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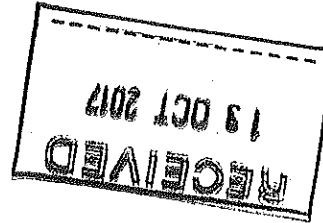


**LONDON FIRE
AND EMERGENCY
PLANNING AUTHORITY**

Fire Safety Regulation, South East 4 Team
169 Union Street London SE1 0LL
T 020 8555 1200 x89171

Minicom 020 7960 3629
london-fire.gov.uk

The Company Secretary
Magfos Ltd t/a Southwark Rooms
60 Southwark Street
London
SE1 1UN



London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 12 October 2017
Our Ref 91/005885/CM

Dear Sir/Madam

REGULATORY REFORM (FIRE SAFETY) ORDER 2005: NOTIFICATION OF FIRE SAFETY DEFICIENCIES

Premises: Southwark Rooms , 60 Southwark Street , London , SE1 1UN

The Authority's Inspectors have recently carried out an inspection of the above-mentioned premises. During the inspection, it was noted that some fire safety matters require attention to reduce the risk of fire and/or reasonably ensure the safety of people using the premises. These matters need to be addressed in order to comply with Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order). The matters that need to be addressed, together with the Authority's recommendations about the actions you should take are explained in the attached schedule. We recommend that action should be taken by **21 December 2017**.

If you are in any doubt about what you need to do to comply with the Fire Safety Order; or if there is anything in the schedule that you do not understand or need further explanation of then please contact the Inspector named at the end of this letter. If you are dissatisfied in any way with the response given please ask to speak to the Team Leader quoting the above reference.

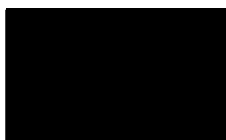
You may also wish to know that fire safety guidance for businesses can be found on the Authority's web-site at www.london-fire.gov.uk under the heading 'Fire safety at work'. Additionally, guidance on general fire precautions and how to comply with the Fire Safety Order can be found at www.Gov.uk under the heading 'Fire safety law and guidance documents for business'.

When undertaking fire safety works at your premises you may need to seek approval for what you are going to do. Examples of this would include:

- any building works for which you are obliged to notify or seek the approval of Building Control;
- if your premises have a listed heritage status, approval from the local authority conservation officer; or
- if your premises are licenced then you may need to consult the relevant licensing or approvals authority.
- It is your responsibility to consult the relevant bodies and obtain any necessary approvals.

I would ask you to note that as well as placing people at risk, operating premises without having adequate general fire precaution in place to remove or reduce fire risk and to ensure people can safely escape if a fire does occurs can result in a criminal offence being committed. This letter and its associated schedule are consequently issued without prejudice to any legal action the Authority may subsequently take regarding failures to comply with the Fire Safety Order.

Yours faithfully,



for Assistant Commissioner (Fire Safety)

Directorate of Operations

FSR-AdminSupport@london-fire.gov.uk

Reply to Inspecting Officer Andrew Brown

Direct T 020 8555 1200 x 89171

Enc: Form FS03_01b Legislation Extracts
Form FS03_06 Definitions of standard terms
GN 66

- cc Magda Zalinska , Southwark Rooms , 60 Southwark Street , London , SE1 1UN
- cc Patric Witter , Southwark Rooms , 60 Southwark Street , London , SE1 1UN
- cc Jayne Tear , Principal Licensing Officer , Southwark Council , Licensing Unit , 160 Tooley Street , London , SE1 2QH
- cc Farhad Chowdhury , Principal Health and Safety Officer , Southwark Council , 160 Tooley Street London , SE1 2QH
- cc Attn PC Ian Clements , Metropolitan Police Service , Licensing Office , Southwark Police Station , 323 Borough High Street , London , SE1 1JL

Notes to accompany the Notification of Deficiencies schedule.

Important information to consider before taking remedial steps:

1. Certain terms written in BLOCK CAPITALS in the attached schedule are standard terms defined in "Definitions of standard terms used in means of escape requirements" which form part of this schedule.
2. Officers of the Authority may visit your premises again to check on the action you have taken.
3. **Notwithstanding any consultation undertaken by the fire authority, before you make any alterations to the premises, you must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.**
4. There may be suitable alternative safety measures to those detailed in this schedule, which would meet the requirements of the Order. If you wish to propose or discuss any alternative measures you should get in touch with the person named as the contact above, before you take any action, to ensure that your proposed measures are deemed satisfactory by the Authority.
5. Remedial steps must be undertaken by a competent person who has sufficient training, experience, knowledge or other qualities to enable him or her to properly undertake them.
6. We recommend that remedial steps are undertaken in accordance with the appropriate British or European Standards, or recognised industry guidance.

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Your rights when Fire Safety Inspecting Officers take action.

The fire authority has a duty to enforce the Regulatory Reform (Fire Safety) Order 2005.

If an Inspector:

tells you to do something - you have a right to a verbal and written explanation of what needs to be done and why.

Intends to take immediate action - for example by issuing an enforcement notice this will include a written explanation either forming part of the notice or by separate letter.

Issues a formal notice - you will be told in writing about your right to appeal to a magistrates' court. You will be told:

- ◆ how to appeal;
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- ◆ that action required by a prohibition/restriction notice is not suspended while an appeal is pending unless the court so directs.
- ◆ that action required by an enforcement notice is suspended while an appeal is pending.

Issues a Notification of Fire Safety Deficiencies - full discussion should have taken place and agreed improvements to bring the premises up to minimal standards should be formulated. A Notification of Fire Safety Deficiencies carries no statutory force but may result in formal action being considered if the agreed improvements do not take place.

The procedures and rights above provide ways for you to have your views heard. If you are not happy with the inspecting officer's action you should contact the Team Leader on the telephone number shown at the head of the covering letter in the first instance.

ENVIRONMENT AND SAFETY INFORMATION ACT 1988

SECTION 4 - PROTECTION OF TRADE SECRETS

The above Act requires the London Fire and Emergency Planning Authority to maintain public registers of notices issued under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, (other than those which impose requirements or prohibitions solely for the protection of persons at work) and Sections 21 and 22 of the Health and Safety at Work etc, Act 1974.

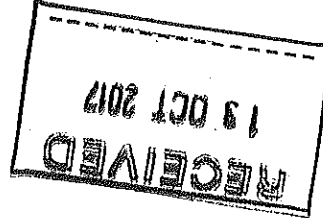
Provisions are made within the Act for persons on whom the above notices are served to appeal against any proposed entry in the register which may disclose "trade secrets" or "secret manufacturing processes".

Entries in the register are required to be made after the period for appeal against the notice expires or after any appeal is disposed of.

If you feel that any such entry would disclose information about a trade secret or secret manufacturing process you may write to the Fire Authority within a period of 14 days following the service of the notice, requesting exclusion of these details (see Section 4 of the 1988 Act).



The Company Secretary
Magfos Ltd t/a Southwark Rooms
60 Southwark Street
London
SE1 1UN



London Fire and Emergency Planning
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Directorate of Operations

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Direct T 020 8555 1200 x 89171

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SCHEDULE

PREMISES: Southwark Rooms , 60 Southwark Street , London , SE1 1UN

File Number: 91/005885

This schedule should be read in conjunction with the Authority's letter dated **12 October 2017**.

The condition(s) specified in the Regulatory Reform (Fire Safety) Order 2005, were being contravened and the following step(s) need(s) to be taken in order to comply with the above legislation:

Article	Area of Concern	Steps Considered necessary to remedy the contravention.
Article 9	At the time of the audit you did not provide evidence that a fire risk assessment had been undertaken.	Carry out a fire risk assessment (See guidance note No.66). In particular take into account fire prevention regarding the electrical wiring within the premises, the control of staff smoking and the maintenance of fire safety facilities.
Article 11	At the time of the audit your preventative and protective measures had not been planned, organised, controlled monitored or reviewed where required. It was found that no records were available at the time of inspection to satisfy that an auditable system of ongoing fire safety management is in place. No evidence or records for testing or maintenance could be demonstrated and there was clear evidence of staff smoking in the basement of the premises.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
Article 17	At the time of the audit you had not ensured that a suitable system of maintenance was in place in your premises. It was found that a number of emergency light units were defective and the fire extinguishers had not been serviced since October 2014. Electrical cables had been left exposed in the ceiling and walls with no certification from an electrician to indicate that they were not powered or had been made safe.	Arrange initial and ongoing maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by servicing the emergency lighting system the fire extinguishers and ensuring electrical cabling is secured and confirmed to be safe by a competent, qualified electrician

Article 21	At the time of the audit your employees had not been provided with adequate safety training. It was found that there was evidence of smoking in the basement and staff had not been trained in the monitoring of fire safety facilities or the keeping of fire safety testing and maintenance records.	Provide your staff with adequate safety training. In particular The monitoring of fire safety facilities i.e. the emergency lighting, fire extinguishers and ensure staff are keeping clear records for the testing and maintenance of the fire safety facilities. Ensure there is a strict no smoking policy within the building.
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*****RECOMMENDATIONS NOT FORMING REQUIREMENTS OF THE SCHEDULE*****

The Authority would strongly urge that you consider the presence of combustible façade cladding materials as part of the risk assessment process for these premises. All relevant information about any replacement window and facade schemes should be made fully available to fire risk assessors. Where no reliable information is available for a given property, a strategy to assess the risk and where necessary implement short, medium and long term actions to address the risk should be implemented.

Where remedial measures are to be undertaken to which consultation requirements under Section 20 of the Landlord and Tenant Act 1985 will apply, the Authority would urge you to consider application of the disapplication provisions under Section 20ZA of that Act.

MEMO: Licensing Unit

To Licensing **Date** 5th October 2017

Copies Jayne Tear – Responsible Authority
Ian Clements, Graham White – Met Police

From Farhad Chowdhury **Telephone** 020 7525 0398

Email Farhad.chowdhury@southwark.gov.uk

Subject: Review of Premises Licence
Southwark Rooms, 60 Southwark Street SE1 1UN

I write with reference to the application made by Ian Clements from the Metropolitan Police regarding a review of the premises licence for Southwark Rooms, 60 Southwark Street London SE1 1UN.

I would make the following comments in support of the Police review.

- The premise is in a poor state of repair there are numerous exposed live electrical wall sockets in the premises and hanging electrical wires in the ceiling of the premises. Prohibition Notices have been served on the premises for this.
- Three Prohibition Notices have been served on the premises and despite warning the premises were open using broken and exposed wall sockets, all three Prohibition Notices have been contravened and a prosecution case is pending on this matter.
- On 9th September 2017 the Night Time Economy Police visited the premises at night and found that the front fire exit door were chained and locked with a bicycle lock. Police informed us that the club were using the rear fire exit door to allow members of the public into the club. I visited the premises on 14th September 2017 and discovered that the chain and lock was still on the door and the DPS Mr Witter informed me that he could not remember the combination number of the lock so it was left on the door.
- On 17th September 2017, my colleague Mark Orton visited the premises at night whilst working on the Night Time Economy Team. He discovered that the club had chained the rear fire exit doors with a padlock on it, while the premises were open and full of customers inside. This is a serious fire safety issue and in case of emergency members of the public would not be able to escape safely.
- I visited the premises on 30th September 2017 at 21:45hrs and discovered that all the bar staff had been smoking inside the premises in the basement, there were cigarette butts all over the floor and smell of smoke in the air. I challenged Mr Witter about the smoking he denied saying he was not here at the time staff were smoking.

- The premises had a lot of wood and machinery and equipment such as circular saws drills lying around while the premises are open. There is a risk of slips trips or falls or serious personal injury from having machinery lying around the premises. The premises appears to be like a building site and not suitable for a nightclub where members of the public would have access to dangerous equipment. There is no explanation when the works would be completed in the premises.
- An NICEIC approved electrical engineers report needs to be provided to this Department and any works recommended by the electrician needs to be carried out.
- The WC's were filthy dirty with excrements all over the WC's these need to be thoroughly cleaned and sanitised and hot and cold water provide in the WC's for washing hands.
- Suitable and sufficient ventilation needs to be provided in the premises and both WC's.
- Emergency lighting were not working at the time of my visit, and needs to be provided in all parts of the premises and a certificate of testing needs to be provided.
- Fire Extinguishers have not been inspected by a competent person since 2014, they need to be tested and a certificate of test produced every 12 months.
- There were no lighting in the front and rear staircases, both the staircases need suitable lighting.

In my opinion Mr Witter and Ms Zalinska are not fit and proper persons to hold a premises licence, I therefore fully support the Police Review of the premises licence on grounds of public safety.

Farhad Chowdhury
Principal Enforcement Officer

MEMO: Licensing Unit

To Licensing Unit **Date** 31 October 2017

Copies

From Jayne Tear **Telephone** 020 7525 0396 **Fax**

Email jayne.tear@southwark.gov.uk

Subject Re: The Southwark Rooms, 60 Southwark Street, London, SE1 1UN

Application to review the premises licence

I write with regards to the above application to review the premises licence submitted by the Metropolitan Police under the Licensing Act 2003.

The application is concerned with the failure of the licensee Magdalena Zalinska and DPS Patrick Witter to abide by the conditions on the premises licence and failure to promote the licensing objectives.

My representation is concerned with the prevention of crime and disorder, the prevention of public nuisance and public safety.

The premises has been subject to enforcement action following breaches of the premises licence witnessed by council officers and officers of the Metropolitan Police Service.

Support and advice regarding running the premises in line with the premises licence and responsible operation of the venue has been given on several occasions by Council officers and also officers of the Metropolitan Police and despite this, the licensee continues to commit breaches.

On 22 March 2017 Patrick Witter attended the Council Offices at 160 Southwark Street to meet with the Licensing Department and a Police Licensing Officer. Mr Witter signed a document stating that he understood his obligations under the Licensing Act 2017.

Since then the following visits have been made to the premises whereby breaches of the premises licence have been witnessed.

On 9 July 2017 at 00:15 The Metropolitan Police attended the premises. The Police witnessed the premises open. The premises ID Scanner was inoperable.

348 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 after 21:00hrs whilst the premises are in operation under the premises

licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, 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.

On 12 August 2017 at 23:34 Licensing Enforcement Officers and Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

348 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 after 21:00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, 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.

288 the premises shall install and maintain a comprehensive CCTV system as per the minimum requirement to the Metropolitan Police Licensing Officer. All entry and exit points will be covered enabling a clear facial image of every person entering in any light conditions. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.

289 That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days.

Staff were found to be smoking in the first floor office.

On 3 September at 01:30 Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

353 A '696 Promotion Event Risk Assessment' Form must be submitted for any occasion in the premises using a DJ or MC performing to recorded background music, operating between 10pm and 6am, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket. A copy of the form must be provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire

On 10 September at 02:40 Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

345 There shall be no entry or re-entry of patrons after 02:00 on the days operating after 02:00

305 That signs shall be displayed at the entrance to the premises that state “Drug Free Zone” and “No Search, No Entry. Management reserve the right to Refuse Entry”.

347 After 22:00 hours, no more than 15 smokers to be allowed outside the premises.

348 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 after 21:00hrs whilst the premises are in operation under the premises licence when the terminal hour is after 01:00hrs. All persons that enter the premises including staff, 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.

311 That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner.

On 17 September at 01:45 Licensing Enforcement Officers and Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

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On 24 September at 01:24 Licensing Enforcement Officers and Police Officers carried out an inspection to determine whether the licensable activities at the premises were carried out in accordance with the authorisation. During the inspection Officers witnessed the following conditions being breached:

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289 That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days.

On 30 September at 21:45 Health and Safety Enforcement Officers carried out an inspection. During the inspection **Staff were found to be smoking on the premises.**

The licensing unit are currently pursuing legal proceedings regarding the above offences under the Licensing Act 2003 and The Health Act 2006.

I fully support the Metropolitan Police in asking for the premises licence to be reviewed. I have no confidence in the management/licensee/DPS of the premises to abide by the conditions put upon the licence or to promote the prevention of crime and disorder, prevention of public nuisance and public safety licensing objectives and therefore recommend that the premises licence is revoked.

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority