



LICENSING (HEARING) SUB COMMITTEE

Date: WEDNESDAY, 9 DECEMBER 2015

Time: 2.00 pm

**Venue: COMMITTEE ROOM - 2ND FLOOR
WEST WING, GUILDHALL**

**APPLICANT:
CITY OF LONDON POLICE**

**PREMISES:
CARAVAGGIO, 107-112 LEADENHALL
STREET, EC3A 4AF**

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LICENSING (HEARING) SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

1. This procedure shall apply to all public hearings conducted under the provisions of the Licensing Act 2003.
2. Public hearings conducted under the provisions of the Licensing Act 2003 shall take the form of a discussion led by the licensing authority. Cross-examination will be permitted when the Sub Committee considers it to be required. The conduct of hearings shall be broadly based, subject to the discretion of the Sub Committee, on the points set out below.
3. At the start of the hearing the Chairman of the Sub Committee will introduce him/herself and other Members of the Sub Committee as well as the City Corporation officers present. Anyone making representations will then be asked to introduce themselves and anyone accompanying them. The applicant will then do likewise.¹
4. The Chairman will then explain the purpose of the hearing and the procedure to be followed at the hearing. The Sub Committee will then make any rulings necessary in respect of requests for witnesses to be heard in support of any of the parties making representations or the applicant.
5. Those making representations will then be invited to present their case. Repetition will not be permitted. Equal time will be offered to the applicant and those making representations. Where there is more than one party making representations and/or calling witnesses in support, consideration should be given to having one spokesman on behalf of all parties so as to avoid repetition. Although the use of a spokesman will be encouraged by the Sub Committee, the decision rests with those parties making representations.
6. In the event of disorder or persistent disregard of the authority of the Chair, the Chairman may suspend or adjourn the hearing, or require that the person(s) causing disorder or showing disregard leave the hearing.
7. In the event that the Sub Committee has decided that cross-examination will be permitted, the applicant will be invited to ask questions of the party(s) making representations and their witnesses (if any). The party(s) making representations and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
8. The applicant will then be invited to present their case and call any witnesses in support of their application. The applicant will be entitled to the same period of time to present his case as those making representations were afforded.

¹ In hearings where a licence is being reviewed, references in this procedure to ‘applicant’ should be read as references to the licence holder and references to ‘those making representations’ should be read as references to those applying for the review.

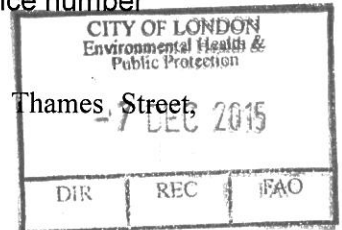
9. In the event that the Sub Committee has decided that cross-examination will be permitted, those making representations will be invited to ask questions of the applicant and their witnesses (if any). The applicant and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
10. The Chairman will ask all parties if there is anything else they would like to add in support of their respective cases.
11. Those making representations will then be invited to make closing submissions followed by the applicant.
12. The Sub Committee will then retire to consider their decision. They may call for assistance by the representatives of the Town Clerk and/or the Comptroller & City Solicitor but those persons will play no part in the decision-making process.
13. In due course, the Sub Committee will return to announce their decision or to inform those present when the decision will be given.

ANNEX C

FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

City of London Licensing Department, Walbrook Wharf, 78-83 Upper Thames Street,
London EC4R 3TD



Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)

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.**

I Inspector Simon Douglas [on behalf of] the chief officer of police for the City of London Police 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 if none or not known, ordnance survey map reference or description:

**Caravaggio
107-112 Leadenhall Street
EC3A 4AF**

Post town: London

Post code (if known): **EC3A 4AF**

2. Premises licence details:

Name of premises licence holder (if known): Roc Restaurants Ltd

Number of premises licence holder (if known): [REDACTED]

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 disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

4. Details of association of the above premises with serious crime, serious disorder or both:

[Please read guidance note 2]

1. **A Summary Review is being sought as a result of a serious incident of crime and disorder associated with the premises in the early hours of Saturday night going into Sunday morning on 6th December 2015. This incident included a fatal stabbing at around 03:20hrs.**
2. **Police were called to the scene of a male stabbed outside Caravaggio, Leadenhall Street. An argument had occurred inside the premises involving the assailant and the victim which spilled out onto the street. The male has since died in hospital and police are treating the matter as murder.**
3. **A Promoted Event was being held there and when officers arrived they were greeted by a large volatile crowd. Officers at the scene tried to establish some control. It was reported that some patrons of Carravaggio's had run from the venue and had started to fight near Undershaft. A number of arrests were made for possession of offensive weapons and grievous bodily harm as a result.**
4. **The on-duty Inspector identified the head doorman and asked for his assistance. There were five door staff who could have assisted but they failed to engage and assist police in clearing the restaurant.**
5. **One of the promoters attempted to get back into the venue to retrieve a birthday cake, causing unnecessary diversions for police who were dealing with a fatally wounded man outside. Neither the manager nor head doorman was doing anything to stop him going back into the venue even though they had been asked to assist with the venue clearance in order to preserve the scene.**
6. **Police finally cleared the venue. Outside, the promoter who had been attempting to regain entry, was arrested for a public order offence. The crowd and the security staff then turned on police who were detaining the promoter. Police had to form a cordon around their colleagues and the arrested man to prevent interference of the arrest and for the safety of the arresting officers.**
7. **It transpires that the security staff were not independent but were instead friends of the promoter and so less professionally accountable for their actions. This unsatisfactory situation has been highlighted to the Premises Licence Holder's management on several previous occasions by police officers.**
8. **Outside the venue, both full and empty nitrous oxide canisters were found. Nitrous oxide and its use (although not illegal per se) has been connected with deaths on the party scene over the last few years.**
9. **The premises has a good record in terms of its core activity as a family-run Italian style restaurant. In fairness, other Promoted Events have been held at the premises with very little incident, although an assault occurred in June 2015 and it was that incident (and after considerable representation from**

police) that compelled the owner to install CCTV.

10. Over several years we have tried to convince the co-owner Piero Quaradhegini, to only operate within his core business activity as a restaurateur. He has chosen not to follow this advice.

11. As a restaurant operator Mr Quaradhegini runs his restaurant well from a licensing perspective, as is to be expected. However due to the fact that there are significant financial gains to be had from hiring out his premises for Promoted Events after usual restaurant hours, he has been reticent to heed our warnings as to the risks of doing so.

12. Police do not believe Mr Quaradhegini has the required experience or skills to operate late night events at his venue, whether directly or indirectly.

13. The police do not believe it is not good enough for a responsible licence holder to delegate his licensing responsibilities to others - particularly when external promoters have less interest in the promotion of the licensing objectives than the licence holder himself – and then later assert they are not to be held responsible for incidents associated with their premises.

14. It seems clear that the crowd who attended this Promoted Event are not the usual transient community of the City of London that work and socialise in the City and who, overwhelmingly, do not have in their possession knives to be used to kill others (as in this case).

15. This event was risk assessed by the police as low risk. The promoters were known to us and they had held events without problems before at the venue. It had been declared as an event for the “older and more mature” crowd. However this claim may not be correct. The victim was aged only 22 and his associates who provided witness statements were also around the same age.

16. This event, an alleged Birthday Party, has resulted in a catastrophe in terms of not only the final outcome but the running of the event:

- i. A mature crowd was expected to attend an event
- ii. A young male aged 22 has been stabbed to death
- iii. A promoter to whom the licence holder has apparently delegated responsibility has been obstructive and arrested for a Public Order offence
- iv. Four of the party goers have been arrested for various offences including possession of offensive weapons and grievous bodily harm
- v. Independent door staff have not been employed by the venue, instead friends of the promoter were employed and they failed to conduct themselves well when tested
- vi. The same door staff have acted in concert with a hostile crowd of party goers in attempting to obstruct police in the execution of their duty.

17. Given that the police have less concerns about the premises continuing to operate as, and only as, a proper restaurant during normal restaurant hours, the police invite the licensing authority to consider imposing the following interim steps as necessary, appropriate and proportionate measures pending a full review of the premises licence:

- i. All licensable activities shall end at 23:30hrs

- ii. All persons (save for staff) shall be off the premises and the premises closed to the public by midnight
- iii. No externally promoted events shall be held at the premises.
- iv. Alcohol shall only be sold to a person sitting down eating a substantial table meal and for consumption with that meal.

Signature of applicant: Simon Douglas
Date: 7/12/2015
Capacity: Police Licensing Inspector

Contact details for matters concerning this application:

Address: **Police Licensing**
78-83 Upper Thames Street
Walbrook Wharf
EC4R 3TD

Telephone number(s): [REDACTED]

Email: [REDACTED]

Notes for guidance:

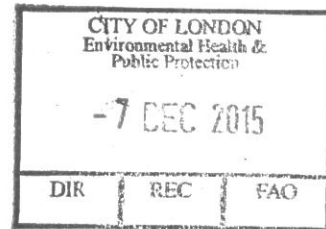
1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder 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.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.



Name and address of police force

**City of London Police
37 Wood Street
London
EC2P 2NQ**

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below is associated with both serious crime and serious disorder

Premises: Caravaggio, Bankside House, 107-112 Leadenhall Street, London EC3A 4AF.

Premises licence number (if known): [REDACTED]

Premises Licence Holder [REDACTED]

Designated Premises Supervisor : Enzo Lino Quaradeghini

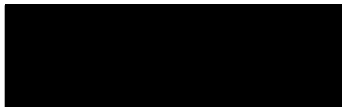
1. I am a Superintendent in the police force.
2. In this case a male was stabbed to death at the venue and the staff and management were obstructive and aggressive towards police when dealing with the early stages of the investigation. This incident follows repeated failures by the Premises Licence Holder to follow police advice and guidance on restricting externally promoted events at this venue after normal restaurant hours.
3. At 03:20 hours on Sunday 6th December 2015, police were called to the premises of Caravaggio, Bankside House, 107-112 Leadenhall Street, London EC3A 4AF. The venue was holding a promoted event, with numbers estimated at 200+. The call was in relation to 20+ males fighting with bottles and belts. These males are believed to be customers of Caravaggio.

4. On arrival police found a male in the street a few yards from the door with a severe stab wound [REDACTED] and bleeding heavily. Police began treating the male for his injuries and as they did so further pockets of fighting from the Caravaggio customers took place in the street.
5. The males involved in the fighting were using their belts as weapons in what has been described as chaotic scenes. A number of these males were arrested for violent/public order offences.
6. As the Police attempted to put up a cordon to maintain and preserve the crime scene, the promoter, door staff and management turned on the police and obstructed their progress. The promoter was arrested for a public order offence and the manager and door staff refused to co-operate with the police in relation to dispersing the crowd and allowing cordons to be put in place to maintain and preserve the crime scene.
7. The victim of the stabbing has since died and a major police investigation is underway to bring the offender(s) to justice.
8. The venue is due to hold another promoted event this Saturday 12th December and it is not believed that the venue would voluntarily cancel the event. Additionally, until investigations are completed, the police cannot exclude the real risk of reprisal or other attacks at this venue at late night promoted events.
9. I have authorised a Summary Review because I do not believe that other procedures under the Licensing Act are appropriate in this case due to:
 - a) the escalating gravity of violence, crime and disorder associated with the premises; and
 - b) the need to rapidly impose necessary steps that promote the licensing objective of preventing crime and disorder.
10. A standard review cannot achieve this objective soon enough. It is also relevant to note that we are entering the busiest and most challenging period for the late night economy in the City in the run up to Christmas and the New Year.
11. There is genuine belief amongst the City of London Police that there may well be further serious assaults and serious disorder associated with this premises if we do not take urgent steps to prevent it.
12. Even before this fatal incident, senior representatives of the licence holder have demonstrated a lack of co-operation with reasonable police requests and a

resistance to following police guidance in relation to late night promoted events at this restaurant. The police are not confident that the Premises Licence Holder has sufficient knowledge or expertise to safely operate a very late night venue in the City of London (including an alcohol-led bar or nightclub type premises or one that hosts late-night promoted events).

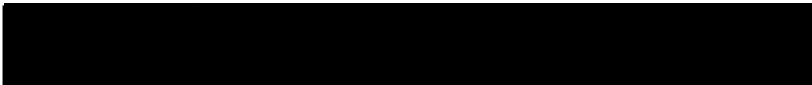
13. The police have less concerns about the premises continuing to operate as, and only as, a proper restaurant during normal restaurant hours. Therefore, we invite the licensing authority to consider imposing the following interim steps pending a full review of the premises licence:

- i. All licensable activities shall end at 23:30hrs
- ii. All persons (save for staff) shall be off the premises and the premises closed to the public by midnight
- iii. No externally promoted events are permitted at the premises.
- iv. Alcohol shall only be sold to a person sitting down eating a substantial table meal and for consumption with that meal.



07/12/15

(Signed) (Date)





**Licensing Act 2003
Section 24
Premises licence**

Trading Standards (Licensing Section), City of London
PO Box 270 Guildhall, London EC2P 2EJ

Premises licence number

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description Caravaggio, Bankside House, 107-112 Leadenhall Street	
Post town London	Post code EC3A 4DP
Telephone number 020 7626 6206	

Where the licence is time limited - the dates

Licensable activities authorised by the licence

Alcohol Sales, Live Music (e), Recorded Music (f), Perform Dance (g), Similar to (e) (f) or (g),
Making Music (i), Provision of Dance (j), Similar to (i) or (j), Late Night Refreshment

The times the licence authorises the carrying out of licensable activities

Alcohol Sales, Recorded Music (f)

Sunday	10:00 - 01:00	-
Monday	10:00 - 01:00	-
Tuesday	10:00 - 01:00	-
Wednesday	10:00 - 01:00	-
Thursday	10:00 - 01:00	-
Friday	10:00 - 03:00	-
Saturday	10:00 - 03:00	-

**Live Music (e), Perform Dance (g), Similar to (e) (f) or (g), Making Music (i),
Provision of Dance (j), Similar to (i) or (j)**

Sunday	12:00 - 01:00	-
Monday	12:00 - 01:00	-
Tuesday	12:00 - 01:00	-
Wednesday	12:00 - 01:00	-
Thursday	12:00 - 01:00	-
Friday	12:00 - 03:00	-
Saturday	12:00 - 03:00	-

The times the licence authorises the carrying out of licensable activities cont'd

Late Night Refreshment

Sunday	23:00 - 01:30	-
Monday	23:00 - 01:30	-
Tuesday	23:00 - 01:30	-
Wednesday	23:00 - 01:30	-
Thursday	23:00 - 01:30	-
Friday	23:00 - 03:30	-
Saturday	23:00 - 03:30	-

The opening hours of the premises

Opening Hours

Sunday	10:00 - 01:30	-
Monday	10:00 - 01:30	-
Tuesday	10:00 - 01:30	-
Wednesday	10:00 - 01:30	-
Thursday	10:00 - 01:30	-
Friday	10:00 - 03:30	-
Saturday	10:00 - 03:30	-

Where the licence authorises supplies of alcohol - whether these are on and/or off supplies

On & Off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Roc Restaurants Ltd
c/o Rayner Essex LLP
Tavistock House South
Tavistock Square
London
WC1H 9LG

Registered number of holder, for example company number, charity number (where applicable)

09090176

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Enzo Lino Quaradeghini
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor – where the premises licence authorises for the supply of alcohol

[REDACTED] – London Borough of Camden

Date granted 28th September 2005

Latest amendment 7th August 2014

Director of Environmental Services
Page 12

Alcohol

There shall be no sale or supply of alcohol when there is no Designated Premises Supervisor (DPS) in respect of this premises licence or at a time when the DPS does not hold a personal licence or when his/her licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

- The policy must require individuals who appear to the responsible person to be under 18 (or such age specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

The responsible person shall ensure that where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- Beer or Cider: ½ pint
- Gin, Rum, Vodka or Whisky: 25ml or 35ml
- Still wine in a glass: 125ml

Customers must be made aware of the availability of the above measures.

* Alcohol minimum permitted price - from 28 May 2014 - on and off sales/supply

1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2 For the purposes of the condition set out in paragraph 1 —

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula —

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence —

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4 (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervisors

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

Films

Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification body designated as the authority under s4 Video Recordings Act 1984.

Where the film classification is not specified or the relevant licensing authority has notified the premises holder under s20(3)(b) Licensing act 2003, the admission of children must be restricted in accordance with any recommendation made by the Local Authority.

BBFC is specified in this licence as the film classification body.

Annex 2 - Conditions consistent with the Operating Schedule

- 1) The following activities are permitted under the terms of this licence:
 - a) Consumption of alcohol on the premises or the taking or supply of alcohol to any person residing in the licensed premises
 - b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered.
 - c) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied.
- 2) The premises may be used for the provision of private entertainment as previously permitted under the Private Places of Entertainment (Licensing) Act 1967.
- 3) Permission is given for the premises to open for all licensed activities from the commencement of trade on New Years Eve until the end of trade on New Years Day.

Annex 4 - Plans

Basement, Ground & Mezzanine

Reference: 229/05

Date: 2005