Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 2 May 2014 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT:	Councillor Sunil Chopra Councillor Dora Dixon-Fyle MBE Councillor Abdul Mohamed
OTHER S PRESENT:	Eustace Hays, representative from Club Favour Emeka Osisiona, representative from Club Favour P.C. Stuart White, Metropolitan Police Service P.C. Graham Hislopp, Metropolitan Police Service
OFFICER SUPPORT:	Cynthia Barrientos, legal officer Richard Kalu, 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. In the absence of the chair, Councillor Sunil Chopra was nominated by Councillor Dixon-Fyle to chair the meeting. This was seconded by Councillor Abdul Mohamed.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: CLUB FAVOUR, GROUND FLOOR 512-516 OLD KENT ROAD, LONDON SE1 5BA - REVIEW

The licensing officer presented their report. Members had no questions for the licensing officer.

The Metropolitan Police Service representative addressed the sub-committee. Members had questions for the police representative.

The representatives from Club Favour addressed the sub-committee. Members had questions for the representatives from Club Favour.

All parties were given five minutes for summing up.

The licensing sub-committee went into closed session at 10.56am.

The licensing sub-committee resumed at 11.58am and the chair read out the decision of the sub-committee.

RESOLVED:

The council's licensing sub-committee, having had regard to the application by the Metropolitan Police Service for a review of the premises granted under the Licensing Act 2003 to Sky Vibes Limited in respect of the premises known as Club Favour, 512-516 Old Kent Road, London SE1 5BA and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:
MODIFY THE CONDITIONS OF THE LICENCE BY INCLUDING THE FOLLOWING ADDITIONAL CONDITIONS:

i. That the two fire exits leading from the premises to Old Kent Road will be linked to security lighting and a sound cut out device. The device will activate immediately when the door is opened and should illuminate the exit point and cut out the sound from the venue's sound system. Each exit will be checked that it is in good working order before the premises is open to the public. A record of this check will be entered in the venue security log each night or each time the venue opens to the public.

ii. That at least one SIA registered door supervisor will be positioned in the smoking area at all times that the premises are open under its premises licence.

Reasons

The licensing sub-committee heard from the Metropolitan Police Service, the applicant for the review, who stated that they had engaged with the premises licence holder and the current designated premises supervisor and had conducted an investigation following the incident on 5 April 2014. Having viewed the CCTV footage, it was clear that a group of males entered the premises via the fire exit doors, leading to Old Kent Road. The police accepted that the victim did not approach any staff in the venue or make them aware of the alleged incident. It was therefore possible that none of the staff at the venue had been aware that the incident had taken place.

The police advised that they had attended the venue on 24 April 2014 to inspect the additional security measures that had been implemented voluntarily by the premises in order to address the security breach on 5 April 2014. The police also noted that the premises had upgraded their CCTV system, which provided extensive high definition coverage of the entire venue. The police were satisfied that these measures went above and beyond what was necessary to address the concerns raised by the police as part of the summary review application.

The police confirmed that they had conciliated the two conditions listed above with the premises in advance of the licensing sub-committee hearing. They recommended that the condition limiting the number of smokers in the smoking area, imposed as an interim step at the summary review hearing on 10 April 2014, was not required and in fact could potentially lead to disorder within the premises.

The licensing sub-committee heard from the representatives of Club Favour who advised that they had taken over the management of the premises in December 2013. They went on to advise that since taking over the management of the premises they had taken substantial steps to minimise the risk of disorder. They advised that there was a secure bolted cage system outside the premises which ensured the control of the queuing system. This was in response to an incident on 17 February 2014. They had installed an ID scanning system and a measure to take a photograph of all patrons upon entry. This was in addition to a search on entry procedure by SIA security staff.

On questioning, they accepted that there had been problems in the past but they had acted responsibly by always contacting the police and by implementing measures to counter the risk of similar incidents occurring in the future.

They advised that the interim steps measure imposed at the summary review hearing relating to the limit of 10 people in the smoking area was operationally difficult and could lead to disorder. They requested that this should not be a permanent condition on the licence.

They assured the sub-committee that this premises was run to a high standard and that it was a very safe and secure venue for patrons.

Having heard all the evidence, the sub-committee were impressed that the premises had taken initiative to promptly respond to the security breach of 5 April 2014. They felt assured that this was a professionally run premises and that the two conditions agreed above were sufficient to address the concerns raised by the police at the summary review hearing. For the avoidance of doubt, the interim steps imposed on 10 April 2014 are no longer effective.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives.

The licensing sub-committee considered that it was appropriate and proportionate to attach these conditions in order to address the licensing objectives.

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 meeting closed at 12.05pm.

CHAIR:

DATED: