



**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.

**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:	7th 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: [] [] [] []

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: [Redacted] 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 [Redacted] Signature witnessed by:

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

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
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Transfer From MPS

Transfer from Met To:-

Service:

Station:

Their Reference:

Received By:-

Rank:

Number:

Surname:

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)

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

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

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 Locn :85 CAMBERWELL ROAD:ROXY
Map :Page 162, Grid Reference 532455,177195
GPA :MC [Division: MD:LX]
Inc Locn :85 CAMBERWELL ROAD:ROXY
Map :Page 162, Grid Reference 532455,177195
GPA :MC [Division: MD:LX]
Call Locn: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.

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 *

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

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 1330:04SEP16

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

MPS^LAS Reference: LAS/541/04092016
 Organisation:LAS
 Action :POLICE

REMARKS :
 METROPOLITAN POLICE: POLICE requested for OTHER - FULL DETAILS

BELOW

,THANK YOU - LAS JUST ARRIVING NOW

03:06:35	04SEP16	008684	L3095
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^446MD....SHOW MD20N MAKING WAY TO LOCN

03:08:27	04SEP16	008684	L3095
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&785MD...LOOKS LIKE WE MAY 2 OR MORE MALES COMING IN FOR
 ASSUALT/AFFRAY. WILL UPDATE SHORTLY

03:15:05	04SEP16	008684	L3095
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^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
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^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
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^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
 701MD

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 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 really 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



Notification of alleged offences under the Licensing Act 2003

Venue Name: RED SEA REF: (CAD/CRIS etc.) N/A

Address: 85 CAMBERWELL RD, LONDON, SE5 8EZ

Date: 10/07/16 Time: 03:17

Details 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 MD

I 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

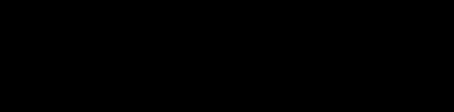
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

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

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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;

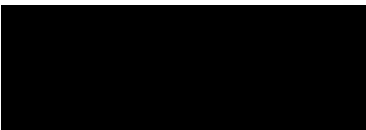
That a personal licence holder is on premises and on duty at all times that intoxicating liquor is supplied.

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

[Large handwritten signature]

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