

Licensing Sub-Committee

Friday 9 September 2016
10.00 am
Ground Floor Meeting Room G03
160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Adele Morris
Councillor Sandra Rhule

Reserves

Councillor Lorraine Lauder MBE

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Andrew Weir on 020 7525 7222 or email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 8 September 2016



Licensing Sub-Committee

Friday 9 September 2016
10.00 am
Ground Floor Meeting Room G03
160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: RED SEA, 85 CAMBERWELL ROAD, LONDON SE5 0EZ	1 - 51
	ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT	

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT

Date: 8 September 2016

Item No. 5.	Classification: Open	Date: 9 September 2016	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Red Sea, 85 Camberwell Road London SE5 0EZ	
Ward(s) or groups affected:		Faraday	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers whether it is appropriate to take interim steps pending the determination of an application made under Section 53A of the Licensing Act 2003 by the chief of police for the metropolitan police area for a summary review of the premises licences in respect of the premises known as Red Sea, 85 Camberwell Road, London SE5 0EZ.
2. Notes:
 - a) Under section 53A (2) of the licensing act 2003 the licensing authority must consider interim steps following the submission of an application under Section 53A of the licensing act 2003.
 - b) A copy of the full application and certificate is attached as Appendix B.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act

- The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The summary review powers under sections 53A to 53C of the Act allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and the licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review.

KEY ISSUES FOR CONSIDERATION

The premises licence

8. The premises licence issued in respect of the premises known as Red Sea Restaurant, 85 Camberwell Road, London, SE5 0EZ allows licensable activities as follows:
- **The provision of regulated entertainment**
Friday & Saturday between 12:00 and 02:30 the following day
 - **The provision of late night refreshment:**
Sunday to Thursday between 23:00 and 00:30 the following day
Friday & Saturday between 23:00 and 02:00 the following day
 - **The sale of alcohol:**
Sunday to Thursday between 12:00 and 00:30 the following day
Friday & Saturday between 12:00 and 02:30 the following day
 - **Opening hours:**
Sunday to Thursday between 08:00 and 01:00 the following day
Friday & Saturday between 08:00 and 02:30 the following day.
9. A copy of the current premises licences are attached as Appendix A.

Designated premises supervisor

The designated premises supervisor is Ms Letteberhan Abraha Tafla.

The review application and certificate

10. On 7 September 2016 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence issued in respect of the premises known as Red Sea, 85 Camberwell Road, London SE5 0EZ.
11. A senior member of the police force for the area has certified that in his opinion the premises are associated with serious crime or serious disorder or both.

12. The application is concerned with an incident that took place at the premises on 4 September 2016 at 02:45. It is alleged that a serious assault occurred at the premises that resulted in the victim receiving injuries consistent with grievous bodily harm. The police were called to attend the premises. On arrival the police noted that several people attending the premises appeared to be 'worse for wear'. The police arrested two suspects. When the police attempted to liaise with the SIA staff employed at the premises, to aid in the police's enquiries, the SIA staff were uncooperative, refused to provide witness formal statements to the police and were reluctant to provide their details to the police or aid in the police's enquiries.
13. In addition to the above, CCTV cameras at the premises were badly positioned, being partially obstructed, and were of no evidential use. The police also note that the premises should have been shut by 02:30 in accordance with the premises licence issued in respect of the premises.
14. The police have concerns with the management of the premises and the lack of control and proper management of the above incident. The police also note there have been previous breaches of the premises licence issued in respect of the premises on 10 July 2016 and 7 August 2016 and that they have served a closure order in regards to the premises under section 19 of the Criminal and Justice Police Act 2001 in regards to the breaches of licence observed on 10 July 2016.
15. The police request that the following interim step is taken;
 - That the premises licence is suspended with immediate effect until a full review hearing is held.
16. The licensing sub-committee is not restricted to considering just the above step.
17. A copy of the review application, review certificate and additional supporting evidence is attached as Appendix C. Other evidence may become available at the hearing. Please note that the crime report submitted with the review application was submitted with pages 2, 3, 5, 8 and 9 missing. The police officer attending the hearing will provide the missing pages or an explanation as to why they were omitted.

The review procedure

18. The current hearing is for the purpose of considering if interim steps are needed as a result of the police review and information submitted pending the full review hearing that will be held on 3 October 2016.
19. The licensing sub-committee is not obliged to hear evidence from other parties at this stage of the procedure. However the premises licence holder and designated premises supervisor (DPS) have been invited to attend the hearing.
20. The review is currently being consulted on and is advertised at the premises for 10 days. Responsible authorities and any other persons may make representations that will then be considered at the full hearing of the licensing sub-committee.
21. Any interim steps made by the licensing sub-committee at this hearing will cease to have effect once the review has been determined.

Operating history

22. A premises licence was issued to Ms Zege Abraha & Ms Letteberhan Tafla on 16 January 2008. Ms Abraha was specified as the designated premises supervisor (DPS).
23. On 18 February 2010 a licensing inspection of the premises was undertaken. One breach of the Licensing Act 2003 was substantiated in that the premises licence summary was not displayed at the premises. A re-inspection of the premises was undertaken on 12 March 2010 and the premises were found to be operating compliantly.
24. On 5 November 2010 an application, to have immediate effect, was submitted to transfer the licence to Ms Letteberhan Tafla solely. On the same date an application, to have immediate effect, was submitted to specify to have immediate effect, as the DPS of the premises. An amended licence, pursuant to the above, was issued on 5 November 2010.
25. On 20 December 2010 an application to vary the licence was submitted. The application sought to extend the hours in respect of the licensable activities permitted by the licence and also to add further licensable activities to the licence. The application was refused by the Licensing Sub Committee on 7 February 2011.
26. On 14 July 2011 an application to vary the licence was submitted. The application sought to extend the hours in respect of the licensable activities permitted by the licence and also to add further licensable activities to the licence. The application was granted and an amend licence was issued on 9 September 2011. The application issued on 9 September 2011 is the current licence.
27. On 10 July 2016 police officers visited the premises. The premises were operating outside of permitted operating hours and the following breaches of the premises licence were noted; (i) there was no personal licence holder working at the premises (breach of condition 336), (ii) there were no SIA registered door supervisors working at the premises (breach of condition 290) and (iii) CCTV footage could not be made immediately available to police officers (breach of condition 289). A closure order was served under section 19 Criminal and Justice Police Act 2001 in regards to the above.
28. Following the breaches of licence witnessed on 10 July 2016 a licensing officer attended the premises on 22 July 2016 and undertook an induction with the licensee. During the induction the terms and conditions of the licence were fully explained, and the possible consequences of breaching licence conditions, or committing offences under the Licensing Act 2003, was explained to the licensee.
29. On 3 August 2016 an application to vary the licence was submitted. The application sought to extend the hours in respect of the licensable activities permitted by the licence. The application was withdrawn on 6 August 2016.
30. On 7 August 2016 the premises were inspected by a licensing officer and a police officer as part of the Night Time Economy Team (NTET) duties on that date. The following breaches of the premises licence were noted; (i) there were no SIA registered door supervisors working at the premises (breach of condition 290), (ii) the CCTV system was not operational and CCTV footage could not be made immediately available to police officers (breach of conditions 288 & 289) and (iii)

there were no staff training records as required by condition 4AB. The licensing officer explained the licence breaches and explained the conditions and the consequences should further breaches of the licence be substantiated.

31. On 12 August 2016 a full licensing inspection of the premises was undertaken as part of the NTET duties on that date. The premises were found to be operating compliantly.
32. On 4 September 2016 a serious assault took place at the premises that resulted in the victim receiving injuries consistent with GBH and two suspects being arrested.
33. On 7 September 2016 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence issued in respect of the premises known as Red Sea, 85 Camberwell Road, London, SE5 0EZ.
34. No complaints have been received by the Licensing Unit in regards to the premises.
35. A table of all temporary event notices (TEN) submitted in respect of the premises is attached as appendix C.
36. A table of all NTET visits to the premises is attached as appendix D.

The local area

37. A map of the local area is attached at Appendix E. The premises are identified at the centre of the map by a black diamond.
38. The premises are not in a cumulative impact area.
39. The premises are classified as being located in a residential area under the Southwark Statement of Licensing policy 2016 – 2020, section 7 - 'Hours of Operation'. The following closing times are recommended by the policy as appropriate within this area for the Categories of premises stated:
 - The suggested closing time for restaurants and cafes is 23:00 hours daily
 - The suggested closing time for public houses / wine bars or other drinking establishments is 23:00 hours
 - Night clubs (with sui generis planning classification) are not considered appropriate for this area

Southwark Council statement of licensing policy

40. Council assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and Scope of the Policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications.

- Section 5 - Determining Applications for Premises Licences and Club Premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 - Local Cumulative Impact Policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 - Hours of Operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 - The Prevention of Crime and Disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 - Public Safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 - The Prevention of Nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 - The Protection of Children from Harm. This provides general guidance on the promotion of the fourth licensing objective.
41. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

42. There is no fee associated with this type of application.

Consultation

43. There is no public consultation for an interim hearing.
44. The premises licence holder has been informed of the application for review and of the details of the interim hearing.

Community impact statement

45. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

46. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.

47. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

48. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where:

- The application is properly made in accordance with Section 53A of the Act.
- The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.

49. The four licensing objectives are:

- The prevention of crime and disorder.
- The protection of public safety.
- The prevention of nuisance.
- The protection of children from harm.

50. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:

- Modify the conditions of the licence by altering, omitting or adding any condition.
- Exclude a licensable activity from the scope of the licence.
- Remove the designated premises supervisor.
- Suspend the premises licence.

51. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.

52. The authority may decide to take no action if it finds no interim steps are appropriate to promote the licensing objectives.

53. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

54. It is of particular importance that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

55. Where the authority takes interim steps an application for review it must notify the determination and reasons why for making it to:

- The holder of the licence.

- The chief officer of police for the area (or each police area) in which the premises are situated

Hearing procedures

56. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee, and
 - To the licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
57. This matter relates to the review of the premises licence under section 53A of the Licensing Act 2003.

Council's multiple roles and the role of the licensing sub-committee

58. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
59. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader

policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.

60. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
61. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
62. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
63. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
64. Under the Human Rights Act 1998. The sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
65. There is no right of appeal to a magistrates' court against the licensing authority's decision regarding the setting of interim steps at this stage.

Guidance

66. Members are required to have regard to the DCMS Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

REASONS FOR LATENESS

67. The reasons for lateness are that when an application for an expedited summary review is received from the Police under section 53a of the Licensing Act 2003 the Council's licensing authority has a statutory duty hold a hearing within 48 hours from

receipt of the application to consider interim steps that may be placed on the premises licence until such time as the application can be fully determined.

REASONS FOR URGENCY

68. The Council has a statutory duty under section 53a to hold an interim hearing within 48 hours of receipt of a summary review.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Mrs Kirty Read Tel:02075255748

APPENDICES

Name	Title
Appendix A	Copy of the existing premises licences
Appendix B	Copy of review application and certificate & supporting documentation
Appendix C	List of temporary event notices submitted in respect of the premises
Appendix D	Details of night time economy team visits to the premises
Appendix E	Map of local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Wesley McArthur, Principal Enforcement Officer	
Version	Final	
Dated	8 September 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	8 September 2016	

Licensing Act 2003 Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Chaplin Centre
Thurlow Street
London SE17 2DG

Premises licence number

835140

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Red Sea 85 Camberwell Road	
Ordnance survey map reference (if applicable): 177683532439	
Post town London	Post code SE5 0EZ
Telephone number [REDACTED]	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Live Music - Indoors Recorded Music - Indoors Facilities for Making Music - Indoors Facilities for Dancing - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 08:00 - 01:00
Tuesday 08:00 - 01:00
Wednesday 08:00 - 01:00
Thursday 08:00 - 01:00
Friday 08:00 - 02:30
Saturday 08:00 - 02:30
Sunday 08:00 - 01:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
 Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities
 For any non standard timings see Annex 2 of the full premises licence

Live Music - Indoors

Friday 12:00 - 02:30
 Saturday 12:00 - 02:30

Recorded Music - Indoors

Friday 12:00 - 02:30
 Saturday 12:00 - 02:30

Facilities for Making Music - Indoors

Friday 12:00 - 02:30
 Saturday 12:00 - 02:30

Facilities for Dancing - Indoors

Friday 12:00 - 02:30
 Saturday 12:00 - 02:30

Late Night Refreshment - Indoors

Monday 23:00 - 00:30
 Tuesday 23:00 - 00:30
 Wednesday 23:00 - 00:30
 Thursday 23:00 - 00:30
 Friday 23:00 - 02:00
 Saturday 23:00 - 02:00
 Sunday 23:00 - 00:30

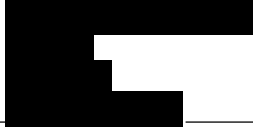
Sale by retail of alcohol to be consumed on premises

Monday 12:00 - 00:30
 Tuesday 12:00 - 00:30
 Wednesday 12:00 - 00:30
 Thursday 12:00 - 00:30
 Friday 12:00 - 02:30
 Saturday 12:00 - 02:30
 Sunday 12:00 - 00:30

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Letteberhan Abraha Tafla



Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Letteberhan Abraha Tafla



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No.: [Redacted]

Authority: L B Southwark

Licence Issue date 06/09/2011

.....
Community Safety Enforcement
Business Unit Manger
Chaplin Centre
Thurlow Street
London SE17 2DG
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or

b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence

485 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a tablemeal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-

(i) the outcome of a race, competition or other event or process; or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters

or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

486 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).

487 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2). The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) Beer or cider: ½ pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures

Annex 2 - Conditions consistent with the operating Schedule

4AA The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age.

Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

4AB All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

4AC Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

4AI A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council authorised officers or the Police.

4AK That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.

276 That adequate ventilation would be installed downstairs.

288 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.

289 That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council

290 That SIA registered Door Supervisor, one of whom shall be a female, shall be employed at all times when the premises is being used for regulated entertainment and the terminal hour for licensable activities is greater than 01:00. They should be provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

298 That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'

303 That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.

308 That no new entry or re-entry to premises be permitted after 0100 except for those patrons returning from smoking.

309 That all amplified recorded and live music be played through the amplification regulated by the sound limiting device.

310 Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those leaving the premises should not be permitted to consume drinks whilst outside. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

311 That clearly legible notice shall be prominently displayed at each exit at the premises and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.

320 That a sound limiter be installed in the basement room and be set at a level by the applicants engineer in association with residents of the flats above and immediately adjoining in presence of Environmental Protection Team.

332 Children under the age of 18 are allowed on the premises at any opening times but must be accompanied by an adult after 23:00

336 That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.

340 That no regulated entertainment in the form of live or recorded music or dancing be performed in the ground floor restaurant

341 That an entrance lobby be constructed to the ground floor entrance sufficient in size to permit the outer door closing before customer enter the inner door to the ground floor and basement stairway.

342 That the door to the basement room from the passage and stairway-up be made self closing and be kept closed during performance of regulated entertainment.

343 An emergency button will be installed in toilets to call for assistance upstairs.

344 That recorded music will be kept at a reasonable level through out opening hours.

345 A 16 or 17 year old would be allowed to drink beer, wine or cider with a tablemeal provided an adult purchases the drink and accompanies them at the table meal.

346 All SIA Staff are required to record their details, including SIA Badge number, in a booking on/off register

Annex 3 - Conditions attached after a hearing by the licensing authority

8AF No open containers of alcohol or any other drink shall be taken outside of the premises.

840 Smoking shall not be permitted at the rear of the premises.

Annex 4 - Plans - Attached

Licence No. 835140

Plan No. N/A

Plan Date 11 Sept 2007

PROTECTIVE MARKING

**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:

Red Sea, 85 Camberwell Road

Post town:

Southwark

Post code:
(if known)

SE5 0EZ

Premises licence number (if known):

835140

Name of premises supervisor (if known):

Lettderhan Abraha Telfa

I am a Chief 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)

PROTECTIVE MARKING

On Sunday the 4th September 2016 at 2.45am there was a serious assault inside the premises resulting in the victim receiving injuries consistent with grievous bodily harm.

On Police arrival two suspects were pointed out by security outside the venue and had been involved in assaulting a male inside the venue. Both were arrested by officers.

The SIA security refused to give statements and did not want to supply the details to officers and have not assisted in the investigation. CCTV coverage was poor due to the camera being obstructed.

The initial investigation found that the assaults had occurred inside the premises. A male had been punched and kicked on the floor and his finger had been bitten sustaining a nasty cut to the finger. On police arrival the club was still open with a large number of people described as "worse for wear with drink". The premises licence has a terminal hour of 2.30am and all customers should be out by this time.

Police have concerns with regard to the management of the premises, the apparent lack of control and proper management of this incident. There are additional concerns as to the overall management of the premises and a serious breach of the premises licence on the night in question.

There have also been previous concerns over the compliance with the premise licence having been served a Section 19 closure notice and reported to the council for prosecution for breach of the licence on more than one occasion.

I am of the opinion that immediate action is required to prevent crime and disorder and to protect the public, the standard review procedure is not appropriate on this occasion.

Signature**Signature:****Date:**7th Sept '16.


**METROPOLITAN
POLICE**
TOTAL POLICING

Form 693

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 Police Constable Graham White 288MD

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:

Red Sea, 85 Camberwell Road

Post town:

Southwark

Post code:
(if known)

SE5 0EZ

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Lettderhan Abraha Telfa

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

835140

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 Sunday the 4th September 2016 at 2.45am there was a serious assault inside the premises resulting in the victim receiving injuries consistent with grievous bodily harm.

On Police arrival two suspects were pointed out by security outside the venue and had been involved in assaulting a male inside the venue. Both were arrested by officers and are currently on bail.

The SIA security refused to give statements and did not want to supply the details to officers and have not assisted in the investigation. CCTV coverage was poor due to the camera being obstructed. (statement from investigating officer, Crime report and CAD report attached)

The initial investigation found that the assaults had occurred inside the premises. A male had been punched and kicked on the floor and his finger had been bitten sustaining a nasty cut to the finger. The club was still open with a large number of people described as "worse for wear with drink". The premises licence has a terminal hour of 2.30am and all customers should be out by this time. (Breaching the premises Licence.)

Police have concerns with regard to the management of the premises, the apparent lack of control and proper management of this incident. There are additional concerns as to the overall management of the premises and a serious breach of the premises licence on the night in question.

There have also been previous concerns over the compliance with the premise licence having been served a Section 19 closure notice and reported to the council for prosecution for breach of the licence on more than one occasion.

On the 10th July 2016 at 03.05hrs Officers from the Police Night Time Economy (NTE) Team attended the venue and found about 70 people inside consuming alcohol and in breaches of the following conditions of the premises Licence. (statements at forms attached)

1. Opening after the terminal hour
2. No Sia - condition 290
3. No personal Licence holder - condition 336
4. Unable to provide CCTV footage immediately - condition 289

A section 19 closure notice was issued to the premises Licence holder (statement and copy attached)

On the 7th August 2016 at 02.30hrs again officers from the Police NTE team attended the venue and found the following breaches of the premises Licence. (statements attached)

1. 15-20 People drinking in breach of the terminal hour.
2. No CCTV in operation - condition 288 & 289
3. No SIA security - Condition 290
4. No Staff training records - Condition 4AB



The premises was informed and reported to Southwark Council to consider prosecuting for breaching the licence. No section 19 issued as one had already been issued on the 7th July 2016 with no action taken by the venue.

Police have objected to a recent variation application and Temporary event notices from the premises to extend the hours (copies attached)

I am of the opinion that immediate action is required to prevent crime and disorder and to protect the public, the standard review procedure is not appropriate on this occasion.

Due to the seriousness of this incident and the obvious non-compliance of the premise licence, Police are asking the licensing sub committee to suspend the premises licence with immediate effect pending a full review hearing as the management have continually breached the terminal hour and licence conditions even after being served a Sec 19 notice.

PROTECTIVE MARKING

Signature of applicant			
Signature:		Date:	7 th September 2016
Capacity:	Police Licensing Officer		
Contact details for matters concerning this application			
Surname:	White	First Names:	Graham
Address:			
Southwark police station, 323 Borough High Street			
Post town:	London	Post code:	SE1 1JL
Tel. No.:		Email:	SouthwarkLicensing@met.police.uk

Notes for guidance

- 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.
- Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Detective Constable Forbes**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Detective Constable**

This statement (consisting of: **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: **05/09/2016**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

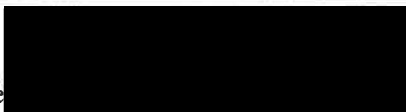
I am the above named officer, I am a serving Detective Constable currently assigned to the CID based at Walworth Police Station in the London Borough of Southwark. This statement refers to running and behaviour of security staff at the RED SEA BAR on CAMBERWELL ROAD

I am the officer in the case of a ABH level assault, whereby a male was viciously attacked causing a swollen eye and a bitten finger. I did not attend the scene but I have access to the entire case and am reliant on the crime report to make this statement.

At 0245hrs on 4th September 2016 officers attended the RED SEA BAR, 83 CAMBERWELL ROAD, SE5 0EZ responding to calls of an assault with blood at the scene. The call to police was placed by security at the venue. Police report that they arrive at 02:58hrs and at the time they arrived the club was still busy and most were very drunk. Security pointed out two males as responsible for the assault.

Of concern to me is that despite providing a positive identification of the suspects, which led to the suspects arrest and apparently having seen the fight take place, the security refused to provide details or a statement covering the disorder that had taken place in their venue. It is common practice that SIA security guards will assist police investigations as it is to the benefit of the perceived safety of their bar and for the pursuit of justice for the victim who went to their establishment.

The officer who attended informs me that the security flatly refused to give a statement and was even reluctant to provide details. This is not what I expect from a professional establishment serving alcohol in the London Borough of Southwark and I was appalled enough to report this independently to the licensing officer at Southwark. This will undoubtedly hinder my investigation.

Signature  Signature witnessed by:

Data Protection Act - Dispose Of As Confidential Waste
 PC GS WHITE 288MD 192581
 CR:3026472/16 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound
 GLU:MD

General Information

Screening Decision: IN

Main

IU: MD SOUTHWARK
 Crime Type: B H/O Crime Type: 1
 Allegation (Prefix):
 Allegation:
 Committed on/from Date: SUN 04/09/2016 02:45
 Committed to Date: SUN 04/09/2016 02:49
 Reported Date: SUN 04/09/2016 02:50
 How Notified: NP Phone Call to Police
 Restricted? By: Date:
 Restriction Reason:

Flags

MD

Borough

Branch

Service

Area (Historical)

OIC

Is OIC Same As Reporting Officer ?
 Investigating Officer's Rank: DC
 Surname: FORBES Initials: I
 Warrant Number: 232128 Div/D Number: Usual Relief: 3
 Duty: AB Borough CID
 Station/Branch: MD SOUTHWARK
 Allocated Date/Time: 04/09/2016 08:30
 Allocation Noted? Y Noted Date/Time: 04/09/2016 09:06
 BWV Noted? BWV Noted Date/Time:

Previous OIC Details

Usual Relief	Duty	Station Branch	Allocated Date/Time	Noted Date/Time	BWV Noted Date/Time
PC 230026	M DURHAM	524MD			
B	AA Borough Uniform	MD	04/09/2016 05:14	04/09/2016 05:14	

OIC Supervisor: DS/200533 JE HURST

Press

Suitable for Press? N
 Restrictions:
 Is this a Specrim? N
 Date/Time:
 Was a Firearm Used? N
 Was other Weapon Used? N
 Are there Terrorist Implications? N
 Was a Suspect present on Police arrival? Y

Data Protection Act - Dispose Of As Confidential Waste
 PC GS WHITE 288MD 192581
 CR:3026472/16 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound
 GLU:MD
Venue

Location

OMPD?

Address:

RED SEA,85,CAMBERWELL ROAD,
 LONDON,SE5 0EZ

Location Text:

nightclub

GLU: MD Local Id: MD02 Grid Ref: 532455,177195

Watch Area:

Main

Location Type(s): JE Licensed Club

Is the Venue covered by CCTV or in a CCTV Area? Y

CCTV Options: CE CCTV Not Recovered By Police

Approach:

Entry Method:

Entry Point:

Exit Point:

Security:

Person On Premises?

Other Info:

Internal Transfer

Date/Time	Transferred By	Previous GLU	Previous IU
------------------	-----------------------	---------------------	--------------------

Transfer From MPS

Transfer from Met To:-

Service:

Station:

Their Reference:

Received By:-

Rank:

Number:

Surname:

Data Protection Act - Dispose Of As Confidential Waste
PC GS WHITE 288MD 192581
CR:3026472/16 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound
GLU:MD

Details of Investigation

04/09/2016 05:57

PC 230026 524MD M DURHAM

PRIMARY INVESTIGATION DETAILS : 1 Immediate action

CAD 1330/04Sep16 refers. Attended by crews of M1N - PC GARVEY 785MD / PC DOOREY 701MD - and MD22N - PC DURHAM 524MD / PC MILLER 632MD

Account from VIW1:

VIW1 arrived at the location, the nightclub RED SEA, 85 CAMBERWELL ROAD, LONDON SE5, at around 0030 hours. He shared a bottle of whisky with five friends. The club is in a basement accessed by a set of stairs, there is then a short corridor with the main room on the left and a toilet/bathroom straight ahead.

While at the club VIW1 became aware of a male (SUSP1) that was repeatedly harassing a woman also present. He approached this male in the hallway of the club and told him to stop.

Suddenly without warning **SUSP1 hit VIW twice with a closed fist in his left eye**, causing it to bruise and swell. SUSP2 (believed to be SUSP1's brother) then got involved in the melee and bit VIW's finger, causing it to bleed. VIW fell to the floor and felt himself get kicked a few times. It is unknown how the melee broke up. One of the security officers at the club (W2) phoned police.

On police arrival SUSP1 and SUSP2 were outside and were pointed out by the security officer as having been involved in a fight; both were detained and handcuffed.

VIW was found cleaning himself up in the club toilet. **He had a nasty cut to his finger** and was brought outside to ambulance LAS N334. Due to the cut being from a human bite he was conveyed to ST THOMAS HOSPITAL due to the high risk of infection. While there an MG11 and Form 172 were completed with him in a 124D. VIW states in his MG11 that the two males he saw detained by police outside in the street (SUSP1 and SUSP2)

Data Protection Act - Dispose Of As Confidential Waste
 PC GS WHITE 288MD 192581
 CR:3026472/16 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound
 GLU:MD

Details of Investigation

04/09/2016 05:57

PC 230026 524MD M DURHAM

PRIMARY INVESTIGATION DETAILS : 1 Immediate action
 were the same two that had attacked him. A photo was taken of the injury to VIW's eye which will be exhibited on an MG11 as MPD/1, however the bite wound had already been dressed by LAS.

SUSP1 and SUSP2 were arrested by PCs 785MD and 701MD respectively at 0400 hours for ABH, making no reply to caution.

The CCTV at the club has been viewed by 785MD and is inconclusive; **the main camera covering the hallway from the top of the stairs is mostly obscured by the sloping roof** and as such only shows very small parts of the melee, without being clear as to who is fighting and who is trying to break it up. It has not been seized by police.

Despite the large number of people in the club, nobody wanted to assist police in giving a statement. Most present were worse for wear with drink. W2, the security officer who called police, flatly refused to give a statement and was even reluctant to provide details.

PRIMARY INVESTIGATION DETAILS : 2 Scene

PRIMARY INVESTIGATION DETAILS : 3 Forensics

PRIMARY INVESTIGATION DETAILS : 4 Victims/Witnesses

PRIMARY INVESTIGATION DETAILS : 5 Suspects

PRIMARY INVESTIGATION DETAILS : 6 Other evidence

04/09/2016 05:58

PC 230026 524MD M DURHAM

*****HOT RISK ASSESSMENT*****

*****If Yes to any of these questions detail required on Dets*****

VICTIM

Clear risk of further offending against victim. NO

Data Protection Act - Dispose Of As Confidential Waste
PC GS WHITE 288MD 192581
CR:3026472/16 CrType:B Notifiable/MPS/Other:N-1 Status:U Press:N Class:S/GBH/Wound
GLU:MD

Details of Investigation

04/09/2016 18:01

TDC 204895 537MD BS DE LIMA

finger in my mouth and pulled my face, so I bit him in self defence, so he'd take his finger back out.

Victim's statement read out and all the other questions asked he made no comment.

04/09/2016 18:36

TDC 204895 537MD BS DE LIMA

xx BTR- 8/11/16 @17:00 hours

xx- 8/11/16 @18:00 hours

04/09/2016 20:51

PC 230643 T WALKER

Screened In

04/09/2016 20:51

PC 230643 T WALKER

Classification confirmed

PRINTED AT 10:23 05:SEP:16 white 288md

192581

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 1330:04SEP16

INCIDENT No. 1330 entered at 02:50 on 04SEP16 by CHS/CHS in CCC/IR

INCIDENT IS "PRIORITY"
INCIDENT WAS ENTERED "EXTERNALLY"
INCIDENT IS "TAGGED"

Rec By :E (Emergency)
 Call Tel :
 Call Name:SECURITY OFFICER
 Call Type:W (Witness)
 Call Mail:
 Cntct Tel:
 Att Lochn :85 CAMBERWELL ROAD:ROXY
 Map :Page 162, Grid Reference 532455,177195
 GPA :MC [Division: MD:LX]
 Inc Lochn :85 CAMBERWELL ROAD:ROXY
 Map :Page 162, Grid Reference 532455,177195
 GPA :MC [Division: MD:LX]
 Call Lochn:85 CAMBERWELL ROAD:ROXY
 Map :Page 162, Grid Reference 532455,177195
 GPA :MC [Division: MD:LX]
 Opening 1:001 (Violence Against The Person)
 Open Text:
 Urgency :I (Immediate)
 VRMs :
 Proposal :(BOCU at 02:52/04SEP16):
 MD21L MD26N OS331L MD20L MD81N MD84N MD86L MC91L 995MD 435MD
 Assigned :
 DeAssign :M1N, MD22N, MD14N, MD80N, M2N, MD20N
 TOA :02:58:19/04SEP16
 DO Name :
 DO Tel :
 CRIS :3026472/16
 Class 1 :001 (Violence Against The Person)
 Qual 1 :701 (Assistance Requested / Rendered)
 Res 1 :700 (Detain / Detained)
 2 :710 (CRIS Entry/Updated)
 Clo Text :
 O Dealing:
 Metops :
 CHS Demid:20160904026269

 Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
 NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

PRINTED AT 10:23 05:SEP:16 white 288md

192581

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 1330:04SEP16

Phone Field : (For previous Incidents from this phone use
action:PHD or PHL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident and Caller Location **

CAMBERWELL RD,SE5 (1 - 91)
ALL PROPERTY IN SE5
MB:1 -181 ODD & 2-24 EVEN REMAINDER MC
77 CAMBERWELL RD: 'WHITE HALL CLOTHIERS' - *SITE HAZARD* THESE PREMISES
HAVE A
FRAGILE ROOF AND OTHER SITE HAZARD(S)

Remarks:

Time Date Opid Termid

04SEP16 CHS CHS (pre 1st routing)
CREATED IN: CHS AT: 2016-09-04 02:50:59 CAD AT: 2016-09-04
02:52:38

=====

ENTERED BY: CHS (c723207) AT: 2016-09-04 02:52:38
FIGHT IN CLUB. BLOOD THERE AS WELL.

02:52:55 04SEP16 CHS
ENTERED BY: CHS (c723207) AT: 2016-09-04 02:52:55
NO WEAPONS SEEN

02:53:22 04SEP16 218945 L3105
^MD - PR CIRCS.

02:57:28 04SEP16 008684 L3095
^CCTV....I WILL TAKE A LOOK

02:58:25 04SEP16 CHS
LAS^MPS
Organisation:LONDON AMBULANCE SERVICE
Assistance:AMBULANCE
Location:
Mapref:162/532455,177195
85 CAMBERWELL ROAD;ROXY
Location Sent As:
85 CAMBERWELL ROAD ";ROXY"
MPS Contact :MD
Number :SEE FILE
Caller:SECURITY OFFICER
Number:~~0000 100 9000~~
Unit: Assigned:Y (Y/N) On Scene:Y (Y/N) Attending:Y (Y/N/U) ETA:

Mins

Patient Contact Number: N/A PR Radio Number:

N/A

Casualty 1 Chief Complaint: MULTIPLE VICTIMS OF FIGHT *

PRINTED AT 10:23 05:SEP:16 white 288md

192581

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 1330:04SEP16

Time Date Opid Termid

(Y/N/U) Severe Bleeding:N (Y/N/U) Conscious:Y (Y/N/U) Breathing:Y

(U)nknown Chest Pain:U (Y/N/U) Shot/Stabbed:N (Y/N/U) (Y)es (N)o

Casualty 2 Chief Complaint:MULTIPLE VICTIMS OF FIGHT.

(M/F/U) Approx Age: 25 :Y (Y)ears (M)onths (W)eeks (D)ays Sex:M

(Y/N/U) Severe Bleeding:N (Y/N/U) Conscious:N (Y/N/U) Breathing:Y

(U)nknown Chest Pain:U (Y/N/U) Shot/Stabbed:U (Y/N/U) (Y)es (N)o

Casualty 3 Chief Complaint:MULTIPLE VICTIMS OF FIGHT.

(M/F/U) Approx Age: 25 :Y (Y)ears (M)onths (W)eeks (D)ays Sex:U

(Y/N/U) Severe Bleeding:U (Y/N/U) Conscious:U (Y/N/U) Breathing:U

(U)nknown Chest Pain:U (Y/N/U) Shot/Stabbed:U (Y/N/U) (Y)es (N)o

Remarks :
MULTIPLE VICTIMS OF FIGHT.

02:58:27 04SEP16 LAS

MPS^LAS MESSAGE PROCESSED SUCCESSFULLY - REF:LAS/541/04092016

02:58:50 04SEP16 CHS

ENTERED BY: CHS (c723207) AT: 2016-09-04 02:58:50

INFM CLEARED THE LINE. POL APPEAR TO BE ON SCENE

02:58:52 04SEP16 LAS

MPS^LAS Reference: LAS/541/04092016

Organisation:LAS

Action :POLICE

REMARKS :

METROPOLITAN POLICE: POLICE requested for OTHER - FULL DETAILS

BELOW

,ARE POLICE ONS? LAS ON WAY

02:58:54 04SEP16 CHS

ENTERED BY: CHS (c723207) AT: 2016-09-04 02:58:54

CHS REF NOT TAKEN BY CALLER

03:00:10 04SEP16 LAS

MPS^LAS Reference: LAS/541/04092016

Organisation:LAS

Action :POLICE

REMARKS :

METROPOLITAN POLICE: POLICE requested for ETA REQUIRED - PLEASE

SEND

UPDATE ,WE WILL WAIT NEARBY - PLEASE ADVISE WHEN ONS

03:01:37 04SEP16 218945 L3105

LAS^MPS

Organisation:LONDON AMBULANCE SERVICE

Action :INFORMATION

PRINTED AT 10:23 05:SEP:16 white 288md

192581

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 1330:04SEP16

Time	Date	Opid	Termid
03:01:53	04SEP16	LAS	

MPS^LAS
 Organisation:LAS
 Action :POLICE
 REMARKS :
 METROPOLITAN POLICE: POLICE requested for OTHER - FULL DETAILS

Reference: LAS/541/04092016

BELOW

,THANK YOU - LAS JUST ARRIVING NOW

03:06:35	04SEP16	008684	L3095
----------	---------	--------	-------

^446MD....SHOW MD20N MAKING WAY TO LOCN

03:08:27	04SEP16	008684	L3095
----------	---------	--------	-------

&785MD...LOOKS LIKE WE MAY 2 OR MORE MALES COMING IN FOR ASSUALT/AFFRAY. WILL UPDATE SHORTLY

03:15:05	04SEP16	008684	L3095
----------	---------	--------	-------

^785MD....ONE OF THE MALES HAS BEEN COMPLAINING THAT HE HAS BEEN

HIT OVER THE HEAD WITH A BOTTLE ALTHOUGH HE HAS NO OBVIOUS INJURY.

LAS HAVE REQUESTED A SECOND LAS TO THIS LOCN VIA THEIR CONTROL

03:16:44	04SEP16	008684	L3095
----------	---------	--------	-------

^524MD....GOING WITH VIC IN LAS N334. MALE HAS BITE TO RIGHT FINGER/HAND. NOT LIFE THREATENING OR CHANGING

03:16:59	04SEP16	008684	L3095
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^524MD--->ST THOMAS HOSP

03:18:25	04SEP16	008684	L3095
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^632MD...CHECKING CCTV WITH SECURITY AT LOCN

03:42:26	04SEP16	218945	L3105
----------	---------	--------	-------

^524MD - TOA ST THOMAS.

03:54:41	04SEP16	008684	L3095
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^785MD.....SPACE PLS 2 X ADULT MALE ABH ARREST BY MYSELF AND

03:56:02	04SEP16	008684	L3095
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^MD....CELLS 24 AND 25 BOOKED

05:24:21	04SEP16	218945	L3105
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^701MD - CRIS REPRT BY ME.

05:25:09	04SEP16	230026	
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ENTERED BY: CRIS (p230026) AT: 2016-09-04 05:25:07

^524MD for cris 008/06 ABH & Minor Wounding

Previous Actions:

Time	Date	Opid	Termid	ACTION
02:52:38	04SEP16	CHS	CCC:CCL	SYSTEM(EXTERNAL) O() 001:VIOLENCE AGAINST THE PERSON PI
"	"	"	"	

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

Date of the Closure Notice: 10/07/16 Time Served: 0315

Authority issuing Notice: Metropolitan Police Service

Name and rank of person making the notice: PC Maria A Mahoney 321MD

Signature: PC Maria A Mahoney 321MD

Name (if applicable) and address of the affected premises:
Red Sea Restaurant - 45 Cambewell Road
SE5 0E2

Alleged unauthorised use of the premises (section 19 (6)(a))

The officer serving this notice is satisfied that the above premises are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of the premises. The specific details of the alleged use are:

Bar open past it's authorised hours
290 - No sign door staff 289 CCTV not readily available
336 - No personal licence holder on premises

Grounds upon which the person serving the Notice was satisfied of the existence of such unauthorised use:

Premises had about 30 customers staff behind the bar music playing No sign door staff No one able to operate CCTV

Steps that may be taken to end the alleged unauthorised use of the premises, or to prevent it from re-occurring (section 19 (6) (c))

Manager - Daniel Tesraldet advised of breach and how to prevent it from re-occurring

Third party consideration (section 19.4)

Are there any other persons occupying the premises who need to be informed of this notice?

Yes/No (details) NO

If yes they must be issued with a copy of this form

Effect of section 20, Application for closure order.

A failure to take remedial action to prevent further or continued unauthorised use may lead to an application being made to a Magistrates court for a closure order under section 21 Criminal Justice and Police Act 2001.

The Person (if applicable) on whom the closure notice has been served:

Name Daniel Tesraldet, Tekie

Signature 

Date 10-7-16

**METROPOLITAN
POLICE**

Book 694


Police Copy

Notification of alleged offences under the Licensing Act 2003Venue Name: RED SEA REF: (CAD/CRIS etc.) N/AAddress: 85 CAMBERWELL RD, LONDON, SE5 0E2Date: 10/07/16 Time: 03:17Details of person in charge at the relevant time: DANIEL TESFALDET TEKIE -NOT THE PERSONAL LICENCE HOLDER OR OPS DPS Personal Licence Holder **Summary of alleged offences identified**

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No)
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No)
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No)
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

VENUE OPEN PASSED ITS OPENING TIMES LICENCED.
NO SIA - BREACH OF LICENCE.

Issuing officer: S. MOHAMMED VERA 5313 MD Print: S. MOHAMMED VERA 5313 MDI acknowledge receipt of this form: (venue) 

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001

WITNESS STATEMENT

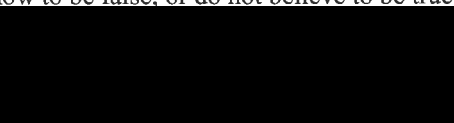
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Keith Dempster**..... URN:

--	--	--	--

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.


Signature:  Date: **12/7/2016** of 6

Tick if witness evidence is visually recorded (supply witness details on rear)

On SUNDAY 10th JULY 2016, I was on duty in full uniform in the company of PC 321MD O'Mahoney and two members of the Special Constabulary, patrolling in a marked police vehicle. I am the Sergeant of the Night Time Economy Team (NTE), and as part of my duties, I visit licensed premises on the borough, for compliance and for people to enjoy the Night Time Economy in Southwark in a safe environment.

At approximately 0305 hours, as we patrolled in CAMBERWELL ROAD SE5, I noticed a group of about 15 persons outside RED SEA Restaurant. I was aware this premises had a premises licence until 0230 hours, at which time it should be closed. I could see no SIA door supervisors dispersing people, so decided to visit the premises. PC O'Mahoney parked the vehicle close by in ALBANY ROAD SE5 and we walked to the venue. As I walked through the door to the premises, I could hear loud music and there were a number of people on the stairs to the basement. This premises has a ground floor restaurant, and a basement area where there is a club licensed for regulated entertainment and alcohol. I walked downstairs and opened the door to the club area. I was surprised to see approximately 50 persons in the area drinking bottles of alcohol. I walked o the bar area, and could see a male behind the bar, and a number of people standing and sitting at the bar, some had drinks. The male identified himself as Daniel TEKIE, and said he was the person in charge of the premises. He said he was closed at 0300, but as the lights were dimmed and music playing loudly I could see that was not the case. I asked Mr TEKIE if there was a quieter area to speak, and we went upstairs to the restaurant area that was closed. I established there was no Temporary Event Notice applied for. I asked Mr TEKIE if he was the DPS, and he replied No, he was unwell and so he was managing the club. He showed me a written authorisation from DPS Lettderhan Abraha TELFA to sell alcohol.

I decided to go through the premises licence with Mr TEKIE, and asked if he had a copy. He could not find one. I found a digital copy online from the Southwark Council website, which has all licences on the website. In addition to being open past closing time, other breaches of the licence were identified. I had noticed there were no SIA door supervisors, and asked Mr TEKIE where his security staff were. He said he had none tonight, as it was a

Signature:  Signature witnessed by:

Continuation of Statement of Keith Dempster.....

community event. This was a breach of Condition 290 that says;

That SIA registered door supervisors, one of whom shall be a female, shall be employed at all times when the premises is being used for regulated entertainment and the terminal hour for licensable activities is greater than 0100. They should be provided with hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded

There is a requirement for the premises to have CCTV, and although CCTV appeared to be working, Mr TEKIE was unable to show me any footage of this, and is a breach of Condition 289;

That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council

There is a condition that a personal licence holder is on the premises and on duty at all times that intoxicating liquor is supplied. I asked Mr TEKIE if he had a personal licence. He showed me a summary of the premises licence. I asked him again and he said No. I asked if there was anybody on the premises now, that he believed had a personal licence, to which he said No. This is breach of Condition 336;

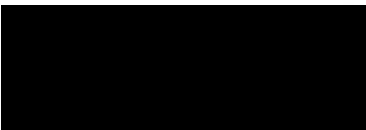
That a personal licence holder is on premises and on duty at all times that intoxicating liquor is supplied.

I did not ask any further questions in regards to the premises, as Mr TEKIE appeared confused of the conditions. PC O'MAHONEY who was present with me, decided to issue Mr TEKIE with a Section 19 Criminal Justice and Police Act 2001 Closure Notice, for the breaches. This was explained to Mr TEKIE by PC O'MAHONEY and a guidance was given to him. A notification of alleged offences under the Licensing Act 2003 was also issued for Section 57(7) Failure to produce a premises licence or certified copy; Section 135(4) Failure to produce a personal licence to a police officer and Section 136(1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on.

Mr TEKIE signed in receipt of these.

The police then left the premises, and continued patrolling the borough



Signature:  25/11/6 m

Signature witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC Maria O'MAHONEY 321MD

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Witness Signature:

[Redacted Signature]

321MD

Date: 11/08/16

On Sunday the 7th August 2016 at approximately 0230 hours I was on duty in plain clothes in the company of Special Constable DOBOS 5386MD and Southwark Council Licencing Officer Alex LISOWSKI. I am a Police Officer on the Night Time Economy Team Southwark and as part of my duties, I visit licensed premises on the borough to check for compliance. We were in an unmarked car patrolling along CAMBERWELL ROAD when my attention was drawn to the RED SEA RESTAURANT 85 CAMBERWELL ROAD SE5 0EZ. I could clearly see there were about five to six males standing outside chatting and smoking. We parked up and as I approached the venue I could see that the lights were on inside and there appeared to be a number of people inside. When I entered the premises I could see about 15 to 20 people sitting at various tables with drinks in front of them.

I walked over to the bar where there was a female standing behind it who I now know to be Lettderhan Abraha TELFA the Designated Premises Supervisor. I introduced myself to Ms TELFA showing her my warrant card. Also behind the bar was Daniel Tesfoldet TEKIE. Mr TEKIE was managing the premises the last time I visited on the 10th July 2016. On that occasion I had issued him with a Section 19 Criminal Justice and Police Act 2001 – Closure Notice. I served this to Mr TEKIE along with guidance notes and advice on how to prevent further breaches. The breaches of the licence conditions were that the bar was still open at 0305 hours with about 70 customers in the premises. The venue only has a licence until 0230 hours. There were no SIA supervisors on the door despite them having a community event. This was in breach of condition 290. There was no one able to operate the CCTV. This was a breach of condition 289. There was no Personal Licence holder on the premises. This was in breach of condition 336.

Ms TELFA was asked if she could operate the CCTV to show that it was now working. Ms TELFA explained that there was no CCTV because the person who was to install it was away on holiday at the moment. She then showed me a box and said that it contained the CCTV to be installed.

She had again breached condition 288 - That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times.

Ms TELFA was asked if she had any SIA registered door supervisors working. She said that she had a community event down stairs and that they had all left the premises and that she did not think she needed SIA registered door supervisors for these occasions.

This was a breach of condition 290 - That SIA registered Door Supervisor, one of whom shall be a female, shall be employed at all times when the premises is being used for

Witness Signature:

[Redacted Signature]

321MD

Signature Witnessed by Signature:

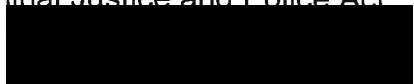
Continuation of Statement of:

regulated entertainment and the terminal hour for licensable activities is greater than 01:00. They should be provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

Ms TELFA was then asked about a staff training book she then handed over a note book which was blank and had nothing written on it. When I pointed out that there was nothing written in it Ms TELFA did not appear to understand what I was saying.

Ms TELFA appeared to struggle with understanding English and was asking Daniel Tesfoldet TEKIE to translate.

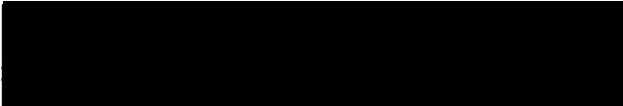
It was explained to Ms TELFA that she was going to be reported to Southwark Council for them to consider prosecution for the continuing breaches of her licence conditions as she had already been issued with a Section 19 – Closure Notice Criminal Justice and Police Act 2001 on the 10/07/2016 and no remedial action had been taken.



321

[A large, faint, handwritten signature or scribble that spans across the middle of the page, starting from the bottom left and extending towards the top right.]

Witness Signature



321 my

Signature Witnessed by Signature:.....



The Licensing Unit
 Floor 3
 160 Tooley Street
 London
 SE1 2QH

Metropolitan Police Service
Licensing Office
 Southwark Police Station,
 323 Borough High Street,
 LONDON,
 SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/2861/16

Date: 01st Sept 2016

Re:- Red Sea , 85 Camberwell Road London SE5 0EZ

Dear Sir/Madam

Police are in receipt of an application from the above for a Temporary Event Notice on the 10th September 2016 for the following hours

0100hours to 0530hours

Police object to the granting of the notice and ask a counter notice be issued.

On the 10th July 2016 at 0305hours Police officers from the Night Time Economy Team attended the venue and Officers found about 70 people inside consuming alcohol, staff behind the bar, and music being played.

A Notice of alleged offences and a Section 19 Closure Notice under the Criminal Justice and Police Act 2001 were issued for the following condition breaches, Operating after the terminal hours, No SIA Security and No Personal Licence holder on the premises, No person able to operate the cctv system.

On the 7th August 2016 at 0230hours Police Officers from the NTE Team attended the venue and found about 15 to 20 people drinking, the following Licence condition breaches, No cctv was in operation, No person able to operate a cctv system, No SIA security, No staff training records. This was reported to the council for consideration to prosecute. No section 19 was issued on this occasion as one had been issued previously for similar breaches.

The management have shown a disregard to their current Licence conditions and relevant operating times. Allowing this event to take place would negate the conditions placed on the licence and allow them to operate unrestricted and any guarantee by the premises to comply could not be relied upon due to the incident above

The Following is submitted for your consideration

Yours Sincerely

Pc Mark Lynch 246MD



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

**Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL**

Tel: 020 7232 6756
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/ 2845/16

Date: 8th August 2016

Re:- Red Sea, 85 Camberwell Road, London SE5 0EZ

Dear Sir/Madam

Police are in receipt of an application from the above for a Temporary event Notice for the following hour's 01:00 to 05:30 hrs on the 13th August 2016

Police object to the granting of the notice and ask a counter notice be issued.

On the 10th July 2016 at 03.05hrs Officers from the Police night Time economy team attended the venue and a Notice of alleged Offences and a Section 19 Closure Notice under the Criminal Justice and Police Act 2001 were issued, for operating after the terminal hour, No SIA security and No personal Licence holder on the premises. Officers found about 70 people inside staff behind the bar and music being played. (Copies attached)

The management have shown a disregard to the current Licence conditions and relevant times. Allowing the event would negate the conditions placed on the licence and allow them to operate unrestricted and any guarantee by the premise to comply could not be relied on due to the incident above.

The Following is submitted for your consideration.

Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit



The Licensing Unit
 Floor 3
 160 Tooley Street
 London
 SE1 2QH

**Metropolitan Police Service
 Licensing Office**
 Southwark Police Station,
 323 Borough High Street,
 LONDON,
 SE1 1JL

Tel: 020 7232 6756
 Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/ 2845/16

Date: 4th August 2016

Re:- Red Sea, 85 Camberwell Road, London SE5 0EZ

Dear Sir/Madam

Police are in receipt of an application from the above for a variation to the premises licence to be granted under the licensing act 2003 for the following hours

Premises open to the public 08:00 to 01:00 Sun - Thurs
 08:00 to 02:30 Fri
 08:00 to 05:30 Sat

Sale of alcohol 08:00 to 01:00 Sun - Thurs
 08:00 to 02:30 Fri
 08:00 to 05:30 Sat

Late Night Refreshments 23:00 to 01:00 Sun - Thurs
 23:00 to 02:30 Fri
 23:00 to 05:30 Sat

Live and recorded Music 20:00 to 01:00 Sun - Thurs
 20:00 to 02:30 Fri
 20:00 to 05:30 Sat

The operating schedule indicates that this is for restaurant & bar, the venue is situated in a residential area as designated by the Southwark Council Licensing Policy. The current hours are outside of the policy and the application does not contain control measures to sufficiently restrict the operation to this specific manner or allow time for customer dispersal.

The latest terminal hour under the current policy would be 23.00hrs for a restaurant or bar and a night club which the premises already operates in the basement would not be considered appropriate.

On the 10th July 2016 at 03.05hrs Officers from the Police night Time economy team attended the venue and a Notice of alleged Offences and a Section 19 Closure Notice under the Criminal Justice and Police Act 2001 were issued, for operating after the terminal hour, No SIA security and No personal Licence holder on the premises. Officers found about 70 people inside staff behind the bar and music being played. (Copies attached)

The police object to the granting of the application in full as the management have shown a disregard to the current Licence conditions and the application falls outside the hours set out in the policy. The current licence already has a stipulation relating to 696 risk assessments and according to police records the venue has never submitted any.

The Licensing Sub-Committee has discretion around the policy however the police do not think that this is suitable in the case for the reasons set out above. However if the committee does grant an extension to the hours we would like to see a change to the CCTV condition, ID scan in operation at the premises, as we feel it should be operating under the hours already granted and are already operating as a night club.

The Following is submitted for your consideration.

Yours Sincerely

PC Graham White 288MD
Southwark Police Licensing Unit

APPENDIX C

No.	TEN no.	Start date	End date	Start and end time of event	Max number of people permitted at event	Sale of Alcohol?	Entertainment?	Late Night Refreshment?	Premises User	Objection notice?	Counter Notice / rejected?
1	831107	31/12/2009	31/12/2009	01:00 - 04:00	40	Yes	Yes	Yes	Ms Zege Abraha	No	
2	833706	24/12/2010	25/12/2010	18:00 - 04:00	499	Yes	Yes	Yes	Letteberhan Tafla	No	
3	833754	30/07/2011	31/07/2011	18:00 - 04:00	50	Yes	Yes	Yes	Letteberhan Tafla	No	
4	835518	10/09/2011	11/09/2011	18:00 - 04:00	50	Yes	Yes	Yes	Letteberhan Tafla	No	
5	839353	20/10/2012	21/10/2012	18:00 - 04:00	50	Yes	Yes	Yes	Letteberhan Tafla	No	
6	840044	22/12/2012	23/12/2012	20:00 - 04:00	50	Yes	Yes	Yes	Henrietta Cole	No	Rejected: Late
7	840045	22/12/2012	23/12/2012	20:00 - 04:00	50	Yes	Yes	Yes	Henrietta Cole	No	
8	840046	29/12/2012	01/01/2013	20:00 - 04:00	200	Yes	No	Yes	Henrietta Cole	No	
9	841969	26/07/2013	28/07/2013	21:00 - 04:30	200	Yes	Yes	Yes	Henrietta Cole	No	
10	842551	12/09/2013	14/09/2013	20:00 - 04:00	50	Yes	Yes	Yes	Letteberhan Tafla	No	
11	842876	04/10/2013	05/10/2013	21:00 - 04:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
12	842918	12/10/2013	12/10/2013	02:30 - 05:30	200	Yes	No	Yes	Henrietta Cole	No	
13	843133	16/11/2013	16/11/2013	02:30 - 05:30	200	Yes	No	Yes	Henrietta Cole	No	
14	843134	30/11/2013	30/11/2013	02:30 - 05:30	200	Yes	No	Yes	Henrietta Cole	No	
15	843578	31/12/2013	01/01/2014	20:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
16	843678	24/12/2013	14/12/2013	12:30 - 05:30	200	Yes	No	Yes	Henrietta Cole	No	
17	843679	04/01/2014	04/01/2014	12:30 - 05:30	200	Yes	No	Yes	Henrietta Cole	No	
18	843681	11/01/2014	11/01/2014	12:30 - 05:30	200	Yes	No	Yes	Henrietta Cole	No	
19	843682	25/01/2014	25/01/2014	12:30 - 05:30	200	Yes	No	Yes	Henrietta Cole	No	
20	844025	16/02/2014	16/02/2014	02:30 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
21	844077	16/02/2014	16/02/2014	02:30 - 05:30	50	Yes	Yes	Yes	Henrietta Cole	No	
22	844527	21/04/2014	21/04/2014	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
23	845980	13/09/2014	13/09/2014	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
24	846001	27/09/2014	27/09/2014	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
25	848600	06/06/2015	07/06/2015	22:00 - 04:00	50	Yes	Yes	Yes	Letteberhan Tafla	No	
26	851941	01/05/2016	02/05/2016	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
27	852209	21/05/2016	22/05/2016	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
28	854739	23/07/2016	24/07/2016	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	Rejected: Late
29	855115	13/08/2016	13/08/2016	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	Yes, by police	Yes, rejected
30	855196	27/08/2016	27/08/2016	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Tafla	No	
31	855385	03/09/2016	03/09/2016	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Abraha Tafla	No	
32	855462	10/09/2016	10/09/2016	01:00 - 05:30	50	Yes	Yes	Yes	Letteberhan Abraha Tafla	Yes, by police	Yes, rejected

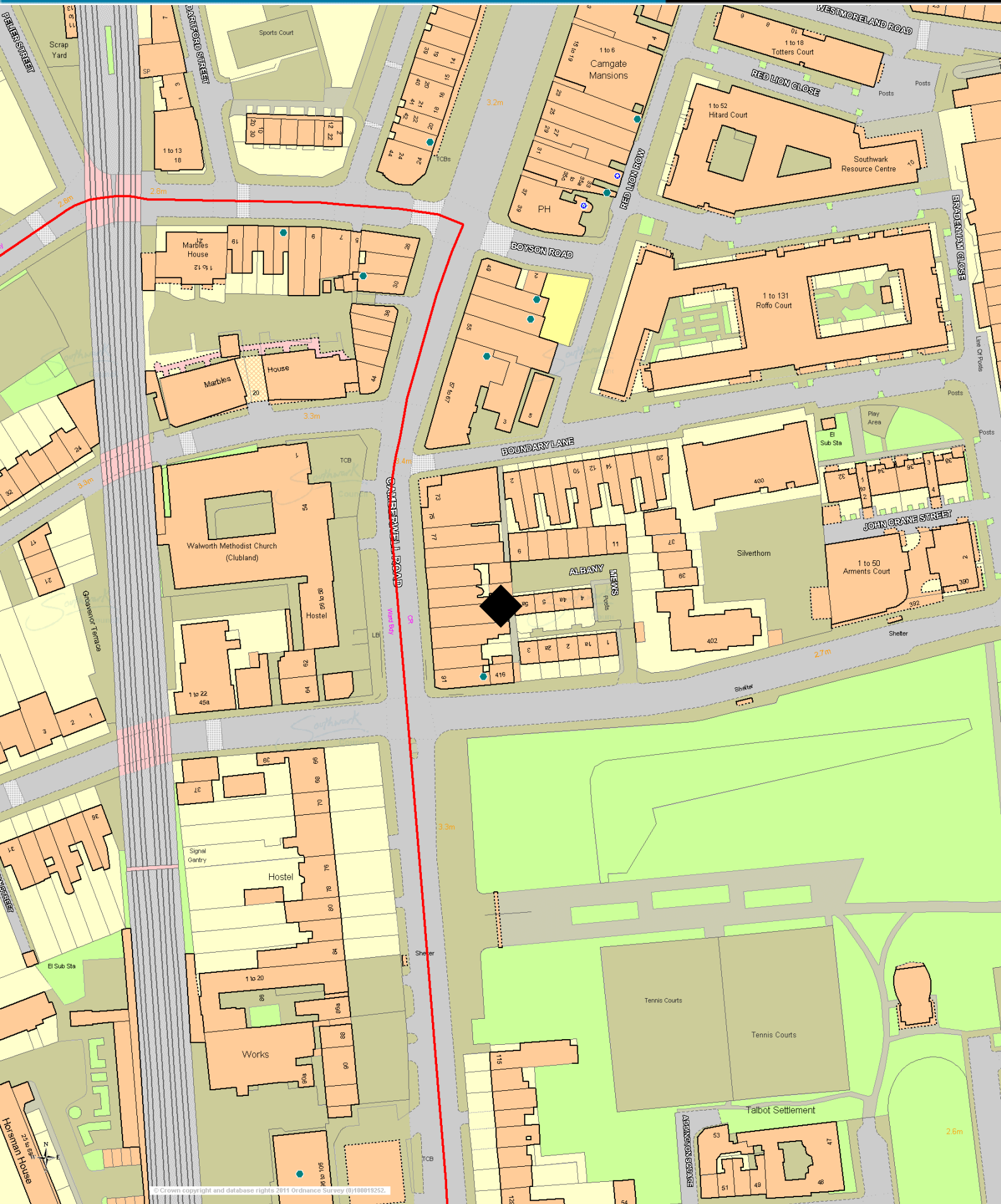
APPENDIX D

Number	Date of visit	Time of visit	Officer	Notes
1	02/11/2013	02:52	Wesley McArthur	Visit to ensure premises are shut on time. Premises shut ATOV.
2	30/11/2013	20:58	Kristie Ashenden	Food Safety revisit for EEM
3	13/12/2013	03:31	Richard Kalu	Premises visited on NTE on the 13/12/13 premises were closed. No issues noted in relation to the operation of the premises.
4	21/12/2013	00:35	Richard Kalu	NTE visit to the premises at 00:35 on the 21/12/13. No issues of concern noted premises were closed.
5	28/12/2013	02:00	Mark Orton	Some noise breakout from premises, did not appear to be busy.
6	10/01/2014	02:07	Richard Kalu	Premises were operating under a TEN. No issues of concern were noted in relation to general compliance. Spoke to the manager of the premises who at the time of the visit was Stella from Sierra Spot. Advised Stella that although they had a TEN in place they still needed to be mindful of the hours of operation which still needed to be in accordance with the TEN.
7	10/01/2014	03:00	Richard Kalu	NTE visit / general observation of premises. 3 people at the front of the premises smoking. No noise breakout from premises, music levels appear to be contained within the premises. No issues noted in relation to general compliance.
8	07/02/2014	02:45	Richard Kalu	Premises closed at time of visit.
9	21/02/2014	20:25	Sarah Newman	Premises open but quiet
10	22/02/2014	02:07	Richard Kalu	Closed at time of visit.
11	22/02/2014	02:07	Sarah Newman	Premises closed
12	22/02/2014	23:29	Sarah Newman	Premises open but quiet
13	23/02/2014	00:37	Richard Kalu	Premises closed at time of visit.
14	16/03/2014	02:10	Richard Kalu	Closed at time of visit. No issues noted at premises or surrounding area.
15	05/04/2014	01:00	Richard Kalu	Premises were closed at the time of visit.
16	06/04/2014	00:50	Richard Kalu	Premises were open 6 people within the premises. Noted that 2 patrons within the premises appeared to being ejected. Observed no issues patrons left the premises and proceeded to walk away from the premises without issue.

17	15/07/2016	21:00	Richard Kalu	Visit to premises with Farhad Chowdhury to complete full licensing inspection. Entered the premises and there were X6 males sat at a table eating. No alcohol was being consumed. Identified myself to staff and the PLH / DPS Letteberhan Abraha [REDACTED] came out from the kitchen to speak to myself and Farhad. Advised that she had taken back control of her premises after some time out the country and reports that the premises was being badly managed. English was not the first language of the PLH / DPS. Was advised that she has not run the premises for some time and confirmed that a section 19 had been served and it was apparent that it was more largely due to her being confused about her operating hours. I went through the hours of the licence with her and conditions detailed on her premises licence. I gave advice in relation to the potential of a review or prosecution. I have advised her that I am more than happy to complete a full licensing induction with her and would contact her to arrange a suitable time. She has confirmed that she will be using the basement part of the premises until she has completed the licensing induction as a result of my inspection I confirmed at present that would not be compliant if they opened the basement and used it as a club / cultural meeting point for members of the Ethiopian community. She has confirmed that only the restaurant will be operational until they could be fully compliant in regards to the licence conditions focusing specifically on the basement operation. Action: Licensing induction to be completed with PLH / DPS.
18	07/08/2016	01:55	Alex Lisowski	On Sunday, 7th August, 2106, I was on duty with the NTE Police. We visited the venue at 01.55am. The premises licence holder, Letteberhan Abraha Tafla, was present. I asked her to show me the CCTV footage for 10pm on Friday, 5th August, 2016. She wasn't able to do so. No one else at the venue was able to operate the CCTV. I asked her to show me the staff training records for Challenge 25. She wasn't able to do so. I asked her to show me the refusals register. She showed me an empty notebook. There were no entries in it and it wasn't marked as the refusals register. She was advised about the conditions of the licence at the time.
19	30/07/2016	02:20	Richard Kalu	Visit to premises with Clarissa to undertake a notice check. Shutters of premises down and notice not on display to members of the public.

20	12/08/2016	19:55	Richard Kalu	Visit to premises with Sarah Newman to complete a blue site notice check & full inspection. Inspection was completed with Letteberhan Abraha Tafla. Premises were found to be compliant in regards to the inspection. Premises licence holder advised us that she will be installing a sound limiter in the basement of the premises next week. We were advised that the basement is not currently in use and will not be in use until the sound limiter is installed in the basement. Sarah Newman asked that when the sound limiter was installed to notify EPT so that they could come and inspect the sound limiter that had been installed. No concerns in relation to the operation of the premises were noted in regards to compliance with conditions on the premises licence.
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Date 7/9/2016



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