

**NOTICE OF DECISION**

**LICENSING SUB-COMMITTEE – 12 NOVEMBER 2015**

**LICENSING ACT 2003: SECTION 53A: THE CORONET: 28 NEW KENT ROAD, LONDON SE1 6TJ  
AND RAILWAY ARCHES 3,4,5 AND 6, ELEPHANT ROAD, ELEPHANT MEWS, LONDON SE17 1LB**

**1. Decision**

That the following conditions be placed on the premises licence as interim steps to promote the licensing objectives pending the determination of the review application at the full hearing:

1. That the search arches shall be adopted for all events.
2. That there shall be a minimum ratio of 1 SIA staff member to 50 patrons.
3. That there shall be no high risk events, as assessed by the SCD9 pro-active licensing police intelligence unit.
4. There shall be no “urban/house music” events as identified by the police including (but not limited to): Breakin Science – Drum and Bass (14 November 2015), Nepalese Party (20 November 2015) and Garage Nation (21 November 2015).
5. That a full briefing to SIA staff on security and safety issues and equipment shall be provided prior to all events.
6. That all staff and SIA staff shall be retrained in the premises crowd safety management policy.
7. That the premises shall notify the police of any unusual or suspicious change in profile of patrons.
8. That all public announcements shall be made by an effective amplification system.

**2. 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.

The licensing sub-committee heard from the legal representative for the Metropolitan Police Service, the applicant for the expedited review and the legal representative for the premises. The sub-committee were advised that the police had applied to the licensing authority for a summary review of the premises licence on 10 November 2015. This concerned a serious incident that had taken place on 8 November 2015 when a fight broke out involving approximately 15 patrons, a noxious gas was allegedly discharged and a person was found with a puncture wound and an SIA staff member witnessed a hand gun on the premises.

It was accepted by all parties that the premises have a good record of compliance and cooperation with the responsible authorities, including voluntarily closing following serious incidents and pre-emptively cancelling events based on police intelligence. It was further accepted by the parties that an incident did occur on 8 November 2015 and further investigation was required into the incident. The premises however disputed the extent of the short comings as identified by the police at this point.

The licensing sub-committee, having considered the evidence in conjunction with the police application and certificate under Section 53 A (1) (b) Licensing Act 2003, do not believe that the licence should be suspended. The police stated: "The promoted event...attracted a particular customer base; the venue has similar events planned in the coming weeks...I consider these events may attract similar customer groups, and the opportunity for both the time and the setting to be ripe for such a reprisal attack can not...be ruled out...with the particular customer base and similar events planned". The licensing sub-committee therefore take the view that the modification of the conditions and a prohibition of such similar events is appropriate and necessary to address the licensing objectives.

### **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.

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: 12 November 2015



## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 2 December 2015

**LICENSING ACT 2003: THE CORONET, 28 NEW KENT ROAD, LONDON SE1 6TJ AND THE CORONET, RAILWAY ARCHES 3, 4, 5 AND 6, ELEPHANT ROAD, ELEPHANT MEWS, LONDON SE17 1LB.**

#### 1. Decision

That the council's licensing sub-committee, having had regard to the application by the Metropolitan Police for a review of the premises granted under the Licensing Act 2003 to Elephant Music Ltd in respect of the premises known as The Coronet, 28 New Kent Road, London SE1 6TJ and The Coronet, Railway Arches 3, 4, 5 and 6, Elephant Road, Elephant Mews, London SE17 1LB and also having had regard to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

Modify the conditions of the licence by imposing the following additional conditions:

1. That there shall be a minimum ratio of one SIA staff member to 75 patrons or at such ratio as the police may think fit following consultation with them in respect of any specific event.
2. That there shall be no high risk events, as assessed by the SCD9 pro-active licensing police intelligence unit.
3. That any advice provided by Police in relation to medium risk events shall be followed.
4. That a full briefing to SIA staff on security and safety issues and equipment shall be provided prior to all events.
5. That all staff and SIA door staff shall be trained in the premises crowd safety management policy and shall be retrained every three months
6. That crowd safety, means of escape in the event of emergency and security at the venue shall be reviewed every three months
7. That the premises shall notify the police of any unusual or suspicious change in profile of patrons.

8. That all public announcements shall be made by an effective amplification system. All announcements shall be made by a member of management.
9. That an ID scanning system to the reasonable satisfaction of police be installed and maintained. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times whilst the premises are in operation under the premises licence. All persons that enter the premises including all SIA registered door supervisors, patrons, DJs and associated staff will be scanned and have their details recorded on the system. The details shall be stored and made available on request for a period of no less than 31 days.
10. That the ID scanning system will be in operation for all events save for those events where 48 hours notice has been given to the police with no consequent objection. Any security company employed at the venue shall be ACS approved
11. There shall be no dispensation licences permitted for SIA door staff.
12. That signs shall be displayed in the entrance foyer to the premises indicating that the premises operates a zero tolerance to drugs and states "No search, no entry, management reserve the right to refuse entry".
13. That there shall be no entry or re-entry to the premises after 03.00.
14. That the premises shall carry out suitable and sufficient violence at work risk assessments and regularly review the risk assessments for the premises.
15. Condition 799 be amended to read "That SIA door supervisors shall be provided with hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public, or performers or their assistants. The search arches shall be adopted for all events and all persons and a member of management shall be present to supervise the search procedures at all times.

## 2 **Reasons for the Decision.**

The reasons for this decision are as follows:

The licensing sub-committee heard from the Metropolitan Police Service representative, the applicant for the review who advised that the police had applied to the licensing authority for a summary review of the premises licence on 10 November 2015. This concerned a serious incident that had taken place on 8 November 2015 when a fight broke out involving approximately 15 patrons, a noxious gas was allegedly discharged and a person was found with a puncture wound and an SIA staff member witnessed a handgun on the premises.

It was accepted that the premises have a good record of compliance and cooperation with the responsible authorities, including voluntarily closing following serious incidents and pre-emptively cancelling events based on police intelligence.

However, the police described the events of 8 November 2015 as a critical incident requiring off borough resources of 20 units and in which the weapons identified by the premises staff (CS gas canister, knife and handgun) together with poor evacuation of patrons justified this application. Whilst there has been a degree of conciliation between the police and the premises the police felt that additional conditions relating to the reduction of capacity and licensable hours would promote the prevention of crime and disorder licensing objective.

The licensing sub-committee heard from the health and safety officer supporting the review who advised that there had been several violent incidents associated with the premises and that the management needed to explain how to address violence in the premises.

The licensing sub-committee heard from other persons supporting the review, namely a local resident representing the Albert Barnes House residents association who described the indirect activity from the premises including the overspill of people in the streets, noise nuisance, parking issues and public urination, which took place particularly over the weekends.

The legal representative and the designated premises supervisor for the premises addressed the sub-committee. The legal representative advised that the premises would only remain open until 5 January 2017 and it was likely that they would surrender the licence at this point. Since the interim steps there have been four events where one event continued until 06.00 and there were in excess of 2000 patrons, which had proceeded without any incident arising.

The issue on 8 November 2015 concerned the particular type of clientele attending the premises and no further events of this type would proceed in the future. The premises advised that they had made a loss of around £300,000 as a result of the interim steps and regardless had approached the police and voluntarily withdrew their "insomnia night" following concerns about fraudulent ticket sales. The number of events and patrons compared against the number of incidents and times referred to by the police could not justify the reduction in capacity and hours as proposed by the police.

The licensing sub-committee recognise the good working relationship, compliance and cooperation that the premises has with all of the responsible authorities. However, the events of 8 November were extremely serious and warranted the police's expedited review. The sub-committee also note the improvements made following the imposition of the interim steps and the sub-committee are confident that the additional conditions imposed will greatly reduce the risk that a similar incident will occur in the future. It is felt that the conditions are appropriate and necessary to address the licensing objectives.

The licensing sub-committee are concerned with the parking issues raised by the local resident and recommend that the premises takes steps to discourage their patrons driving to the premises. Furthermore, the licensing sub-committee would ask that the licensing unit liaise with parking enforcement regarding the issues in the area and explore the possibility of implementing a controlled parking zone.

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

### 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
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The interim steps will remain in place 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.

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.

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

Date: 2 December 2015