


**METROPOLITAN
POLICE**
TOTAL POLICING

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

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:

Wazobia Restaurant, 670 Old Kent Road,

Post town:

London

Post code:
(if known)

SE15 1JF

Premises licence number (if known):

836584

Name of premises supervisor (if known):

Mr Richard BENNETTS

I am a 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)

In the early hours of Sunday the 13th November 2016 at about 01.50hrs a serious assault took place outside of the Wazobia Restuarant .

The suspect for this crime stabbed the victim in the side of the face with a broken brandy bottle that he smashed on a wall while following the victim from the location.

He received two deep cuts to the left side of his face and was taken to St Thomas major injury unit. A crime report has been created for this incident and has been classified as a GBH with intent (*Section 18 of the Offences Against the Person Act 1861*).

During the investigation it has been established that the premises failed to call police, the customers were described as hostile and unhelpful to police and no witnesses even though 50+ people present including SIA. The premises had another Serious assault on the 30th October 2016 inside the premises involving a person being hit with a bottle and the victim was told by management not to call police and ejected.

Police have no faith in the current management of the premises and believe that a review under sec 53a of the licensing act 2003 is the appropriate procedure in this case and would seek immediate suspension of the premises licence to avoid further serious injury.

PROTECTIVE MARKING

Signature

Signature:



Date:

15/11/16.

Retention Period: 7 years
MP 147/12



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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: **London Borough of Southwark**

Address:

Floor 3, 160 Tooley Street, London, SE1

Post town: **London**

Post code:

SE1 2QH

Ref. No.:

I PC 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:

Wazobia, 670 Old Kent Road,

Post town:

London

Post code:
(if known)

SE15 1JF

2. Premises licence details

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

Richard BENNETTS

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

836584

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)

In the early hours of Sunday the 13th November 2016 at about 01.50hrs a serious assault took place outside of the Wazobia Restaurant. The victim entered the bar on his own at 01.10hrs and ordered a Guinness and a bottle of water. (Breach of Conditions 808 no entry after midnight and Condition 345 alcohol only served with Substantial meal.)

The victim noticed suspect had opened his water to which challenged and the suspect became very aggressive towards victim. He left the bar and the suspect followed holding a brandy bottle by the neck he then smashed this on a wall and hit victim in the face with the broken bottle causing 2 deep cuts to face. He received two deep cuts to the left side of his face and was taken to St Thomas major injury unit. A crime report has been created for this incident and has been classified as a GBH with intent (Section 18 of the Offences Against the Person Act 1861).

During the investigation it has been established that the premises failed to call police, the customers were described as hostile and unhelpful to police and no witnesses even though 50+ people present including a minimum of two SIA who should be searching customers on entry and re-entry outside the front where the assault took place (condition 424 on the licence).

The premises had another Serious assault on Sunday the 30th October 2016 inside the premises at 01.20hrs. The victim alleges that a female hit him over the head with a bottle and management ejected him from the premises as the management did not want him to call police.

On Saturday the 1st October 2016 at about 02.30hrs, the victim reported that she was sexually assaulted within the premises. She stated that she was in the club dancing when the suspect touched her bottom and she was so offended she slapped him around the face to which the suspect stated he was going to deal with her today. The venue is a restaurant with a condition alcohol is only served with substantial meal, yet the victim describes the venue as a club indicating nightclub activities in breach of the licence. The venue was contacted and indicated the CCTV may not have been working, Mr Bennetts was contacted by the investigating officer who confirmed he did have CCTV but after a number of attempts to obtain the CCTV after 18 days were informed that they no longer had it. Condition 288 and 289 on the Licence stipulate that images should be kept for 31 days and made Immediately available to police. Mr Bennetts stated that it was the police responsibility to make themselves available when suitable to him and refused to download the CCTV to a memory stick as this was the police responsibility. Due to this breach of the licence the crime report was closed as no other lines of enquiry leaving a suspect for sexual assault unidentified.

The venue is described as a Restaurant with conditions on the licence seeking that alcohol is only served with substantial meals, from all three incidents above it is clear that the venue is operating as a nightclub and bar. Police have no faith in the current management of the premises as at no point have the venue called police in any of the incidents and have hindered investigations. We believe that a review under sec 53a of the licensing act 2003 is the only appropriate action in this case and would seek immediate suspension of the premises licence to avoid further serious injury.

Police can have no faith in the current management of the premises and believe that a review under sec 53a of the licensing act 2003 is the appropriate procedure in this case and would seek suspension of the premises licence or at least reduction in hours in line with the licensing policy for restaurants for the area no later than midnight, no bottles or glass and all drinks served in polycarbonate receptacles, Alcohol only to be served to customers seated and eating a substantial table meal and ancillary to that meal and suspension of regulated entertainment from the licence.

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Signature of applicant			
Signature:		Date:	15/11/2016
Capacity:	Metropolitan 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.:	0207 232 6756	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.