

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 12.05 P.M. ON TUESDAY, 11 APRIL 2023

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present in Person:

Councillor Peter Golds (Leader of the Conservative Group)
Councillor Suluk Ahmed
Councillor Ahmodul Kabir

Others Present in Person:

PC Michael Rice, Metropolitan Police
Sarah le Fevre, counsel
Lana Tricker, solicitor
Dawn Donohoe- managing director LCC Limited
Kieran Manning, operations
Emma Heaney, operations
Jim Robertson, managing director London Estate
Michael Watson, Better Compliance

Officers Present in Person:

Farzana Chowdhury, Democratic Services
Corrine Holland, Licensing Officer
Jonathan Melnick, Principal Enforcement Lawyer

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

4. APPLICATION TO REVIEW THE PREMISES LICENCE FOR THE LONDON COCKTAIL CLUB 9 CABOT SQUARE CANARY WHARF E14 4EB

The Chair announced at the hearing that they required an adjournment of fifteen minutes to conduct their pre meeting due to one of the Sub-Committee members having transport difficulties.

The Sub-Committee convened, the Chair welcomed everyone to the hearing, and introductions were made. The Applicant and Premises Licence Holder requested the Chair for an adjournment of twenty minutes as both parties had reached an agreement and wanted this time to affirm the conditions to the licence. The Chair and Sub-Committee agreed to their request.

Applicant

The Sub-Committee considered an application by the Metropolitan Police to review the premises licence held by the London Cocktail Club Ltd. in respect of 9 Cabot Square, London, E14 4EB (“the Premises”).

In brief, the incident giving rise to the review was that a group of young women, some of whom were aged 16, were believed to have been victims of a drink-spiking incident in Shoreditch on 3rd December 2022. Prior to this, however, they had been in the Premises. They had not been challenged by any member of staff as to their age; they were served alcohol; they had been allowed to become intoxicated to the point that one of them was sick inside the Premises.

The Police had viewed the CCTV footage from the Premises that evening, which showed the group of young women. No welfare support was offered to them by staff. Of further concern was that the investigation showed that a number of incidents had been noted in the incident log. There was a number of complaints of female patrons alleging sexual harassment by male patrons. None of these incidents had been reported to the police. In addition, the viewing of the CCTV of the night of 3rd December 2022 showed similar incidents.

The police had initially sought revocation.

Premises Licence Holder

The Sub-Committee was provided with a considerable amount of documentation by the Premises’ management which outlined the steps taken in the aftermath of the incident. These steps included dismissing some of the staff on duty at the time, replacing the DPS, and changing the security company involved. The Managing Director, Dawn Donohoe, provided a witness statement setting out the changes implemented and which demonstrated that prompt action had been taken by the Premises subsequently.

As a result of these steps, the parties had reached an agreed position in respect of the review, which the Sub-Committee was asked to endorse. A set of conditions had been agreed, which the police considered addressed their concerns and which meant that the venue could operate safely in the future. The Sub-Committee was informed that a visit on New Year's Eve had revealed no concerns. There had been no visits subsequent to that although the Premises had arranged for compliance visits to be undertaken, the results of which were in the reports pack.

Two representations in support of the Premises had been made. These were considered by the Sub-Committee. The incidents giving rise to the review were completely unacceptable and were considered by the Sub-Committee to be very serious. The Sub-Committee would certainly have seriously considered revocation of the premises licence, given that these incidents had occurred so soon after the Premises opened and having regard to the fact that other similar incidents were likely to have occurred.

However, the Sub-Committee took account of the fact that many of the steps open to it and which would likely have been considered appropriate for the promotion of the licensing objectives had been voluntarily undertaken by the Premises. The DPS had been removed, staff dismissed, and a new security firm contracted with. In addition, policies and procedures had been updated, as was training, and a suite of additional conditions offered up. It is also clear that the various changes in operation since the incident also demonstrated that the likelihood of future under-age sales and other problems was minimised. The compliance visits showed that patrons were asked for identification before entry. Proof of identity was scanned, which reduced the risk of fake IDs being used. Equally importantly, bar staff were also asking for ID before sale rather than relying on the door staff, which supplemented the checks done at the door.

Decision

For those reasons, and notwithstanding the seriousness of the subject matter of the review, the Sub-Committee was satisfied that the agreed conditions were appropriate and proportionate for the promotion of the licensing objectives. The Sub-Committee had considered whether it was appropriate to suspend the premises licence for a reasonably short period but considered that it was not appropriate to do so in the particular circumstances. The decision is therefore to grant the application for review and to add the following conditions to the premises licence:

- 1) The venue shall keep a record of all refused sales of alcohol. The record must include the date and time of the refused sale, the name of the member of staff who refused the sale, and the reason for the refusal, and how the refusal was resolved. The record shall be available for inspection at the premises by police or authorised council officers all times during hours of licensable activities.
- 2) The premises shall have a welfare policy that will show how venue staff will manage customers who become vulnerable through intoxication or drugs,

such a policy will include but is not limited to the use of dedicated “welfare officers” at peak times who will be easily identifiable, to customers, their role will be to monitor the welfare of customers, including identifying any customers who may be at risk of becoming overly intoxicated and liaising with management/security staff to assist them where necessary. staff training on customer welfare such as “WAVE” and availability of free water to customers. The policy must be written, reviewed yearly, and made available to Police upon request

3) A minimum of one member of SIA door staff shall be employed at the premises from 1800 everyday until 30 minutes after closing.

4) A minimum of two members of SIA door staff shall be employed at the premises on a Thursday, Friday and Saturday from 1800 until 30 minutes after closing.

5) (a) From 1800 until the venue closes on Monday to Sunday, the venue shall ensure that all customers desiring entry to the premises have their IDs electronically scanned and verified before admission and shall not admit any customer who does not permit the venue to scan their ID.

(b) Notwithstanding 5(a), a maximum of 25 customers per night may be admitted at the manager’s discretion without ID being scanned and recorded, and a legible record of these people’s names shall be retained on the premises for inspection by the Licensing Authority and Central East Police Licensing for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.

(c) Notwithstanding 5(a), when private corporate events are taking place, the ID scanning will not be required, but a list of attendees will be kept on the premises for 31 days after the event and available for inspection by the Licensing Authority and Central East Police Licensing.

6) The premises shall have a minimum of one dedicated Welfare officer on duty Thursday, Friday and Saturday from 2000 to close. Welfare officers are to be clearly identifiable as Welfare Officers.

7) All front of house staff shall complete welfare and vulnerability engagement training as part of their induction process to work at the premises). This training shall be documented and repeated/refreshed at six-monthly intervals.

8) Premises smoking areas will be segregated from other areas of the venue and will be managed by members of staff.

9) Independent audits must be conducted in the following months: October 2023, April 2024, October 2024, April 2025. The result of each audit must be submitted to Central East Police Licensing.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Belles Beauty Bar 105 Burdett Road London E3 4JN	25/04
Ye Ye London 58 Wentworth Street London E1 7LA	25/04
15 Goulston Street London E1 7TP	25/04
Noodle & Beer, Unit 6, 31 Bell Lane London E1 7LA	25/04
Deni’s New 15 Swaton Road E3	25/04

The meeting ended at 1.30 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee