



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 12 November 2015 at 10.00 am at Ground Floor Meeting Room G01C - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Sunny Lambe
Councillor Sandra Rhule

OTHERS PRESENT: Samantha Porter, designated premises supervisor
Craig Baylis, legal representative for the premises
Ian Clements, Metropolitan Police Service
Keith Dempster, Metropolitan Police Service
Emma Dring, legal representative for Metropolitan Police Service

OFFICER SUPPORT: Debra Allday, legal officer
David Franklin, licensing team leader
Dorcas Mills, 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.

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

The chair advised that item 5, Licensing Act 2003: The Coronet, 28 Old Kent Road, London SE1 6TJ & The Coronet, Railway Arches 3,4 ,5 And 6, Elephant Road, Elephant Mews, London SE17 1LB, would be considered as an urgent item.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

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

The licensing officer presented their report. Members had questions for the licensing officer.

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

The legal representative for the premises and the designated premises supervisor (DPS) for the premises addressed the sub-committee. Members had questions for the legal representative and the DPS.

Both parties were given five minutes for summing up.

The meeting went into closed session at 12.16pm.

The meeting resumed at 1.51pm and the chair read out the decision of the sub-committee.

RESOLVED:

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.

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.

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.

Meeting ended at 2.00pm.

CHAIR:

DATED: