

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 5.30 P.M. ON MONDAY, 24 AUGUST 2015

**THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Peter Golds (Chair)

Councillor Shah Alam (Member)

Councillor Candida Ronald (Member)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

3.1 Application for Review under Section 53 A of the Licensing Act 2003 (A Class Above Events & Hospitality Ltd), 33-35 Monier Road, London E3 2PR

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy.

Consideration

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had carefully listened to both interested parties with particular regard to the licensing objective of the prevention of crime and disorder and anti-social behaviour.

Members considered detailed verbal evidence and CCTV footage supplied by the Police in relation to the incident on 8th/9th August 2015. Of particular note within the police representations was the details of a person carrying a knife

and being obstructive to security being permitted entry in to the premises once the knife was removed, allegations of a gun being fired in the premises and CCTV footage showing crowds reacting to something and moving away as if to safety and a man exiting the premises and running away with what appears to be a possible firearm in his right hand.

Members considered the representations made on behalf of the Licensee, which included the admission of “a bang” being heard which “perturbed” some people, but that there was no evidence of a gun and the submission that nobody was injured. Members considered the detailed changes in personnel involved at the premises with security and management and the offering up of additional conditions to enhance security.

Members noted that both parties made reference to an incident in April 2015. Members found that the incident in April which was referred to had already been subject to a review and resolved therefore determined that it was irrelevant to this review.

Members determined that the incident in August 2015 was of serious concern. Members accepted that the representations made by the police were relevant to the licensing objectives and that the facts and evidence presented supported, on a balance of probabilities, the allegations made. Members noted the summary report by DNA Security which detailed the finding of the double edged serrated knife and the ensuing interactions and events. It was noted that a qualified security personnel deemed the knife issue to be a “police issue” and therefore, coupled with the description of the knife, it was accepted that the knife was likely to have been an offensive weapon. It was noted that security advocated refusal of entry for the carrier of the knife and his companions and involvement of police but that this was overridden by management who allowed entry and also failed to contact police.

It was noted that the investigation was not yet concluded as more CCTV footage was to be submitted for the full hearing and information was still to be provided from Trident Gangs Command in respect of the firearm and intelligence known to them about a risk of a serious incident taking place.

It was further noted that there had been assumptions as to the views of Superintendent Turner put forward in that it was intimated he had met with the licensee and was happy to work with then and he did not object or veto a late night event since the incident and therefore had no concerns, however it was clear from the papers that a review had been triggered, he had supported the review and had signed the certificate under Section 53A of the Licensing Act 2003 to grant the interim police measures.

Whilst Members noted the Premises Licence Holder’s efforts by proposing additional conditions and a change of DPS, Members felt that on the balance of probabilities there was a serious risk of crime and disorder and there was not sufficient opportunity to look in to the proposed DPS.

Therefore Members made a decision and the decision was unanimous, Members decided for the protection of the community to grant the interim review by reducing the current opening hours to framework hours and to remove the non-standard hours of operation pending the full review hearing when further information would be before Members.

The Chair also requested that Superintendent Turner attend the full review meeting.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the review application under section 53A of the Licensing Act 2003 for A Class Above Events & Hospitality Ltd, 33-35 Monier Road, London E3 2PR be **GRANTED**.

Interim decision subject to full review hearing.

The hours the premises are open to the public

Sunday from 06:00 hours to 22:30 hours

Monday to Thursday from 06:00 hours to 23:30 hours

Friday and Saturday from 06:00 hours to 00:00 hours (midnight)

All licensable activities to finish 30 minutes prior to the premises being closed to members of the public.

Removal of the fifty (50) non-standard hours of operation – from 10:00 hours to 06:00 hours.

The meeting ended at 7.20 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee