

Licensing Sub-Committee

Friday 19 January 2024
10.00 am
Online/Virtual

Membership

Councillor Renata Hamvas (Chair)
Councillor Barrie Hargrove
Councillor Charlie Smith

Reserves

Councillor Sunny Lambe

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Andrew Weir by email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 18 January 2024



Licensing Sub-Committee

Friday 19 January 2024
10.00 am
Online/Virtual

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: CLUB 701, BASEMENT AND GROUND FLOORS, 516 OLD KENT ROAD, LONDON SE1 5BA	1 - 105
	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: 18 January 2024

Item No. 5.	Classification: Open	Date: 19 January 2024	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, Neighbourhoods and Growth	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to
- The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The summary review powers under sections 53A to 53C of the Act allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and the licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review.

KEY ISSUES FOR CONSIDERATION

The premises licence

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

The review application and certificate

11. On 17 January 2024, 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 17 January 2024, 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 allegations of a serious incident that took place at the premises on 2 January 2024 between 02:15 and 02:45 when the premises should have been closed.
14. Police state that they will provide details of the report Ref: 3001447/24 if requested by the licensing sub-committee. The investigation into this offence is ongoing and at the time of submitting this report no arrests have been made.
15. At the time of the alleged offence police say that the premise was open to the public and here is no provision on licence 870760 that permits this premises to be open and providing licensable activities on a Tuesday. There was no other authorisation in place such a temporary event notice or non-standard timings.
16. The police add that in November 2019 there was a serious assault inside the premises. At the time of this offence the premises was again operating without the correct authorisation and was in breach of the premises licence conditions. As a result of a summary review the premises licence was suspended. Following the full review hearing the premises licence was suspended for a period of three months and modifications made including a change of DPS and additional control measures.
17. In December 2022 the premises was again found to be operating without any authorisation provided by way of a premises licence or temporary event notice. A notification of offences was issued by the Police.
18. On the 3 January 2024 the police received credible information that an event being held at Club 701 would be attended 'by individuals associated with gangs and would commit serious violence. After a number of conversations with the premises licence holder the event was cancelled on voluntary basis although a closure notice was also issued at the time.
19. The police contend that the incident, which has triggered this review, took place at a time when the premises were not being operated in accordance with an authorisation permitted by the Licensing Act 2003. They state that if the premises had been closed in accordance with the conditions of the premises licence issued in respect of the premises, the incident could have been avoided.
20. The police state that they have no confidence in the management of the premises and recommend that the following interim step is taken prior to the full review hearing in respect of the premises:

- That the licence is suspended until such time that the full licensing review is determined.

21. The licensing sub-committee is not restricted to just considering this step.
22. Copies of the review application and the review certificate are attached to this report as Appendix B.

The review procedure

23. The current hearing is for the purpose of considering if interim steps are needed as a result of the summary review submitted by the police, prior to the pending full review hearing that will be held online on 8 February 2024.
24. The licensing sub-committee is not obliged to hear evidence from other parties at this stage of the procedure. However the premises licence holder and DPS have been invited to attend the hearing.
25. The review is currently being consulted on and a public notice is advertised at the premises for 10 days. Responsible authorities and any other persons may make representations that will then be considered at the full hearing of the licensing sub-committee at Southwark Council's Offices, 160 Tooley Street, London SE1 2QH.
26. Any interim steps made by the licensing sub-committee at this hearing will cease to have effect once the review has been determined.

Operating history

27. 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 at Appendix C.
28. 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 to the report at Appendix D.
29. On 13 August 2016 the Metropolitan Police Service issued a closure notice under Section 19 of the Criminal Justice and Police Act 2001. This related to alleged breaches of licence conditions 297, 341, 342 and 297. A copy of the closure notice is attached at Appendix D.
30. 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 at Appendix D.
31. 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 at Appendix D.

32. 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.
33. On 2 September 2017 a licensing inspection of the premises was undertaken. The premises were found to be being operated in breach of conditions 288, 307, 344, 345, 349, 353, 357, 379, 392, 4AI & 793 of the premises licence issued in respect of the premises.
34. On 14 October 2017 an application to vary the premises licence was submitted.
35. On 11 November 2017 a licensing re-inspection of the premises was undertaken. The premises were operating in breach of conditions 289, 307, 341, 342, 364, 377 and 793.
36. On 19 November 2017 the Metropolitan Police Service visited the premises. The premises were operating in breach of conditions 289 and 373 of the premises licence issued in respect of the premises.
37. 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. For reference a copy of this licence number 860699 is attached to this report at Appendix C.
38. 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 at Appendix D.
39. 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 at Appendix D.
40. 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 at Appendix D.
41. 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 at Appendix D.
42. On 5 November 2019 an application for a summary review was made under Section 53A of the Licensing Act 2003 by a Superintendent for the Metropolitan Police Service. A copy of the application is attached to the report at Appendix E.
43. The licensing sub-committee hearing to consider interim measures was held on 7 November 2019. A copy of the notice of decision for interim measures is attached at Appendix E.

44. The final licensing sub-committee hearing, to consider the review of the premises, was held on 28 November 2019. A copy of the notice of decision from that hearing is attached at Appendix E.
45. Details of any complaints received since the existing licence (870760) was issued are attached at Appendix F
46. Details of night time visits to the premises by council licensing officers since the existing licence was issued are provided at Appendix G.
47. Details of temporary event notices (TENs) submitted in respect of the premises from the date of the existing licence are attached at Appendix H.

The local area

48. A map of the local area is attached at Appendix I.

Southwark Council statement of licensing policy

49. Council Assembly approved Southwark's statement of licensing Policy 2021 - 2026 on 25 November 2020. The policy came into effect on 1 January 2021. 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.

50. 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.
51. Members should take into consideration both the Southwark statement of licensing policy and the Section 182 Guidance when making decisions. The links for these are below:
- Southwark Policy:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>
 - Section 182 Guidance:
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Community, equalities (including socio-economic) and health impacts

Community impact statement

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

Equalities (including socio-economic) impact statement

53. This report does not result in a policy decision and each application is required to be considered upon its own individual merits with all relevant matters taken into account. In considering the recommendations of this report, due regard must be given to the public sector equality duty set out in section 149 of the Equality Act 2010. This requires the council to consider all individuals when carrying out its functions.
54. Importantly, the council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people who have protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.
55. The equalities impact statement for licensing decisions is contained within the Southwark statement of licensing Policy 2021 – 2026 at:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>.

56. The equalities impact assessment is available at:

<https://modern.gov.southwark.gov.uk/documents/s92016/Appendix%20F%20-%20Equalities%20Impact%20Assessment.pdf>

Health impact statement

57. Health impacts cannot be considered by law when making decisions under the Licensing Act 2003.

Resource implications

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

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

60. 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.

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

Principles for making the determination

62. 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.

63. 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.

64. 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.

65. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.
66. The authority may decide to take no action is if it finds no interim steps are appropriate to promote the licensing objectives.
67. 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.
68. 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

69. 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

70. 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.

71. 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

72. 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.

73. 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.

74. 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.

75. 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.

76. 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.

77. 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.

78. 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.
79. 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

80. 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

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

REASONS FOR LATENESS

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

REASONS FOR URGENCY

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Copy of current premises licence (licence number 870760)
Appendix B	Copies of the review application and review certificate
Appendix C	Copy of the previous premises licence issued in respect of the premises (licence numbers 851424 & 860699)
Appendix D	Copies of documents relating to the operating history of the premises
Appendix E	Copies of previous summary review and notice of decisions
Appendix F	Complaints log
Appendix G	Night time economy team visits log
Appendix H	Details of temporary event notices submitted in respect of the premises
Appendix I	Map of local area

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment, Neighbourhoods and Growth	
Report Author	Jayne Tear, Principal Licensing Officer	
Version	Final	
Dated	18 January 2024	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director, Finance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	18 January 2024	

Licensing Act 2003 Premises Licence



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

Premises licence number

870760

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): 534180177968</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
020 3659 0882

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

George Omozejele

[Redacted address and telephone number]

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: 19/03/2020

[Redacted signature]
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.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

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. The premises shall not be open at any time when the CCTV is not operating correctly.

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 must be operating correctly at all times when the premises are open 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 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.
- 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

842 That the premises will be closed on Wednesdays.

843 That the measures set out in the licensing compliance plan submitted by the premises licence holder shall be implemented in full prior to the reopening of the premises.

Licensing Compliance Plan

The proposal is in five parts; (1) set up the policies and procedures,(2) provide staff training, (3) conduct regular licensing audits to measure performance and provide due diligence evidence, (4) to provide ongoing advice, support and to review any incidents / issues that arise & (5) conclusions.

1. Policies and Procedures

I. A qualified licensing consultant shall undertake a full review of the operation of the premises and produce a comprehensive licensing Operational Manual which would contain licensing policies and procedures. The manual would demonstrate best practice in all areas. It would also form part of induction for new members of staff and the ongoing training of existing staff.

II. The Operational Manual will set out the premises minimum operating standards and the policies and procedures to be followed by all staff.

III. The Operational Manual shall be a 'living' document and will be reviewed regularly to ensure current best practice and that any changes at the premises or to licensing laws are addressed.

IV. The Operational Manual shall include, but not be limited to, the following policies and procedures.

- Customer Vetting and Terms of Entry
- Young People
- Searching and Seizure of Prohibited Items
- Preventing and Dealing with Intoxication
- Drugs
- Crime Prevention and Intervention
- Guest Welfare
- Ejections
- Security Roles, Responsibilities and Code of Conduct

- Security Code of Conduct
- Dealing with Serious Incidents
- Sexual Assaults
- Crime Scene Preservation
- Theft Prevention
- Staff Behaviour and Code of Conduct
- Events & Private Hire
- Management of Outside & Dispersal
- Smoking
- Incident Reporting & Due Diligence Records
- CCTV, Body Worn Cameras and Identity Scanning Systems

2. Staff Training

V. All serving staff will participate in the RASPFLO on-line training course (Responsible Alcohol Sales and Promoting the Four Licensing Objectives -www.raspflo.co.uk). This is specifically aimed at serving staff, with a focus on the practicalities of their work role and responsibilities under the Licensing Act 2003.

VI. Each member of staff will complete RASPFLO training every year with a six month refresher session.

VII. A written record will be kept of all staff training and be available for inspection by the statutory authorities.

VIII. The RASPFLO course covers the following areas:

Unit 1 - An Introduction to the Licensing Act 2003

- Understanding the importance of compliance and protecting your Licence.
- The requirements for having a Licence
- The difference between a personal and a premises Licence
- Mandatory and venue specific conditions
- The penalties for breaching conditions

Unit 2 - The Four Licensing Objectives

- The importance of promoting the objectives at all times
- The meaning and significance of each objective
- Learning methods to promote the objectives.

Unit 3 – Intoxication

- The dangers intoxication poses, the requirements of the law and the tools to deal with the issue effectively.
- The effects of alcohol on the body
- How to identify and deal with intoxicated guests
- The best methods to prevent intoxication.

Unit 4 – Age

- The law in relation to children
- How to check IDs

- Recognising valid forms of ID
- Identifying invalid IDs.

Unit 5 - Crime Scene Preservation

- When a crime scene should be preserved
- Actions to take following a serious incident
- How to ensure the preservation of a crime scene.

Unit 6 - Factors that Affect Drinking Behaviour

- The factors that affect irresponsible alcohol consumption
- How to promote a safe and responsible environment
- How to positively influence a responsible and safe drinking culture.

IX. All managers, and staff involved in a supervisory role, will undergo RASPFLO managers training, and advanced version of the course.

X. The managers' version of RASPFLO also includes the six units in the staff course and also covers the following areas:

- Closure Powers
- Preventing Drug Use / Dealing
- Crime Prevention and Intervention
- Guest Welfare
- Ejections
- Conflict Management
- Dealing with Serious Incidents
- Incident Reporting
- Daily Due Diligence Records

XI. A qualified licensing consultant shall also be supplementary bespoke training for staff and managers on the Operational Manual. This training will use the incident of 31st October 2019 as an example of the dangers that can arise as well as the lessons learnt and procedures implemented to prevent further issues following that incident.

3. Licensing Audits

XII. Comprehensive licensing audits of the premises would be conducted by a qualified licensing consultant to ensure compliance with the Licensing Act 2003, the promotion of the four licensing objectives and any specific conditions attached to the premises licence.

XIII. The audits will measure the success and effectiveness of operational procedures and aim to build a body of positive due diligence evidence for the premises. They also serve as a management tool; giving confidence that the premises is compliant and acts as an early warning system if issues are identified.

XIV. The audits would cover the following areas:

- Licences and Signage
- Licence Compliance

- Door Supervisors
- Outside Management
- Fire Safety
- Record Keeping
- Internal Management
- Toilets
- CCTV & ID Scanning Equipment

XV. The audits would be conducted twice a month for the first 6 months after the premises re-opens.

XVI. The audits would be unannounced and be carried out whilst the venue was trading at peak times.

4. Ongoing Support

XVII. A qualified licensing consultant shall regularly re-evaluate the compliance regime at the premises, taking into account shifting circumstances, changes in legislation, best practice and current guidance from the authorities.

XVIII. A qualified licensing consultant shall review all incident reports and provide an assessment of the incident, giving recommendations, advice and support as applicable. This may include reviewing CCTV, writing additional policies / action plans and providing additional staff training plans.

XIX. A qualified licensing consultant shall provide record books regarding licensing due diligence compliance (refusals, clicker counts, pre-opening checks etc.). The record books shall provide a comprehensive system that is simple to use.

5. Conclusions

XX. The measures detailed in this plan have proven highly effective and successful at many busy late licensed clubs and bars.

XXI. The compliance plan requires a clear commitment from the leadership of the business. The licensee has assured the licensing sub-committee that the licensee is fully committed to implementing and following the compliance plan.

844 That there shall be no shisha smoking equipment on the premises at any time.

845 That all security staff at the premises shall be supplied by an SIA approved contractor.

Annex 4 - Plans - Attached

Licence No. 870760

Plan No. 01

Plan Date 11.12.13

PROTECTIVE MARKING

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

Form 693

Form for Applying for a Summary Licence Review**Application for the review of a premises licence under section 53A of the Licensing Act 2003**
(premises associated with serious crime, serious disorder or both)**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

Use additional sheets if necessary.

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

Name: London Borough Of Southwark Licensing Authority

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):

870760

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)

It is alleged that on the 2nd January 2024 between 0215 and 02.45 a serious crime was committed inside the above mentioned licensed premises. Ref 3001447/24. I will provide details of this report if requested by the licensing sub committee

The investigation into this offence is ongoing, at the time of submitting this report no arrests have been made.

The current premises licence 870760 permits the premises to be open to the public Wednesday To Sunday with licensable activities including the sale of alcohol, regulated entertainment, late night refreshment and dancing. There is no provision that permits this premises to be open and providing licensable activities on a Tuesday. There was no other authorisation in place such a temporary event notice or non standard timings.

The alleged offence 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. This offence would not have occurred had the premises been closed as per the current authorisation.

In November 2019 there was a serious assault inside the premises, at the time of this offence the premises was again operating without the correct authorisation and was in breach of the premises licence conditions. As a result of a summary review the premises licence was suspended. Following the full review hearing the premises licence was suspended for a period of tree months and modifications made including a change of DPS and additional control measures.

In December 2022 the premises was again found to be operating without any authorisation provided by way of a premises licence or temporary event notice. A notification of offences was issued by the Police.

On the 3rd January 2024 Police received credible information that and event being held at Club 701 would be attended by individuals associated with gangs and would commit serious violence. After a number of conversations with the premises licence holder the event was cancelled on voluntary basis although a closure notice was also issued at the time.

The alleged offence is a very serious one and occurred at a time when the premises should have been closed. I have no confidence in the management of this venue and ask that the licensing sub committee suspend the premises licence as an interim measure pending the outcome of a full premises licence review.

Signature of applicant

Signature:

Date:

17th January 2024

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

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

Form 693A

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

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):

870760

Name of premises supervisor (if known):

Mr George Omozejele

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)

The trigger offence for this summary review is one of a very serious nature. I am aware of the details of this offence recorded on CRIS 3001447/24

At the time of the alleged offence the premises was operating without the authorisation provided by a premises licence or temporary event notice. The premises should have been closed to the public.

Considering the serious nature of the reported crime, the non compliance of the venue at the time of the alleged offence. I am of the opinion immediate action is required by way of a summary review. All other options have been considered, this is the most appropriate under the circumstances.

Signature

Signature:

Date:

17/01/2024

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 London SE1 5BA Ordnance survey map reference (if applicable), 177968534180	
Post town London	Post code SE1 5BA
Telephone number	

Where the licence is time limited the dates

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
 [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]

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 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.

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

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
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Entertainment Similar to live/recorded music / dance - Indoors

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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]

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).

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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

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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)



(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 NCH 246ND

Signature: [Redacted] 246ND

Name (if applicable) and address of the affected premises:
701, 516 OLD HEATH 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 PURSUIT 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: PLINCH 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 / 391 - 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 5th OCTOBER 2016
291 - 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 22:00. / 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 MANISARY

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: 02:54

Authority issuing Notice: Metropolitan Police Service

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

Signature:  246MD

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

CLUB 701 - 516 AND 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:

359-11A ON SATURDAY AROUND 02:00AM 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 NIGHT TIME - SEEM TO BUY AND BE SOLD
TRINKETS

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 02:00 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) 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 ALFRED WILSON

Signature 

Date 23/10/2016

Licensing Unit induction checklist for new licensees / management.

Premises Name & address: 701 Club, 516 Old Kent Road SE1 5BA
Licensee: Erico Entertainment Limited
DPS: Aftab 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) _____

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

DATE OF OFFENCE(S):	2 September 2017 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

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Strategic Director Environment & Social Regeneration - Deborah Collins

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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

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SOUTHWARK COUNCIL SIMPLE CAUTION (INDIVIDUAL)

DECLARATION:

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

[REDACTED]

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

NAME:

(Block capitals)

[REDACTED]

SIGNED:

[REDACTED]

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:

[REDACTED]

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.**



Licensing Authority Copy


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 Mansourcy
 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:  Print: PC GERTY 7821C
 I acknowledge receipt of this form: (venue) 

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



Mr Alfred Mansaray


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

10 June 2019

Dear Mr Mansaray,

Simple Caution

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

"A person commits an offence if -

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

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

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

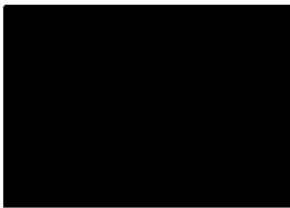
Before making your decision I recommend you seek independent legal advice about this matter and ensure you are aware of the consequences of accepting a simple caution. These are listed on the attached document.

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

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

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 interview under caution where the allegations were put to him. Mr Mansaray made a full and frank admission and has therefore accepted the offence as his responsibility.</p>
--	---

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

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

SOUTHWARK COUNCIL SIMPLE CAUTION (INDIVIDUAL)

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

DATE OF OFFENCES:	28 August 2018
PLACE OF OFFENCE(S):	Club 701, 516 Old Kent Road SE1 5BA
BRIEF CIRCUMSTANCES OF OFFENCE(S):	<p>On the 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: 
(Block capitals)

SIGNED: 

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 Floors, 516 Old Kent Road SE1 5BA

Licensee: Erico Entertainment Limited

DPS: Alfred Masarais

1. INTRODUCTION

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

2. THE LICENCE

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

3. INSPECTIONS

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

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

4. ASSISTANCE

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

Leave calling cards:

Officer(s) Attending: (Sign).....

[Redacted Signature]

(Print).....

[Redacted Name]

Persons Present: (Sign)....

(Sign)....

[Redacted Signature]

[Redacted Signature]

(Print).....

[Redacted Name]

Date of Meeting:

11 June 2019

PROTECTIVE MARKING


**METROPOLITAN
POLICE**
TOTAL POLICING

Form 693

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

Use additional sheets if necessary.

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



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:

SLT
HOLDWELL

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

Statement of: PC Ian Clements 2363AS

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

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

Witness Signature  2362 AS Date: 06/11/2019

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

On the 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:  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:



2362 175



Signature Witnessed by Signature:

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

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 28 NOVEMBER 2019

LICENSING ACT 2003: SECTION 53A: CLUB 701, BASEMENT AND GROUND FLOORS, 516 OLD KENT ROAD, LONDON SE1 5BA

1. Decision

That the council's licensing sub-committee, having considered an application made under section 53A of the Licensing Act 2003 by the Metropolitan Police Service for the review of the premises licence in respect of Club 701, Basement and Ground Floors, 516 Old Kent Road, London SE1 5BA and having had regard to all relevant representations decided to suspend the licence for a period of three months, to remove Alfred Manseray as the designated premises supervisor and to modify the conditions of the licence as follows:

1. That the premises will be closed on Wednesdays.
2. That the measures set out in the licensing compliance plan attached to the premises licence as annex 5 shall be implemented in full prior to the reopening of the premises.
3. That there shall be no shisha smoking equipment on the premises at any time.
4. That all security staff at the premises shall be supplied by an SIA approved contractor.
5. That condition 288 of the licence shall be amended by the addition of the following: "The premises shall not be open at any time when the CCTV is not operating correctly."
6. That condition 342 of the license shall be reworded as follows:

"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 must be operating correctly at all times when the premises are open** 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."

7. That Eric Doe shall play no part in the day-to-day management or operation of the premises.

2. Reasons

The licensing sub-committee heard from the representative of the Metropolitan Police Service, the applicant for the review, who referred to his previous representations (considered at the interim steps hearing on 7th November 2019) and to his further witness statement dated 22nd November 2019, in which he exhibits CCTV stills from the night of the incident showing the licence holder Eric Doe behind the bar in the outside shisha area where the assault occurred. In his view, this undermined Mr Doe's assertion that the incident had been the fault of others, in particular the designated premises supervisor, who had let him down. Mr Doe had been in

that area of the premises himself that night, yet had allowed multiple breaches of licence conditions to occur. It was clarified that the CCTV appeared to be 1 hour behind actual time, so that the incident had occurred after 3.00 a.m. by which time the premises should have been closed. In the view of the police, Mr Doe had shown a disregard for the licensing objectives and they had no confidence that he could manage the premises safely in future. The licence should therefore be revoked. If the sub-committee did not agree with that, the licence should be suspended for 3 months, the designated premises supervisor changed and an SIA approved contract team appointed.

The sub-committee heard from the representative of the licensing authority, who referred to written representations submitted on her behalf. These traced the chronology of previous interventions by licensing officers attempting to secure compliance at the premises. It was clear that despite three separate licensing induction visits breaches of licence conditions had continued to occur, eventually leading to police cautions being issued for licensing offences. She urged the sub-committee to revoke the licence or, at the least, suspend the licence for 3 months while all the remedial measures proposed by the licence holder were put in place.

The representative of the licence holder entirely accepted that a serious incident had occurred. However, the sub-committee had to distinguish between a history of long-running minor non-compliance at the premises and this serious incident of violence, which was a one-off and could not in itself justify revocation of the licence, particularly where – as here – it was possible for the premises to be run in future in a compliant way. The proposal was for Mr Doe to play no further part in managing the premises. A new designated premises supervisor had been identified. A comprehensive licensing compliance plan had been devised and would be implemented. The premises could cease trading on a Wednesday, as this had attracted an unfamiliar crowd. There would be no shisha smoking henceforth. The premises would be closed if either the CCTV or ID scanning system were not working. A 6 week suspension was volunteered, which would allow time for the new regime to bed in.

The sub-committee took account of the fact that a serious assault had taken place on the premises which had been caused or contributed to by multiple breaches of premises licence conditions. The premises should have been closed before the incident took place, the ID scanner was not working, no drinks or glassware should have been in the shisha area and no patrons should have been allowed to wear hats or hoods.

Revocation was considered, but on balance the sub-committee took the view that a 3 month suspension of the licence, the removal of the designated premises supervisor and the additional conditions set out above would be sufficient in this case to promote the licensing objectives, in particular the prevention of crime and disorder. The sub-committee considered that other measures short of suspension were insufficient given the seriousness of the incident, the multiple breaches of licence conditions and the previous operating history of the premises.

The sub-committee noted with approval the applicant's willingness to eliminate single-use plastics in glasses and straws.

In reaching its decision, the sub-committee had regard both to the revised guidance and to its own statement of licensing policy, and considered that its decision was appropriate and proportionate in order to promote the licensing objectives, in particular the prevention of crime and disorder.

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

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 are 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 Law and Democracy

Date: 28 November, 2019.

Club 701 – Complaints

rdate	refno	catg	ioff	unit	Notes
27/01/2020	918418	L70 Lic General Enquiry	WM	LIC Southwark Licensing	
04/03/2022	972192	L72 Public nuisance	RK	LIC Southwark Licensing	
04/03/2022	972228	L72 Public nuisance	RK	LIC Southwark Licensing	
03/05/2022	975874	L72 Public nuisance	RK	LIC Southwark Licensing	
30/12/2022	991433	L72 Public nuisance	RK	LIC Southwark Licensing	
12/06/2023	A00979	L72 Public nuisance	SK	LIC Southwark Licensing	
21/08/2023	A05514	N05 People Noise - Adjacent to Licensed Premises	CH	NTT Noise Team	
16/01/2024	A14022	L73 Unlicensed Premises / activity	SK	LIC Southwark Licensing	

CLUB 701 - NTE Visits

adate	desc	officer	adtext
18/01/2020	00:55 NTE Visit	FC	18/ 1/2020 00:55 FRC closed.
14/02/2020	23:38 NTE Visit	FC	14/ 2/2020 23:38 FRCno activity all shut.
11/01/2020	00:01 NTE Visit	FC	Closed.
12/01/2020	02:05 NTE Visit	FC	Closed.
31/01/2020	23:00 NTE Visit	AH	Premises closed.
02/02/2020	00:40 NTE Visit	AH	Premises closed.
07/02/2020	23:00 NTE Visit	CJ	Visit to the premises with Ken Andrews, the premises was closed ATOV.K-Che was open but quiet. Action: Append to APP
08/02/2020	00:35 NTE Visit	CJ	Visit to the premises with Ken Andrews, the premises was closed nomovement in or out. I waited around for 20 minutes and no one enteredor left the premises. Action: Append to APP.
21/02/2020	23:30 NTE Visit	AH	Premises closed.
28/02/2020	00:18 NTE Visit	RK	Compliance Visit with Adam Burchett & PC Maria O'Mahoney premisesclosed and non – operational.
08/03/2020	01:32 NTE Visit	CJ	Visit to the premises with Ketchi, to check the premises were closed.ATOV the premises were quiet and closed.Action: Append to APP
14/03/2020	00:43 NTE Visit	RK	Compliance visit with Ken Andrews (Principal Health & Safety Officer)to check if premises was closed due to licence suspension from reviewhearing.Premises closed and non – operational ATOV.
24/10/2020	23:06 NTE Visit	CJ	Premises closed ATOV
25/10/2020	22:32 NTE Visit	CJ	Premises closed ATOV
01/11/2020	23:01 NTE Visit	CJ	Premises closed ATOV
09/02/2020	01:58 NTE Visit	CJ	Visit to the premises with Roy Fielding and Jonathan Ducker, thepremises was closed ATOV, no movement in or out of the premises lightswere of and the area directly outside the premises was quiet. Action:Append to APP
23/02/2020	01:05 NTE Visit	FC	Closed no activity.
24/06/2023	00:55hrs NTE Visit	RM	00:55hrs No BBQ. Visited Kent Lounge with the owner and it was notopen and had not been open all night due to re-decoration work beingunder taken... it smelt very strongly of new paint.Visited Club 701 again with owner and went into the basement to viewthe CCTV. The system seems to have a huge storage now and has muchmore than 31 days that can be viewed... in fact there was footageavailable going back to the beginning of May.

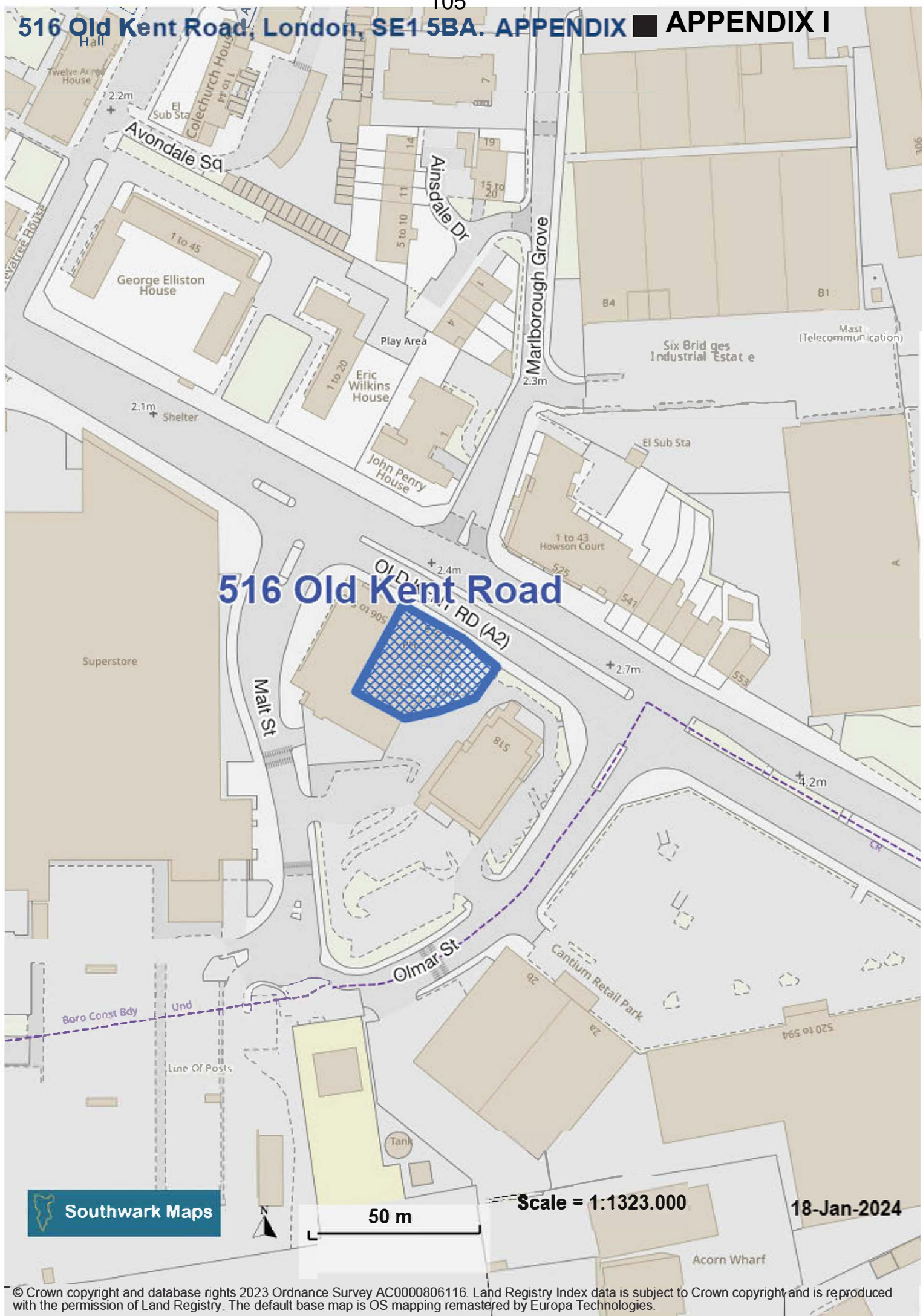
26/09/2020	22:10 NTE Visit	FC	26/ 9/2020 22:00 FRCpremises open, lots of students leaving some sort of party tonight.Called Charlie Jerrom as the premises licence was suspended for lastfew months surprised to see them open. Charlie said they haverecently been allowed to open again. watched customers gather outsideand not leaving quickly poor social distancing group of 50 youths.
01/11/2020	22:50 NTE Visit	FC	1/11/2020 22:50 FRCclosed shutters down lights on, a group of people on the corner oficelands waiting for taxi.
08/04/2022	22:48 NTE Visit	RK	Premises closed and non-operational ATOV.
15/04/2022	00:21 NTE Visit	RK	Premises closed and non-operational ATOV.
22/04/2022	23:57 NTE Visit	RK	Premises closed and non-operational ATOV.
13/05/2022	23:42 NTE Visit	RK	Visit to premises with Farhad Chowdhury (Principal Health & SafetyEnvironmental Health Officer).Premises operational with X2 SIA at entrance searching X4 patronsbefore entering the premises. No sound escape from premises fromfront or side of premises ATOV.No ASB witnessed in the immediate vicinity of the premises.
12/01/2024	NTE Visit	SK	Drove past the Location of the Club at around 23:30 No Issues withParking, Case to be closed and reopened if we receive anothercomplaint of a similiar nature

CLUB 701 TENS

refno	start_date	end_date	times	personal lic holder	max no people	sale of alcohol	for consump	reg ent	late night refreshment	late ten	police obj	ept obj	desc1
875157	01/08/2021	02/08/2021	22:00 - 05:00	Yes	250	Yes	On Premises	Yes	Yes	No	No	No	
875462	12/09/2021	13/09/2021	01:00AM - 04:00AM	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
876222	05/12/2021	06/12/2021	01:00 - 04:00	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
876351	19/12/2021	20/12/2021	01:00 - 04:00	Yes	265	Yes	On Premises	Yes	Yes	Yes	No	No	
876418	02/01/2022	03/01/2022	01:00 - 04:00	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
877084	03/04/2022	04/04/2022	01:00 - 04:00	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
877201	18/04/2022	19/04/2022	22:00 - 04:00	Yes	380	Yes	On Premises	Yes	Yes	Yes	No	No	
877507	22/05/2022	23/05/2022	01:00 - 04:00	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
877948	17/07/2022	18/07/2022	01:00 - 04:00	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
878194	24/08/2022	25/08/2022	22:00 - 04:00	Yes	175	Yes	On Premises	Yes	Yes	Yes	No	No	
878214	29/08/2022	30/08/2022	22:00 - 04:00	Yes	200	Yes	On Premises	Yes	Yes	Yes	No	Yes	EPT OBJECTION LATE TEN
880302	30/05/2023	30/05/2023	00: 05-- 04:00	Yes	200	Yes	On Premises	Yes	Yes	Yes	No	No	Less than five days notice rejected
880634	19/07/2023	20/07/2023	21:00 - 02:00	Yes	140	Yes	On Premises	Yes	Yes	Yes	No	No	
880779	02/08/2023	03/08/2023	21:00 - 03:00	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
880831	12/08/2023	13/08/2023	04:00 -- 05:00 AM each day	Yes	350	Yes	On Premises	Yes	Yes	Yes	No	No	
880865	16/08/2023	17/08/2023	22:00 -- 03:00	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	

880917	28/08/2023	29/08/2023	23:00 - 05:00	Yes	300	Yes	On Premises	Yes	Yes	Yes	No	No	
880961	30/08/2023	31/08/2023	22:00 -- 03:00	Yes	300	Yes	On Premises	Yes	Yes	Yes	No	No	rejected no 24hr gap between tens.
881128	20/09/2023	21/09/2023	22:00 - 03:00	Yes	300	Yes	On Premises	Yes	Yes	Yes	No	No	
881256	11/10/2023	12/10/2023	21:00 -- 03:00	Yes	300	Yes	On Premises	Yes	Yes	Yes	No	No	
881333	22/10/2023	23/10/2023	01:00 - 04:00	Yes	275	Yes	On Premises	Yes	Yes	Yes	No	No	
881433	01/11/2023	02/11/2023	21:00 -- 03:00	Yes	250	Yes	On Premises	Yes	Yes	No	No	No	
881819	06/12/2023	07/12/2023	21:00 - 03:30	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
881941	20/12/2023	21/12/2023	10:00 -- 03:30	Yes	250	Yes	On Premises	Yes	Yes	Yes	No	No	
881987	26/12/2023	28/12/2023	26/12 10:00 - 04:00 27/12 10:00 - 03:30	Yes	300	Yes	On Premises	Yes	Yes	Yes	No	No	
882040	10/01/2024	11/01/2024	22:00 -- 03:00	Yes	200	Yes	On Premises	Yes	Yes	Yes	No	No	
882103	17/01/2024	18/01/2024	10:00 - 03:30	Yes	200	Yes	On Premises	Yes	Yes	Yes	No	No	rejected less than 5 days notice
882181	24/01/2024	25/01/2024	22:00 -- 03:30	Yes	200	Yes	On Premises	Yes	Yes	Yes	No	No	

516 Old Kent Road, London, SE1 5BA. APPENDIX I



516 Old Kent Road

Southwark Maps

50 m

Scale = 1:1323.000

18-Jan-2024

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LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2023-24

NOTE: Original held by Constitutional Team; all amendments/queries to
Andrew Weir - Tel: 020 7525 7222

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		Matt Tucker, licensing team	
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