05/03/2016	00:27	Richard Kalu	Compliance check on Club Scan. X2 SIA staff were at the entrance X1Female & X1 male who were both compliant. No Patrons waiting to gain entry into the premises. I identified myself and asked to speak to the manager of the premises a Mr [REDACTED]. Advised that they would not be running the basement club part of the premises and that club scan was not operational. I asked to see the basement and noted that there was no

			activity and that the basement club area was non operational. X16 patrons located in the premises at seated at covers. Advised that they have just placed a new fire alarm system in the premises and that there are some very minor additional works that need to be carried out at the premises and once done they will be submitting a minor variation to tidy up the licence as per discussion with Jayne Tear and my discussion with David Franklin.
13/03/2016	00:45	Farhad Chowdhury	No music audible outside, all quiet.
10/04/2016	02:38	Farhad Chowdhury	Nobody outside all quiet.
16/04/2016	22:20	Richard Kalu	Visit to premises with Farhad Chowdhury and NTE Police. Police requested that we attend the premises to carry out a joint visit as there has been a threat to life. Lengthy discussion with management and SIA staff within the premises. Promoted event and we were given assurances that the premises would have been highly alert and if any issues were encountered that the police would be called. Discussed minor variation with management and he will be calling me on Tuesday to arrange a convenient time to discuss the issue with his licence and conditions with a view to submit a minor variation to change the wording of conditions on his licence. Action – Arrange meeting to suggest wording change as part of minor variation application.
17/04/2016	02:34	Richard Kalu	Visit to premises with Farhad Chowdhury as a result of advice from NTE Police that the premises had been closed down due to threat to life.X4 males at the front of the premises removing sound equipment. Observed the premises and then I spoke to a male and asked if the event was still proceeding was advised that someone had made a call to the police to stop the event out of spite. Asked if the event had definitely stopped and was told that it could not continue and that the event had now been called off. Monitored the premises and we were sufficiently confident that no event would be taking place at the premises.
16/07/2016	00:05	Farhad Chowdhury	Premises open SIA staff on the doors setting up.
17/07/2016	02:30	Farhad Chowdhury	All quiet nobody outside just door staff
13/08/2016	00:55	Richard Kalu	Visit to premises with Sarah Newman. I could not see that there has been any layout change within the premises. When we arrived at the premises the basement was not in operation. Met NTE police at the premises who were having a discussion with the operator of the premises about their security. At the time we arrived there was no female SIA member of staff at the premises that is a requirement under their premises licence. Advised by management of the premises that the female SIA member of staff had arrived but had to leave due to a family emergency. This was checked against CCTV and found to be true. However this had not been the first time this situation had occurred and Police NTE advised me that they would serve a Section 19.
19/08/2016	21:34	Richard Kalu	Visit to premises with Ken Andrews as a follow up to last weekend visit to premises and the police servicing a section 19. X2 male SIA & X1 female SIA staff positioned at the entrance of the premises. No patrons within the premises. Advised by SIA staff that they were not expecting the premises to be busy as people were saving money for the bank holiday weekend.
27/08/2016	03:00	Richard Kalu	Visit to premises to check if X1 female SIA member of staff is working in compliance with premises licence conditions. Visit undertaken with Matt Bourne and Stuart from NTE police. When we arrived at the premises it was

			<p>very quite and there were X6 patrons within the restaurant eating. I note that within the basement (nightclub) there were X4 patrons seated and amplified music was being played by a DJ but there did not appear to be any paid patrons with the basement. There was a clear smell of cannabis at the main entrance of the premises. This was apparently coming from people stood outside the premises and was not attributed to anyone within the venue. We undertook some checks of club scan and noted that pictures had been scanned in however no ID's had been scanned into the club scan. Stuart enquired why week after week the same conversation had taken place at the premises and why club scan was not in operation. We were advised that club scan was in operation and the reason why no ID's had been scanned in was because they were the DJ and relatives and the girlfriend of the DJ. Stuart and myself advised that this was unacceptable and that all patrons that entered the premises regardless of their relationship with staff at the premises needed to be scanned in on the club scan. Whilst we were stood outside the premises an object was thrown out of a window from the high rise council block located beside the venue and overlooking the main entrance of the premises. We could not identify here the missile had been thrown from however Stuart confirmed that he would make some further enquires. We were advised by staff of the premises that this was a frequent event when the premises was operational and that various objects had been thrown down on to patrons who were visiting the premises. Stuart confirmed to the operator that he would be serving a section 19 closure notice and that the issues needed to be rectified as a matter of priority. Details of the section 19 detailed below. Metropolitan Police Section 19 served at 03:00hrs• ID scan not being used properly / Photos only• IDs not scanned and no way to determine who patrons were within the basement of the premises. Staff advised that it was the DJ's girlfriend and friends and family</p>
11/09/2016	03:00	Farhad Chowdhury	All quiet seen SIA door staff and one female.
24/09/2016	01:25	Richard Kalu	<p>Visit to premises with Adam Burchett and NTE Police. Arrived at the premises and note that there was X1 female SIA member of staff and there was X1 male SIA member of staff. Requested to see evidence of metal detector wand and was shown this by the male SIA member of staff. Checked operation of the metal wand and found that it was compliant. Walked in on conversation which Stuart from NTE police was having with the manager of the premises and advised him that we wanted to see evidence that club scan was working and in operation. Myself Stuart and Adam entered the basement of the premises and note that it was very quiet and that there were approximately X15 patrons within the basement club. We walked to the main entrance of the premises and spoke with the manager and requested to see club scan in operation and who had been scanned in. We were advised that there had been some internal works at the front entrance of the premises that had shorted out the electrics of the premises and club scan intermittently. We could see evidence of works having taken place at the entrance of the premises and words of advice was given by both myself and NTE Police. NTE police confirmed that they would be making some further enquires with club scan in relation to the use of the club scan software at the premises. We were advised that the issue with club scan had been rectified and it was now the intention to request patrons to leave the premises and re-enter going through club scan. Whilst talking for 20 – 30 seconds an announcement was made on the PA system and almost all patrons left and re-entered the premises via the club scan system. We discussed compliance related</p>

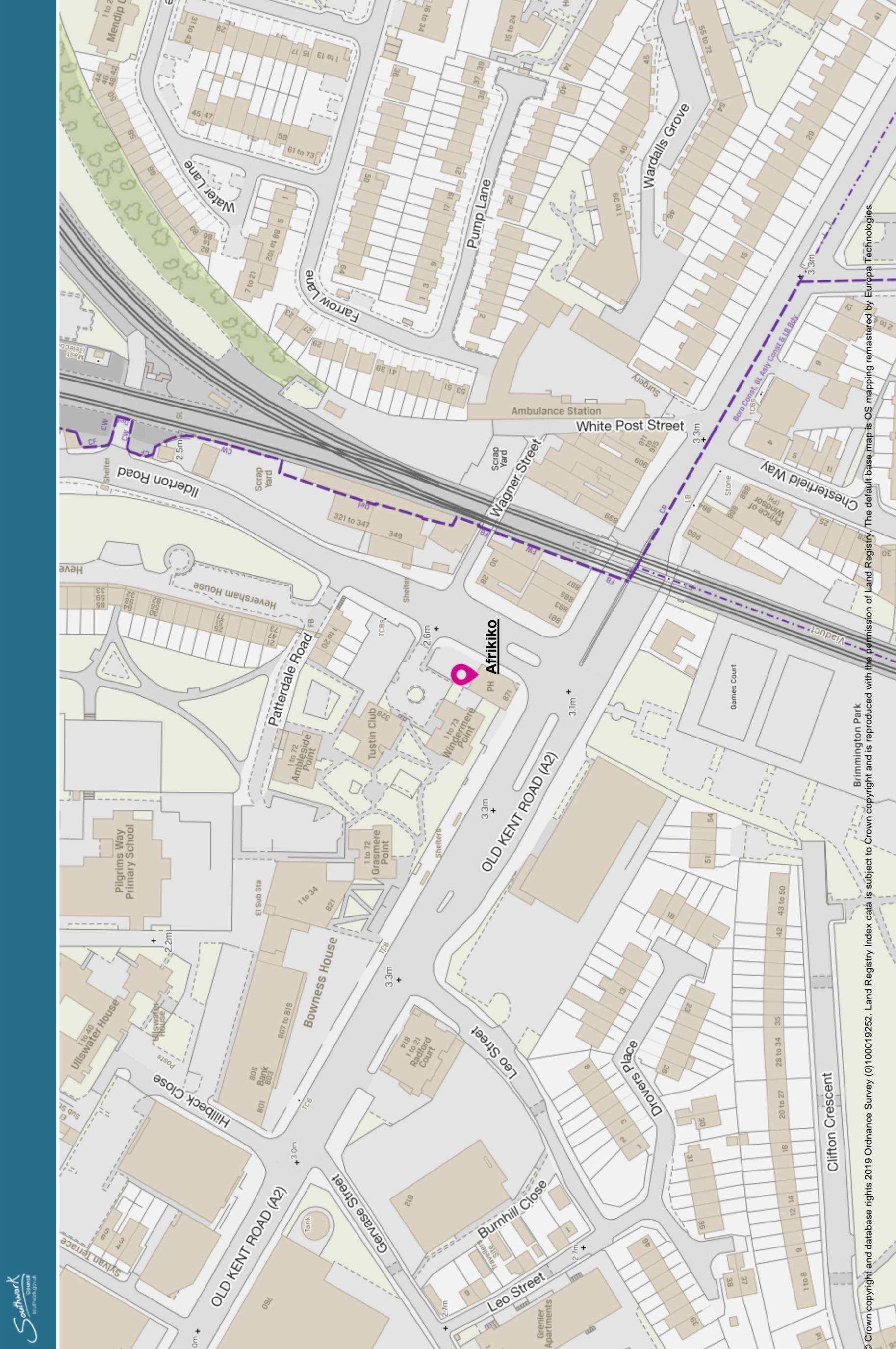
			issues with management and advised them that we would be retuning later in the night to ensure compliance.
24/09/2016	03:45	Richard Kalu	NTE Police advised over the police radio that there was a major incident taking place at Afrikiko. Myself and Adam were on the NTE police van attended Afrikiko and I noted when we arrived there were approximately 370 patrons stood outside the venue. NTE police advised us to stay on board the NTE van due to concerns in relation to Health & Safety. We were immediately upon attendance at the scene surprised by the sheer numbers of people who were outside the venue and who had it appeared been inside the venue. With regard to Health and Safety and risk management it did not seem possible that so many patrons could have been accommodated within the venue. Police NTE requested CCTV from management of the premises and I have requested an update in relation to this matter once CCTV has been reviewed so I can follow up on this. NTE advised that no crime and disorder issues were apparent however for public order reason a decision was taken to move on.
01/10/2016	01:33	Richard Kalu	Visit to premises to check if X1 female SIA member of staff is working in compliance with premises licence conditions. If not inform Police NTE. Arrived at the premises and noted at the entrance of the premises X1 male SIA member of staff and X1 female member of staff. We were not accompanied by NTE police and did not feel due to the activity at the premises we should enter and check club scan
02/10/2016	01:17	Farhad Chowdhury	Seen SIA door staff and some people arriving.
15/10/2016	00:04	Farhad Chowdhury	Open very quiet nobody outside.
12/08/2017	22:54	Andrew Heron	Visit with Police. Premises closed. Blue notice in place.
19/08/2017	23:40	Farhad Chowdhury	CLOSED
23/12/2017	23:57	Farhad Chowdhury	Open tonight seen people inside.
13/01/2018	21:10	Andrew Heron	Visit with Police to check plans. Manager [REDACTED] was not present - spoke to him over the phone. Plans for the Ground Floor are OK, though the CCTV room / storage room have swapped, but no walls removed. Basement plans are incorrect. Bar and DJ booth have moved. Toilets also moved, there is a new seating area in the centre. Minor variation will be required.
10/02/2018	00:50	Richard Kalu	Visit to premises with Farhad Chowdhury to complete a licensing inspection. Premises closed and non – operational ATOV.
25/05/2018	23:30	Andrew Heron	TEN granted - observations. No issues, could not see that there was much activity.
26/05/2018	23:00	Andrew Heron	Observations again, very quiet. Can only observe people eating and drinking on ground floor.
05/10/2018	21:00	Andrew Heron	Visit with Food Team - no licensing inspection carried out (have received a lot of attention recently), only kitchen matters.
12/01/2019	00:34	Farhad Chowdhury	Quiet no activity outside.
08/03/2019	22:00	Charlie Jerrom	Visit to premises with Richard Kalu. I and Richard identified ourselves to the manager [REDACTED] who has lost a copy of the premises licence. Mr [REDACTED] handed over a letter requesting a duplicate licence along with a cheque of £10.50

16/03/2019	22:05	Farhad Chowdhury	Open all quiet nobody outside.
14/09/2019	00:01	Farhad Chowdhury	Premises appears to be open again lot of people arriving cars parked Maria will visit with police tomorrow night.
28/09/2019	20:39	Farhad Chowdhury	Owner not in, no works have been done left card to call me back to arrange visit.

APPENDIX F

Start date	End date	Times	Maximum attendees	Alcohol?	Entertainment?	LNR?	Late TEN?	Police objection?	EPT objection?
05/11/2011	05/11/2011	22.00 - 07.00	100	No	No	Yes	No	No	No
24/12/2011	26/12/2011	04.00 - 06.00	150	Yes	Yes	No	No	No	No
31/12/2011	02/01/2012	04.00 - 06.00	150	Yes	Yes	No	No	No	No
02/12/2012	02/12/2012	04.00 - 06.00	150	Yes	Yes	No	No	No	No
08/12/2012	09/12/2012	04.00 - 06.00	150	Yes	Yes	No	No	No	No
15/12/2012	16/12/2012	04.00 - 06.00	150	Yes	Yes	No	No	No	No
22/12/2012	27/12/2012	04.00 - 06.00	150	Yes	Yes	No	No	No	No
29/12/2012	02/01/2013	04.00 - 06.00	150	Yes	Yes	No	No	No	No
29/12/2012	02/01/2013	04.00 - 06.00	150	Yes	Yes	No	No	No	No
07/12/2013	08/12/2013	04.00 - 06.00	150	Yes	Yes	Yes	No	No	No
14/12/2013	15/12/2013	04.00 - 06.00	150	Yes	Yes	Yes	Yes	No	No
21/12/2013	23/12/2013	04.00 - 06.00	150	Yes	Yes	Yes	No	No	No
25/12/2013	29/12/2013	01.00 - 06.00	150	Yes	Yes	Yes	No	No	No
31/12/2013	02/01/2014	01.00 - 06.00	150	Yes	Yes	Yes	No	No	No
01/02/2014	01/02/2014	04.00 - 06.00	150	Yes	Yes	Yes	Yes	No	No
23/02/2014	23/02/2014	04.00 - 06.00	150	Yes	Yes	Yes	No	No	No
03/05/2014	06/05/2014	01:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
24/05/2014	27/05/2014	01:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
20/07/2014	20/07/2014	04:00 - 06:30	150	Yes	Yes	Yes	Yes	No	No
13/09/2014	14/09/2014	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
01/11/2014	02/11/2014	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
20/12/2014	20/12/2014	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
27/12/2014	02/01/2015	04:00 - 06:00	150	Yes	Yes	Yes	No	No	No

31/01/2015	01/02/2015	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
14/02/2015	15/02/2015	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
28/02/2015	02/03/2015	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
25/05/2015	25/05/2015	04:00 - 06:30	150	Yes	Yes	Yes	Yes	No	No
07/06/2015	07/06/2015	04:00 - 06:00	150	Yes	Yes	Yes	No	No	No
14/06/2015	14/06/2015	04:00 - 06:00	150	Yes	Yes	Yes	No	No	No
19/07/2015	19/07/2015	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
25/12/2015	28/12/2015	01:00 - 06:00	150	Yes	Yes	Yes	Yes	Yes	Yes
31/12/2015	03/01/2016	01:00 - 06:00	150	Yes	Yes	Yes	Yes	Yes	Yes
09/01/2016	11/01/2016	04:00 - 06:00	150	Yes	Yes	Yes	No	Yes	Yes
06/02/2016	08/02/2016	04:00 - 06:00	150	Yes	Yes	Yes	No	Yes	Yes
26/03/2016	29/03/2016	04:00 - 06:00	150	Yes	Yes	Yes	Yes	Yes	Yes
02/04/2016	02/04/2016	04:00 - 06:00	150	Yes	Yes	Yes	Yes	Yes	Yes
17/04/2016	17/04/2016	04:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
01/05/2016	01/05/2016	04:00 - 06:00	150	Yes	Yes	Yes	Yes	Yes	No
07/05/2016	07/05/2016	04:00 - 06:00	150	Yes	Yes	Yes	Yes	Yes	No
28/05/2016	30/05/2016	04:00 - 06:00	150	Yes	Yes	Yes	Yes	Yes	No
16/07/2016	17/07/2016	22:00 - 06:00	150	Yes	Yes	Yes	Yes	No	No
09/04/2017	09/04/2017	04.00 - 06.30	150	Yes	Yes	Yes	Yes	No	No
29/04/2017	01/05/2017	04.00 - 06.30	150	Yes	Yes	Yes	Yes	No	No
03/06/2017	03/06/2017	04.00 - 06.00	150	Yes	Yes	Yes	Yes	No	No
31/12/2017	01/01/2018	11:00 - 06:00	200	Yes	Yes	Yes	Yes	Yes	No
25/05/2018	27/05/2018	11:00 - 06:00	200	Yes	Yes	Yes	No	Yes	No
25/05/2018	27/05/2018	11:00 - 06:00	200	Yes	Yes	Yes	Yes	No	No
29/06/2018	01/07/2018	11:00 - 06:00	200	Yes	Yes	Yes	No	No	No
24/08/2018	26/08/2018	11:00 - 06:00	200	Yes	Yes	Yes	Yes	Yes	No
28/09/2018	30/09/2018	11:00 - 06:00	200	Yes	Yes	Yes	Yes	Yes	No
26/10/2018	28/10/2018	11:00 - 06:00	200	Yes	Yes	Yes	No	Yes	No
24/05/2019	27/05/2019	11:00 - 06:00	200	Yes	Yes	Yes	No	Yes	No



Item No. 6.	Classification: Open	Date: 28 November 2019	Meeting Name Licensing Sub-Committee
Report title:		Licensing Act 2003: Club 701, Basement and Ground Floors, 516 Old Kent Road, London SE1 5BA	
Ward(s) or groups affected:		Old Kent Road	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made under Section 53C of the Licensing Act 2003 by the chief of police for the Metropolitan Police Service area for the 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.
2. **Notes:**
 - a) The grounds for the review are stated in paragraphs 13 to 19 of this report. A copy of review application is attached as Appendix B.
 - b) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix A. A map of the local area is attached as Appendix G.
 - c) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

- Relevant representations.
7. The 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 footage of the incident. According to the time stamp on the CCTV footage 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.
20. Other evidence may become available at the hearing.
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.
22. Any evidence submitted in addition to this report will be made available at the hearing.

Representations from responsible authorities

23. At the time of the writing of this report (13 November 2019) no representations in respect of the review have been submitted by responsible authorities, however the consultation period during which representations can be submitted finishes on 19 November 2019. If any relevant representations are received during the consultation period they will be distributed to the licensing sub-committee and all relevant parties prior to the hearing to determine this review application.

Representations from other persons

24. At the time of the writing of this report (13 November 2019) no representations in respect of the review have been submitted by other persons, however the consultation period during which representations can be submitted finishes on 19 November 2019. If any relevant representations are received during the consultation period they will be distributed to the licensing sub-committee and all relevant parties prior to the hearing to determine this review application.

Operating history

25. 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.

26. 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.
27. 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.
28. 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.
29. 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.
30. 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.
31. 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, 4A1 & 793 of the premises licence issued in respect of the premises.
32. On 14 October 2017 an application to vary the premises licence was submitted.
33. 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.
34. 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.
35. 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.
36. 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.
37. 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.
38. 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.

39. 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.
40. On 5 November 2019 the Metropolitan Police Service applied to this licensing authority for the 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. In the review application the Metropolitan Police Service suggested that, as an interim step prior to the full review hearing to take place on 28 November 2019, the premises licence issued in respect of the premises should be suspended until the full review hearing of 28 November 2019.
41. On 5 November 2019 a Superintendent for the Metropolitan Police Service certified that in the Superintendent's opinion the premises are associated with serious crime, serious disorder or both.
42. An expedited review hearing was held on 7 November 2019 to decide whether to implement the interim step suggested by the Metropolitan Police Service in their summary review application of 5 November 2019. The licensing sub-committee decided to implement the interim step suggested by the Metropolitan Police Service and suspended the premises licence until the full review hearing is held on 28 November 2019. A copy of the Notice of Decision pertaining to the expedited review is included in Appendix D.
43. Details of night time visits to the premises by council licensing officers are provided in Appendix E.
44. Details of temporary event notices (TENs) submitted in respect of the premises are attached as Appendix F.

The local area

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

Southwark Council statement of licensing policy

46. 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.
47. 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

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

Consultation

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

Community impact statement

50. 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

51. 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.
52. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

53. 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.
54. 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.

55. 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.
56. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.
57. The authority may decide to take no action if it finds no interim steps are appropriate to promote the licensing objectives.
58. 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.
59. 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

60. 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

61. 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.
62. 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

63. 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.
64. 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.
65. 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.
66. 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.
67. 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.
68. 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.

69. 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.
70. 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

71. 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

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Copy of 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

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	15 November 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		15 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

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

Licensable activities authorised by the licence

Plays - Indoors
Films - Indoors
Live Music - Indoors
Recorded Music - Indoors
Performance of Dance - Indoors
Entertainment Similar to live/recorded 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/recorded 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]
 [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

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

PROTECTIVE MARKING

Form 693


**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:
 (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 31st 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:		Date:	5 th November 2019
Capacity:	Police Licensing Officer		

Contact details for matters concerning this application

Surname:	Clements	First Names:	Ian
Address:	Southwark police station, 323 Borough High Street		
Post town:	London	Post code:	SE1 1JL
Tel. No.:	0207 232 6756	Email:	SouthwarkLicensing@met.police.uk

Notes for guidance



**METROPOLITAN
POLICE**

TOTAL POLICING

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

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

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

Post town:

Southwark

Post code:
(if known)

SE1 5BA

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 31st October at approximately 03:15 Police were called to the above venue following reports of a fight inside the premises.

A male victim was identified 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 premises 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
HOLDWILLS

Date:

5/11/19

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 [REDACTED] 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 6th 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 are and the presence of Shisha. On the 14th 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: [REDACTED] 2362 AS

Signature Witnessed by Signature:

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 175

[Redacted]

Signature Witnessed by Signature:.....

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

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

Licensable activities authorised by the licence
Plays - Indoors Films - Indoors Live Music - Indoors Recorded Music - Indoors Performance of Dance - Indoors Entertainment Similar to live/recorded 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/recorded 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
[REDACTED]

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: 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

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 Policies 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:

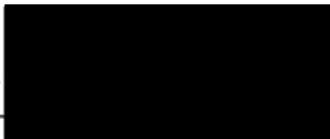
(Sign)



(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 05 hours

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PCLY NCM 246ND

Signature: [Redacted] 246ND

Name (if applicable) and address of the affected premises:
701, 516 OLD KENT ROAD SE15BA

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:

- 297- DRUGS WEAPONS AMMUNITION BOX SHOULD BE IN USE.
- 341- 6 SIX SIA STAFF SHOULD BE ON DUTY FROM 2200hrs
- 342- 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:

- 297- NO DRUGS WEAPONS BOX / 342- ONLY TWO 2
- SIA SECURITY STAFF ON DUTY AT 2200 HOURS / 342- STAFF
- PROMOTERS DJS NOT BEING 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))

- 297- OBTAIN DRUGS BOX / 341 ENSURE 6 SIX SIA STAFF
- ARE ON DUTY AS OF 2200 HOURS / 342- ID SCAN ALL PERSONS
- ENTERING PREMISES 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) ALFORD MANSARAY.

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: 10/09/16 Time Served: 03:10h

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PLYNCH 246MD

Signature: [Redacted] 246MD

Name (if applicable) and address of the affected premises:
701 CLUB Sib Old Hart Road S97
S97 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:

289 - All CCTV footage shall be kept for 31 DAYS / 341 - minimum 6 SIA
area standards manual / 347 - ID SCANNING SYSTEM TO BE USED
FOR ALL PERSONS ENTERING

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

289 - UNABLE TO PRODUCE CCTV FOOTAGE 29 DAYS BEFORE 9:00 AM
241 - ONLY 4 DOOR SIA ON DUTY / 342 - NO ID NO ENTRY NOT BEING
ADVISED TO - SOME PHOTO NO ID

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))

MAINTAIN CCTV TO MEET CONDITIONS 31 DAYS RECORDING / SIA
SIA DOOR STAFF TO BE ON DUTY FROM 7:00 / ID SCANNING
TO BE USED AS PER LICENCE

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) YES DUB

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 ALFREDO MANUSARY

Signature: [Redacted]

Date 10/09/16

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 246MD

Signature: [Redacted] 246MD

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

BS9 - THAT 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 PREMISES ON NO ENTRY - SEEM TO PAY AND BE SERVED THEN ENTER

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) YES ERIC DOG

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: ACFWD MANSON

Signature: [Redacted]

Date: 23/10/2016

Licensing Unit induction checklist for new licensees / management.

Premises Name & address: 701 Club, 516 Old Kent Road SE1 5BA
Licensee: Erigo Entertainment Limited
DPS: Ahmed Mansaray

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) Ahmed Mansaray

(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,



David Littleton
Head of Regulatory Services

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

Switchboard - 020 7525 5000 Website - 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)

CASE REFERENCE:	<u>LBS/860699</u>
OFFENDER'S SURNAME:	DOE
FORENAME(S):	ERIC
NATIONAL INSURANCE No.	[REDACTED]
OCCUPATION:	PREMISES LICENCE HOLDER
ADDRESS:	[REDACTED]
DATE OF BIRTH:	Insert: [REDACTED]

DATE OF OFFENCE(S):	2 September 2017 19 November 2017 11 November 2017
PLACE OF OFFENCE(S):	CLUB 701, 516 OLD KENT ROAD LONDON SE1 5BA
BRIEF CIRCUMSTANCES OF OFFENCE(S):	2 September 2017 at 00:20hrs 19 November 2017 at 01:51hrs 11 November 2017 at 00:55hrs Breach of licensing conditions 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. Relevant offence breach: <u>Section 136 (1) (a) and (b) of the Licensing Act 2003</u>

Ministry of Justice guidance on simple cautions (issued 8th 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

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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

Strategic Director Environment & Social Regeneration - Deborah Collins

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

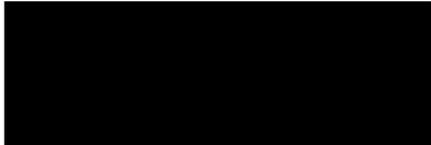
SOUTHWARK COUNCIL SIMPLE CAUTION (INDIVIDUAL)

DECLARATION:

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

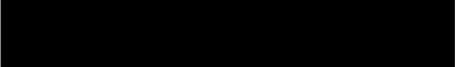
ERIC DOE

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.

NAME: ERIC DOE SIGNED: 
(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. 

NAME: David Littleton SIGNED: 

DESIGNATION: HEAD OF REGULATORY SERVICES

DATED THIS 7 DAY of JUNE 2018

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

Switchboard - 020 7525 5000 Website - 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

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

Licensable 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
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Team Leader	David Franklin	Date :	26/04/2018
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Unit Manager	(Sarah Newman)	Date :	11/05/2018
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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/recorded 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 their 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** Metropolitan 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: S16 Old Kent Road, London _____
SE15BA Date: 28/8/18 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 with out a license todo so.

Issuing officer: [Redacted] Print: PC GERTY 7821C
 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
 [Redacted Address]

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.

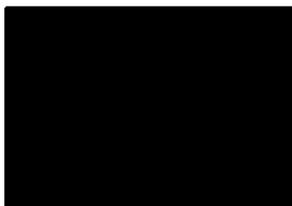
Before making your decision I recommend you seek independent legal advice about this matter and ensure you are aware of the consequences of accepting a simple caution. These are listed on the attached document.

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.

Licensing Unit - Environment & Housing, Hub 2, Floor 3, 160 Tooley Street, London, SE1 2QH
Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk
Strategic Director Environment & Housing - Deborah Collins
Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373

Yours faithfully,



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

Licensing Unit - Environment & Housing, Hub 2, Floor 3, 160 Tooley Street, London, SE1 2QH
Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk
Strategic Director Environment & Housing - Deborah Collins
Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373

	<p>Section 138 of the Licensing Act 2003 – Keeping Alcohol on a premises for an unauthorised sale.</p> <p>On the 18th February 2019, Mr Mansaray attended our office for an interciuew 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>
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Ministry of Justice guidance on simple cautions (issued 8th 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

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Strategic Director Environment & Housing - Deborah Collins

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SOUTHWARK COUNCIL SIMPLE CAUTION (INDIVIDUAL)

CASE REFERENCE:	
OFFENDER'S SURNAME:	Mansaray
FORENAME(S):	Alfred
NATIONAL INSURANCE No.	
OCCUPATION:	Designated Premises Supervisor
ADDRESS:	
DATE OF BIRTH:	

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 28th 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: 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.</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> <p>(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</p> <p>(b) knowingly allows a licensable activity to be so carried on."</p> <p>Section 137 of the Licensing Act 2003 – Exposing Alcohol for retail without authorisation, and;</p>

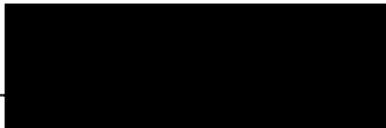
SOUTHWARK COUNCIL SIMPLE CAUTION (INDIVIDUAL)

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: Alfred Mansaray SIGNED: 
(Block capitals)

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: 

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: Basement and Grounds Floor, 516 Old Kent Road SE1 5BA.....

Licensee: Erico Entertainment Limited.....

DPS: Alfred Mwanuzi.....

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) *Justin Williams*

(Print) 

Persons Present: (Sign) *Alfred Mansbury* 

(Print) *Alfred Mansbury*

Date of Meeting: *11 June 2019*

NOTICE OF DECISION

LICENSING SUB-COMMITTEE - 7 November 2019.

LICENSING ACT 2003: SECTION 53A: Club 701, Basement and Ground Floors, 516 Old Kent Road, London SE1 5BA

This was a hearing to consider if it is appropriate to take interim steps pursuant to section 53B of the Licensing Act 2003, to promote the licensing objectives upon receipt of an application on 5 November 2019 by the Metropolitan Police Service, for a summary review of the premises licence relating to an incident that occurred in the early hours of 31 October 2019.

1. Decision

That the premises licence in respect of Club 701, Basement and Ground Floors, 516 Old Kent Road, London SE1 5BA be suspended with immediate effect as an interim step to promote the licensing objectives, pending the determination of the review application at a full hearing, to be held on 28 November 2019. The sub-committee urge the parties to investigate and provide evidence at the full hearing of the timings both of the incident and CCTV footage and the operation of the ID scanning system in the days leading up to and following the incident.

2. Reasons

The sub-committee was satisfied on the evidence that a serious assault had taken place on the premises and had been contributed to by multiple breaches of premises licence conditions. In particular, either the premises should have been closed before the incident took place or the police should have been called much earlier, the premises should not have been operating in circumstances where the ID scanner was not working, no drinks or glassware should have been in the area where the incident occurred and no patrons should have been wearing hats or hoods.

The sub-committee considered that the suspension was necessary and proportionate to promote the licensing objective of the prevention of crime and disorder. The sub-committee considered that other measures short of this were insufficient given the seriousness of the incident, the breaches of licence conditions on this occasion, and the previous operating history of the premises.

3. Appeal rights

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

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

The holder of the premises licence may only make further representations if there has been a material change in circumstances since the authority made its determination

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

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

Date: 7 November 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

			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 somewhat 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

			<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. X2 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: 288 – The clock on the CCTV was three minutes slow</p>

			<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&C’s</p> <p>On conducting a walk-round of the premises no H&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	<p>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</p> <p>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</p>

			<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. 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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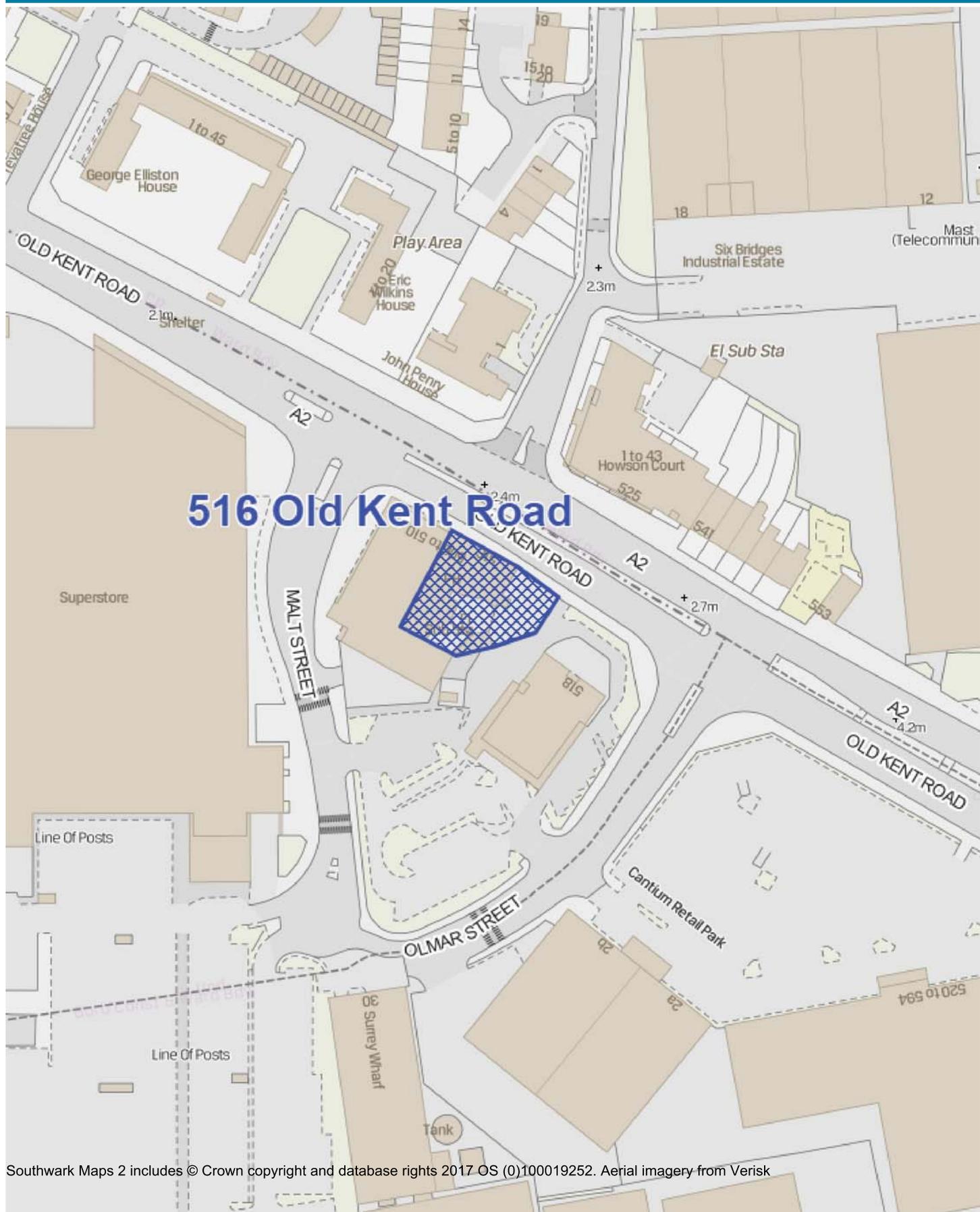
			variation that had been submitted. Mr Doe was very loud and demonstrative for approx. 5 minutes. Mr Doe stated that he was a recognised member of the community and had just returned from a fund raising event in central London with his partner, who was also present. Whilst the inspection was taking place, 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

			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

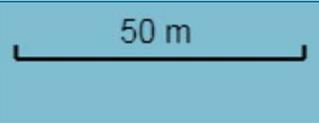
			inspection another time. No Major H&S issues needs a new fire extinguisher and service all the fire extinguishers.
13/04/2019	23:20	Charlie Jerrom	Visit to the premises with Adam Burchett Environmental Officer and Maria O'Mahoney Licensing Police to do a full licensing inspection. 2breaches of the licence 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 barbeque 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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