



LICENSING (HEARING) SUB COMMITTEE

Date: MONDAY, 4 JANUARY 2016

Time: 4.00 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.

Committee(s): Licensing Sub-Committee	Hearing Date(s): 4 January 2016	Item no.
Subject: Licensing Act 2003 - Application for the summary review of a premises licence		
Name of Premises: Caravaggio Address of Premises: 107-112 Leadenhall Street, EC3A 4AF		
Report of: Director of Markets and Consumer Protection	Public / Non-Public	
Ward (if appropriate): Aldgate		

1 Introduction

- 1.1 To consider and determine, by public hearing, the application for a summary review of a premises licence under the Licensing Act 2003, taking into account the representations of the responsible authorities detailed in paragraph 4, other persons detailed in paragraph 5 and the policy considerations detailed in paragraph 6 of this report.
- 1.2 The decision of the Sub-Committee must be made with a view to promoting one or more of the four licensing objectives, namely:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

2 Summary of Application

- 2.1 An application under s.53A of the Licensing Act 2003 (premises associated with serious crime or disorder) made on behalf of the Chief Officer of Police for the City of London by Inspector **Simon Douglas** was received by the Licensing Authority on 7 December 2015 for the summary review of a premises licence in respect of the premises:

Caravaggio
107-112 Leadenhall Street
EC3A 4AF

on the grounds that the premises is associated with both serious crime and serious disorder. The application was accompanied with the grounds for review. A copy of the application can be seen as Appendix 1a.

The application was also accompanied with the statutorily required Certificate signed by Superintendent Paul Clements (Appendix 2).

On 9 December 2015 the City of London Police licensing team submitted additional information in support of the application for review. This can be seen as Appendix 1b.

3 Licensing History of Premises

- 3.1 The premises is a restaurant with a licence which permits the following licensable activities:

<u>Activity</u>	<u>Current Licence</u>
Sale of Alcohol, Recorded Music	Sun - Thu 10:00 – 01:00 Fri – Sat 10:00 – 03:00
Live Music, Performance of Dance, Anything similar to live music/performance of dance, making music, provision of dance, anything similar to making music/provision of dance	Sun - Thu 12:00 – 01:00 Fri – Sat 12:00 – 03:00
Late Night Refreshment	Sun - Thu 23:00 – 01:30 Fri – Sat 23:00 – 03:30

The opening hours of the premises are 10:00 – 01:30 Sunday – Thursday and 10:00 - 03:30 Friday – Saturday. A copy of the current licence can be seen as Appendix 3 and a plan of the premises as Appendix 4.

- 3.2 An application to transfer the premises licence was received from Roc Restaurants Ltd on 7 August 2014. The licence was transferred from Tocco Ltd.
- 3.3 Enso lino Quaradeghini has been the designated premises supervisor since 23 August 2012.
- 3.4 On 7 December 2015 the City of London police applied under s.53A of the Licensing Act 2003 for a review of the Caravaggio on the basis that the premises are associated with both serious crime and serious disorder.
- 3.5 Following the receipt of the application for summary review the Licensing Sub-Committee met on the 9 December 2015 to consider whether it was necessary to take interim steps pending the determination of the substantive review. The Sub-Committee made the decision to reduce the terminal hour for all licensable activities to 23:30 and to place a condition on the licence to prohibit promoted events. A copy of the decision can be seen as Appendix 5.

4 Representations from Responsible Authorities

- 4.1 Two representations have been received from the City of London's Environmental Health Pollution team and the London Fire and Emergency Planning Authority. The representations can be seen in full as Appendix 6. Both representations were in support of the application to review the premises licence.

5 Representations From Other Persons

- 5.1 One representation has been received from a resident living in Creechurch Lane, EC3A. The representation is in support of the application to review the premises licence and can be seen as Appendix 7.

6 Policy Considerations

- 6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing policy and statutory guidance issued under s 182 of the Licensing Act 2003.

City of London Corporation's Statement of Licensing Policy

- 6.2 The following sections/paragraphs of the City of London Corporation's Statement of Licensing Policy are particularly applicable to this application.

Paragraphs 51-54 - state the Corporation's policy on setting conditions which may be applicable dependant on the step(s) taken by members as stated in paragraph nine of this report.

Paragraph 66 - Introduces a number of relevant matters to be considered by the City Corporation when assessing the likelihood of a particular licensable activity causing an unacceptable adverse impact, particularly on local residents and businesses.

Statutory Guidance

- 6.3 The following sections/paragraphs of the guidance issued by the Home Office entitled, 'Section 53A Licensing Act 2003 – Summary Review Guidance', are of particular relevance to this application:

Chapter 5 refers to the review of the premises licence and the steps that a licensing authority can take.

Paragraph 5.1 reiterates that the licensing authority must, 'Consider what steps it considers appropriate for the promotion of the licensing objectives.'

Paragraph 5.1 also states that the licensing authority must decide whether or not the interim steps taken i.e. the reduction of the terminal hour for licensable activities and the addition of a condition, cease to have effect altogether or becomes the subject of any steps which it considers are appropriate when making its determination on the review.

6.4 The following sections/paragraphs of the statutory guidance issued under s182 of the Licensing Act 2003 are also relevant to this application:

Paragraphs 1.16 and 1.17 refer to conditions attached to premises licences which may be applicable dependant on the step(s) taken by members as outlined in paragraph nine.

7 Map of area and nearby premises

7.1 A map showing the location of the premises together with nearby licensed premises is attached at Appendix 8. A key of those premises is included which indicates the maximum permitted hours for alcohol sales in respect of each premises.

8 Summary

8.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, any Statutory Guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1998. The Corporation must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the City.

9 Options

9.1 The sub-committee must, having regard to the application and any relevant representations, take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives:

- i) modify the conditions of the licence (this includes altering or removing any existing condition or adding any new condition);
- ii) exclude a licensable activity from the scope of the licence;
- iii) remove the designated premises supervisor;
- iv) suspend the licence for a period not exceeding three months;
- v) revoke the licence

In the event that the Sub-Committee decides to take either of the steps set out in i) and/or ii) above, it may provide that the modification or exclusion is to have an effect for a specified period (not to exceed 3 months).

Any determination by the sub-committee will not have effect until the end of 21 days following notification of the decision by the licensing authority. If the decision is appealed against, any determination will have effect after the appeal is disposed of.

The sub-committee's decision is required to be made at the conclusion of the hearing.

In the meantime, any interim steps taken under s.53A (2) will remain in place until after the time period specified above i.e. the determination of the review becomes effective.

10 Recommendation

10.1 It is therefore RECOMMENDED that your Sub-Committee determine this application for a review of a premises licence in accordance with paragraph 9 of this report.

Prepared by P Davenport
Licensing Manager
peter.davenport@cityoflondon.gov.uk

Background Papers

<u>BACKGROUND PAPER</u>	<u>DEPT</u>	<u>FILE</u>
Corporation of London Statement of Licensing Policy	MCP	5 th Floor Walbrook Wharf

<p>Statutory Guidance – ‘Revised Guidance Issued Under Section 182 Of The Licensing Act 2003’. March 2015</p> <p>Section 53A Licensing Act 2003 – Summary Review Guidance</p> <p>Premises file</p>	<p>MCP</p>	<p>Statutory Guidance</p> <p>http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/alcohol-supporting-guidance/s53a-licensing-act?view=Binary</p> <p>5th Floor Walbrook Wharf</p>
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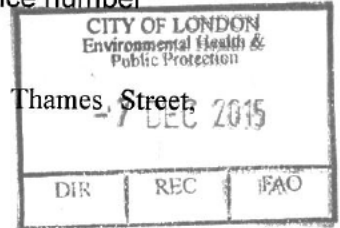
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ANNEX C

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.

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WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: Andrew Robert Philp

URN [] [] [] [] []

Age if under 18: Over (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consi and I make it knowing in it anything which I k

ed by me) is true to the best of my knowledge and belief ce, I shall be liable to prosecution if I have wilfully stated ve to be true.

Signature:.....

2015

(witness) Date: 6th December,

At 0320 hours on Sunday 6th December, 2015 I was on duty in uniform when I attended an incident in Leadenhall Street, London, EC3. I was informed that a male had been stabbed outside the Carravaggio Restaurant on Leadenhall Street. When I arrived at the restaurant there was a large crowd in the roadway and a number of officers trying establish some control. I heard over my radio that some people who had been in Carravaggio's had run from the venue and had started to fight near Undershaft which is a short distance away off St Mary Axe. Some officer left to deal with that situation and I understand that a number of arrests were made for possession of weapons and Grievous bodily harm as a result. As I tried to gain an understanding of what had happened outside Carravaggio's I saw some ambulance crew and police officers with a man on the ground in the roadway to the right of the restaurant of the front of the restaurant. I walked over to establish the extent of the man's injuries and I was told by a member of the ambulance that the man was likely to die.

I tasked officers

had any witnesses to the event and to secure them.

I set the para

de a decision to clear the crowd both from the street

and from Carr

e crowd had been at an event prior to spilling on to

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the street. I approached a man I saw at the front of the restaurant who I believed to be the person in charge of the door. The man confirmed to me that he was the head doorman. I did not record his name at this time. I explained to the man what had happened and asked him to help clear the restaurant and to assist with moving the crowd away from the man who had been stabbed. In a volatile situation I will usually seek the help of door staff who will often have established a good rapport with event goers over a number of similar events. I asked the doorman for the number of his staff and he said that there were five including himself. I explained what I wanted and my request was met with no enthusiasm. He said simply, 'we are trying.' I did not see him or any of his team making an effort to assist police to disperse the crowd. I then entered the restaurant and met with the duty manager, a man who called himself Vlad. I explained to him that I did not want the venue to be cleaned or cleared up and asked him to usher those few remaining patrons out of the restaurant and away. We had a brief conversation with him about cctv at the venue. He confirmed to me that there was cctv and he agreed to show me the system and confirm that it was working. At this time I became aware of some raised voices at the foot of the stairs that sit in the centre of the main restaurant. I heard a man shouting about collecting a cake and then saw him and another man having what I would describe as a tussle at the foot of the stairs. The man who was shouting about the cake was a black male of slim build and aged in his late thirties. He was wearing green coloured trousers and jacket. I asked the manager who he was and the manager explained that he was the promoter. He explained that the man holding him back was a co-promoter. I asked the manager to speak to the parties and then to actively encourage. No attempt was made to do this. I saw that the head doorman was also present but that he made  situation. I waited for a short while and determined

Signature:

Signature witnessed by:

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that none of the staff were going to make a move to resolve what was becoming a heated situation. There were about dozen people, patrons and staff, still in the restaurant and they were making no move to leave. I moved to the foot of the stairs and raised my voice to gain the attention of everyone present. I said that it was necessary to clear the venue to allow it to be examined and asked everyone to leave. They did so. The manager said that he had a significant quantity of money unsecured in an office and he asked if he could enter to secure it. I explained that the restaurant was now sealed and that he would not be able to return until it had been examined. Over the next several hours he made repeated requests to be allowed to go in to the building and I repeated each time a refusal. His continued requests became vexacious and I asked him to sit in my car out of the way.

As I left the restaurant after clearing it, I became aware of three officers struggling with someone on the ground in the street near the front entrance. The man on the ground was the man in the green suit I had seen shouting in the restaurant a short time earlier. A number of officers had established a protective line around the officers on the ground as some people, including door staff, were pushing forward and trying to get at either the officers or man on the ground. I called for more officers to attend to protect those officers present and to restore order. No other officers were available and I feared that the situation would quickly get out of hand. I was horrified by the fact that some of those who appeared to be attacking officers were members of the door staff. I spoke to one of them and asked him to move away and to get control of the other door staff. He told me he would not do this as he felt the police officers had and were dealing with the promoter in a manner that was unwarranted. He told me that an officer had punched the promoter in the face. I then asked the manager to get a grip of his doc [redacted] his but were friends of the promoter. I

Signature:

Signature witnessed by:

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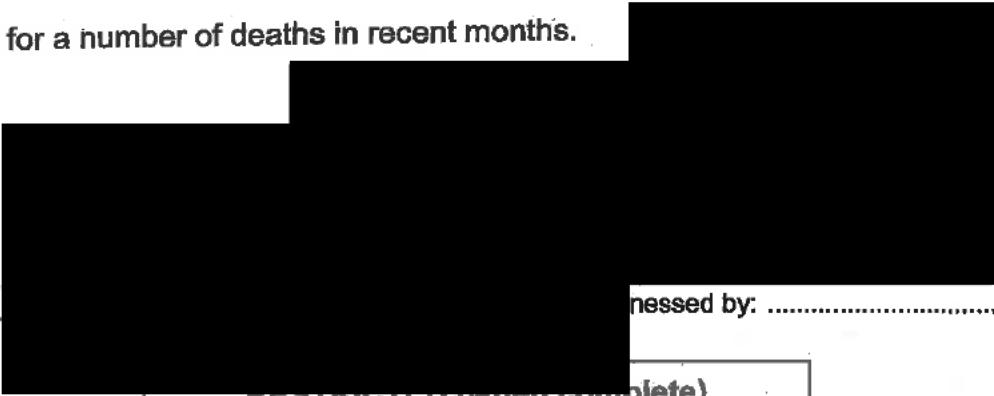
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instructed officers to start moving people back to give their colleagues room to deal with the promoter safely. The situation was becoming increasingly volatile and I felt that officers were vulnerable and exposed. My expectation is normally that door staff should engage with their patrons and assist in calming difficult situations. On this occasion door staff were instrumental in inflaming an already sensitive situation and their lack of assistance meant that I took longer to establish control and protect vital evidence at the scene. I was told that the victim may die and I felt that staff from Carravaggio's hindered my ability to deal effectively with witnesses who may have vital evidence which would identify the offender. In twenty years of service I have never experienced such a frustrating set of circumstances when dealing with the initial stages of a serious crime. It is my belief that the staff and management at Carravaggio's failed wholly to assist the police in investigating a serious crime that was so clearly linked to an event at their premises and that they failed to adequately protect their patrons. They appeared neither to understand nor to carry out their obligations.

Sometime later I surveyed the scene and noted a number of Nitrous Oxide canisters at the rear of a grey Mercedes motor car parked opposite the venue. I established that the car belongs to the promoter who had been arrested. There were also three small cardboard boxes which appeared contain similar canisters at the rear of the car. There were about twelve canisters in each of the card board boxes. Nitrous Oxide has become a popular intoxicant at events throughout the United Kingdom. The gas has been thought to be responsible for a number of deaths in recent months.



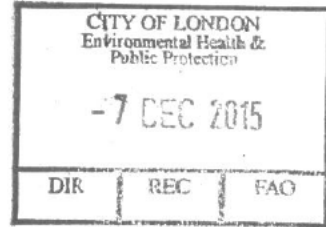
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Name and address of police force

**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): 

Premises Licence Holder: Roc Restaurants Ltd

Designated Premises Supervisor : Enzo Lino Quaradeghini

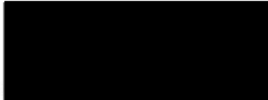
1. I am a Superintendent in the police force.
2. In this case a male was stabbed to death at the venue and the staff and management were obstructive and aggressive towards police when dealing with the early stages of the investigation. This incident follows repeated failures by the Premises Licence Holder 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)

 PAUL CLEMENTS

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**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
Highpoint
North Hill
London
[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 26

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

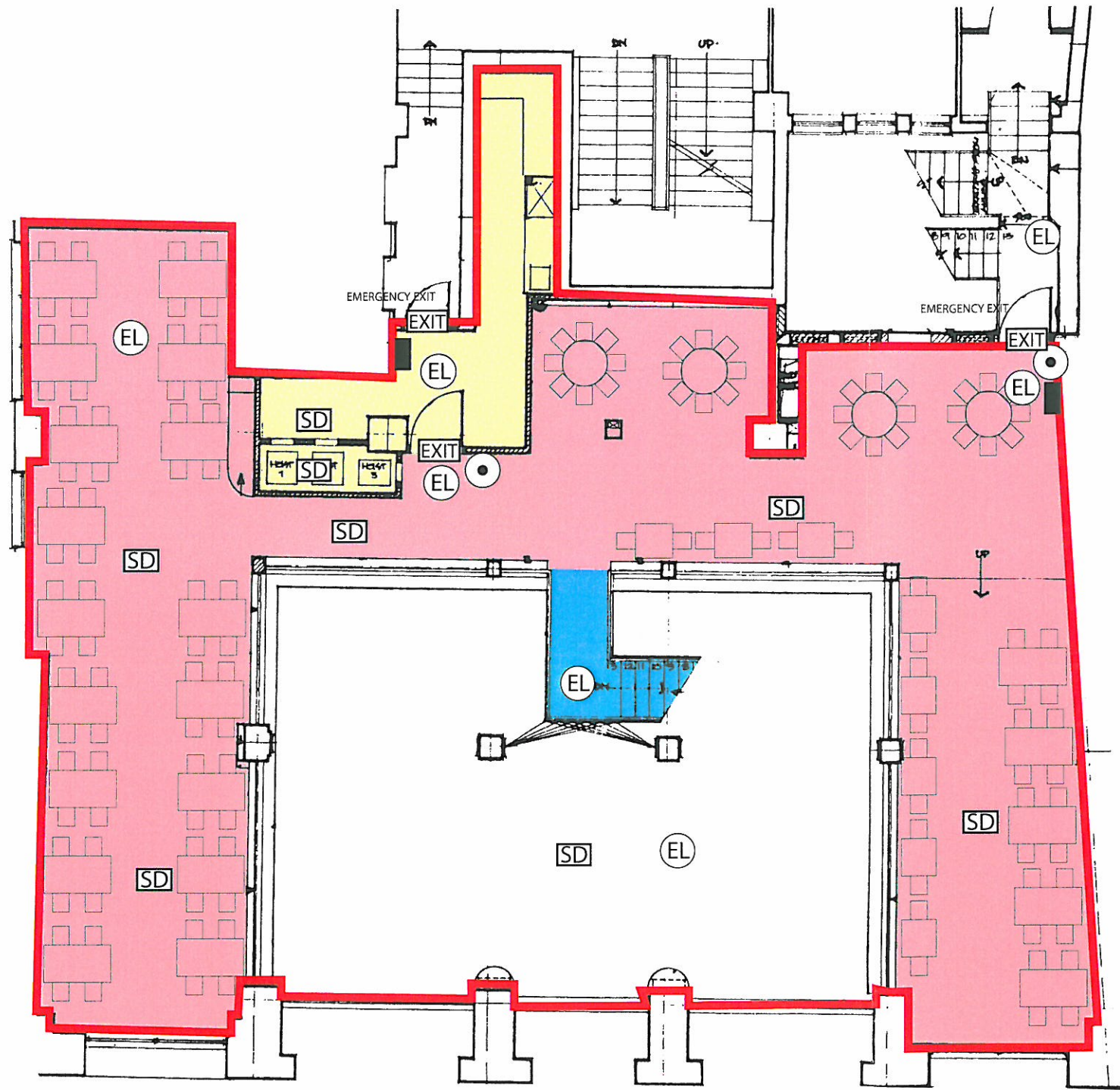
- 1) The following activities are permitted under the terms of this licence:
 - a) Consumption of alcohol on the premises or the taking or supply of alcohol to any person residing in the licensed premises
 - b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of 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



red line	ambit lic d premises
red	restaurant licensed area
brown	dispense bar and liquor store
blue	WC and passageways
yellow	kitchen and staff areas

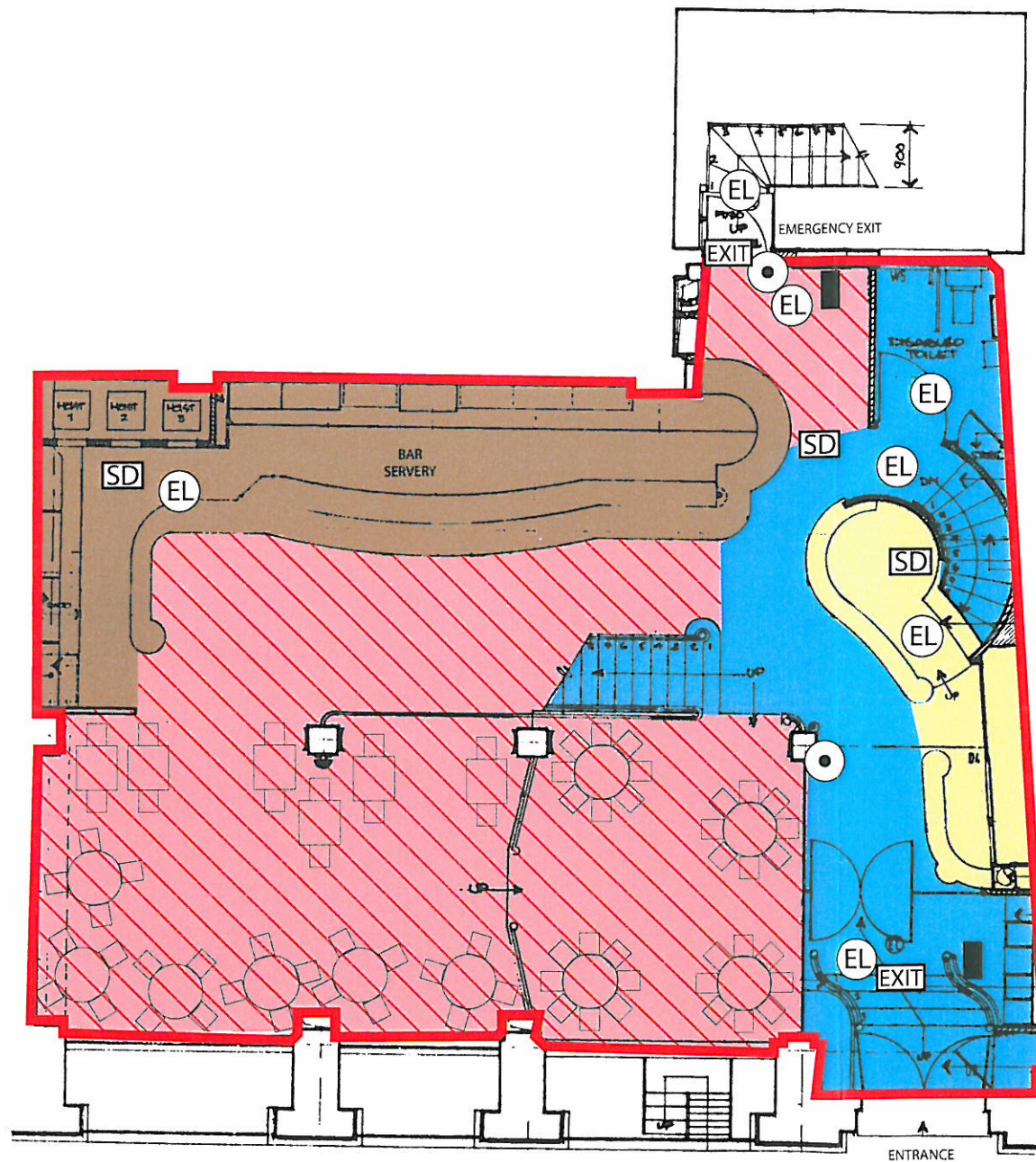
(FB)	fire blanket
(black square)	water extinguisher
(white square)	CO2 extinguisher
(grey square)	foam extinguisher
(SD)	smoke detector
(HD)	heat detector
(EXIT)	emergency exit
(EL)	emergency lights
(circle with dot)	break glass unit

ETRUSCA GROUP	Client
CARAVAGGIO	Job title
DRAWINGS: 3 - RESTAURANT	
MEZZANINE	
229/05	Job No.
1:100	Scale

image machinery

image machinery
 8 moorgate
 london ec2r 6da
 020 7796 4216
 www.imagemachinery.com

Appendix 4



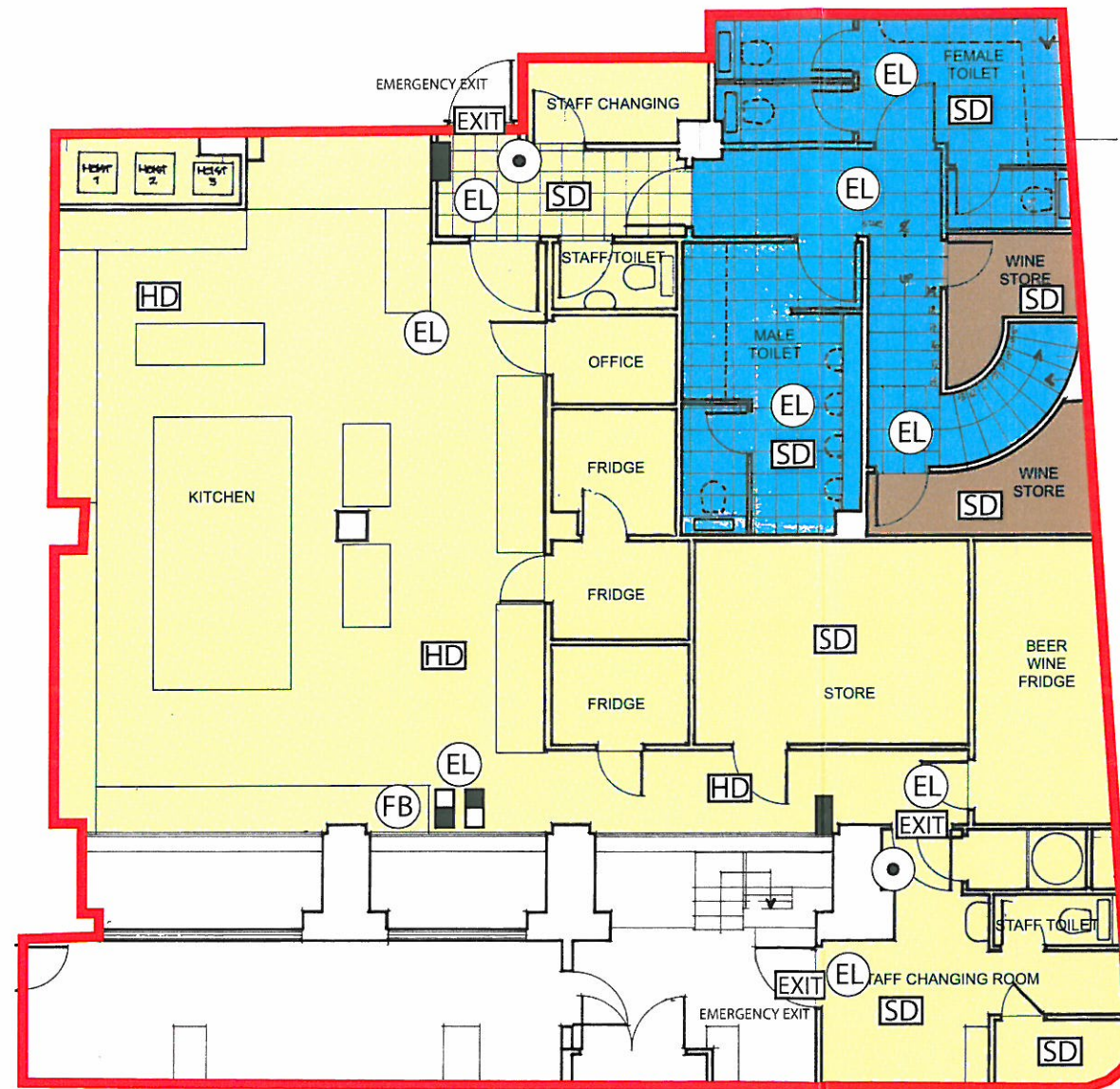
red line	ambit	red premises
red hatch	bar licensed area	
red	restaurant licensed area	
brown	dispense bar and liquor store	
blue	WC and passageways	
yellow	kitchen and staff areas	

- (FB) fire blanket
- water extinguisher
- CO2 extinguisher
- foam extinguisher
- [SD] smoke detector
- [HD] heat detector
- [EXIT] emergency exit
- (EL) emergency lights
- break glass unit

ETRUSCA GROUP Client
CARAVAGGIO Job title
 DRAWINGS: 3 - RESTAURANT
 GROUND FLOOR
 230/05 Job No.
1:100 Scale

image machinery

image machinery
 8 moorgate
 london ec2r 6da
 020 7796 4216
 www.imagemachinery.com



- red line ambit lic d premises
- brown dispense bar and liquor store
- blue WC and passageways
- yellow kitchen and staff areas

- fire blanket
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- CO2 extinguisher
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- heat detector
- emergency exit
- emergency lights
- break glass unit

ETRUSCA GROUP Client
CARAVAGGIO Job title
 DRAWINGS: 3 - RESTAURANT
 BASEMENT
 231/05 Job No.
1:100 Scale

image machinery

image machinery
 8 moorgate
 london ec2r 6da
 020 7796 4216
 www.imagemachinery.com

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Town Clerk's Office

John Barradell

Town Clerk & Chief Executive

Telephone 020 7332 1407

Fax 020 7796 2621

Email

gemma.stokley@cityoflondon.gov.uk

Our ref GS/LIC

Date 9 December 2015

Dear Sir/Madam

Licensing Act 2003: Summary Review – Notification of Interim Steps Caravaggio, 107-112 Leadenhall Street, EC3A 4AF

I write to notify you of the decision of the Licensing Authority of 9 December 2015 in relation to an application made pursuant to Section 53A of the Licensing Act 2003 by the Commissioner of Police for the City of London Police for a Summary Review of the premises licence for Caravaggio, 107-112 Leadenhall Street, EC3A 4AF.

In light of representations made on behalf of the Commissioner, the Licensing Authority has decided to exercise its power under Section 53B of the Licensing Act to impose the following interim steps:

- Reducing the permitted hours of all licensable activities to 23.30hrs
- All persons (save for staff) shall be off the premises and the premises closed to the public by midnight
- To impose the following condition on the premises licence :- “There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.”

A full Review Hearing will take place on **Monday, 4th January 2016 at 4.00pm** at Guildhall.

In the meantime the premises licence holder is entitled, pursuant to Section 53B (6), to make representations against the interim step decision. In such a case a public hearing will take place within 48 hours of the receipt of those representations; the calculation of 48 hours being in accordance with Section 53B (10).

Page 2 of 2

Yours faithfully

Gemma Stokley
Clerk to the Licensing Sub Committee

From: Sambells, Rachel
Sent: 15 December 2015 14:37
To: M&CP - Licensing
Subject: RE: Representation - prevention of public nuisance - Caravaggio

Dear Licensing Authority,

I note that an application has been made by the Police responsible authority to review the premises license of Caravaggio, 107-112 Leadenhall Street, EC3A 4DP. The review application, dated 7th December 2015 has been made on the grounds that the premises has been associated with serious crime and serious disorder, with promoted events cited as the cause. On behalf of the environmental health responsible authority, I would like to make a representation in support of the Police review. This is because the environmental health responsible authority believes that the public nuisance licensing objective is adversely affected on nights when promoted events are held at the premises.

To summarise recent complaints that have been made to this department about the premises, I can confirm the following;

- 3 complaints have been received about noise related to the promoted events at the premises between August and October 2015.
- The complaints are from 3 separate residents.
- The complaints relate to noise break out of bass beats and noise from people dispersing from the premises on evenings and early hours of the morning when promoted events have been held at the venue
- Statutory nuisance from music break out affecting a residential premises has not been witnessed and hence no action has been taken under the Environmental Protection Act 1990.
- Loud bass music break out affecting the street environment has been witnessed by officers.
- Some evidence of public nuisance from groups of loud patrons dispersing the venue and blocking the pavement and public highway has been witnessed by officers. Please see 3 photo's attached taken on 9th August 2015 at 04.05.
- Littering of fliers by distributors attracted to the venue has been witnessed and clean up by the promoter required by the cleansing team.

In response to the complaints and officer observations, in addition to words of advice being given to those managing events 'on the night' officers have also visited the licensee and written to the licensee advising how music break out and dispersal can be better controlled to prevent disturbance to local residents.

As the public nuisance directly relates to the holding of promoted events at the premises, the environmental health responsible authority supports the removal of such promoted events as necessary to promote the licensing objectives.

Rachel Sambells BSc MPH CMCIEH

Chartered Environmental Health Practitioner

Team Manager – Pollution Control
City of London Corporation
Tel. [REDACTED]





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LONDON FIRE AND EMERGENCY PLANNING AUTHORITY

STATEMENT OF WITNESS (Criminal Justice Act 1967, Section 9, Magistrates' Court Act 1980, Section 102; Magistrates' Courts Rules 1984, Rule 70)

STATEMENT OF WITNESS

Statement of: Nigel Haines Bedford

Age if under 18 (if over 18 insert "over 18"): Over 18

Profession or Occupation of Witness: Fire Safety Inspecting Officer

Address: 169 Union Street London SE1 0LL

This statement consisting of 3 page(s), signed by me, is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature of Witness: [Redacted]

Signature Witnessed by: [Redacted]

Dated: 14 / 12 / 15

1. I NIGEL HAINES BEDFORD am a Fire Safety Inspecting Officer for the London Fire Brigade , I am attached to the North East Fire Safety team . I was previously employed as an operational Fire fighter and served at a variety of stations over a twenty three year period , in a variety of job roles . I re joined the London Fire Brigade in 2007 when I started my current placement as a fire safety inspecting officer.
2. , I have been on numerous training courses and am currently trained to level four Fire Safety by the Fire Protection Association . I also attained a Bon Solon - Level 7 B Tec in Investigation techniques in 2015.
3. I received notification from our Peak activity team manager MALCOLM BOWDEN that a premises called CARAVAGGIO of 107-112 LEADENHALL STREET LONDON EC3A 4DP was now the subject of a license review hearing on the 4th January 2016 due to a serious incident that took place recently.
4. I checked our files and noted that the premises had been subject of enforcement action by the LONDON FIRE BRIGADE in 2012 at the time the majority of the enforcement notice was based on poor management .
5. I asked our administration department to open a fire safety audit job for me and I carried out the fire safety audit along with both my Station Manager PAUL EASTLAND and my watch manager Duncan New .
6. I had concerns for public safety due to poor levels of management , I noted the following problems when carrying out the fire safety audit which have now been sent to the owner as an enforcement notice.

Signature [Redacted] **Signature Witnessed by :** [Redacted]

Continuation statement of Nigel Bedford

7. The Fire risk assessment was found to not be suitable and sufficient – although considered in the past it was not available on the day of audit No evidence that the original fire risk assessment has been reviewed could be produced .
8. The preventative and protective measures in place in the premises had not been reviewed or maintained . The fire alarm system was noted to be in fire mode with two fires indicated on the alarm panel and an earth fault showing. This system was untested and no certification was available .The fire alarm system is designed to give early warning to occupants to allow them to escape the building before suffering death or serious injury. In this instance we were unsure if the alarm would have worked had a fire occurred in the premises.
9. Some of the emergency lighting has been replaced but some of the emergency lighting was found to be defective with no power indication lights working and a case around the light was falling apart. The emergency lighting is to provide customers with a small amount of light and to illuminate the nearest fire exit in an emergency
10. An emergency fire exit door located at first floor mezzanine level by a washing up and coffee area had been removed with out being risk assessed .
11. The fire door had been providing two door protection to the staircase which is lobbied on all floors except the top floor as the building is over 18m in height.
12. No maintenance program was in place for the premises , the second fire door leading from this wash up and coffee area at mezzanine level in the public area was shut tight and had to be kicked open by the owner to get out of this area. (the Dumb waiters were also in this area which have a direct link to the kitchen in the basement area) Had a fire occurred in the premises and customers and staff needed to evacuate the failure of this door could have led to the death or serious injury of persons in the premises or caused panic due to persons being unable to open the escape route exit door.
13. A similar fire door which leads out the building from a kitchen staff area was found to be broken with string attached to a weight on the door , the handle was missing and the door did not shut correctly. Outside this door the area was being used as a smoking area (cigarettes were found in this area with the storage of flammable waste materials paper and rubbish in close proximity. Any fire in the outside area would spread quickly in to the restaurant as the fire door was not functioning.
14. In the exit route from the premises by the front door a large safe had been left in the escape route with a table cloth over it ,this could not be moved on the day due to the weight of the safe. This would have restricted the escape route of persons attempting to escape via the front door of the premises. Any persons attempting to leave via the front door in an emergency may have had a serious injury trying to negotiate the safe in the escape route.
15. I asked the front receptionist on how she would react if a fire occurred and how would she raise the alarm and I was informed that she did not know, she stated that she would rely on the duty manager .
16. Any delay in raising the alarm or calling the fire service may lead to the death or serious injury of the occupants of the premises .
17. I asked the head Chef the same question and he was able to demonstrate how he would isolate the kitchen gas and electric supply in the event of an emergency.
18. I discussed the fire risk assessment with the owner who said that he would need time to get all the management paperwrck in order and develop plans .

Signature

[Redacted Signature]

Signature Witnessed by :

[Redacted Signature]

Continuation statement of Nigel Bedford

19. No emergency plan has been developed for the premises

20. I informed the owner that I would be issuing an enforcement notice on the premises .

21. I discussed time limits with the owner and it was agreed that I would allow ten weeks to get all the paperwork and records up to date as well as carry out a review of the fire risk assessment. The owner informed me that he would be away from next week until the new year and that he may need to upgrade the fire alarm system additionally, the Christmas holiday may delay the works .

Signature



Signature Witnessed by :





The Company Secretary
Roc Restaurants Limited
9-11 Bow Churchyard
London
EC4M 9DQ

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 14 December 2015
Our Ref 00/011614/PDB

ENFORCEMENT NOTICE

**Notice requiring steps to be taken under Article 30 of the
Regulatory Reform (Fire Safety) Order 2005**

TO :

Name: **Roc Restaurants Limited**

Address: **9-11 Bow Churchyard, London EC4M 9DQ**

Concerning Premises at: **Caravaggio, 107-112 Leadenhall Street, London EC3A 4DP**

I Neil Orbell, Assistant Commissioner (Fire Safety Regulation) on behalf of the London Fire & Emergency Planning Authority (the Authority) hereby give you notice that the Authority is of the opinion that you, as a person being under an obligation to do so, have failed to comply with the duties placed upon you by the Regulatory Reform (Fire Safety) Order 2005 (the Order) in respect of the above named premises, the relevant persons who may be on the premises or who may be affected by a fire on the premises.

The matters which, in the opinion of the Authority, constitute the failure to comply with the Order are specified in the schedule attached to this notice.

The relevant extracts of the legislation are attached.

The Authority is further of the opinion that the steps identified in the schedule to this notice must be taken to remedy the specified failure to comply with the Order.

Unless the steps identified in the schedule attached to this notice have been complied with, or such other steps are taken to remedy the failures in consultation with the Authority, you will be deemed not to have complied with this notice.

There may be suitable alternative safety measures, to those detailed in this notice that would meet the requirements of the order. If you wish to propose or discuss any alternative measures you should contact the person named below, before you take any action, to ensure that your proposed measures will be deemed satisfactory by the Authority.

The steps must be taken by **22 February 2016** (or such extension if granted by the Authority).

If you fail to comply with the requirements of this notice, you may have committed an offence. The Authority may consider a prosecution against you. If you are found guilty, you will be liable to a fine or imprisonment (or both).

You have the right to appeal against this notice, by way of complaint for an order, to the Clerk to the Court of the Magistrates' Court acting for the petty sessions area in which your premises is located. If you wish to bring an appeal, you must do so within 21 days of the date this notice is served on you. The Magistrates' Court Act 1980 will apply to the proceedings. The bringing of an appeal will suspend the operation of this enforcement notice. An appeal against an enforcement notice served under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, may be brought on any grounds. These may include that you are aggrieved:

- a) by anything mentioned in the notice with respect to the premises concerned, or the relevant persons as defined by the Order, being a step which must be taken in order to comply with the Order; or
- b) by the period allowed by such a notice for the taking of any steps mentioned in it.

If at any time you wish to discuss the requirements of this notice, or are experiencing difficulty in carrying out the work, please contact **Inspecting Officer Nigel Bedford**.

Signed:



Dated: **14 December 2015**

Assistant Commissioner
(The Officer appointed for the purpose)

The contents of this notice are without prejudice to any requirements or recommendations that may be made by the Authority under the Petroleum (Consolidation) Regulations 2014, or either the local authority or the Health and Safety Executive under any other Act of Parliament or Regulation for which they are the enforcing authority. Approval will normally be required under the Building Regulations for any building works for which you are obliged to notify the local Building Control Officer under the Building Regulations 2010 or an Approved Inspector under the Building (Approved Inspectors etc) Regulations, 2010.

Encl: FS03_01a
FS03_01b
FS03_06

Cc: City of London, Licensing Department, Guildhall, PO Box 270, London EC2P 2EJ

Cc: Piero Quaradeghanini, Caravaggio, 107-112 Leadenhall Street, London EC3A 4DP

Reply to Nigel Bedford
Direct T 0208 555 1200 Ext 35653
FSR-AdminSupport@london-fire.gov.uk

Notes:

**ENVIRONMENT AND SAFETY INFORMATION ACT 1988
SECTION 4 - PROTECTION OF TRADE SECRETS**

The above Act requires the London Fire and Emergency Planning Authority to maintain public registers of notices issued under Article 30 of the Regulatory Reform (Fire Safety) Order 2005, (other than those which impose requirements or prohibitions solely for the protection of persons at work) and Sections 21 and 22 of the Health and Safety at Work etc, Act 1974.

Provisions are made within the Act for persons on whom the above notices are served to appeal against any proposed entry in the register which may disclose "trade secrets" or "secret manufacturing processes".

Entries in the register are required to be made after the period for appeal against the notice expires or after any appeal is disposed of.

If you feel that any such entry would disclose information about a trade secret or secret manufacturing process you may write to the Fire Authority within a period of 14 days following the service of the notice, requesting exclusion of these details (see Section 4 of the 1988 Act).

SCHEDULE

Schedule referred to in the enforcement notice reference **00/011614/PDB** under the Regulatory Reform (Fire Safety) Order 2005, issued by the London Fire and Emergency Planning Authority on **14 December 2015**.

Certain terms written in BLOCK CAPITALS in this schedule are standard terms defined in "**Definitions of standard terms used in means of escape requirements**" which form part of this schedule. Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the fire authority, need to be taken in order to comply with the Order.

NOTE : Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the premises, **you** must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

Article	Location and detail of matters which are considered to be failures to comply with the Order	Steps considered necessary to remedy the failures
Article 9(1)	At the time of the audit the fire risk assessment for your premises was not suitable and sufficient. It was found that the maintenance of the fire alarm system which is very old had not been carried out as faults and fires were being shown on the alarm panel.	The fire risk assessment should be reviewed, with specific consideration given reviewing the protective and preventative measures in the premises.
Article 10	At the time of the audit the risk reduction and prevention principles of the Order had not been applied in the correct sequence. It was found that: Where issues requiring remedial works have been identified, there is no coherent plan for implementation.	Apply the principles of prevention contained in Schedule 1 Part 3 of the Order in the priority set out in that schedule. In particular maintain the protective measures in the premises.

Article 11	At the time of the audit your preventative and protective measures had not been planned, organised, controlled monitored or reviewed where required. It was found that the fire alarm system was in fault mode and showing a fire. Some of the emergency lighting was not working and a fire door had been removed without reviewing the fire risk assessment.	Arrangements identified as not suitably addressed must be effectively planned, organised, controlled, monitored or reviewed.
Article 17(1)	At the time of the audit you had not ensured that a suitable system of maintenance was in place in your premises. It was found that the fire alarm was in fault and fire mode. The emergency lighting by the wash up areas was defective. The fire doors require maintenance to allow its opening in an emergency. The fire door off the kitchen should be repaired to protect the means of escape route.	Arrange initial and on-going maintenance to ensure fire safety measures are kept in an efficient state, working order and good repair. This can be achieved by arranging a maintenance program for the fire alarm system , emergency lighting and the fire doors.
Article 19	At the time of the audit you had not provided your employees with clear and relevant information. It was found that no relevant information had been passed to employees.	Provide your employees with information. This can be achieved by developing an emergency plan and informing staff of the risks in the premises.
Article 21	At the time of the audit your employees had not been provided with adequate safety training. It was found that staff had very little knowledge of what to do in a fire situation.	Provide your staff with adequate safety training. In particular what to do in the event of discovering a fire , how to raise the alarm , or how to respond to the alarm activation.
Article 14	At the time of the audit the emergency routes or exits were inadequate. It was found that staff were smoking outside the fire exit from the basement where the means of escape are hindered by flammable waste materials stored there.	Ensure adequate emergency routes and exits, for use by relevant persons in the premises, are available and can be safely and effectively used at all relevant times. This can be achieved by managing the escape routes ensuring they are available at all times , not blocked and smoking is banned in the area outside the kitchen area.
Article 14	At the time of the audit the emergency routes or exits were inadequate. It was found that an old safe was being stored inside the front door of the premises on an escape route.	Ensure adequate emergency routes and exits, for use by relevant persons in the premises, are available and can be safely and effectively used at all relevant times. This can be achieved by removing the old safe from the entrance lobby area.

Article 8	At the time of the audit the general fire precautions as identified in the significant findings of your fire risk assessment had not been implemented. It was found that the fire alarm was in fault mode and showing two fires. Staff had not received the appropriate training .	Implement the significant findings of your fire risk assessment, in particular carry out routine maintenance of the fire alarm system and instruct and train staff for fire safety evacuation and what to do in the event of a fire.
Article 15(1)	At the time of the audit your procedures to be followed in the event of serious and imminent danger were inadequate. It was found that no emergency plan was in place, the only member of staff that was aware of any procedure was the kitchen manager who was questioned and prompted for a response.	Adequate procedures for serious and imminent danger and for danger areas should be established and followed. This can be achieved by developing and recording an emergency plan for the premises.

Aznar, Stephen

From: Misha Stavrides <[REDACTED]>
Sent: 19 December 2015 14:51
To: M&CP - Licensing
Subject: Review of Premises Licence- Caravaggio, 107-112 Leadenhall

Dear Sirs,

My wife and I are of the opinion that ever since Caravaggio has operated a late night licence, whereby they hire out their venue to various club promoters, results in issues with noise and anti-social behaviour every weekend.

These problems arise as they spill out into the neighbouring streets, causing aggressive shouting, screaming, fighting - particularly in the early hours of the morning (midnight to 4am).

This anti-social behaviour frequently occurs in Creechurch Lane which is a residential street, with over 30 flats and a building of hotel-apartments hired out to tourists and staff of City businesses.

This is because Creechurch Lane provides street parking – so residents have to endure delayed loitering and clearing of the area, which often involves Caravaggio's clientele entering our courtyard and extending their evening with drink, drugs and other anti-social behaviour.

We believe this anti-social behaviour resulted in the recent stabbing attack and tragic death of an individual which generated negative media coverage concerning an establishment in the City.

When confronting Caravaggio to find the recent Notice, the owners became quite unpleasant and offhand, stating that all problems occurred outside the establishment, so were 'not their problem' and that the issues were frequently caused by the police.

In conclusion, we would request the consideration of Caravaggio's late licence being revoked and returned to a restaurant-only licence, where alcohol is served, only as a complement to a meal.

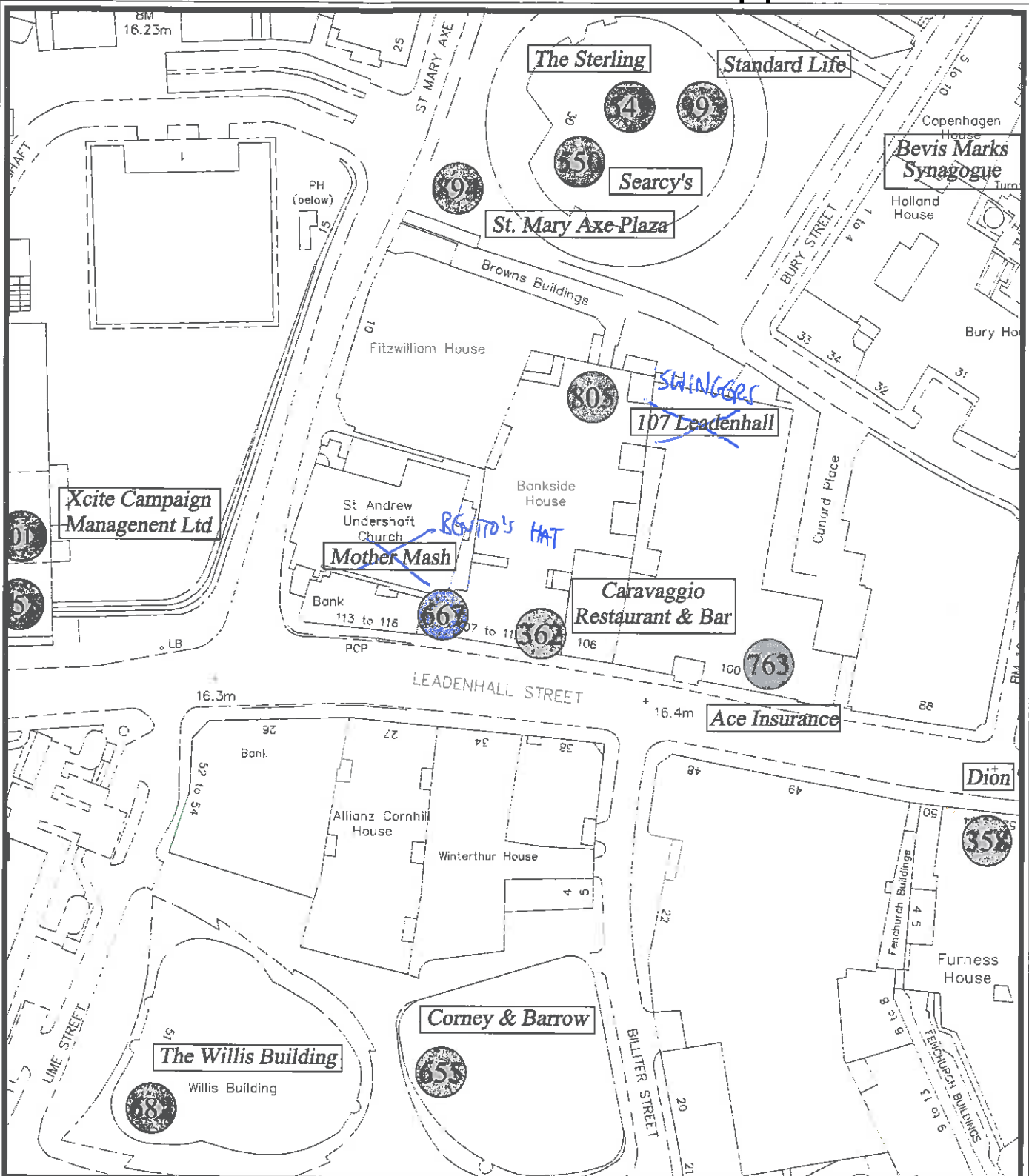
This move would greatly benefit the area, which has become a no-go zone from Saturday night to Sunday morning. For Caravaggio to continue having a late licence will be greatly detrimental to this historic/prestigious quarter of the City.

Thanking you in advance for this consideration,

Yours faithfully,
Misha Stavrides

[REDACTED]
Creechurch Lane
London
[REDACTED]

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Address :
Caravaggio Restaurant & Bar.
 (ref 362),
 Retail Unit 1,
 Bankside House,
 107-112 Leadenhall Street,
 London, EC3A 4AF.

PLAN PREPARED BY THE CARTOGRAPHIC
 CAD & RESEARCH SECTION OF THE
 CONSTRUCTION PROJECTS DIVISION
P.G.Bennett, MA (Cantab) FRICS
 City Surveyor
CITY SURVEYOR'S DEPARTMENT
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**CITY
LONDON**


**MARKETS AND CONSUMER
PROTECTION**

Environmental Health and Public Protection
Section

**PO BOX 270, GUILDHALL,
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Tel : 020 7332 3227 Fax : 020 7332 3536

Print Scale :
 1 : 1 @ A3
 Date :
 Dec 2015
 Drawn by :
 M.J.B.

Scale 1:750



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5-C-39122

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CARAVAGGIO, Retail Unit 1, 107-112 Leadenhall Street, EC4A 4DP

<u>Map Reference</u>	<u>Name</u>	<u>Maximum Permitted Hours for Alcohol Sales</u>
1. (682)	The Willis Building	Mon – Fri: 00:00 – 00:00
2. (655)	Corney & Barrow	Wed – Sat: 07:30 – 00:00
3. (358)	Dion	Mon - Sat: 10:00 – 00:00
4. (763)	Ace Insurance	Sun – Sat: 00:00 – 00:00
5. (667)	Benito’s Hat	Sun – Sat: 07:00 – 02:30
6. (013)	Xcite Management	Sun – Sat: 06:00 – 01:30
7. (805)	Swingers	Sun – Sat: 08:00 – 03:00
8. (894)	St Mary Axe Plaza	Sun – Sat: 11:00 – 00:00
9. (550)	Searcys	Sun – Sat: 07:00 – 03:00
10. (549)	The Sterling	Thu – Sat: 07:30 – 03:00
11. (995)	Standard Life	Sun – Sat: 07:00 – 01:00