

Treading Standards Representation

From: Moore, Ray

Sent: Thursday, October 15, 2020 10:57 AM

To: Regen, Licensing

Cc: 'Graham.S.White@met.police.uk'; 'Ian Clements'; Tear, Jayne; Deidda, Clizia; Chowdhury, Farhad; Chudasama, Sailesh; Newman, Paul; Gander, Paul; Miller, Justin; McArthur, Wesley; Weir, Andrew; Allday, Debra

Subject: Afrikiko, 871 Old Kent Road, SE15 1NX - premises license review brought by the police and due to be heard 27th October 2020 - premises license number 870250

Further to the police review of the premises license for the above premises, Trading Standards, as a responsible authority would like to make the following comments under the licensing objective the "prevention of crime and disorder"....

I am employed by the London Borough of Southwark as a Principal Trading Standards Enforcement Officer and as such I am an authorised officer under the relevant provisions of the Public Health (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 and the Licensing Act 2003.

On Friday 4th September 2020 I met up with three colleagues from the London Borough of Southwark, Richard KALU (from the Licensing Team); Farhad CHOWDHURY (from the Health and Safety Team) and Andrew BOLTON (from the Noise Team) close to the premises trading as "Afrikiko" at 871 Old Kent Road, London, SE15 1NX. We also met up with two police officers from the police Night Time Economy Team, PC Mark LYNCH and PC Jonathan DUCKER. We all entered the premises at about 20:00hrs and I introduced myself and asked to speak to the owner.

The music was initially quite loud in the ground floor area of the premises. We were visiting the premises after the police had complained about the basement of the premises being used as a very crowded nightclub the week before in contravention of the emergency measures brought in as a result of the COVID-19 pandemic. Under the Public Health (Coronavirus, Restrictions) (No 2) (England) Regulations it is a criminal offence to open as a nightclub at the current time. No music and dancing is allowed on commercial premises. I spoke to a man who said he was the owner of the business who gave his name as Daniel DORNOR. He said that he was the director of the company running the business, Afrikiko Restaurant and Nightclub Ltd (co number 10510069) . It later transpired that this is in fact not the case. Although the premises license is in the name of that company, the sole director is Zeona Naa Densuah ANKRAH (DOB: [REDACTED])

We discussed the allegations that the premises had been used as a nightclub and I asked to be shown the downstairs area. We went down there and it was clear there had been a problem with the sewers earlier in the week which had caused them to back up. The basement area was not at that time usable. There were no decks or amps present as a result of this as they had been removed. Richard Kalu then sat down with him to view the CCTV footage from weekends when it was alleged that the premises had been used as a nightclub. Mr DORNOR did various things with it but claimed he didn't know how to bring up the relevant bits.

I then proceeded to seize some of the lights from the basement and two speaker cables and said that the business could have them back at a time when they were

once again allowed to operate as a nightclub. These items were seized under powers granted in the Public Health (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020. There were no decks or amplifiers down there at the time due to the flooding. Richard KALU had identified a number of conditions on the premises license which had not been complied with. These were conditions 255 and 289. I gave notice numbers 1176 and 1177 for the items seized and the breached license conditions. I had a body worn camera on for the full time of the visit which recorded all conversations and actions on the premises. I also issued a prohibition notice under the previously mentioned regulations that stated the premises was not to be used as a nightclub or for music and dancing to take place there. I informed him of the consequences of failing to comply with the prohibition notice. I also informed him that he should have a risk assessment of how the premises can be operated in a COVID compliant way in order to risk the transmission of COVID-19. He should also record details of customers visiting the premises so that they can be traced should a customer test positive for COVID-19.

On 2nd October 2020 I asked team member Holly Costin to do a land registry search on the premises at 871 Old Kent Road. Neither Mr Daniel Donor nor Ms Zeona ANKRAH appear as leaseholders for the property. It can only be assumed that they have some kind of informal lease agreement for the property that hasn't been registered with the land registry.

I attach a copy of the land registry documents as RAY/A/1 and RAY/A/2. A copy of the body work camera footage can be produced as an exhibit RAY/A 3..A copy of the prohibition notice is produced as an exhibit RAY/A/4 and copies of the notices given with respect to breaches of license conditions and equipment seized in order to try and prevent further contraventions of the Public Health (Coronavirus, Restrictions) (No 2) (England) Regulations 2020 as RAY/A/5. I produce a copy of the Company House details for Afikiko Nightclub and Restaurant Ltd as an exhibit RAY/A/6.

NB: The body worn camera footage is a very large file... so I am unable to email this... I can probably deliver a copy on memory stick if there is someone I can deliver it to... I will be in the office Monday / Tuesday / Thursday / Friday next week if perhaps Andrew Weir is around?

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

www.southwark.gov.uk/TradingStandards

Need proof of age? Visit www.southwark.gov.uk/pal

Need advice on consumer issues? Visit Citizens Advice via www.direct.gov.uk/consumer