



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 9 January 2015 at 10.00 am at Ground Floor Meeting Room G06 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Adele Morris
Councillor Charlie Smith

OTHERS PRESENT: Justice Kouassi, representative from the premises
Tola Cole, representative from the premises
Stephen Slater, legal representative
Ian Clements, Metropolitan Police Service

OFFICER SUPPORT: Debra Allday, legal officer
Richard Parkins, licensing and environmental protection unit manager
Andrew Weir, constitutional officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

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

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: 56 SOCIAL CLUB, 56 PECKHAM HIGH STREET, LONDON SE15 5DP

The licensing officer presented their report. Members had questions for the licensing officer.

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

The representative from the premises and their legal representative addressed the sub-committee. Members had questions.

All parties were given five minutes for summing up.

The meeting went into closed session at 1.00pm.

The meeting resumed at 2.44pm and the chair read out the decision of the sub-committee.

RESOLVED:

That the licence be suspended as an interim step to promote the licensing objectives pending the determination of the review application at the full hearing on 2 February 2015.

Reasons

This was a hearing to consider if it is appropriate to take interim steps to promote the licensing objectives upon receipt of an application by the Metropolitan Police for an expedited summary review of the premises under Section 53A of the Licensing Act 2003.

The licensing sub-committee have considered the application made by the Metropolitan Police Service who informed the sub-committee that on 5 January 2015 at 06.30, an altercation took place inside the premises between a group of males, which quickly escalated into large scale disorder outside the premises. The local authority's CCTV shows a large group of approximately 20 people fighting, some armed with a large pole and others with bottles, believed to be taken from the club. The group was seen attacking a waiting taxi parked outside the club and one male jumping up and down on the roof of it. Three of the suspects confirmed that the premises were open to the public and licensable activities were taking place. The officer also gave evidence of other incidents of violence and breaches of the licence that had taken place over the past six months.

The licensing sub-committee have also considered evidence submitted by the premises licence holder's representative who stated that the premises were closed and the street was empty until approximately 06.16 when a male was seen on the premises CCTV pushing against the closed door of the premises, having been refused admittance. On being refused admittance he attacked the taxi and repeated calls to the police were made from the waiting taxi whilst a group of individuals, coming from the Camberwell area joined the melee. The disorder outside the premises did not involve any persons from 56 Social Club. The SIA staff from the premises stayed in the proximity of the taxi to preserve public order but failed to prevent the perpetrators from assaulting the alleged victim inside the taxi.

On 6 January 2015 the Borough Commander for the Metropolitan Police certified that in his opinion the premises were associated with serious crime or serious disorder or both and instigated the Section 53A summary licence review process. The police advised that the victim was subject to a grievous bodily harm and serious disorder occurred directly outside the premises on 5 January 2015.

From the evidence before it, the sub-committee were of the view that the incidents were extremely serious. It was not satisfied that the premises were neither closed to the public nor had licensable activities ceased, in accordance with the licence. Evidence has been obtained by the police confirming that the premises were open to the public and the sale of alcohol and food was taking place. The sub-committee agree that the serious incidents occurred due to the breaches of the premises licence.

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

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.

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

The meeting ended at 2.50pm.

CHAIR:

DATED: