

**MINUTES OF THE SUMMARY REVIEW LICENSING (HEARING)
SUB COMMITTEE**

HELD ON 2 DECEMBER 2013

APPLICANT: CITY OF LONDON POLICE
PREMISES: THE DOLLHOUSE, 7-8 BISHOPSGATE CHURCHYARD,
LONDON, EC2M 3TJ

PRESENT

Sub Committee:

Edward Lord OBE JP CC (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

City of London Officers:

Alistair MacLellan – Town Clerk’s Department
Paul Chadha – Comptroller & City Solicitor’s Department
Peter Davenport – Markets & Consumer Protection Department
Steve Blake – Markets & Consumer Protection Department

Applicant:

Gary Grant – Counsel representing the Applicant
Superintendent Norma Collicot – City of London Police
Inspector Hector McKoy – City of London Police
PC Daniel White – City of London Police
PC Neil McMillan – City of London Police

Premises:

David Wilcox – Premises Licence Holder
John Agdomar – Premises Head of Security Operations

Licensing Act 2003 (Hearings) Regulations 2005

A Summary Review Hearing was held at 2.30pm in the Committee Room 3, Guildhall, London, EC2, to consider and determine interim measures regarding the application for a summary review of the premises licence for ‘The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ.’

The Sub Committee had before them the following documents:-

- Appendix 1: Application for Review of a Premises Licence
- Appendix 2: Certificate issued by Superintendent Collicot in

support for the Application

Appendix 3: Grounds for Summary Review

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1. The Hearing commenced at 2.40pm.
 2. The Chairman introduced the panel members and officers present and invited the Mr Grant to summarise his client's application.
 3. Mr Grant informed the panel that the City of London Police were of the opinion that the premises licence should be suspended in the interim before a full review hearing. He referred to the trigger incident described in the Grounds for Summary Review, a prolonged incident of serious public disorder outside of the premises on the night of 28/29 November which had seen three streets closed whilst police restored order and calm. The incident had involved up to 200 persons at its height and had been typified by several pockets of 15-20 persons fighting. It was the opinion of the Police that the trigger incident was consistent with an emerging pattern of both poor management and public disorder at the premises, a summary of which was within the Grounds for Review document. The premises was currently assessed as 'red' in the City of London's licensing traffic light system, and its management were consistently poor in both completing and submitting standard documentation such as event risk assessments. Furthermore he noted that in a bid to improve its financial position the premises typically used external promoted events such as that which had preceded the trigger incident. He illustrated the City of London Police's concern over the premises' management by citing an example of a recent assault by a male on his ex-girlfriend which had been witnessed – but not responded to - by two door supervisors. Moreover, the two door supervisors had refused to give statements to Police regarding the incident.
 4. *The panel was then shown approximately ten minutes of CCTV footage of the trigger incident, taken from a CCTV camera located adjacent to the entrance of the premises.*
 5. Both Mr Grant and Inspector McKoy provided commentary to the footage. They said that it demonstrated the escalation of the incident given that persons could be seen apparently using their mobile phones to summon friends in the immediate vicinity to join them. Furthermore, premises security personnel could be seen doing nothing to respond to the escalating disorder, and an eye-witness report from the incident endorsed the impression that premises security was ineffectual, given that when questioned a member of premises staff had claimed to have ten colleagues on duty but was unable to locate where they were. He noted that the premises did not call for Police assistance. As the incident escalated further, a police dog was deployed and Police Support Group Officers arrived and closed off adjacent streets. It was noted that the footage did not give an adequate impression of the high volume of noise being generated by the disorder. At one point a male engaged in the disorder was

heard to call for a firearm to be fetched, whilst separately a group of females collected a baseball bat from a nearby vehicle.

6. In response to a question from a member, Inspector McKoy confirmed that it was the opinion of the senior Police officer present at the incident that the persons involved in the disorder were patrons of the premises.
7. In response to a question from the Chairman, Inspector McKoy confirmed that the cause of the incident was still under investigation.
8. In summary, Inspector McKoy noted that City of London Police had been engaging with premises management and had expressed their concern to them over their inability to respond to and control the emerging disorder.
9. The Chairman informed those present that the Sub Committee would retire to consider its decision.
10. On returning, the Chairman informed those present of the Sub Committee's decision to suspend the premises licence ahead of a full Review Hearing on 30 December 2013, given the Sub Committee's concern over the potential for further public disorder. He then invited those present representing the premises to make any representations regarding this interim suspension of the license.
11. Mr Wilcox expressed the opinion that the interim suspension of the license was not the correct decision to make. He noted that prior to the trigger incident the largest disorder issue at the premises had been a simple fistfight, and in this context the trigger incident had been a one-off. He noted that the promoted event on the night of the trigger incident had organised with a promoter with whom the premises had not previously worked with, and in light of the incident would not work with again. He added that he had met with Inspector McKoy before the trigger incident and had been told crime associated with the premises was down. Furthermore, he argued that management of the premises was responsible, given that the venue was routinely closed at 3:00am rather than at the licensed hour of 7:00am.
12. The Chairman explained that the premises would have the opportunity to explain its management practices at the full review hearing on 30 December, and that for the time being Mr Wilcox was being offered the opportunity to respond specifically to the Sub Committee's interim decision to suspend the premises licence.
13. Mr Wilcox requested that the premises be allowed to operate in the interim on the understanding that it would not run any promoted events, given that the Christmas and New Year period was crucial for its revenue.
14. Mr Agdomar took the opportunity to note that the trigger incident had begun as an argument between two brothers, and that contrary to what the Sub Committee had heard, door staff had done their best to respond to the incident and had not called Police as they had been fully committed in attempting to restore calm. Regarding the failure of two door staff to intervene in the earlier

incident of a male assaulting his ex-girlfriend, he noted that the door staff had refused to give statements to Police as they were reluctant to have their time taken up by attending court as witnesses.

15. Mr Grant summed up the Application by noting that the CCTV footage was the best argument in support of the application – it demonstrated that the premises management had no capacity to manage major events, which given the upcoming busy Christmas and New Year period was a major risk to public order.

16. The Panel briefly consulted amongst themselves.

17. The Chairman said that the Sub Committee recognised the interim suspension of the license would be economically difficult for the premises given the Christmas and New Year period but that they remained of the opinion that the management lacked the ability to run the premises responsibly. He noted that the premises in the meantime was entitled to make representations against the interim decision, and that in such a case a public hearing will take place within 48 hours of the receipt of those representations.

The meeting closed at 3.21pm

Chairman

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Copy of the Interim Decision circulated to all parties on 3 December 2013

THE COMMON COUNCIL OF THE CITY OF LONDON

LICENSING SUB-COMMITTEE

Edward Lord OBE JP (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

Monday 2 December 2013 (14:40-15:21)

IN RE:

THE DOLLHOUSE
7-8 BISHOPSGATE CHURCHYARD EC2M
(WARD OF BISHOPSGATE)

The Sub-Committee was addressed by Mr Gary Grant of Counsel for the Applicant and by Inspector Hector McKoy.

This was an application made by the Commissioner of Police for the City of London pursuant to Section 53A of the Licensing Act 2003 for a Summary Review of the premises licence for premises known as The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ.

We received the required certificate submitted by Superintendent Collicot on behalf of the Commissioner and the application from Inspector McKoy, which was accompanied grounds for a summary review dated 1 December 2013 that included details of the trigger incident on the night of 28/29 November 2013.

The Sub-Committee considered the matters were of the upmost seriousness and accepted the view of the Commissioner that they needed to be dealt with as expediently as possible to prevent a repeat incident of the public disorder that took place on 28/29 November.

There had been an on-going failure to co-operate and communicate with the City of London Police and to inform them of promoted events, and unfortunately this most recent incident occurred at such an event.

In light of all the evidence presented to the Sub-Committee, we considered that pending the substantive hearing, and in accordance with Section 53B (1) of the Act, it was appropriate and necessary to take the interim step of suspending the premises licence with immediate effect, which we considered to be the only interim step we could reasonably take in the circumstances.

We then proceeded to hear the representations of Mr David Wilcox, the premises licence holder, against the interim steps. Mr Wilcox submitted that the

incident of 28/29 November was a “one off” and that there had been no previous serious instances of violence and disorder and that the problems arose as a result of allowing a previously unknown promoter to promote the event on that night. He went on to submit that, despite assertions to the contrary, he had co-operated with the City Police in the past. Furthermore, he submitted that suspending the premises licence would have an extremely adverse effect on the business as it had a number of bookings in the period leading up to Christmas. Mr Wilcox suggested that a more appropriate course of action would be to prohibit promoted events and, possibly, reduce the permitted hours until 3am pending the full review hearing.

The Sub-Committee acknowledged that its decision to suspend the premises licence pending the full review hearing could adversely affect the business. However, it was unconvinced that the premises licence holder had engaged with the police and has serious concerns regarding the premises licence holder’s ability to maintain order at the premises. Furthermore, the Sub-Committee remained of the view that the levels of violence and disorder on 28/29 November were so serious that it was necessary and appropriate to suspend the premises licence pending the full review hearing.

The Sub-Committee set down a substantive review hearing for this matter on the morning of Monday 30 December 2013.

C E Lord
M Fredericks
J Barker