

MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 30 AUGUST 2012 AT 10:00 AM

APPLICANT: THE COMMISSIONER OF THE CITY OF LONDON POLICE

PREMISES: CLUB 2AD, 2 CRUTCHED FRIARS, LONDON EC3N 2HT

PRESENT

Panel

Alderman Simon Walsh (Chairman)
Alex Bain-Stewart CC
Peter Dunphy CC

In Attendance

Caroline Webb - Town Clerk's Department
Paul Chadha - Comptroller & City Solicitor's Department
Steve Blake - Markets and Consumer Protection
Peter Davenport - Markets and Consumer Protection

The Applicant (The Commissioner of the City of London Police)
Represented by Mr Gary Grant of Counsel

Witnesses:
Inspector Rita Jones
Paul Holmes
Dan White

Representations from Other Parties

Marianne Fredericks CC

The Licensee (Club 2AD)

Represented by Mr Imad Handi and Mr Mahfouad Boussade, shareholders of 2AD Sports Bar Restaurants Ltd and Mr Mohammed Allali, Director of 2AD Sports Bar Restaurants Ltd.

Also in Attendance

Superintendent Norma Collicott, City of London Police
Ms Monica Liteza, Woods Whur
Mr Jack Spiegler, Thomas & Thomas Partners LLP

Licensing Act 2003 (Hearings) Regulations 2005

- 1) A public hearing was held in the Committee Rooms, Guildhall, London EC2, to consider an application for a review for the premises 'Club 2AD', 2 Crutched Friars, London EC3N 2HT, submitted by the Commissioner of the City of London Police.

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

Appendix 1: Copy of the Application

- i) Paper evidence submitted with application
- ii) Video evidence submitted with application
- iii) Additional evidence

Appendix 2: Plan of Premises

Appendix 3: Copy of Current Premises Licence

Appendix 4: Decisions of Previous Hearing held on 27 April 2007

Appendix 5: Representations from Other Persons

Appendix 6: Map of subject premises together with other Licenced Premises in the area and their latest terminal time for alcohol sales

- 2) The hearing commenced at 10:15am
- 3) The Chairman opened the hearing by introducing himself, the other Members of the Sub Committee and the Officers present.
- 4) It was noted that no members of the panel had any personal or prejudicial interest.
- 5) The Chairman made reference to the procedure that would be followed, which was set out in the Sub Committee papers.
- 6) All parties introduced themselves.
- 7) The Sub Committee first sought to clarify the attendee's interest in the premises. Mr Imad Handi confirmed that he was a shareholder of 2AD Sports Bar Restaurants Ltd and accompanying him was Mr Mohammed Allali, Director of the above-mentioned company. 2AD Sports Bar Restaurants Ltd was registered at Companies House.
- 8) Mr Handi informed the Sub Committee that Mr Steve Newby was a Director of Roman Wall Property Limited, the company who owned the licence for the premises. He stated that all management responsibility for Club 2AD had been passed to Club 2AD Sports Bar Restaurants Limited.
- 9) The Sub Committee agreed that it was likely that Mr Handi would be in an appropriate position to represent the premises at the hearing and so it would go ahead. It was considered not in the public interest to adjourn the hearing.

- 10) Mr Grant introduced the application for a review and outlined the current licensing and operating hours of the premises. He noted a 'Breakfast Club' style event that started early in the morning and attracted patrons who were likely to have been drinking alcohol throughout the night. Some patrons had been linked to gang membership and an increased level of crime and disorder had been observed by the City of London Police. Mr Grant informed those present that there had been obvious signs of a lack of responsible management at the premises, with the door staff unable to manage crowds effectively.
- 11) The Sub Committee were informed of an agreement made between the City of London Police and the premises for the submission of risk assessments for each promoted event taking place. Mr Grant highlighted that this had rarely been adhered to and that there was often confusion about which events were taking place.
- 12) Mr Grant guided the Sub Committee through the chronology of incidents, notes of which were included within the hearing papers, highlighting those that were particularly serious in nature. A number of points were made, mainly:
 - Promoted events being advertised on social media sites but risk assessment forms not being submitted to the Police prior to the event.
 - Private events being run as promoted events.
 - Door staff at the premises involved with altercations between or directly with patrons.
 - Door staff not being SIA registered.
 - Underage patrons who had admitted drinking at the premises with the only form of identification showing they were 17 years of age being involved in fights outside of the premises.
 - Drug use and dealing of drugs openly on the dance floor and a strong smell of cannabis often identified by Police officers.
 - Door staff and the premises failing to call the emergency services during or immediately after incidents when patrons had been physically injured.
- 13) Mr Grant stated that a Section 19 closure notice had been issued in regards to two licensing breaches. The CCTV system had only five days' worth of data recorded when it should have held the last 30 days and there had been no search policy in place for patrons entering the premises. A new CCTV system had been installed soon after the closure notice had been issued and although a search policy had been established, it was not adhered to the majority of the time.
- 14) In answer to a question from a Member of the Sub Committee, Mr Grant stated that when the incident book had been checked by Police, it was found that incidents, when recorded, were not always done so accurately.

- 15) Mr Grant drew the attention of the Sub Committee Members to pages 25-28 of the application which outlined various meetings and conversations that had taken place between the premises and the Police, in order to mitigate the risk of crime and disorder taking place at the premises.
- 16) The video evidence submitted with the application was played to the Sub Committee, reinforcing the previous points made by Mr Grant and supporting the incidents noted in the hearing papers.
- 17) Mr Grant concluded that the public nuisance complaints submitted by residents were unsurprising and supported the review application. It was clear that there would be a continuing escalation of violence at the premises with the same clientele being attracted.
- 18) The hearing adjourned at 11.32am.
- 19) The hearing resumed at 11.45am.
- 20) Mr Handi started by informing the Sub Committee that Mr Abdsamad Allali was the designated premises supervisor for the premises but he was unable to attend the hearing due to a pre-booked family holiday.
- 21) Mr Handi outlined the day to day business of the premises, highlighting that daytime trading was slow and that it was difficult to attract patrons during the day/early evening. He informed the Sub Committee that a new menu was currently being devised and that a full time chef and waiting staff were employed. Mr Handi admitted that the survival of the premises was dependent on the night club trade. Approximately £45,000 had been spent on renovation works to transform the premises in to a sports bar in order to attract patrons during the early evening.
- 22) The Sub Committee were informed that the premises was no longer associated with its previous sister premises, known as Aquarium.
- 23) The promoted events that took place were not exclusive to the premises and the promoters often hired out other premises in the City, including Abacus and Revolution. Mr Handi stated that they charged a set hire fee of £350 per night with the promoter taking full control of the entry fee with the premises itself holding control of the bar. There would also be a minimum bar spend of £4000 per night and contracts would be agreed in advance. If the minimum bar spend was not met, the promoter would be expected to pay the difference.
- 24) Mr Handi went on to explain that one of the incidents shown on the video evidence played earlier in the hearing did not involve the premises door staff, as alluded to by Mr Grant, but members of the event promotional team and their friends.

- 25) Mr Handi described how he had been made to feel intimidated and frightened of the City of London Police due to a situation where a plain clothes officer had threatened that the Police would be able to shut the premises down as they “shake hands in many different ways”. The officer then continued to confiscate the CCTV drive at the premises.
- 26) Mr Handi referred to the stabbing incident that took place outside the premises. He stated that the victim was a family friend and although Mr Handi had begun to ring the emergency services once he had realised what had happened, he had ended the phone call before completing it as he had been informed that a woman had already contacted them. The victim did not wish to wait for an ambulance, so travelled to A&E by taxi. Mr Handi stated that he then went in to the premises, ended the event and asked patrons to vacate the premises.
- 27) Regarding the CCTV evidence of drug use and dealing on the dance floor, Mr Handi informed the Sub Committee that all patrons were searched by a wand on entering the premises and all bags were also searched. If drugs were found during these searches, they would be confiscated and the patron would be removed from the premises. Mr Handi stated that approximately four people had been banned from the premises in relation to drugs. If a large amount of drugs were found on a patron the Police would be called. He did not have a copy of the search policy with him at the hearing. He stated that all doormen at the premises were SIA registered, following a request from the Police.
- 28) In relation to CCTV clip 5, Mr Handi stated that the piece of wood had been brought to the premises by the youths, who were causing an issue outside of the premises, and not by the SIA door staff.
- 29) Mr Handi outlined the agreement he had made with the Police regarding promoted events to finish no later than 4.00am. He also stated that risk assessments were not always submitted and that there was no law in place to say one had to be submitted for each promoted event.
- 30) The Sub Committee highlighted their particular concern about an event that took place on 23-24 June 2012. There seemed to be some confusion as to whether it was a promoted event or not, with Mr Handi stating that it was a private 40th birthday party arranged at the last minute. However, the evidence submitted with the Police papers had shown that an entrance charge would be administered, indicating that it was a promoted event and not a private party. Mr Handi confirmed that the premises closed at 4.00am on that occasion.
- 31) Mr Handi stated that he was unaware of the premises’ history as ‘Departures’ and would not have bought the premises if he had known. Mr Boussade stressed that they were working hard to improve the standard, image and reputation of the premises by attracting more mature patrons and ensuring that they did not admit gang members that they recognised in to the premises. Mr Handi highlighted that it was

extremely difficult to distinguish between ordinary patrons and those that may be members of a gang.

- 32) The hearing adjourned at 1.00pm.
- 33) The hearing resumed at 2.10pm.
- 34) In answer to a question from Mr Grant, Mr Handi informed the Sub Committee that approximately 80% of patrons would arrive at the premises without having already visited a drinking establishment. He was aware that patrons had a tendency to 'pre-load' on alcohol before leaving their residences but would not allow intoxicated patrons to enter the premises. Mr Handi did not consider the opening hours of the premises as an attraction to drug dealers and users.
- 35) Promoters had been told to remove all association with 'Departures' on promotional fliers advertising promoted events, although this was not adhered to on all occasions. Mr Handi informed the Sub Committee that tighter control was exerted on the promoters and he had been asking for proofs of fliers before they went to print.
- 35) In answer to a question from Mr Grant, Mr Handi stated that he, along with Mr Newby and Mr Abdsamad Allali, would be the first point of contact for the Police at the premises. He admitted the management operation was in need of change and that they had reduced the number of house music events held, in order, he stated, to discourage "bad black people" from attending the premises. Instead, the premises was now focusing on creating a more relaxed, Portuguese vibe in order to attract "good black people" and patrons of that community. 90% of patrons were now thought to be over 30 years of age.
- 36) Mr Handi informed the Sub Committee that they vet new promoters and ask for information on previous events held and for references to be submitted.
- 37) Mr Handi summed up and outlined the following points:
 - The search policy in place included an initial hand/wand search and a bag search if applicable.
 - Groups of four or more males were not admitted to the premises; groups of mixed gender were encouraged as were female only groups.
 - Admission rejections to the premises were not recorded in the incident log book. Incidents such as fights, falls and glass cuts (and other times when first aid would be administered) were recorded.
 - Patrons were searched on re-entry unless they had been smoking in the roped off smoking area outside the premises. Mr Handi was in the process of ordering a cash machine to be placed in the premises as the most common reason for patrons to vacate the premises was to use a cash machine.

- Any confiscated items were logged in a separate incident book to the one mentioned above and stored in a metal box, and if necessary, the Police were called. Mr Newby held the key to the box but the Sub Committee was informed that he no longer worked at the premises.
- 38) The Sub Committee heard from Marianne Fredericks, a local resident and a Member of the Court of Common Council. Ms Fredericks highlighted that there were residential flats a couple of hundred yards from the premises. When the residents were informed of a new owner taking over the premises, formally known as 'Departures', they were hopeful that the situation would improve and that they would experience less noise disturbance. Ms Fredericks stated, however, that the situation had actually gotten worse since the premises opened and that it was the main source of noise disturbance and problems in the local vicinity. She highlighted that several residents had installed quadruple glazing in order to reduce the likelihood of being disturbed by loud patrons and music and that they felt intimidated walking past the premises late at night. Barriers were often erected on the pavement outside the premises for the smoking area, which left little room for pedestrians.
- 39) Mr Handi highlighted that they had recently been using a rope to corner off the outside smoking area which took up less room than the barriers and allowed more pavement space for pedestrians.
- 40) In answer to a question from a Member of the Sub Committee, Mr Handi stated that, in order to alleviate the noise of patrons in the street, patrons were encouraged to vacate the premises over a period of time rather than all at once. Mr Handi indicated that vehicles parked in close proximity to the premises did not necessarily belong to those inside the premises as there was very little parking in the City, leading people to park wherever they could locate a space.
- 41) The Chairman thanked all those present at the hearing and informed them that a decision would be reached and that the Sub Committee would retire and the decision would be communicated to all parties in due course.
- 42) The Members of the Sub Committee withdrew to deliberate and make their decision, accompanied by the representatives of the Town Clerk and the Comptroller and City Solicitor.

The meeting ended at 3.10 pm

Chairman

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THE COMMON COUNCIL OF THE CITY OF LONDON
LICENSING SUB-COMMITTEE

Alderman Simon WALSH (Chairman)
Alex Bain-Stewart CC
Peter Dunphy CC

Thursday 30 August 2012 (9.30 – 3.30)

IN RE:

CLUB 2 AD
2 CRUTCHED FRIARS, LONDON EC3
Ward of Tower

At today's hearing the sub-committee was addressed by Mr Gary Grant of Counsel for the Applicant and very briefly by Inspector Rita Jones, PC Daniel White and Paul Holmes also for the Applicant. At the start of the hearing no one had attended for the PLH (Premises Licence Holder) although as the day progressed we were joined by Mr Imad Handi and Mr Mahfouad Boussade who spoke for the PLH. We were addressed by one person who had made a representation supporting the Applicant (Mrs Marianne Fredericks CC) and we also took into account the written supporting representations from local residents which appear in the bundle of public papers.

In addition to the documents in the bundle of public papers we took into account clips of video evidence shown to us by Mr Grant for the Applicant (all of which had been available to all parties well before the hearing) as well as further statement from PC White in respect of an incident on Sunday 24 August 2012.

On 4 July 2012 the Commissioner of the City of London Police applied for the review of the premises licence in force for what is essentially the basement of 2 Crutched Friars. These premises currently operate under the trading style of 'Club 2AD'. They run as a bar/restaurant during the day and into the early evening but in the late evening they change into a nightclub which runs on into the early hours. The licensing hours are extraordinarily generous by comparison with other similar premises in the City in that they have a 24-hour licence at the weekends and open until 4am on Monday, Thursday and Friday mornings. In terms of licensing, the premises have had a slightly troubled history with an application for a review having been made by the Commissioner having been made back in April 2007.

The current PLH is a limited company, Roman Wall Property Limited. It acquired the premises licence by unopposed transfer on 6 April 2010. On any view this company is very poorly run. In the recent past the company was struck off the Register for failing to file statutory documents which caused the licence to lapse. It was restored to the register and the licence was thereby

revived but we understand that it is again at risk of being struck off as it has no director or secretary registered at Companies House. This gave rise to the first procedural issue for us to determine, namely whether a PLH which was a limited company but had no proper officers could instruct anyone to represent it under Reg 15 of the Licensing Act 2003 (Hearings) Regulations 2005. We found no clear guidance on the point but, having been told by Mr Handi that he was the effective day-to-day manager of the club and by Mr Boussade that he was a substantial shareholder in the club business (and the police agreeing that these were true statements to the best of the police's knowledge – whilst still expressing some concern about the status of these men in respect of another intermediary company (Club 2AD Sports Bar Limited?)), we decided that the essentially informal nature of a Licensing Act hearing meant it would serve the best interests of the public and justice generally to proceed and to allow Mr Handi and Mr Boussade to speak for the PLH. In the event that we are wrong in taking this approach we also decided that had there been no one able to speak for the PLH we would have proceeded in any event under Reg 20(2)(b) because of the apparent seriousness of the case put by the Commissioner.

Mr Grant took us through the case for the Commissioner which, we must note, was set out with admirable clarity in the well drafted and comprehensive grounds which formed part of the Commissioner's application. Mr Grant made two general introductory comments. The first was that this was a set of premises which operated very differently at night from the way it operated during the day. This was unarguably correct. The second was that these were premises where a gradual deterioration in standards, management control and customer behaviour meant that serious problems were inevitable with a stabbing on 29 April 2012 being the worst to date but unlikely to be the last if nothing was done. To test this bold assertion we were taken to the evidence.

The grounds for the review gave a catalogue of crime and disorder over a long period, going back as far as January 2011. We were taken in particular to the incidents on 10 Jan, 6 Mar, 22 Apr, 3 Jul, 12 Jul, 4 Sep, 19 Nov 2011 and 1 Jan, 11 Feb, 23 Feb, 4 Mar, 9 Mar, 2 Apr, 15 Apr, 22 Apr and 29 Apr 2012. In each case we were also taken to the supporting evidence in the bundle. In respect of the incidents on 22 Apr 2011 and 4 Mar, 15 Apr and 22 Apr 2012 we also saw relevant clips of video evidence from inside and outside the premises. The incidence of violent crime at these premises is quite disproportionate to other similar City venues and in our view this wealth of evidence fully justified Mr Grant's assertion.

We were then taken to details of the efforts made by the police to put these premises back on track. There had been consistent efforts over a substantial period of time to get the PLH to submit details of performers and DJs at promoted events to the police well in advance to allow potential sources of trouble to be identified and timely corrective action to be taken. Despite informal and later formal written assurances from the PLH, these efforts had just not worked as the relevant forms (Met Police form 696) were all too often either simply inaccurate or delivered so late as to be virtually useless. This showed to us that the club management fell far short of what we expect from any responsible operator of a late-night destination venue in the City.

To quote just one example, we were particularly concerned about the events on the weekend of 23-24 June 2012. Despite assurances given to the police that there would be no event at the premises this weekend (and thus no submission of a Form 696) it seems that the premises were opened for what the then manager described to PC Ian Brosnan who was conducting licencing checks that weekend as a 'last-minute booking' for a 'surprise 40th birthday party'. It was in our view no such thing as it was advertised on the internet as being a party to celebrate 6 birthdays with an invitation to all and sundry to attend at an entrance charge of between £10 and £15. The internet advertisement also described the party (billed as 'Gavin Peters and Loss (*sic*) Birthday Bash') as having been transferred to Club 2AD due to unspecified 'licensing issues' at its original venue. PC Brosnan was also told by the manager that there were 280 people in the club at the time of his visit. The capacity limit on the licence we note to be 220. To be fair, Mr Handi disputed the accuracy of this evidence but it scarcely helped his credibility on this point that he thought the club's capacity was 257. The event closed at these premises at about 4am but sadly this was not the end of matters as one of the promoters (Loss?) then went on to another club just outside the City where he was stabbed and died on a City street at about 8am that morning. This dreadful conclusion to that weekend's celebrations cannot, of course, be attributed in any way to these premises but it does serve to show how justified the police's fears are that trouble of the sort they identify at Club 2AD can all too often and all too easily escalate out of control.

Faced with the amount of evidence brought by the Commissioner to support his application for a review we expected a robust response from the PLH. We were sorely disappointed. Any PLH is, of course, fully entitled not to use lawyers and to represent itself as it sees fit but what we got from Mr Handi and Mr Boussade gave us little confidence that these premises were in safe hands.

We were disappointed not to hear from the DPS. We were told that he was away on a pre-booked holiday in Spain but it is not impossible to return quickly and cheaply from there for a day for matters of significant commercial importance if one is so minded. This said, there seems to be little evidence that Mr Abdsamad Allali has played any significant role in the running of these premises recently, so perhaps he would have had little of value to contribute.

Mr Handi seemed to accept the majority of the police evidence as being factually accurate. He just did not seem to think any of it was of particular concern. In respect of the most serious incident of which we had both written and video evidence (the stabbing on 29 April 2012) Mr Handi said he was present and was able to show us this on the video. He surprised us by saying that he knew the man who was stabbed and that he thought it was quite appropriate for the man to have gone to hospital in the back of a taxi and for the emergency services not to have been called by him. He said he relied on hearing an unidentified customer calling the incident in on her mobile phone. Even if we believed this, we profoundly disagree with his assessment of the situation and his response to it.

In response to our concerns on this point, Mr Handi made the first of several quite extraordinary statements. He said that he had tried to help the police as much as he could but that he was 'frightened' by them. He said he had been told by a police officer that what they wanted (presumably in respect of licensing matters) would happen and that things were controlled by those who "shake hands in so many ways". This we totally reject. Indeed, if there is one police force that cannot say it has its licensing authority under its control or in its pocket, it is the City Police. The outcome of the last application for a review of the premises (pages 37-42 of the hearing bundle) we hope makes this abundantly clear.

Mr Handi surprised us again when he told us that prior to acquiring his interest in these premises he had 'no idea' of their previous problems. We found this hard to believe as it would both demonstrate a most extraordinary business naivety and be hard to reconcile with the frequent description of the club in promotional literature as being 'formerly Departure/Departures/Departure Lounge'. We were given the distinct impression that Mr Handi would tell us anything he thought we would want to hear. This conclusion seemed also to be supported by the responses to questions in respect of searches and ID checks. Mr Handi told us that everyone was properly searched but the video clips seemed to tell a different story. He also said that everyone who looked young would have their ID checked. This did not sit well with the evidence of several intoxicated 17 year-old customers having caused a problem outside the club on 3 July 2011. Mr Handi's suggestion that in addition to their provisional driving licences found by the police on arrest these youngsters might have had fake ID showing them to be over 18 did not seem credible.

On questioning Mr Handi and Mr Boussade about the violence seen in the video clips from door staff at the premises we were again disappointed by their responses. We did not feel that the doorstaff we saw were simply defending themselves as was suggested to us – not least because individual door supervisors were seen to go off towards cars or to go back into the premises to fetch weapons. Indeed Mr Boussade's attitude to his involvement with the premises was that he saw them as a way to feed his family (which seemed to consist of several women and rather a lot of children) rather than to have any interest in running them to promote the licensing objectives, if he knew what they were at all.

This rather disinterested approach to violence was mirrored in respect of concerns about drug use. Despite a video clip showing (as clearly as any video clip can) the open use of drugs on the dance floor both Mr Handi and Mr Boussade rebuffed suggestions that there was a drug problem at their premises. This might have been because they seemed quite content that customers had or used small quantities of controlled drugs - but this is not a view we can endorse.

We were, however, most shocked by Mr Handi's suggestions (with which Mr Boussade seemed to have no issue) as to how he could reduce the risk of trouble in the future. He spontaneously divided much of his customer base into what he seemed to regard as 'good black people' and 'bad black people'.

These were not his words, he preferred to call the latter group 'niggers' and regarded the former, in the context of these premises, as being predominantly from the former Portuguese colonies in Africa. He suggested that he could keep the 'bad blacks' out by not playing the sort of music he thought attracted them. It hopefully goes without saying that we found his views and suggestions to be utterly unacceptable. We would wish to dissociate ourselves from them completely and we reject any suggestion that they or similar views motivate any of the City police officers involved with these premises.

All in all, the evidence from and the attitude displayed by those who spoke for the PLH in this case gave us every reason to think that Mr Grant's second general statement hit the nail squarely on the head. In our view these premises are so badly run that without some intervention by us something serious is likely to happen and soon.

The others who made representations addressed somewhat different issues – that these premises are a general nuisance in the early hours and present an intimidating aspect to local residents, especially those who have to pick their way through the post-event detritus of litter, urine and vomit sometimes on their way to church. We thought these concerns were fully justified. No one who chooses to live in the City in the 21st century can expect silence on the streets during the hours of darkness as was, in places, the case some 30 years ago. But this does not mean that City residents must put up with anything and what these premises produce is excessive and unreasonable.

Having regard to the application and taking into account the relevant representations, our Licensing Policy and the guidance from the Secretary of State under s182 of the Licensing Act 2003 we have decided that, in order to fulfil our duty under s4(2) of the 2003 Act, namely to promote the licensing objectives (and here most particularly the objective of preventing crime and disorder), we find it not only appropriate but also necessary to take some of the steps open to us under s52(4) of the 2003 Act. In many respects this case cries out for the revocation of the licence and we gave this very serious consideration. However, in recognition of the fact that these premises operate wholly unobjectionably as a restaurant/bar for most of each day we have concluded that this would be disproportionate. We will therefore:

Change the hours for all current licensable activities to be from 8am each day until 1am on the morning following;

Remove Mr Abdsamad Allali as the DPS.

It is also our standard policy on applications for review to look carefully at all the conditions on a licence and remove or vary those we feel are unnecessary, inappropriate or insufficiently clear and concise as not to be of any practical use and to add those that will assist in the promotion of the licensing objectives. With this in mind we will also:

Remove the following conditions: Annex 2 Conditions 1, 2, 3, 4, 5, 6, 7, 8, 10, and 11. Annex 3 Conditions 3 and 5;

Vary condition 12 in Annex 2 to allow for the inspection of the register by an officer of the Licensing Authority or City of London Police;
Vary condition 1 in Annex 3 to reflect our standard nightclub CCTV condition, namely;

“The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.”

Add a condition to Annex 3 requiring the premises to use a drugs box (in the form set out in our pool of model conditions), namely;

“There must be at the premises a lockable 'Drugs Box' to which no member of staff, save the Designated Premises Supervisor and any employee acting under the authority of the Designated Premises Supervisor, shall have access. All controlled drugs (or items suspected to be or to contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the City of London Police for appropriate disposal.”

Renumber all conditions as a consequence of these changes.

If any party is dissatisfied with this decision they are reminded of the right to appeal, within 21 days, to a Magistrates' Court. Any party proposing to appeal is also reminded that under s181(2) of the Licensing Act, 2003 the Magistrates' Court hearing the appeal may make any order as to costs as it thinks fit.

This decision will not take effect until 21 days have elapsed after it is communicated to the parties or, should there be an appeal, until that appeal is heard and determined.