

Hawkes, 92, Druid Street, SE1 2HQ

Independent Licensing report

by

Adrian Studd, Independent Licensing Consultant.

1. I have been instructed to conduct observations and prepare an independent report in connection with the premises licence for the above premises with particular regard to the consumption of drinks in the area immediately outside the premises.

Summary of Expertise – Adrian Studd.

2. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games.
3. In addition to leading my team, I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime

command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity.

4. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, in order to address these problems through the use of action plans in order to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
5. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.
6. I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs to implement the initiative. I am a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years, I have been in charge of licensing for the Notting Hill Carnival, the largest street carnival in

Europe. During this time, I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I have attended a large number of internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).

7. Following my retirement, I set up a licensing consultancy to provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, Sexual Entertainment, street drinking, rough sleepers, age related products, betting and gaming. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

Observations – Saturday, 15 July 2017

8. I conducted observations in Druid Street on Saturday the 15th July 2017 from 16.30 hours until 19.00 hours. On my arrival there was a small market set up in the street in the vicinity of 130 to 136 Druid Street. This included a small number of stalls and two barbeques that were set up in the street in the loading bay and were selling hot food to passers-by. One of these stalls had loud music playing from a sound system located on the stall.
9. Walking along Druid Street it was busy with pedestrians and the licensed premises were busy with customers both inside and outside on the street. In particular I noticed that The Bottle Shop at 128 and Anspach and Hobday at 118 had customers outside drinking and socialising in a controlled and managed area. I observed that Anspach and Hobday had a clearly defined area set up outside the premises with belt barriers and a door supervisor to manage drinkers ensuring that they remained

within the area close to the premises. Behaviour of customers was good and the atmosphere was controlled and relaxed with no anti-social or boisterous behaviour.

10. I observed Hawkes at 92 Druid Street, the premises were busy but there were no drinkers outside. There was a door supervisor present who was ensuring that no drinks were taken outside and that those leaving to smoke left their drinks inside the premises. Some of the customers appeared to question the fact that they were prevented taking drinks outside by pointing out that customers at nearby premises were permitted to drink outside those premises.

11. I observed the area between 16.30 and 19.00; overall it was busy, vibrant and diverse attracting a broad range of people and providing a good atmosphere. The licensed premises were well run and I did not see any evidence of drunkenness or anti-social behaviour. The restrictions in place at premises such as the Bottle Shop and Anspach and Hobday worked well and ensured that those drinking outside were supervised and kept in a restricted area immediately outside the premises and were not permitted to consume elsewhere in the street. I saw customers from the barbeque stalls consuming food in the vicinity of the flats opposite the railway arches but I did not see any alcohol consumption outside the controlled areas of the licensed premises.

Recommendations

12. I recommend that the 'outside management plan' for Hawkes (shown below) is implemented in consultation with the local authority. It includes key provisions to protect nearby residents and the public nuisance objective by: restricting the area that can be used for consumption outside the premises, the use of SIA registered door supervisors if required on a risk assessed basis and the use of propriety/branded glassware consistent with the quality product supplied by Hawkes.

13. The 'outside management plan' encompasses best practice and reflects the key

features implemented, by agreement, at nearby premises. The introduction of these features is supported by Mr. Mark Orton, the Southwark Licensing Officer, who comments that so far, at those premises, they have worked very well (e-mail to Gary Grant, Barrister dated 6th July 2017).

14. In my opinion implementation of this plan will ensure that the area immediately outside the premises can be used to accommodate drinkers in a clearly defined and supervised area, pro-actively managed by the premises and contributing to the attractive and diverse nature of the area while fully supporting the licensing objectives.

I understand that my duty is to the Sub-Committee and this report has been prepared in compliance with that duty. All matters relevant to the issues on which my expert evidence is given have been included in this report. I believe the fact I state in this report to be honest and true and that the opinions I have expressed are correct to the best of my judgment. The fee for this report is not conditional on the outcome of the case in any way whatsoever.

Adrian Studd,

Independent Licensing Consultant.

21/07/17.

HAWKES

OUTSIDE MANAGEMENT PLAN

This Outside Management Plan has been prepared to set out the strategy and approach to the operation of the outside area of Hawkes. It is a working best practice document that will be reviewed annually by senior management at the premises. This Plan will supplement any conditions on the premises licence relating to the outside area.

Its purpose is to give a clear overview of the proposed operation and the ethos and management strategy underpinning the use of the outside area. Hawkes is a specialist craft cider operator.

This Outside Management Plan has been prepared by Hawkes in consultation with an independent licensing consultant following careful consideration of all concerns raised. In preparing the Outside Management Plan, due regard has been given to best practices.

Layout of outside area.

1. The area will be set up outside Hawkes premises as shown hatched in red on the attached plan. The maximum number of people accommodated will be 30 within an area defined using a belt barrier or similar system ensuring that the road is kept clear for vehicle traffic.

Staffing of Outside Areas

2. The area will be pro-actively supervised by management and staff at all times to ensure that customers outside the premises use only the area within the barrier and that no drinks are taken beyond this area.

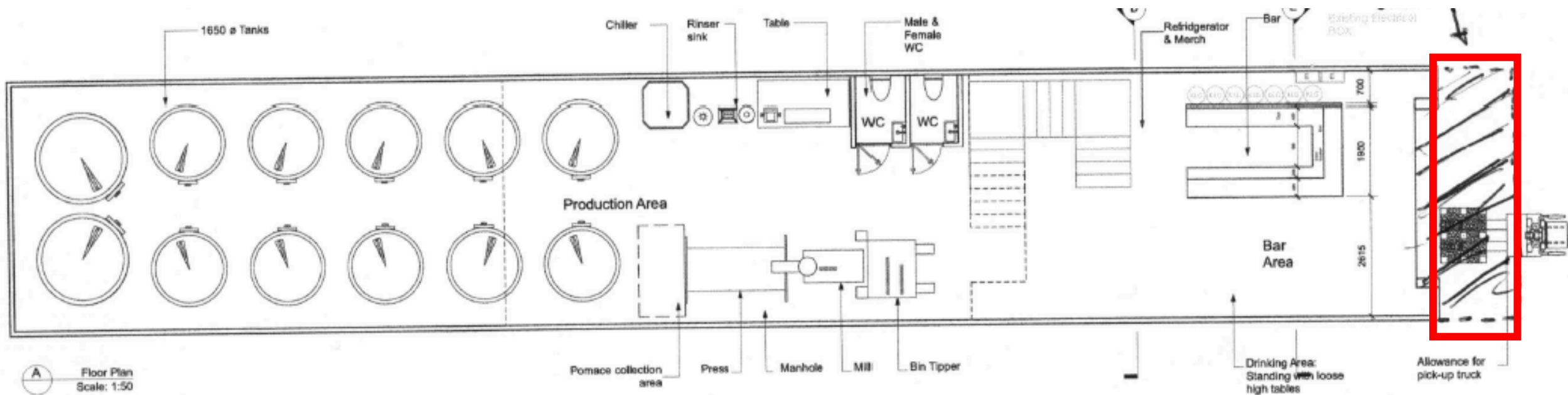
3. All managers and staff will be trained on this 'Outside Management Plan' and the duty manager will ensure that the area is effectively managed at all times the premises is open to the public. Supervision of the area will be subject to prior risk assessment and consideration given to the use of a door supervisor. It is anticipated that this may be necessary at busy times; particularly summer weekend periods.
4. Management and staff training will be documented and the records retained and made available for inspection on reasonable request by the Local Authority Licensing Officer or the Police.

Management of the Outside Area

5. The duty manager will ensure that the outside areas remain clean and tidy at all times. Glasses, cups, plates and any other items will be regularly cleared away. All drinks served will be in proprietary/branded glasses.
6. No anti-social or other unacceptable behavior will be permitted in the outside area. Any such behavior will be addressed by designated staff or the door supervisor under the direction of the duty manager. Customers who refuse to comply with directions will be required to leave the premises and may be banned from attending in the future.
7. There will be prominent signage outside the premises reminding customers to use the outside area responsibly and with consideration to residents.
8. The outside area will be closed 30 minutes prior to closure of the premises to ensure a gradual dispersal of customers at closing time.
9. There will be a designated phone number that is available to members of the public to contact the duty manager at any time when the premises is open in the event of concerns about behavior or management of the outside area.
10. Any calls received will be recorded in the incident log together with details of the complainant (if given) and action taken. Any such calls will be brought to the attention of the senior management.



outside area plan.pdf



Hawkes

92 Druid Street

Proposed amendments to premises licence

relevant to the outside area.

v.26.7.17

(Following a conciliation meeting with officers on 26.7.17

and subject to a decision in principle by the licensing sub-committee

as to whether to permit the use of the outdoor drinking area)

Conditions to be added:

1. The premises licence holder shall submit to the licensing authority, and operate in accordance with, an Outside Management Policy that deals with patrons that consume alcohol in the designated outside area and is designed to minimise the risk of public nuisance to residents and other persons in the vicinity. The Plan may be updated from time to time.
2. Customers outside the premises are only permitted to drink within the designated outside area (as hatched on the attached plan).
3. No more than 30 customers are permitted in the designated outside area at any one time.
4. The designated outside area must be cleared of customers by no later than 22:00hrs.
5. The premises shall provide and display a dedicated telephone number of the management of the premises to local residents.
6. Glassware shall be collected at regular intervals from the designated outside area whilst in use.
7. All drinks are to be served in toughened glass or polycarbonate receptacles.
8. On Saturdays, from noon until the premises closes to the public, a minimum of one SIA door supervisor must be employed at the premises to effectively control outside drinking, to ensure the conditions on the premises licence are complied with and to promote the licensing objectives.

9. In addition to the condition above, at all times SIA provision is to be risk assessed by the premises licence holder to ensure that sufficient door supervisors are employed to effectively control outside drinking during busy periods, to ensure the conditions on the premises licence are complied with and to promote the licensing objectives. In any event, the designated outdoor area must be monitored by staff whenever it is in use.

10. The attached plan, marking the designated outdoor area (the hatched area) as within the licensed area of the premises, shall replace the existing ground floor plan attached to the premises licence.

Conditions to be removed:

11. 340 – That customers shall not use any outside area to the front of the premises other than those who temporarily leave the premises to smoke and no more than 5 people shall be permitted to do so at any one time. No drinks shall leave the premises other than off sales that are sold in a sealed container for consumption away from the premises.

From: Gary Grant [m [REDACTED]]
Sent: Wednesday, July 26, 2017 12:39 PM
To: Gary Grant
Subject: Hawkes, 92 Druid Street

On 6 Jul 2017, at 14:26, Orton, Mark <mark.orton@southwark.gov.uk> wrote:

Hi Gary,

Good to talk. As promised, here are the details for the Anspach & Hobday licence <http://app.southwark.gov.uk/licensing/LicPremisesGrantedDetails.asp?systemkey=852422> Anspach also submitted further voluntary restrictions to assist them in ensuring the limit re the outside area is not exceeded. No complaints since measures implemented.

The discussions with the Bottle Shop regarding the outside area following complaints led to;

No drinks sold in plastics, all drinks served in proprietary/branded glasses (as plastics encouraged patrons to leave the premises to explore the market)

No patrons to drink outside the voluntarily restricted outside area

SIA to be present when the premises is open on busy weekend periods to prevent patrons leaving with drinks in open containers (strictly off-sales in sealed containers)

So far this has worked very well, I will be monitoring again this Saturday afternoon. Last time I was there the SIA did a very good job in challenging conditions and the area was much improved.

I hope this is of use to you,

Kind regards

Mark

Mark Orton

Licensing Officer
London Borough of Southwark
[Southwark Council | Regulatory Services](#)
Office Address (for meetings and deliveries) 160 Tooley Street London, SE1 2TZ
Post: 3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX
Ph: 020 7525 2436, Fax: 020 7525 5705

From: Gary Grant [REDACTED]
Sent: Thursday, July 06, 2017 1:36 PM
To: Orton, Mark
Cc: Gary Grant
Subject: Hawkes, 92 Druid Street

Dear Mark

I've just been instructed by the licence holder of Hawkes, Simon Wright, to help find a fair resolution to the ongoing issues with the outdoor drinking area and the conflicting licences issued by the Council, seemingly in error.

I note from one of your emails to Mr Wright (on 13.6.17) a reference to some complaints about the use of the area. Are you able please to give me some more information on the nature of these complaints so I can better advise my client ?

Today, I am best contacted on this email or on my mobile : [REDACTED]

I look forward to hearing from you.

GARY GRANT

Barrister

[Francis Taylor Building](#)

[Inner Temple](#)

[London EC4Y 7BY](#)

DX: 402 LDE