

FENG SHUI

1A PUDDING LANE, LONDON EC3R 8AB

CITY OF LONDON POLICE

GROUNDS FOR SUMMARY REVIEW

Introduction and summary of police case on Summary Review

1. This application for a Summary Review of the Premises Licence relating to “Feng Shui”, 1A Pudding Lane, London, EC3R 8AB, has been instigated by the City of London Police in order to prevent the further occurrence of incidents involving serious crime and serious disorder associated with this nightclub and its customers. As an **interim step** pending the full review hearing (which must take place within 28 days) the police invite the licensing authority to consider:
 - a. Suspending the premises licence, or
 - b. Reducing the permitted hours of licensable activities and the closing time to no later than 00:00hrs, removing the current Designated Premises Supervisor and prohibiting promoted events from taking place.
2. This application follows a marked and serious escalation in incidents of violent crime and serious disorder occurring at the premises over the past 6 months in particular. The premises have failed to successfully respond to police warnings and engagement intended to assist the operators to resolve the issues. The last incident occurred in the early hours of Sunday 19th January 2014. Although not a specific “trigger incident” it is yet another example of a violent incident at the premises. This incident involved the customers of Feng Shui participating in acts of disorder and aggression towards police which took up to one hour before the police were able to safely restore a level of order. A male (who had come from another venue and attempted to enter Feng Shui) received head injuries which caused him to collapse in the street outside the venue

and he required urgent medical treatment at the scene before being taken to hospital. The attending Police were faced with hostile aggression from the clientele of Feng Shui as they tried to treat the male with a number of people attempting to prevent the police from giving potentially lifesaving first aid. Due to the serious nature of the incident the police had to cordon off the street in order to protect the London Ambulance Service Paramedics treating the male and to preserve evidence at the scene. As mentioned above, this incident, serious and extensive as it was, is not a one off. It follows a pattern of incidents involving assaults and public disorder in and around the premises involving its customers in the early hours of the morning, mainly after 01:00hrs. Many of the perpetrators are under the influence of alcohol bought and consumed inside Feng Shui. The venue has become a magnet for disorder. The management have demonstrated that they have insufficient control over events held at the premises which are usually organised by external promoters. The police have, at this stage, very little confidence that this licence holder and his management team have the necessary skills required to put things right in the future. The management have refused the advice of the police to stop holding promoted events despite their inability to manage them safely.

3. The City of London Police believe that if the premises is allowed to continue operating in the manner it now does there will continue to be frequent incidents of serious crime and serious disorder at the premises. Other licence procedures (such as a standard review) will not achieve the immediate changes that are necessary to protect members of the public from serious harm. It is anticipated that at the full review hearing the police will invite the licensing authority to consider all options up to, and including, revocation of the Premises Licence.
4. Prior to the incident on 19th January 2014, the police have tried to engage with the management of the venue and have had several meetings with them in an effort to offer advice and induce voluntary changes to their operation to promote the licensing objectives. Despite this engagement the licence holder, management and door staff have shown themselves to be either unable or unwilling, to take effective steps that promote the objective of preventing crime and disorder.

5. A further meeting was held between the police and the management of the venue after the incident on the 19th January whereby the police requested the venue to stop holding promoted events. The management have refused this request and have indicated that they intend to hold more promoted events in the immediate future.

Feng Shui as a venue

6. Feng Shui operates a twofold business as a restaurant Monday – Friday catering for both the lunch time and evening trade and as a night club on Friday, Saturday and Sunday nights until the early hours of the morning. The restaurant side of the operation to date has caused no problems with respect to crime and disorder and causes no problems for the City of London Police. The restaurant typically operates until about 23:00 hours. The night club however does present an increasing problem with respect to crime and disorder and is an ongoing concern to the City of London Police. Typically the night club runs from midnight until 04:00 hours with customers queuing outside from 23:00 hours. The venue's extensive Premises Licence permits it to provide regulated entertainment and sell alcohol until 04:00 hours on Sunday to Saturday. The venue may remain open and provide late night refreshment until 05:00hrs 7 days a week.
7. The Premises Licence Holder is LZ LONDON LTD which according to the venue management is owned by 6 individuals. The police have only had dealings with two of these individuals Mr Wei Li and Mr Johnny Zhu and have no information of the other parties involved in the ownership of the venue. The Designated Premises Supervisor is currently Mr Wei Li. The day to day manager appears to be Mr Lippy Laing. Mr Laing was criminally convicted for licensing-related offences on 26 July 2012 when the City of London Justices described his offending as "wilful, knowing and for commercial gain". It is understood that Mr Laing also had his personal licence suspended by the court. In addition Mr Laing was the manager of, "Charlie's Bar", at the time its licence was revoked by the Corporation at a licence review hearing held on 28 May 2012.

8. Feng Shui is in Pudding Lane adjacent to the junction of Eastcheap close to Monument Underground Station. The premises is situated about 200 yards from another premises called Clause (A cocktail bar/club and restaurant located at Lovat Lane).
9. The layout of the Feng Shui lends itself to that of a standard restaurant with plenty of dining facilities and a capacity of around 150. However on the nights of Friday/Saturday and Sunday the venue becomes a night club hosting regular promoted events under the branding of 'Club Twist' run by external promoters. After police raised concerns with the management about the running of these promoted events, Mr Wei Li stated that all future events from mid November would be in house events without the use of external promoters. However the venue has continued to hold promoted events organised by external promoters under the bringing of 'Club Twist' .

Recent incident on Sunday 19th January 2014

10. On the night of Saturday 18th January 2014 (going into the early hours of Sunday 19th January) Feng Shui hosted a promoted event called 'Temptations Saturdays at Club Twist' The party was widely advertised to the general public on social media sites including 'Instagram' . The police did not receive a 696 risk assessment form in respect of the event. The event was advertised as 10pm – 4am, Ladies over 18 and Guys over 21. No trainers, hoods or caps.
11. Police were notified (by a member of the public) of an incident of disorder outside Feng Shui and involving its customers at around 3.20am. A series of witness statements from officers who attended the scene will be provided in due course in addition to CCTV evidence. In summary officers will evidence serious incidents of public disorder, acts of aggression and hostility outside Feng Shui in Pudding Lane. The public disorder spanned over 50 minutes. Police came across a male collapsed on the ground with head injuries and attempted to start emergency first aid procedures.

However a number of patrons tried to prevent the officers treating the male despite the obvious need for urgent medical attention. Police officers had to force back the crowd in order to start treatment of the male. The police later had to cordon off the area in order to protect Paramedics who arrived to treat the male prior to taking him to hospital. A number of arrests would have been made if the police were not so outnumbered by the numbers of aggressive participants involved in the disorder and therefore a tactical decision was made by police officers to hold the crowd back. During the time the officers were dealing with the incident a vehicle activated the City's ANPR camera system as the occupant of the vehicle was linked to the possession of firearms. The vehicle was followed on camera before it pulled up in Eastcheap in the vicinity of Feng Shui. Officers were dispatched to intercept the vehicle but it made off before it could be stopped.

12. The crowds outside Feng Shui were very anti-police and attempts were made to confront and goad police into confrontation. Groups shouted, swore aggressively, and lunged at police officers as they were trying to maintain order and protect paramedics treating the injured male. It was clear that the crowds were intent on violence and had little regard for any police presence.
13. Officers in attendance asked a large number of the patrons if they saw the incident and if they could assist the police with enquiries. The police received no co-operation from anyone present despite the severity of the injuries the male sustained and despite the fact it would have occurred in full view of a number of individuals.
14. The door staff and management at Feng Shui were wholly ineffective and provided no assistance to the police when dealing with this incident. The staff did not engage with their patrons and made no attempt to put into place any policy to deal with dispersal or incident management.

Previous incidents

15. Previous incidents associated with Feng Shui over the past 6 months demonstrate:

- a. A pattern of alcohol-related disorder and violence associated with Feng Shui;
- b. Weaknesses in the management and door supervision team to prevent such incidents and/or properly assist police in their investigations.
- c. Failures of the management to respond to previous police warnings;
- d. The venue seems to attract trouble-makers. For example, it is of deep concern that members of the door staff have been threatened with a firearm but are reluctant to assist police due to fear of reprisals. A number of other individuals also later refused to assist police with enquiries in relation to incidents that have occurred at the venue. This then leads to the question what type of customer is being attracted to Feng Shui as a licensed premises and why?

Date	Time	Incident	Reference
Sunday 4.8.13	03:20	<p>ABH A female was assaulted inside Feng Shui and received facial injuries. The door staff then removed her and not the suspect and failed to call the police. The matter was discovered by a passing police patrol as the victim was seen arguing with the door staff of the venue due to the way she had been treated.</p>	CR/4491/13
Monday 26.8.13	03:36	<p>Disorder Police passing the venue uncovered a disturbance at Feng Shui involving a lot of irate patrons of the venue. The venue staff ejected two people from the venue then closed their event earlier than expected causing a lot of individuals to become irate and cause trouble outside the venue leaving the police to deal with.</p>	Cad 1650
Monday 9.9.13	04:00	<p>Disorder/Public Nuisance Passing police patrols saw a very large number of intoxicated people gathered at Feng Shui. Staff of the venue locked the doors and the door staff refused to disperse the crowd stating that they were shut and the people on the street</p>	IN/10214/13

		were no longer their problem. The door staff then went home leaving the police to deal with the dispersal which took over an hour. Various drunken arguments and taxi disputes broke out further tying up police resources to deal with.	
Sunday 29.9.13	03:35	ABH & Common Assault Two people were involved in an altercation within Feng Shui at the promoted event 'Club Twist'. There were removed from the venue where they continued to fight and the police were called. One of the parties received facial injuries from the attack.	CR/5573/13 CR/5780/13
Monday 7.10.13	01:01	Fight/Threats of violence A member of the public calls up to say there is a fight outside Feng Shui and that a male threatened to assault a female and set her car on fire. The people involved drove off and were caught up by police and none of the people involved wished to co-operate or make any formal allegations.	Cad 324
Sunday 27.10.13	03:26	People fighting with bottles Police received a call from a member of the public who states there was 20+ people fighting with bottles at Feng Shui. On arrival security had confirmed that an altercation had occurred but it was now finished, police remained on scene to oversee that no further altercations occurred at the venue. A CID officer later confirms from viewing the CCTV that a number of people are seen throwing bottles around and people are seen smashing bottles over people's heads.	Cad 2015
Sunday 3.11.13	04:08	Public Nuisance The control room for London Transport had to contact the police due to the patrons of Feng Shui blocking the entire street outside the venue and they were unable to get any buses to continue on their route. Police required to disperse.	Cad 1972
Tuesday 5.11.13	02:32	Mass Disorder The manager came running out of Feng Shui and flagged down a passing police	Cad 1354

		patrol as around 50 people had 'rushed' the door and lost control and needed help to restore order. Police intervened and managed to restore order to the venue.	
Saturday 16.11.13	01:20	Positive trace of drug use Police attended Feng Shui in accordance with an operation testing for drug use. Surfaces within the male toilet provided a positive reading for cocaine.	IN/13986/13
Sunday 17.11.13	01:00	Gang Intelligence An Intelligence report states that gang members linked to Stratford are attending Feng Shui	IN/14250/13
Sunday 17.11.13	01:30	Door staff threatened with firearm An Intelligence report states that a male concealed a firearm on his persons before threatening a member of the door staff with it.	IN/14178/13 CR/6649/13
Sunday 17.11.13	01:38	Violence & Disorder A passing police patrol uncovered a number of patrons of Feng Shui fighting in the street and called for urgent assistance. The disorder had reached a level where the venue had to close in order to prevent any further incident.	Cad 833
Sunday 1.12.13	03:49	Fight at Feng shui Police were called to a fight at Feng Shui and on arrival found an extremely intoxicated female receiving medical attention from the LAS. The venue management denied any fight had occurred and no further information would be provided by anyone in attendance at the venue.	Cad 1770
Sunday 5.1.14	03:56	Public Nuisance A member of the public calls in to state there is a lot of noise coming from Feng Shui in Pudding Lane. Police attend and confirm there is a lot of noise at the location caused by the dispersal of the patrons.	Cad 1770
Sunday 19.1.14	03:15	Violence & Disorder A number of patrons of Feng Shui were involved in scuffles at the door of the	CR/3214/14 Cad 1501 Cad 1532

		<p>venue with one male sustaining head injuries requiring hospital admission. Initial reports came in that two males had been bottled inside the venue and one of the males collapsed. None of the parties involved would co-operate with the police and there is suggestion that the male was hit with an unknown object by door staff. Police spent over a hour dispersing an angry and hostile crowd.</p>	
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Previous police engagement with management

14. Since March 2012 there have been a number of meetings between police and Wei Li, and Johnny Zhu the owners of Feng Shui and the current Designated Premises Supervisor (Li). The purpose of these meetings was to try to establish effective management and assist with the venue meeting the licensing objectives particular with respect to crime and disorder.

15. An initial meeting took place between Wei Li and John Hall and Paul Holmes of the City of London Police licensing team to discuss the proposal for the venue. Li informed them that he wanted to run a Chinese restaurant for the City workers and also encourage members of the Chinese community. The police had reservations about the late terminal hour and wished to invoke a no promoted event condition, however Wei Li stated that he would like to host a few selected promoted events aimed at the Chinese community through contacts and people he knew. Based on good faith and taking him at his word the police did not object to the licence application and did not request for a no promoted events condition to be added to the licence. Wei Li was fully informed of the 696 procedure and what was required with respect to security and the management of the venue when running an event at the venue.

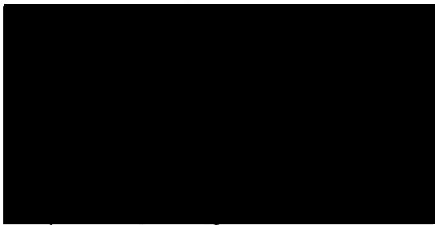
16. Although the premises licence was granted in June 2012 the premises did not open in full until April 2013 due to issues with building works at the venue. The venue initially started hosting promoted events in April 2013 aimed at the Chinese

community but only held 8 of these events. On Sunday 2nd June Feng Shui held their first non Chinese promoted event called 40/40 Sunday which is an 'urban' type event with a very different crowd and set up to the Chinese events they had previously run. The 'urban' events have now been a regular fixture until the present day with no further Chinese events taking place.

17. Further meetings have taken place between the police and Wei Li/Johnny Zhu as a result of incidents that have occurred at the venue. The police have advised the management to seek to host safer types of event and speak with reputable promoters with a track record of safe events. To date two of these promoters have held meetings with Li/Zhu but have reported that the venue are difficult to work with and have not been able to establish a working relationship. The venue has reverted to hosting their problematic 'urban' events despite the advice of the police. Recent troubles at the venue have called for the police to request that Li/Zhu stop running promoted events all together as they are unable to run them safely. The management have continually refused to stop the events despite the advice of the police.

Conclusion

18. The police have no confidence that Feng Shui is in a position to operate safely as an early-hours nightclub in a manner that promotes the licensing objectives. It seems highly unlikely that any steps could be put in place in the immediate future to change that position. Their day time trade as a Chinese restaurant present no problems and they clearly have the required skill and expertise in this area. In the police's opinion there is a very real risk and likelihood that serious violence and/or serious crime will re-occur if the venue remains open with its current licensable hours. Therefore, at this stage, the police believe that either a suspension of the premises licence or a reduction of licensable and closing hours to 00:00hrs, the removal of the DPS and a condition prohibiting promoted events is the necessary, appropriate and proportionate interim step pending the full review hearing.



Inspector Hector McKoy
City of London Police

24 January 2014