

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 12 February 2015 at 10.00 am at Ground Floor Room G03, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Stephanie Cryan
Councillor Lorraine Lauder MBE

OTHERS PRESENT: Kazi Abdul, representative from the premises
Kashim Abdul, representative from the premises
Katherine Stoul, legal representative
Ian Clements, Metropolitan Police Service
Keith Dempster, Metropolitan Police Service
Graham White, Metropolitan Police Service
Tom Letts, Metropolitan Police Service

OFFICER SUPPORT: Debra Allday, legal officer
Kristie Ashenden, licensing officer
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

The chair advised that item 5 would be considered as late and urgent.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: SECTION 53A: THOMAS A BECKETT, 320-322 OLD KENT ROAD LONDON SE1 5UE

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 11.22am.

The meeting resumed at 12.24pm 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 10 March 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.

On 10 February 2015 a superintendent for the Metropolitan Police certified that in their opinion the premises were associated with serious crime and instigated the Section 53A summary licence review process. The police advised that the victim was subject to a grievous bodily harm with intent.

The licensing sub-committee have considered the application made by the Metropolitan Police Service who informed the sub-committee that a serious assault occurred at the premises on 7 February 2015 at around 02.50 where the victim was slashed in the side of the neck with a broken bottle by the suspect during an altercation. The victim received serious neck injuries and medical staff informed the police that it nearly hit a major artery, which could have proved fatal.

During the investigation it had been established that the premises were in breach of the premises licence conditions and this had hindered the investigation of the crime. The premises were found to be in breach of the following conditions: Condition 303 (696 risk assessment was not submitted to the police 14 days in advance of the event), Condition 308 (No entry or re-entry after 02.00) Condition 341 (ID scanning system to scan and store identification of patrons to be used to enter the premises was not being used to scan all customers and as a result the suspect's name and address, which would have been stored on the system was not). Furthermore, the premises had failed to preserve the

crime scene, and failed to contact the emergency services and obstructed the police from entering. The police were only able to gain access once the ambulance service had arrived. The ambulance service had been called by a member of the public.

The legal representative for the premises addressed the sub-committee and advised that the event was organised by a promoter and there was no over capacity at the premises. There were extra security staff on duty, the details of which were in the risk assessment, which was submitted to the police three days before the event. They advised that the risk assessment was submitted late as it was a late booking. Since the incident all further events by the promoter have been cancelled. Regarding the preservation of the crime scene, the representative said that the premises were being cleared while the police were at the premises and not before. The cleaning staff did not appreciate that there had been an assault and assumed they could begin cleaning up. The bar manager was administering first aid to the victims and failed to delegate to any other staff, the need to preserve the crime scene. Concerning the ID scanner, whilst this was described by the premises licence holder's legal representative as "high tech", a number of technical issues were admitted by the management of the premises.

From the evidence before it, the sub-committee were of the view that the incident was extremely serious. The licensing sub-committee noted that in the last 12 months there had been 15 incident of violence in the premises and five closure notices had been issued by the police. The sub-committee found that the premises were in blatant breach of a number of conditions of the licence both historically and on the date of this incident. The sub-committee were of the view that this incident was so serious that the only appropriate option was to the suspend the 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 12.30pm.

CHAIR:

DATED: