

ERICO ENTERTAINMENT LIMITED

Appellant

-v-

LONDON BOROUGH OF SOUTHWARK

Respondent

SKELETON ARGUMENT ON BEHALF OF THE APPLICANT

1. The LSC will hear three applications on 8th August 2024:
 - i) Application for transfer of the premises licence
 - ii) Application for variation of the DPS
 - iii) Application to lift the interim step suspension
2. The applicant apologises for the late service of documentation and hopes that the LSC and responsible authorities have had sufficient time to scrutinise it. Eric Doe has encountered severe financial difficulties since his licence was revoked and the premises closed. Without an income stream from the Club he was unable (until recently) to place the landlord's solicitors, as well as his own, in funds.

Background

3. On the 8th February 2024 the Licensing Sub-Committee (“LSC”) of the respondent council heard and determined an application for review in respect of the premises licence for premises known as Club 701 situated at 516 Old Kent Road, SE1 5BA.
4. That review was triggered by an application for summary review brought by the Metropolitan Police Service (“MPS”) following a serious incident at the premises (an allegation of rape) on 2nd January 2024. The procedure is that once the application for summary review is lodged (17th January 2024) then an “Interim Steps” hearing takes place within 48 hours. In this instance it took place on 19th January 2024. At the interim steps hearing the LSC must decide what steps it considers necessary to impose pending the full review hearing which has to take place within the following 28 days. The LSC determined to suspend the licence pending the full application for review.
5. The full review hearing took place on 8th February 2024. The determination of the LSC was to revoke the licence. The LSC had to additionally make a determination in respect of the interim steps suspension imposed on 19th January 2024. The LSC determined not to lift the suspension.
6. The appellant appealed both decisions. On 18th April 2024 the Magistrates’ Court listed the appeal against the refusal to lift the suspension (s.53D(2)(c) and s.53D(3) and paragraph 8B of Schedule 5 of the Licensing Act 2003). The basis upon which that appeal was pleaded was that the premises were in the process of being sold to a third party in an arm’s length transaction. It is accepted that there were concerns held by the Local Authority over the documentation that

was produced and that at that time there were outstanding matters that required addressing.

7. At the suggestion of counsel for LBS, that appeal was withdrawn, and a new application was to be made back before the LSC when all of the documentation was in order. It is in this way that the application comes back before the LSC for hearing on 8th August 2024.
8. The substantive appeal will be heard on 24th September 2024, many months from now. If the application to lift the interim step suspension is successful, then it is hoped that the substantive appeal will be settled by way of a consent order.
9. The consequence of the decision on 8th February 2024 not to lift the interim step suspension is that the premises are unable to trade pending the determination of the substantive appeal (as would have been the case if the MPS had brought a standard review instead of a summary review).

The Police Case on Summary review

10. The police case is as set out in the application for summary review. The detail on the allegation of rape is scant because at the time it was lodged the MPS was still gathering evidence. By the time the full review came before the LSC on 8th February 2024 more detail was given.
11. The case for the MPS and the case for the operator are very fairly set out in the notice of decision dated 20th February 2024.
12. **For the police it was said that:**
 - the application concerned an allegation of a very serious incident of assault that took place at the premises on 2 January 2024 between 02:15 and 02:45 at a time the premises was not authorised to be open.

- The premises licence did not permit the premises to be open on Tuesdays nor was there a Temporary Event Notice (TEN) in place for the premises to operate.
- The Police stated the incident would not have occurred had the premises been closed. Regarding the incident, it remained an on-going criminal investigation and charges had yet to be laid.
- The police stated that Club 701 was a serially non-compliant premises, and that stating that the early morning of 2 January formed part of its trading day of 1 January, was not credible. They referred to condition 396: “That on Sundays prior to Bank Holiday Mondays, Christmas Eve and New Year’s Eve the permitted opening hours of the premises are between 22:00 to 05:00 and licensable activities must cease at 04:00 on these days”.
- The premises had a poor compliance history and had been given many chances over the years to comply. The premises was not capable of being run as a compliant venue which flew in the face of the prevention of crime and disorder licensing objective.
- A similar serious incident had occurred after licensed hours in 2019 which had left a man in an induced coma. This resulted in the Police submitting a summary review of the premises licence. On that occasion, the licensing sub-committee suspended the premises licence for three months, Mr Doe was prohibited from playing any part in the day-to-day management of the premises and the licence conditions were modified. The sub-committee had been lenient in 2019; the license holder had told

members that the 2019 incident had been a one-off and did not justify the revocation of the licence. The 2019 incident was clearly not a one-off.

- The incident in the early hours of 2 January 2024 had taken place in a similar fashion and the sub-committee could not treat the breach as minor.
- The police informed the sub-committee that as a result of their investigation into the incident on 2 January 2024, additional breaches of licence conditions had transpired, demonstrating wider non-compliance viz:
 - i. CCTV footage could not be found following a flood on 17 December at the Kent Restaurant and Lounge. Police were only able to access part of CCTV as there was a missing camera and what was provided was grainy, poor quality, and incorrectly timestamped.
 - ii. Males had been seen (on the CCTV) wearing hats and hoods which is a breach of condition 373 “That customers shall not be permitted to wear hats or hoods whilst inside the venue”.
 - iii. The alleged perpetrator of the assault on 2 January 2024 had also not been registered on the ID scanner in breach of condition 342 which had been accepted by the venue.
 - iv. Due to financial constraints, the venue had not completed training yet and had refresher training completed at speed in the previous seven days. This included “staff complete licensing SAVI training last year”. SAVI is an accreditation; it does not supply training.

Enquiries made by the police, found that the venue had been historically accredited, but this had lapsed in August 2022. The premises stated that there was approximately 10 staff and that they had focussed on essential training.

13. The case for the premises licence holder

- It was too simplistic for the police to state that the incident would not have occurred if the premises had been closed. The incident may have occurred if a TEN was in operation or on a night when the venue was operating under the premises licence.
- Regarding the incident, the alleged suspect knew the victim in his private capacity and at the time was an off-duty doorman. The alleged assault had taken place in a separate location; accessible only to the off-duty doorman through his knowledge of the premises. The incident could not have been foreseen.
- When the venue was under operation as MyTribe, the venue had a proven history of violence; this was not the case now. The Police no longer regarded Club 701 as a venue blighted with crime and disorder. The trigger incident in 2019 (that was subject to the previous expedited review) was an assault and the then DPS was not effective and did not support the premises licence conditions. Furthermore, since 2019 it was a condition that Mr Doe, who was present on the day of the assault in 2019, must not take part in direct day to day management of the club, which he had not. In light of this,

- the sub-committee was invited to disregard the 2019 incident and matters raised up to 2019 (some four years ago) had been dealt with by the licensing sub-committee at that time. The consequences of what happened in 2019 had already been dealt with.
- there had been 13 TENs in 2023, none of which had been objected to; so there was no reason to assume a TEN for the 2 January would be an issue. If a TEN had been submitted in the normal way, there was no reason it would have been objected to. The incident may have occurred regardless. The lack of TEN was an honest mistake. The DPS assumed that a TEN was not needed. The trading day had started on 1st January 2024 which was a national holiday and he believed that no TEN was required.
- There was a representation from the licensing authority which had suggested that there had been “numerous complaints from residents”. This was a misleading statement. There had been complaints from residents, but this was prior to the 2019 change in management. Since that time, there had been virtually no such complaints.
- A number of other incidents had been referred to by the police. The point was made that seven out of the nine incidents referred to in the briefest of terms had resulted in no further action being taken.

The current position/sale of the premises

14. The above is provided to the court for the interests of transparency. The detail is academic for the purposes of this hearing because recent events have altered the position in so far as the club is concerned.

- 15.** Councillor Eddie Hanson has now purchased the business together with the lease of the premises which has 5 years to run. He is a man with an impeccable credentials. As a ward councillor for Camden Council, he chairs the LSC for that borough. He also has extensive licensing experience. The court is referred to his statement.
- 16.** It can be seen, given his background, that he is ideally placed to take over these premises and to turn them around. He will be a new broom, with no ties to the past. He will be hiring a new SIA accredited door staff team, together with fresh staff. None of these will have any connection to the old premises. He will be hiring 25 staff in total.
- 17.** The purchase of the premises is a genuine “arm’s length transaction”. He has no connection whatsoever with the previous regime. Evidence of the completed sale has been submitted with this skeleton.
- 18.** An application for a transfer of the licence and variation of DPS has been submitted in Cllr Hanson’s name. The MPS have objected to the transfer, not because they are unhappy with the applicant, but because they wish to see evidence of a genuine sale. By the time of this hearing it is hoped that the MPS will have had an opportunity to satisfy themselves as to the veracity of the sale.
- 19.** The substantive appeal against the revocation (unless settled by consent) will be run upon the basis that Eric Doe no longer owns or operates the premises.
- 20. Reasons why the suspension should be lifted:**
- i. The appeal will not be heard until 24th September 2024.

- ii. It is imperative for Cllr Hanson's purposes that he is in a position to trade as soon as possible. There are some refurbishment works that need to be undertaken, but these can all safely be completed within one month.
- iii. There are costs for which Cllr Hanson will be responsible (Business Rates, rent, utilities, equipment hire, staff costs, legal fees and suchlike). If he is unable to trade in the interim, then it places him in an impossible situation.
- iv. The police have no objection to the premises being licensed as a nightclub in this locality. The MPS objection is to these premises being run by Eric Doe, in whom they have lost all faith and confidence.
- v. The trigger incident for the summary review was an allegation of rape. This was a stand-alone incident with its own unique circumstances. It was clearly an incident of serious crime, but not an incident of violent disorder. The appellant mentions this because it is often the case in an interim steps case that the premises presents as one with a long history of incidents of violent disorder such that it would not be appropriate to permit them to open pending appeal because of the serious risk of incidents of violence and disorder reoccurring. This is not the case in this instance.
- vi. The sale of the premises, as detailed above, removes Eric Doe from the premises entirely. In consequence, the argument that the premises licence (if the LSC lifts the interim step suspension) will be operated by a man with a proven record of non-compliance falls away.

- vii. In place of Eric Doe will be Cllr Hanson; a man with impeccable credentials who not only has extensive experience of running licensed premises, but who also is responsible for regulating them in his position as chair of the LSC at Camden Council.

Conclusion

21. In all of the circumstances the LSC is invited to grant the transfer and variation of DPS applications and to lift the interim steps suspension, thereby allowing the premises to open and trade in the interim period pending the determination/settlement of the substantive appeal against revocation. It would be entirely appropriate and proportionate, submits the appellant, for this court to grant these applications.

James Rankin

Francis Taylor Building

Inner Temple

London EC4Y 7BY

1th August 2024

In the Croydon Magistrates Court Case No: 2400478971/2400478750

In the Matter of an Appeal Under the Licensing Act 2003

And in the Matter of Club 701, 516 Old Kent Road, SE1 5BA

ERICO ENTERTAINMENT LIMITED

Appellant

-v-

LONDON BOROUGH OF SOUTHWARK

Respondent

WITNESS STATEMENT OF EDDIE HANSON

1. My name Eddie Hanson, and I am the purchaser of Club 701 (the "Premises"). Taking on the Premises represents a significant commitment, as there are still 5 years to run on the lease, and the Premises itself requires some refurbishment (a project that will take around 1 month). The cost of the purchase is £305,000.
2. The sale is an arm's length transaction and was agreed on 16 April 2024, with the paperwork being recently finalised. I attach to this statement evidence of the sale that has recently been concluded. I have no connection with Eric Doe (the previous owner) save in that I am the purchaser of his business.
3. I am a local Councillor in Camden, representing the Kilburn ward. I have been the elected chair of licensing panel D in Camden for 2 years and was recently re-elected for another year.
4. I live with my partner of over 17 years in Hampstead. We have two daughters and a son.

5. I come from humble beginnings. I was captured as a child during the war in my home country. I was nearly killed on several occasions by armed militias. I moved to London as a teenager. I was homeless at one point and slept rough. I grew up on a council estate and got my first ever job in London. I have worked very hard to rise through the community. I was often seen as the outsider because of my background.
6. I refer the court to my CV. It can be seen that I have been involved in the running of lounge bars and nightclubs for ten years. Whilst at Runway, where I was the general Manager in charge of 22 staff, the club was nominated for the “Best Club” award in the annual London Club and Bar Awards.
7. For four years (2016-2020) I was at The Jewry Bar in Aldgate ending my time there as duty manager.
8. In 2013 I enrolled in an MBA course in Leadership. During this time I also supported and raised my young family whilst my wife went back to work. I took care of our little daughter and then our son. During this time I:
 - Created a Social Enterprise Game Changers – supporting and mentoring young people,
 - Was voted in as Chair of one of the biggest local Community Centre,
 - Became a School Governor,
 - Was voted in as Chair of the biggest resident’s representative forum,
 - Became a member of the local Police Safer Neighbourhood Panel,

It is a matter of some pride that my team was voted the best on my MBA course.

9. I have inspired many young people through my story, and through the power of social media. I have run empowerment workshops, and conducted community engagement training, as well as coaching in public speaking. I am focused, very hardworking, stable, trustworthy, and a respected leader in the community.

10. I am a founder and director of an organisation that mentors and coaches young people to achieve a better life and to help people from underrepresented groups and disadvantaged backgrounds reach their full potential and become leaders. I am a positive role model for many and I have helped to change a lot of lives. I like to think that I have given hope to many who thought that they were hopeless.
11. What matters to me most is how I can use this amazing opportunity to make positive changes for the people of Southwark. I have always believed in outcomes and changing things. I am action orientated. I have delivered on this consistently. This is my business and my aspiration is to make it a success. I see a blank canvass here; an opportunity to a leave a legacy for the nighttime economy. I am passionate about making this exciting new venture a success.
12. I am all too well aware of the previous failings of the previous operation. As chair of the Camden Licensing Committee, I am well versed in how premises should and should not be properly conducted and operated. I will be a “new broom”, unconnected to any of the previous regime’s failures.
13. I am privileged to have had the opportunity to work with a wide range of people and groups, faith groups, resident groups, neighbourhood forums and local charitable organisations. I feel that this experience considerably aids me in my capacity as owner and operator of this business.
14. I respect and value the importance of working in partnership with the responsible authorities. Clearly, this was not the case under the old regime.
15. London is a community with roots from every corner of the globe, Southwark has the largest African population in the country. West African communities are particularly deep-rooted in the area, and I am, of course, a descendant of this community.
16. There are a lot of young black boys and men who have been stabbed and/or murdered on our streets. Many fall victim to the criminal justice system, because they do not have positive role models that look like them, holding respectable positions. Many lose faith in authority because of this.

17. I see this as an opportunity to make a difference through Southwark's nighttime economy. With my proven track record of working on behalf of the community, I can be (through operating this business) a real force for change. I want to be the business owner who inspires others and who gives hope to people, that regardless of your background, success is something that can be achieved. I want to inspire those who feel they have been left behind and bring what has never been represented before in the nighttime economy in Southwark.
18. In view of the previous failings of the old operator, I plan a complete overhaul of the staff at the premises, beginning with the door security company. Additionally, recruitment of staff will be entirely fresh. No one from the previous operation will be employed. I will be the Designated Premises Supervisor in overall control of the premises. I will be employing 25 staff (including part timers). They must have and the right values and attitude. They must be respectful of the responsible authorities, in particular the police and enforcement officers. It goes without saying that they must be respectful of the business. I will be investing considerable sums. It is my business and my reputation which is on the line.
19. There is some refurbishment which is required. There is nothing major that would require the premises to be closed for any substantial period. These would include:
- recovering Soft Furnishings,
 - ensuring all entry and exit points up to standard,
20. Ideally, we would be ready to reopen within a month. I understand that issues were raised at the Review hearing, about the CCTV system not working up to the required standard. I have reviewed the system as it is now operating and I am satisfied that it complies with the requirements of the Licence and produces evidence grade footage throughout the Premises. I am happy to accept a condition that requires the system to be signed-off by the Police.
21. In addition to the above, I am happy to accept the following additional conditions, that to me, are clear best practice:

- a. Save for when the Kent Lounge is operational the door from the courtyard to the Kent Lounge shall be kept locked,
 - b. There shall be hourly checks on all members of staff to ensure that they are at their posts and performing their duties,
 - c. All members of front of house staff shall attend the LBS VAWG training,
22. Prior to the premises re-opening, I myself will undertake refresher training in the Responsible Retail of Alcohol, VAWG protection, and Welfare And Vulnerability Engagement.
23. The music that I will be playing will be Afrobeats, Amapiano, House, Pop, Dance, RnB, HipHop, Bashment, Old School classics.
24. My customer base will be respectful of each other, and their environment. They will be law abiding and peaceful and aged 20 plus for the women and 25 plus for the men. The dress code will be smart casual.
25. Once I have taken over the business, there will be rent and business rates to pay together with a host of other costs. Fixed costs cannot be covered whilst the Premises Licence has been suspended pending appeal. The fixed costs are these:
- Rent of premises,
 - Staffing,
 - Council tax and Business rate,
 - Insurance,
 - Utilities such as Water, Phone, internet, gas and Electricity,
 - Lease of Equipment,
 - Transaction fees including legal fees,

There may be additional fixed costs which I may, as yet, not be aware of.

26. The substantive appeal will not be listed for many months. It is my sincere hope that The London Borough of Southwark can be persuaded to settle this appeal. The position was not that there should be no licence at all for the premises; rather, it was that they did not want Eric Doe to be running the premises. It is vital that the premises be able to operate pending appeal otherwise this whole new venture fails.
27. I feel I will add value to the Southwark nighttime economy as an operator. I have a solid track record of working positively with local businesses; in supporting the local community; and working in collaboration with the police, local authority and other community stakeholders.
28. The only way forward is to be hands on, and to continue the flagship work that I am known for in Southwark.
29. This will be a model operation, demonstrating how a premises can be turned around. I relish the challenge of doing this.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed.....

EDDIE HANSON

Dated the 5 day of June 2024

Eddie Hanson Bio - 07528151988

2010 – 2012 – Runway Club – Management – New Oxford Street

- VIP table Manager then promoted to Club Manager
- Managed 22+ staff
- Staff recruitment and training
- Contracts negotiation
- Dealing with celebrity clients
- Dealing with promoters
- Nightly procedures and rules
- Staff Briefings
- Where I was instrumental in assisting in getting the venue Nominated for best Club award in the London Club and Bar awards

2013 – 2016 – Enrolled in an MBA course in Leadership, Focused on supporting and raising my young family while my wife went back to work by taking caring of our little daughter then our son, Created a Social Enterprise Game Changers – supporting and mentoring young people

- Got voted in as Chair of one of the biggest local Community Centre
- Became a School Governor
- Got voted in as Chair of the biggest resident's representative forum
- Member of the local Police Safer Neighbourhood Panel

2016 – 2020 37 Jewry/ The Jewry bar/ Tunnel – 37 Jewry Street

- In capacity as director briefly then manager/consultant
- Door picker
- Duty Manager, supporting the GM

2021 – Present - Camden

Got elected as a local Councillor in Camden

Got elected as Chair of Licensing Panel

Got appointed as a Cabinet advisor.

A Community Respected, Trusted voice and with Integrity:

[Eddie Hanson will be a strong and trusted voice | Camden New Journal](#)

[When we first heard Eddie Hanson was standing we were over the moon | Camden New Journal](#)

[John Gulliver: The spirit of Father Terry lives on in Kilburn | Camden New Journal](#)

[Karis, Kaleb and Eleah-Grace Hanson is fundraising for Crisis \(justgiving.com\)](#)

Eddie Hanson

Having a respectable and admirable track record working across with both the Met police and the City of London police for over the last 22 years.

1- My first job as a teenager was working in a lady's shoe shop- Nine West on Hampstead High Street, I had the opportunity to collaborate with the local police team and other local businesses to fight crime on the high streets, which was also featured in the local newspaper.



2 – I am well known for organising popular local community events where I invite and work with the local police team



3 – I am trusted and respected



4 – I have a proven track record of working well to build trust



5 – Here with former Police Commissioner – Sir Bernard Hogan-Howe



6 - Here with former Borough Commander



7 – Here for a local closed policing meeting, I appreciate the importance of having a solid relationship with the police.



8 – Here with some of the City of London team who were fond of me.



In the Croydon Magistrates Court Case No: 2400478971/2400478750

In the Matter of an Appeal Under the Licensing Act 2003

And in the Matter of Club 701, 516 Old Kent Road, SE1 5BA

ERICO ENTERTAINMENT LIMITED

Appellant

-v-

LONDON BOROUGH OF SOUTHWARK

Respondent

WITNESS STATEMENT OF ERIC DOE

1. My name is Eric Doe and (as of today, 9 April 2024) I am the owner of Club 701 (the “Premises”) which is situated on the ground and basement floors of 516 Old Kent Road, London SE1 5BA. I am also the owner of an events venue known as the Kent Restaurant and Lounge, situated on the 1st floor of the same building. Please note that Kent Restaurant and Lounge operates under a separate Premises Licence from that relating to Club 701, with a different Designated Premises Supervisor (“DPS”). I have held the licence for Club 701 through my operating company Erico Entertainments Ltd since taking on a lease of the premises in February 2016. I took on Kent Restaurant and Lounge in June 2023.

2. On 19 January 2024, the London Borough of Southwark (“Southwark”) heard an application for the Review of the Premises Licence for the Premises, and at that hearing, their decision was to revoke the Premises Licence, and to suspend the Premises Licence as an “Interim Step” pending my appeal.
3. The Premises Licence has been suspended since 2 January 2024 and as I say above, it will remain suspended until my appeal. Rent arrears and business rates are adding up, as the Premises has no way of generating turnover without the use of its Premises Licence.
4. As the Director of the Premises Licence Holder, I have had to identify a way for the business to in some way, move forward, and selling it appears to be the only way. Following initial discussions with various potential purchasers, I have now reached a commercial agreement (please see draft Contract attached as Exhibit ED001) with Mr Eddie Hanson. Mr Hanson has produced his own statements setting out his background, and plans for the Premises. I am pleased that I was able to find a purchaser with Mr Hanson’s impressive background in both Licensing, and public service.
5. In order to allow Mr Hanson to take over the Premises and make a success of it, I ask that the Court give him that opportunity and lift the suspension of the Premises Licence in the interim appeal period. That will give Mr Hanson a chance to realign the business and generate turnover. Without that, there is no business.
6. **STATEMENT OF TRUTH**

7. I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed.....

ERIC DOE

Dated the 19 day of June 2024