

**METROPOLITAN
POLICE****TOTAL POLICING****Form for Applying for a Summary Licence Review****Application for the review of a premises licence under section 53A of the Licensing Act 2003**
(premises associated with serious crime, serious disorder or both)**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink.

Use additional sheets if necessary.

Insert name and address of relevant licensing authority and its reference number:**Name:** Southwark Licensing Team**Address:**

3rd Floor 160 Tooley Street

Post town: Southwark**Post code:** SE1 2QH**Ref. No.:****I PC Ian Clements**

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details**Postal address of premises or club premises, or if none, ordnance survey map reference or description:**

Costa Azul Mexican Bar & Grill, 190-192 Old Kent Road,

Post town: London**Post code:**
(if known)

SE1 5TY

2. Premises licence details**Name of premises licence holder or club holding club premises certificate (if known):**

Edison Ivan Caviedes Cruz

Number of premises licence or club premises certificate (if known):

859832

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm: ☒

PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both (Please read guidance note 2)

On 23rd January at approximately 03:40 Police were called to Costa Azul 190 – 192 Old Kent Road, the call came from the LAS for assist with a male that had been assaulted.

On arrival a male victim was found unresponsive on the pavement with blood coming from his mouth. Due to the seriousness of his injuries he was transferred to KCH, at the time of writing this report the victim remains on life support, his injuries have been assessed as life threatening.

Police obtained an initial statement from a member of the security staff and witness to the incident. He stated that the victim had attempted to gain entry to the premises but was refused due to being intoxicated. When outside of the venue he has started an argument with the suspect who has then pushed him to the ground, whilst on the ground the suspect has continued to kick the victim.

The witness was able to identify the suspect, the suspect was arrested by Police shortly after.

Further information from witnesses and friends of the victim indicate a slightly different version of events. According to their statements the victim had been drinking inside the venue since approximately 20:00. He was removed from the premises by security staff at 03:00 where he remained outside until he was assaulted between 03:20 and 03:40.

The suspect for this offence has stated that the victim approached him outside the club and that he appeared to be very drunk.

In my opinion the level of intoxication of the victim is highly likely to have been a contributing factor in the outcome of this incident. Early intervention by staff at the venue could have in my opinion prevented this very serious crime.

Early evidence indicate that Police were alerted to this incident via the LAS control room.

I have conducted an initial search of our crime reporting system and found a further four assaults associated with the premises, all indicate that high levels of intoxication were an aggravating factor. There appears to have been an initial attempt by security staff to cover up the fact the victim had been drinking inside the venue prior to his assault. I would have serious concerns for the safety of other patrons becoming exposed to the potential of serious harm and injury if the premises is permitted to continue to operate.

It is for these reasons that I ask the licensing subcommittee to suspend the premises licence pending the outcome of the full review process.

Signature of applicant

Signature:



Date:

25th February 2020

Capacity:

Police Licensing Officer

Contact details for matters concerning this application

Surname: Clements

First Names: Ian

Address:

Southwark police station, 323 Borough High Street

Post town: London

Post code: SE1 1JL

Tel. No.: 0207 232 6756

Email: SouthwarkLicensing@met.police.uk

Notes for guidance

PROTECTIVE MARKING

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.
Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years
MP 146/12



**METROPOLITAN
POLICE**

TOTAL POLICING

Form 693A

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

**I hereby certify that in my opinion the premises described below are associated with:
Serious Crime and Serious Disorder**

Premises (include business name and address and any other relevant identifying details):

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

Costa Azul Mexican Bar & Grill, 190-192 Old Kent Road

Post town: London

**Post code:
(if known)**

SE1 5TY

Premises licence number (if known):

859832

Name of premises supervisor (if known):

Alejandro Ortiz Mendez

I am a Superintendent* in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

**I am giving this certificate because I am of the opinion that other procedures under the
Licensing Act are inappropriate in this case because:**

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

On Sunday morning at 03:40 Police were called to reports of a male having been assaulted outside of the above venue. The victim is in a very serious condition in hospital, his injuries are likely to be life changing. Initial enquiries indicate that the victim had been inside the venue between 20:00 until approximately 03:00 when he was removed from the premises by security for being intoxicated. Between 03:20 and 03:40 the victim was assaulted by a suspect following an argument outside of the venue. Early intervention by staff at the venue could have had a significant impact on the outcome of this incident. Since June 2019 there have been at least four other GBH offences associated with the premises where the high levels of intoxication have been an aggravating factor. In my opinion a summary review is the most appropriate course of action and the suspension of the premises licence is recommended. A Standard review will take several weeks and will allow the premises to continue to operate, potentially putting other patrons at risk of serious harm or injury.

Signature

Signature:

Date:

25/2/2020

Sgt Kris Wright