

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 4.50 P.M. ON WEDNESDAY, 21 MAY 2008

**ROOM C1, FIRST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Fozol Miah (Chair)

Councillor Rajib Ahmed
Councillor Marc Francis

Other Councillors Present:

Nil

Officers Present:

Zakir Hussain – Legal Officer
Colin Perrins – (Head, Trading Standards and Environmental
Health Commercial, Environment and Culture)

Alan Ingram – (Democratic Services)

Applicants In Attendance:

Louise Allen - Metropolitan Police Licensing Officer
Alan Cruickshank - Metropolitan Police Licensing Officer
Gurpreet Rai - Metropolitan Police Internal Lawyer
Robert Revill – Acting Superintendent, Metropolitan Police

Objectors In Attendance:

Nick Anin – Events and Operations Supervisor
Kuwayne Cain - Premises Consultant
Manjit Singh Gill - Director, Compatriot Holdings Ltd
Bimal Gomes - Designated Premises Supervisor
Stanislav Kosut - Company Secretary
Richard Tanner – Club Management

Members of the Public In Attendance:

Nil

At 4.35 p.m. Zakir Hussain, Legal Officer, explained that the meeting could not begin until a third Sub-Committee Member could be found to substitute for a Member who had been unable to attend due to family illness and the start time

would be extended for 15 minutes. At 4.45 p.m. he extended the start time for up to a further 15 minutes, in his capacity as Legal Officer for the meeting. A third Member attended the meeting at 4.50 p.m., when proceedings commenced.

1. APOLOGIES FOR ABSENCE

None.

2. DECLARATIONS OF INTEREST

Councillor Fozol Miah declared a personal interest in that the premises which were the subject of agenda item 5.1 – City Hotel, The Lane Bar and Restaurant, 12-20 Osborn Street, London, E1 6TE - were located in the Ward for which he was an Elected Member. Mr Zakir Hussain, Legal Officer, confirmed that Councillor Miah continued to be eligible to hear the application.

3. RULES OF PROCEDURE

The Rules of Procedure were noted.

4. EXCLUSION OF THE PRESS AND PUBLIC

In the light of the remaining business on the agenda, it was **RESOLVED**

That, under Section 100(a) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the meeting for the consideration of the Section 2 business on the grounds that it contains information defined as exempt in Part 1 of Schedule 12A of the Local Government Act 1972, as detailed.

5. EXEMPT ITEM FOR CONSIDERATION

5.1 Application for a Review under Section 53A of the Licensing Act 2003: City Hotel, The Lane Bar & Restaurant, 12-20 Osborn Street, London, E1 6TE (LSC057/708)

The Chair indicated that only the comments of the Metropolitan Police would be heard in connection with the review.

At the request of the Chair, Mr Colin Perrins introduced the report, which sought a review under Section 53A of the premises licence for City Hotel/Basement, 12-20 Osborn Street, London, E1 6TE. This review had been requested by the Metropolitan Police, who were the only statutory authority who could request such a review, due to breaches of the crime and disorder licensing objective. The options open to Members were to modify conditions of the premises licence and/or exclude the sale of alcohol by retail or other licensable activities and/or remove the Designated Premises Supervisor (DPS) and/or suspend the licence. He added that there were

currently two premises licences applicable to the City Hotel but only the licence covering the basement area was the subject of the review.

Mr Zakir Hussain requested clarification of the signature on the certificate submitted by the Metropolitan Police and Ms Louise Allen replied that the name related to Acting Chief Superintendent Steve Bending.

Following a Member's query, Mr Collins outlined the terms of the premises license relating to the provision of music.

There being no further questions for Officers, the Chair asked the Metropolitan Police to present their case.

Mr Gurpreet Rai confirmed that the application for the review related specifically to the basement premises of the City Hotel. He commented further on the reasons for the introduction of Section 53A of the Licensing Act 2003, which had been quite recently inserted in pursuance of the Government's aim to reduce violent crime by 15% by 2008. The certificate provided by the Police in requesting the review related to the association of the premises with serious crime and disorder, as a result of recent stabbings. He added that the track record of the premises was so poor that the Police had been forced to apply for the review as there were concerns that someone would die. Accordingly, the Police were asking for the premises licence to be suspended. Attempts had been made to reach an amicable agreement with the DPS and initially the Club management had agreed to close the premises for the coming weekend but had later decided against this. He indicated that details of the case would be presented by Acting Superintendent Robert Revill.

Acting Superintendent Revill commented that his presence at the meeting demonstrated the gravity of the problem with the premises, which presented a running theme of problematic behaviour. Both victims of the most recent stabbing incident were in a critical condition in hospital, on ventilators. There was evidence that a fourteen inch blade had been used to inflict terrible injuries. On the night of Friday 16 May/early hours of Saturday 17 May 2008, two males had been involved in a scuffle in the premises (known as the Temple Rooms) and afterwards had gone outside and were stabbed in the street. Their injuries were horrific and the attack was the latest and most serious of three recent incidents.

CCTV had shown that door staff had been involved in the initial break up of the scuffle. However, when Murder Squad Officers had approached them next day, door staff had denied knowledge of the incident. Other witnesses had stated that the door staff were involved but they had given no co-operation to the Police and only limited statements had been made.

On 11 May 2008, Police had been called to another fight and stabbing in the street after persons had been ejected from the premises following a scuffle. Again, door staff did not attempt to intervene and did not inform the Police. On this occasion the victim had received a stab wound in the back but was discharged from hospital next day.

Acting Superintendent Revill explained the procedure by which the Police undertook risk assessments of upcoming events (CO 14 reviews), which allowed an assessment of the numbers of officers needed to provide an effective presence. Attempts were always made to work along with club management, in order to enforce Police recommendations to maintain public safety.

He referred to the Syn City event at the Temple Rooms on 2 May 2008, which had been graded as a low risk, having assessed the nominated DJs, etc., but these had later been changed and no longer reflected the acts initially proposed. In a similar event elsewhere in London there had been a shooting and a large scale Police deployment had been needed. The DPS of the club at City Hotel had stated that there would be no further Syn City events in future but promotional material had shown that the proposed events for the coming weekend were essentially the same in nature.

Attempts had been made to engage with the DPS, promoters and club owners to ensure the proper management of events but the Police had been lied to and there had been lack of co-operation in interactions with them.

The club management had refused to close voluntarily over the coming weekend, as they would lose too much money and, if the event again proceeded on Friday 23 May, the Police would have no powers to close the club unless they were again able to prove disorder. There were two separate premises licences in force at the City Hotel but the Police had no interest in closing the hotel completely, although there was some spillage in clientele from the ground floor to the basement club. However, they had to look after the best interests of the public. It was stressed that the club did not comprise the hotel owners' sole income and its closure would not result in their being out of pocket. Should a review order be granted, the Police would have a further period to have discussions with the club, as it was the type of event held in the basement area that created problems, seeming to attract people with violent natures.

The Chair invited questions for the Metropolitan Police.

In response to queries from Members, Police representatives replied that:

- there had been very serious incidents over a three-week period – 2 May, 11 May and 17 May, with a recurrent theme and similar events for the coming weekend;
- the event on 11 May had not been Syn City but was a promotional event that attracted a certain type of music and followers, associated with particular DJs and gangs;
- the Police had been assured there would be no further Syn City events but a flier for an event to be held on 6 June 2008 had contained the same phone number as previous similar events and this was considered to be linked with activities where there would be a prevalence of violence;
- three events were being proposed for the coming weekend, on Friday, Sunday and Monday nights, a flier for the last of which had named

about 20 acts – however, this was only about one third of what would actually proceed and consequently a proper risk assessment had not been possible;

- door staff would be expected to make an emergency call to Police if they witnessed trouble in the street outside their club;
- facial identification details of clients were scanned into a machine when entering the club and there was a requirement that people could not enter without such identification: however, there were two staircase entrances to the premises that were not fully monitored, allowing people to enter unrecorded;
- it was felt that the events of the weekend were now too close to discuss measures for tightening security and, in any event, there had been a loss of trust by the Police with regard to the club owners and promoters;
- suspension of the basement club premises licence would not prevent the sale of alcohol elsewhere in the hotel;
- the Police would be looking to discuss with club management a new strategy for running the premises, over the remainder of the 28 day period, should a suspension of the licence be granted.

The Chair thanked everyone for their contributions and advised that the Sub-Committee would be proceeding into private session to consider the evidence submitted.

The Sub-Committee adjourned at 5.25 p.m. and reconvened at 5.30 p.m.

The Chair reported that, having considered the report and all the evidence and comments presented, the Sub-Committee had **RESOLVED**

That the application for a review of the Premises Licence under Section 53A of the Licensing Act 2003, City Hotel/Basement, 12-20 Osborn Street, London, E1 6TE be **GRANTED** with the Premises Licence suspended immediately pending a full review hearing.

The Sub-Committee did not consider that, on balance, there were any alternative measures that could be adopted which would adequately address the serious disorder issues that had been identified and meet the crime and disorder Licensing Objective.

The meeting ended at 5.32 p.m.

Chair, Councillor Fozol Miah
Licensing Sub Committee