



AGENDA FOR THE LICENSING SUB COMMITTEE A

Members of Licensing Sub Committee A are summoned to a meeting, which will be held in Council Chamber, Town Hall, Upper Street, N1 2UD on, **6 September 2016 at 6.30 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
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Despatched : 26 August 2016

Membership

Councillor Flora Williamson (Chair)
Councillor Michelline Safi Ngongo (Vice-Chair)
Councillor Diarmaid Ward

Substitute

All other members of the Licensing committee

Quorum: is 3 Councillors

Welcome : Members of the public are welcome to attend this meeting.
Procedures to be followed at the meeting are attached.



A. Formal matters **Page**

1. Introductions and procedure
2. Apologies for absence
3. Declarations of substitute members
4. Declarations of interest

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences- Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

5. Order of Business
6. Minutes of Previous Meeting

B. Items for Decision **Page**

1. Premises Licence Review Application - Fabric, 77A Charterhouse Street, London, EC1 1 - 208

C. Urgent non-exempt items

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

D. Exclusion of public and press

To consider whether, in view of the nature of the remaining items on the agenda, any of them are likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

E. Urgent Exempt Items (if any)

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

ISLINGTON LICENSING SUB-COMMITTEES -

PROCEDURE FOR HEARING LICENSING REVIEW APPLICATIONS UNDER THE LICENSING ACT 2003

INTRODUCTION

TIME GUIDE

- 1) The Chair of the Sub-Committee will open the meeting and invite all members of the Sub-Committee, Officers, the applicant and anybody making representations, including witnesses (who have been given permission to appear) to introduce themselves.
- 2) The Chair will introduce the application and draw attention to the procedure to be followed as detailed below.

CONSIDERATION OF APPLICATIONS:

N.B. The Sub-Committee have read all the papers. All parties should use this time to present a summary of their key points and not to repeat the detail already provided in the report.

- 3) **The Licensing Officer** will report any further information relating to the application or representations. Where necessary the relevant parties will respond to these points during their submissions.

- 4) **The applicant (interested party of responsible authority)** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins

- 5) The Sub-Committee to question the applicant (interested party or responsible authority) on matters arising from their submission.

- 6) **Other representatives (interested party or responsible authority)** to present the key points of their representations; and clarify any points requested by the Authority. Witnesses, given permission by the Authority, may appear. 10 mins

- 7) The Sub-Committee to question the other representatives (interested party or responsible authority) on matters arising from their submission.

- 8) **The licensee** to present the key points of their application, address the representations and clarify any points requested by the Authority. Witnesses given permission by the Authority may appear. 10 mins

- 9) The Sub-Committee to question the licensee on matters arising from their submission.

- 10) If required, the Licensing Officer to clarify matters relating to the application and the Licensing Policy.

- 11) The Chair may give permission for any party to question another party in the order of representations given above.

CASE SUMMARIES

- 12) **Applicant**
 - 13) **Other representatives**
 - 14) **Licensee**
- 2 mins each

DELIBERATION AND DECISION

- 15) The Sub-Committee may retire to consider its decision. The Committee Clerk and Legal Officer will remain with the Sub-Committee.

- 16) If the Sub-Committee retires, all parties should remain available to provide further information or clarification.

- 17) The chair will announce their decision giving reasons and any conditions to be attached to the licence. All parties will be informed of the decision in writing.



Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	06 September 2016		Clerkenwell

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE REVIEW APPLICATION
FABRIC, 77A CHARTERHOUSE STREET. LONDON EC1**

1. Synopsis

- 1.1 An application for an expedited review of the premises licence under Section 53A of the Licensing Act 2003, was made by the Metropolitan Police on Thursday 10th August 2016 following the death of an 18 year old male, who in the early hours of Saturday 6th August 2016, died in hospital after taking MDMA, a class A drug also known as ecstasy. With the application a certificate signed by Superintendent Stuart Ryan was given, to the effect that he is of the opinion that the premises are associated with serious crime. The application was received at 16:44 on the 10th August 2016.
- 1.2 It is reported that the male and his friend had carried MDMA into the premises on their person and had consumed it inside the premises. It is further reported that they were able to purchase two 'MDMA bombs' (powder MDMA in a wrap) which they also consumed inside the premises.
- 1.3 This death closely follows the death of another 18 year old male at the premises on Sunday 26th June this year in very similar circumstances. The male and his friends had reportedly taken MDMA into the premises, concealed upon their person, and had also been able to purchase more whilst at the premises, had fallen ill and had died soon after arriving at hospital.
- 1.4 Within 48 hours of receipt of the chief officer's application, the Licensing Authority must consider whether it is necessary to take interim steps. At 11:05 on Friday 12th August 2016, Members of the Licensing Sub Committee, by way of email communication, determined to suspend the premises licence as an interim step, pending the full review hearing.

1.5 With their application the Police provided the following documents;

- A printout of the Police CAD logs of telephone calls relating to the premises
- Two statements relating to the incident on 6 August 2016
- Two statements relating to the incident on 25 June 2016
- Two statements relating to a covert visit to Fabric on 2 July 2016

1.6 In support of their application, the Police have provided further documentation in support of their review

1.7 At the time of writing the report, the premises had not made a representation to the interim steps.

2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Applicant
Pollution Team	No
Health and Safety	No
Trading Standards	No
Public Health	Yes
Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes
Local business	Yes
Other bodies	Yes

2.1 The Licensing Service has received four representations in support of the review and eight hundred and seventy five representations in support of Fabric.

3 Background / History

3.1 The premises currently holds a licence allowing:

- i) The sale by retail of alcohol, on and off supplies: Mondays to Sundays, 24 hours a day.
- ii) The provision of regulated entertainment: plays, exhibition of films, live music, recorded music and performance of dance, Mondays to Sundays, 24 hours a day.
- iii) The provision of late night refreshment: Mondays to Thursdays from 23:00 until 02:30 and Fridays to Sundays from 23:00 until 05:00.

- 3.2 The premises licence is currently held by Fabric Life Limited, who transferred onto the premises licence on 24 June 2010. The current Designated Premises Supervisor is Luke Laws, who varied onto the licence on 29 May 2013.
- 3.3 On 26 July 2014, a customer died at the premises. This followed three other deaths and four near misses since 2011. The Police met with the premises and they agreed to look into improving their drug detection.
- 3.4 The Police made an application for the review of the premises licence on 6 November 2014 on the licensing objectives of the prevention of crime and disorder and public safety. The grounds for the review application were quoted as being eight incidents of patrons collapsing at the venue having taken illegal drugs. Four of the incidents resulted in the death of the patron, while the other four incidents resulted in the near death of the patron. Two of the drug related incidents had occurred in the three months preceding the review application being made.
- 3.5 The review was referred to a meeting of the Licensing Sub Committee on 18 December 2014, where Members of the Licensing Sub Committee determined to amend the conditions of the premises licence. This decision was appealed by the premises. The appeal was heard at Highbury corner Magistrates' Court on 10 December 2015 where district Judge Allison imposed an amended set of conditions and made several suggestions as to the running of the premises.
- 3.6 The Licensing History can be found in appendix 9

4. Documents

4.1 Papers are attached as follows:-

- Appendix 1: Application and Certificate
- Appendix 2: MPS supporting information*
- Appendix 3: Decision of the Licensing Sub Committee Interim steps
- Appendix 4: Additional Metropolitan Police documentation
- Appendix 5: Representations in support of the review
- Appendix 6: Representations in support of Fabric
- Appendix 7: Current premises licence
- Appendix 8: Previous review application, LSC decision and appeal decision
- Appendix 9: Licensing History from 2010
- Appendix 10: Map of premises location.

*A number of the exhibits submitted in support of the review application have been withheld from the public domain under the Council's rules governing exempt material. These exhibits will be made available to members of the Licensing Sub-Committee and the premises licence holders.

5 Recommendations

- 5.1 To determine the application to review the premises licence under Section 53A of the Licensing Act 2003.
- 5.2 The Committee must, having regard to the application and any relevant representations, take such steps as mentioned in Section 53C(3) of the Act (if any) as it considers appropriate for the promotion of the licensing objectives.

- b) to exclude a licensable activity from the scope of the licence;
- c) to remove the designated premises supervisor;
- d) to suspend the licence for a period not exceeding three months; and
- e) to revoke the licence;

6 Conclusion and reasons for recommendations

- 6.1 The Council is required to consider this review application in the light of all relevant information, and must take such steps as it considers appropriate to promote the licensing objectives.
- 6.2 ***The Council is required to consider whether the interim measures continue pending any appeal.***

Background papers:

The Council's Statement of Licensing Policy
Licensing Act 2003
Secretary of States Guidance

Final Report Clearance

Signed by


Service Director – Public Protection

Date

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: licensing@islington.gov.uk

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Aaron Barnes Police Sergeant 9NI** URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 219383**

This statement (consisting of: ... **11** ... pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature:  9NI Date: 26/08/2016.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Sergeant Aaron Barnes a licensing officer for Islington Borough Police within the Metropolitan Police Service. I am the Sergeant on the borough with primary responsibility for licensing and have been in post since the 2nd June 2016. I represent the Metropolitan Police Service which is the lead for crime and disorder and the primary authority for this in Islington.

This statement is submitted to support the application by the Metropolitan Police Service made under Section 53A of the Licensing Act 2003. This is for the summary review of the premises licence held for the premises at 77A Charterhouse Street, London, EC1M 3HN

Summary

Two eighteen year olds have died between 25th June 2016 and 6th August 2016 having consumed MDMA (Ecstasy) in Fabric nightclub. The evidence presented is that the victims purchased MDMA inside the club.

There have now been six drug related deaths at the club since 2011. The club was the subject of a standard review (under section 51 of the Act) in October 2014 after two drug related deaths at the club. In December 2014 additional conditions were imposed by the Council, two of which were overturned on appeal in December 2015 with the addition of further conditions.

The current application for summary review was made on the 10th August 2016. On the 12th August 2016 the Council imposed the interim step of suspension of the licence.

Although the summary review application was limited to the licensing objective of the prevention of crime and disorder, the final consideration of the application also engages public safety.

Fabric

Fabric is a three 3 room nightclub established in 1999 occupying a Victorian underground storage area adjacent to Smithfield Meat Market. The public entrance is situated on Charterhouse Street opening up into the reception/searching area. There is a rear fire exit that is also utilised as access to the smoking area situated on Greenhill Rents. Once through the ground level reception area the venue comprises of

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

three separate main rooms each with individual sound systems and a fourth space described as a sunken bar. These are linked by various stairwells and interconnecting rooms. Room 1 is the largest with a live act stage, 'Bodysonic' dancefloor and a VIP mezzanine level. Room 2 is slightly smaller in size, again with a stage. Room 3 is described as a 'chill-out' area with seating. There are various bars within the venue including the sunken bar which is situated between Room 1 and 2 and beneath Room 3. There is also a water bar situated on the mezzanine in Room 1

The club was the subject of a standard review submitted by Islington Police in October 2014. This led to a number of agreed conditions being put forward at a hearing in December 2014. Conditions concerning the use of a drugs dog at the entrance and an ID scanner were not agreed and these, though imposed by the Licensing Sub Committee were overturned on appeal by a District Judge sitting at Highbury Corner Magistrates Court in December 2015. Further conditions were imposed by the court by consent.

Statements from members of the public will be referred to by numbers in order of submission. Police covert statements are referred to by letter, by name otherwise.

The first death was of an 18 year old male and occurred on 25th June 2016 (**Statement 1 and Statement 2**). The second death, also of an 18 year old male, occurred on the 6th August 2016 (**Statement 3 and Statement 4**). I will also make reference to a female who was taken to hospital following a drugs overdose on the 25th June 2016 but who recovered (**LAS CAD 661/25JUN16**).

Saturday 25th June 2016 – Death of 18 Year Old Male

Statement 1 relates to the tragic death of RB, an 18 year old, on 25th June 2016 and is made by someone referred to as 'Person A', one of a group of friends who went to Fabric. They were all able to conceal drugs on their person and get through the search and entry regime without the drugs being found. They each concealed them in different locations in their clothing. Person A had pills hidden in his sock which he and RB retrieved when they were in the toilet. They then purchased water at the bar and the drugs were taken. The statement details how RB became frustrated after seeing the visible effects of the drugs, described as 'coming up', on his friends when he felt his were not working. The statement then details how RB told Person A that he had bought a pill off someone. Person A did not recognise the name. Approximately fifteen minutes after speaking to Person A, RB had been able to obtain drugs from a stranger within the club, someone described as 'a guy'. The statement then goes on to detail the very disturbing deterioration of RB when he was visibly unwell. It appears that he was in this condition for some time.

Statement 2 relates to the same incident on 25th June 2016 and is made by someone referred to as Person B. It relates how Person B got through the search and entry regime with drugs concealed in his socks. Person B states that he was 'briefly searched' as he entered. Person B then went to the toilet to retrieve the drugs with the others. The statement describes how RB bought a bottle of water from the bar and took an MDMA pill. Person B soon began to feel the effects and felt overwhelmed. He went to the toilet after fearing he would vomit. He vomited after sitting in the toilet cubicle for five minutes. Person B details how he was told by a mutual friend that RB was frustrated waiting for the drugs to take effect and had gone to buy another pill. Person B then saw RB talking to someone sitting on a sofa near the bar. Thirty minutes later, RB then told him that he had taken a pill that he had bought in the club (in addition to the three he had brought in). The statement then details the disturbing deterioration of RB's condition. The visible effects are noted as including sweating and shaking as well as 'that he 'didn't look well'.

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI****Concerns and Breaches of Conditions:**

Class A drugs were brought in to the premises

Class A drugs were purchased in the premises

Conditions 20 & 35 These statements imply that others would have been able to observe drug use, the effects of the drug use on this group and raises the question of staff intervention, visibility and effectiveness.

Condition 29 *'If an ambulance is called and customer taken to hospital the police must be notified'* - On the 25th June 2016, a female was taken to the Royal London Hospital from Fabric after taking MDMA and having a seizure. Staff intervened to assist her but police were not called. Evidence – record of a call to the London Ambulance Service (LAS) **661/25JUN16**. LAS staff were already dealing with this female when the following update is put on the CAD; *'AP61 advising been dragged back into club for 1nd PT MDMA and other drug...AP61 is without lifepak as it is with PT1 enr to RLH with HEMS'*. This stark message shows two serious collapses which had occurred concurrently. They required multiple LAS units and the Helicopter Emergency Medical Services.

Saturday 6th August 2016 – Death of 18 Year Old Male

Statement 3 relates to the tragic death of JC, an 18 year old, on 6th August 2016. He had gone to the club with a group of friends on that and at least two previous occasions:

April 2016 On a previous visit to Fabric in April they took MDMA in to the club concealed in boxer shorts. The search regime was described as a full pat down. The group then went in to the toilet cubicles and retrieved the MDMA. They state that *'I could tell by people's body language and behaviour that well over 80% of the other people in the club appeared to be under the influence of drugs'*.

24th June 2016 The drugs were taken in to the club *'in the same manner as before...we were very surprised about the lack of searching on this occasion. I was only patted down softly and I even said to the searching officer do you not want to check my pockets and he said something like "no don't worry about it".'* Again, they went to the toilets to retrieve the drugs and there was some consumption of drugs in the toilet area. The statement includes details of a cannabis joint being passed amongst people in the smoking area. The statement then recounts how easy it was, once the effects of MDMA seemed to be wearing off, to go and get more with *'5-6 <out of> 10'* people being willing to sell drugs; *'The culture in the club is a drug culture and it's known by everyone who attends that you can buy drugs easily from within the venue'*. It then explains how he went up to a male who sold him half a gram of 'Mandy' aka MDMA for £10; *'Most people if they have any spare will simply sell you some of their own gear for £10 or £20'*.

5th/6th August 2016 The group entered the club, again MDMA was taken in inside boxer shorts; *'the search was loose, nowhere near the standard of our first visit back in April'*. Some went immediately to

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

the toilet cubicles and took MDMA orally whilst inside. The statement recounts how one of the group asked him if he wanted some more MDMA because he had just been offered some. He got a brief look at the male who he believes supplied the drugs but comments that it was dark. He was given the MDMA 'bomb' which he took whilst standing just 'a few yards' from the bar area. A short while afterwards, three girls asked the group if they had anything and were directed towards the man who had sold them drugs earlier; *'The ease of purchasing MDMA at Fabric is one of its main attractions'*. It was at 0400 when they went to the smoking area that he noticed JC did not look well. After a period of time when they were separated, he met up again with JC at a pre-arranged location inside the club. JC still appeared visibly unwell. It was as they were leaving this area and going up a set of stairs that a member of staff saw JC's condition and took him to the medical room.

Statement 4 appears to cover the same events:

29th April 2016 Entry to the club through search arches, which did not appear to go off, despite metal objects being in his pockets. The search is then described and he notes that he was not asked to remove objects from pockets. He was approached a couple of times asking if he knew of anyone selling MDMA. These approaches were from strangers. He was approached by a male carrying a small side bag and asked if he wanted any pills. He declined at this point. He comments that the water bar was busy but that the alcohol bars were not.

Mid-July 2016 During the search regime, he asked the bouncer if he wanted to search his pockets and was told that if they did that *'we would be here all night'*. Again, once inside the club he was asked if he knew where someone could buy MDMA and heard that someone had been offered Ketamine.

5th/6th August Again, the security arches did not appear to indicate when he had metal in his pockets. The search was not as in depth and *'appeared to concentrate on my ankles'*. He was not asked to remove anything from his pockets. Later in the evening, JC and another friend said something that implied to him they were going to buy drugs having already taken some. They mentioned that there was someone in the smoking area who would take them to buy drugs. JC started showing visible signs of being unwell and went to sit in room 2. He was intercepted by security whilst going up some stairs and directed to the medical room. His condition declined quickly thereafter.

Breaches and Concerns:

Class A drugs were brought in to the premises

Class A drugs were purchased in the premises

Conditions 20 & 35 These statements imply that others would have been able to observe drug use, the effects of the drug use on this group and raises the question of staff intervention, visibility and effectiveness. The also suggest that JC was visibly unwell for about an hour and a half inside the club and smoking area.

Condition 3 *'duties of the SIA licensed door staff...Ensuring patrons are being searched in accordance with the search policy'* Statement 4 recounts a conversation with a medic after JC had been taken away to hospital. He mentioned that the searching wasn't very good. When he pointed out the person who had searched him, the medic said that that person was new and that *'he has come from a different club that hasn't got any problems with drugs'*.

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

Conditions 48 and 52 The smoking area should be staffed and secure. There is no evidence of random drug searches being undertaken by staff in the smoking area.

The evidence in the statements suggest that it was obvious that people in the club were on drugs. However, they did not notice staff dealing with anyone who appeared to be under the influence.

This suggests an inconsistent regime and that there had not been an improvement following the previous tragic death on 25th June 2016.

It is the contention of the police that visibility in the club is poor and medical staff deployment is insufficient to cope with the issues caused by drug taking inside.

Police Meetings and Visits:

The police had a meeting with the premises on the 1st July 2016 and conducted full licensing visits to the premises on 2nd/3rd July and 22nd July 2016.

Following the death on 25th June 2016, Islington Licensing Officers PS Barnes and PC Harrington met with Luke Laws (General Manager) and Paul Durand (Head of Security) on 1st July 2016 at the club.

Evidence – Notes of Meeting CRIMINT NIRT00485206.

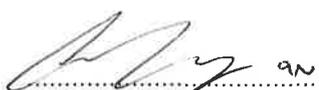
Covert Police Visit 2nd July 2016:

Police Statement A and **Police Statement B** are included. The undercover officers witnessed the open use of drugs in the premises, the fact that people were intoxicated by drugs and were being offered drugs for sale. The following licence breaches were noted.

Condition 2 'SIA licensed door supervisors to question potential patrons on a one to one basis about their attendance at the venue' No questions were asked on their entry to the venue.

Condition 9 'No patrons shall be admitted to the premises without being subjected to a thorough search of their person and bag' - Police Statement A recounts a ten second search on entry. Jeans pockets and a bag were not searched. Police Statement B recounts a search on entry of less than five seconds. They were not asked to empty their pockets which had several items in them. The back pockets were not checked or felt.

Condition 35 'An internal security team...Looking for any individuals who are under the influence of excessive alcohol consumption or drugs...Consumption of drugs and/or dealing' - In room 2, evidence of intoxication was seen in the form of sweating, glazed red eyes and staring in to space. Statement B recounts that in the smoking area, an extremely intoxicated male was asking for help. A male was seen giving a pill to a female in Room 2. In room 1, a male was seen to swallow something believed to be drugs and give something to a female. In Room 2, a male was seen approaching various groups, not intoxicated, holding short conversations then walking away, believed to have been a drug dealer. A male was seen in an alcove believed to have been sniffing drugs. Snap bags with white powder residue were seen in a toilet cubicle.

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

Conditions 35, 48 and 52 - In the smoking area, the author of the second covert statement was offered 'MDs' Several other people there then asked this male about the price. This is in a smoking area that should be monitored; *'The dedicated...smoking area shall be maintained secure'*. A bouncer was stood two metres behind and should have heard and seen this; *'An internal security team...Their details shall include: Looking for any individuals who are under the influence of excessive alcohol or drugs'*. Another visit to the smoking area was made and a male asked if the covert officers had any 'gear'. He had 'dropped' his and wanted more. He was thinking of asking one of the bouncers because 'if you are found with drugs the bouncers take this from you and then give it to people they know'. There was no evidence of staff carrying out random drugs searches in the smoking area.

Condition 10 Statement B recounts how someone said to the author that one of his friends had been found with drugs but was still allowed in to the club which is a breach; *'Any person found in possession of drugs...shall be excluded from the premises and banned from future entry'*..

Condition 48 *'The dedicated customer smoking area shall be maintained secure and only accessible via the premises'* - On two occasions, staff were noted letting people in to the club via a temporary barrier at the back of the club which should not be happening.

Overt Licensing Visit 2nd/3rd July 2016

An Environmental Visual Audit (EVA) has been completed by qualified DOCO (Designing Out Crime Officer) Karl Turton. A DOCO is a specialist crime prevention officer, trained at the Home Office in crime reduction, who deals with crime risk and designing out crime advice for the built environment. They have nationally recognised qualifications. I would highlight the following points from the report.

During the visit for the EVA, staff were not observed to leave static points in the smoking area to move through the crowd. The club have implemented the policy of only doing so when staff are paired because of previous violence directed against them by patrons.

Visibility in the club is a challenge. This is due to a combination of light levels, dry ice, the layout of the club over several floors, alcoves which are part of the building structure, crowding and the ineffectiveness of CCTV due to a combination of these factors interfering with the coverage provided. Even a good CCTV system is affected by light levels and other environmental factors.

The search area is not a *cordon sanitaire* and does not facilitate effective searching. Pockets, bags, outerwear and headwear were not properly searched. The club has a training regime and staff should be appropriately trained.

Condition 30 *'...maximum number of persons accommodated at any one time in the premises shall not exceed <lists maximums per area>...'* During the course of the EVA, management stated that condition 30 of the club's licence was not being adhered to. This regards capacities in individual rooms. Staff were not counting numbers of patrons in each room.

A copy of this EVA was supplied to the club on Thursday 4th August.

Police are not aware of any measures that they have taken in line with the recommendations made in the report. Fabric have stated that they have commissioned their own report in response to it, though

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

police have not been supplied with this at time of writing. The club have not informed police that they have implemented any of the recommendations. The report concludes that 'due to the current business model and style of operation which is not compatible with the building in which it operates, and the location of the premises, there are very limited options available that would increase public safety to an acceptable level'.

Statement of Chief Licensing Officer Ian Graham -

This statement was written after a full licensing visit conducted on 3rd July 2016 and lists a number of concerns about existing procedures in the club.

If someone is found to have drugs and is barred from the club, they take a photograph of the person and the ID. These are stored in a binder. The binder, when it was checked contained over a hundred images. Staff are therefore expected to know over a hundred faces in order to bar the relevant people. It does not include those turned away at the door. There is therefore nothing to stop someone being refused entry and then returning a short time later. This system is wholly inadequate.

He observed the search regime and states that at no time did he witness anyone being asked to empty their pockets.

He expresses concerns about general visibility in the club and the visibility of security staff.

Condition 35 He gives several examples of people who appeared to be visibly intoxicated in the venue. At the time, he was in company with members of staff for the licensing visit. It is condition of the licence that the '*security team...duties shall include: Looking for any individuals who are under the influence of excessive alcohol consumption or drugs*'.

Overt Licensing Visit Friday 22nd July 2016

Police Statements by PC Hislop and PC Kemp are included.

Concerns and Breaches:

Condition 35 '*...Looking for any individuals who are under the influence of excessive alcohol consumption or drugs*' - During a visit to the 'chill-out' zone in Room 3, a fire marshal was seen interacting with patrons. At the same time, a clearly intoxicated male who was not wearing a shirt walked past. Police Statement C details a return visit to the smoking area. There was no engagement except for a member of security apparently asking people to stand up and, in some cases, physically assisting them. This implies that they were intoxicated to such a level as to require help standing up.

Condition 48 '*customers shall be encouraged not to loiter in the smoking area*' relates to control of the smoking area and lack of enforcement regarding loitering. Failure of the club to control the smoking area. Even when staff were posted to the smoking area, they did not carry out any interactions during a ten minute period.

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Signature witnessed by:

Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

Condition 52 '*...random drug searches of customers using the smoking area*' There was a strong smell of cannabis in the smoking area. Even during a visit when staff knew police were checking the venue, it seems that they were unable to prevent open drug use in this area.

Concern - Visibility in the club is noted as poor. No staff were observed in the mezzanine area of Room 1.

PC Kemp also recounts two SIA members of staff producing photocopies of their badges when asked. They should have been checked by senior managers prior to starting work to ensure that they were complying with SIA regulations.

Email of 26th July 2016:

Islington Licensing sent an email following a GBH assault. A male had damage caused to a tooth after being struck in the face. The female suspect was ejected without details being taken or the police being called. Police were notified when the suspect attended a police station a couple of days after the assault.

The email sent by PC Harrington included a mention that significant witness statements had revealed that drugs had been taken in to the club concealed in socks on 25th June 2016. It asked what measures the club would put in place now that they knew this. Luke Laws (General Manager) responded by email '*With regards to the reports of drugs being taken into the venue inside people's shoes, we profile those entering the building and search their shoes & socks and beyond that we undertake random spot checks. This has been our policy for some time now, and we will continue this policy to restrict the opportunity of drugs to be smuggled into the venue inside shoes/socks.*'

Police are not aware of any data held by the club regarding searches conducted of socks and shoes. When the club opened that weekend, an arrest was made for PWITS on 30/07/2016 where drugs were found concealed in this manner. Police contend that this shows that such searches had either not been happening or had not been happening with sufficient regularity to provide an effective deterrent.

A rigorous search regime in itself assists in deterring drug use and drug dealers. Police contend that, such is the demand inside the venue, it would only be necessary for a potential supplier to conceal and take into the club a small number of pills for the opportunity to arise to sell these.

History

I summarise below the events which led to the standard review of the licence in October 2014. These events led to the imposition of the conditions by the Council and subsequent appeal to the magistrates' court on two of the conditions which was upheld in December 2015.

Sunday 14th September 2014 – Death of an 18 Year Old Female

An 18 year old female PG attended Fabric with some friends. **Statement 5, Statement 5.1** and **Statement 6** contain evidence that MDMA was purchased inside the club from a male. She and her friends took some. She became ill, was taken to hospital and died shortly afterwards.

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

Four statements were taken in relation to this; one of these is a clarification of a previous statement made (Statement 5.1). They are included redacted. A typed redacted document has been provided. Statement 5 provides evidence that drugs were bought by the deceased and her friends inside the venue. She paid £50 for half a gram at about 0145 whilst in the smoking area. They first took some of the drug on the third floor of the club by putting it on fingers. It was then mixed with water for further consumption.

Police Statement by T/DC Marston recounts details of a conversation that he had with a pastoral worker at the college where the deceased studied. He states *'I specifically recall that <M> said to me that if the students want to go and get drugs then "Fabric is the place to go to"'*. This suggests that the impression of the club as a place where people can go with the intention of taking drugs reaches outside London.

This was the incident, when combined with three other deaths and eight 'near misses' (serious drug related overdoses) which instigated the previous review.

Subsequent to the previous review but before the appeal hearing in December 2015, police are aware of five hospital admissions for drug related overdoses from the club. Two of these admissions were for people in a critical condition.

Conclusions

There is clearly an element of tragic misadventure in the drug related deaths at Fabric. However, it is the contention of the police that an environment which is tolerant of drug related serious crime has been created and maintained by the operation of the club in its current manner. Two further MDMA related deaths in six weeks to 6th August 2016 have occurred in addition to the four previous deaths.

In addition to these, there were five collapses associated with drug use between 1st January 2015 and 17th October 2015. There was also a drugs related collapse and hospital admission on the 25th June 2016 where a female was taken to the Royal London Hospital **LAS CAD 25/06/16, 661**.

Police contend that the level of intoxication in the club is high and that a major cause of this intoxication is MDMA use. Without reiterating the statements, which are powerful and emotive documents, it is clear that drugs are easily available and that this is widely known to patrons. Serious crime in the form of offering to supply and possession with intent to supply by people within the club are the key factors in the easy availability of drugs.

A further familiar theme is that alcoholic drink sales at the venue do not seem to be high. It supplies a free water bar as well as selling bottles of water. Though this has doubtless been implemented for the welfare of the patrons, medical evidence states that the amount of water consumed needs to be carefully regulated when people have taken MDMA and that it could be dangerous to drink too much.

The evidence summarised in this statement shows that the venue is associated with serious drug related crime and risks to public safety. It is appropriate therefore to address measures that could be implemented. The committee is asked to find that these measures have not been implemented following the four previous deaths from 2011-2014, after the previous review, the appeal hearing in

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Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

December 2015 nor prior to, between or after the two further deaths this year to the date of the imposition of interim measures. Many of these measures are established methods for improving public safety at a venue and countering serious crime.

Other steps which could be taken are referred to and commented upon below. Police conclude that the imposition of conditions would not be appropriate for these reasons.

ID Scanners – the club are believed to possess one but do not use it. This was the subject of their previous review appeal to Highbury Corner Magistrates Court in December 2015. The court upheld the club’s appeal.

Deployment of drugs dogs at least 50% of the hours of operation each night – as above, this was the subject of their previous appeal which was upheld.

Reducing the terminal hour of operation. It is considered that ‘pre-loading’, combining drink and drugs, and physical tiredness may all be factors that exacerbate the risks associated with drug use. This would be in line with current Islington Council policy in a community impact area. However, the detailed instances of serious crime have occurred throughout the advertised opening hours of the club. Fabric is associated with drug use and serious crime. Reducing the hours of operation is unlikely to have any effect on that association.

Initiating a policy of admission for people aged 25 and over. Five of the six people who have died following MDMA overdoses at the club are under 25 years of age. Four are eighteen years of age. It might be said that inexperienced users of MDMA are more vulnerable to a fatal reaction to the drug. This lack of experience of the expectations of the effects of the drug seems likely to increase the chances of such people taking an overdose. Raising the age of admission may prevent younger people from dying in the club. Police do not condone people of any age taking MDMA or other prohibited drugs. This measure would need to be supported by a rigorous entry registration procedure and it is suggested that use of an ID Scanner would be appropriate. Minimum requirements regarding suitable identification documents would need to be set. The club already has a membership list and stores data on these members.

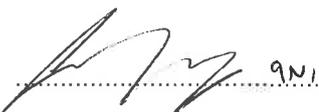
Initiating a policy of admission for people aged 21 and over. As above although police believe that this measure would carry greater risks than the 25+ policy.

Medical facilities. The medical facilities at the club are better than other licensed venues in Islington Borough. Police do not consider that having good medical facilities and trained staff on site creates a safe environment for the consumption of prohibited recreational drugs such as MDMA.

Reviewing employment of the present security regime.

Reviewing employment of the DPS. This by itself would not address the serious crime issues in the venue.

Re-training of staff in all aspects of work regarding health and safety, crime prevention, search and entry to a recognised higher standard than that now held.

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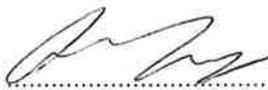
Continuation of Statement of **Aaron Barnes Police Sergeant 9NI**

Instigating a period of suspension prior to a re-launch. This would give time for detailed measures, including structural changes, to be developed. However, police have concerns about the association of the brand 'Fabric' with drug use. Some of the statements demonstrate this association starkly.

Police contend that any proposals made by the club would have to be substantial and permanent in order to change the nature of the venue and reduce the risks. It is a private business. Police still do not consider that even these measures would be sufficient.

In order to comply with the licensing objectives, it is appropriate and necessary to create a robust, anti-drugs environment. The police contend that Fabric has not done enough to create this atmosphere. Instead, an environment of recreational drug use has flourished. After a review in 2014 following four deaths, it is deeply alarming that the venue has been brought back before a committee so soon after because of a further two deaths.

Police urge the committee to give serious consideration to revocation of the licence. If the premises continue to operate in the same way it is believed that further drugs related deaths will inevitably follow.

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MPS Crime Prevention & TP Capability Environmental Visual Audit (EVA)



BCU	Islington
Problem	Drug related death of customer - 25/06/2016
Area/Address	Fabric (nightclub), 77a Charterhouse Street, Clerkenwell, London, EC1M 6HJ
Prepared for	Chief Inspector Jennifer East MPS Central Licensing Team
Prepared by	DOCO Karl Turton
Date approved	04/08/2016

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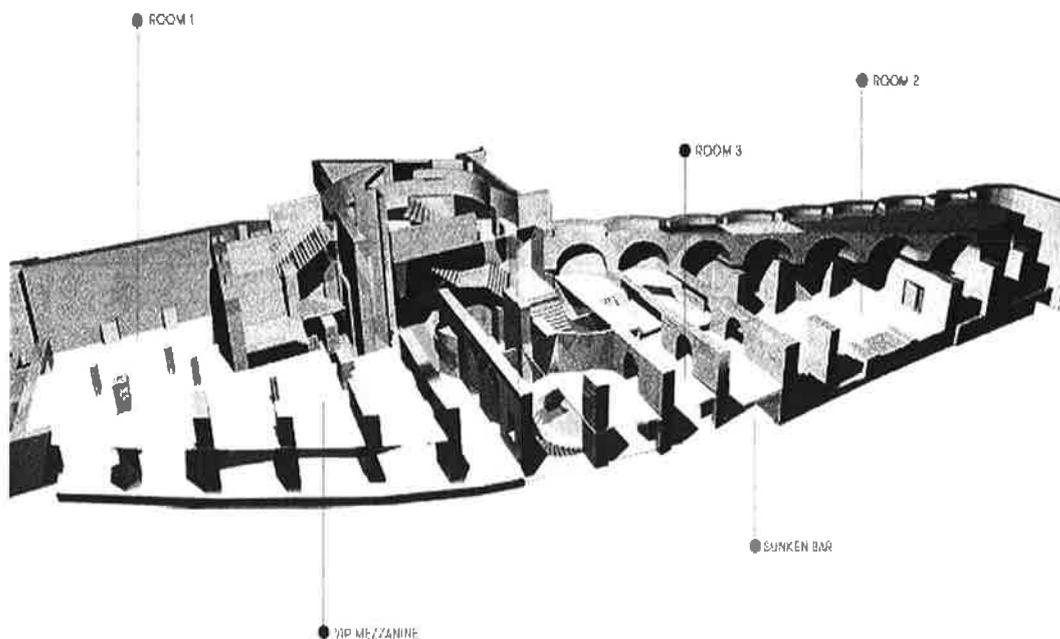
1. Location, structure and history

Fabric is an iconic night club located at 77a Charterhouse Street, Clerkenwell. It overlooks 'Smithfield Meat market' dating from the 10th century.

Smithfield is within the ward of Farringdon, situated on the North West border of the 'City of London' and the borough of Islington. The venue shares a street scene with a number of valued City institutions, such as St Bartholomew's Hospital, the Charterhouse and Livery Halls notably those of the Butchers' and Haberdashers' Companies.

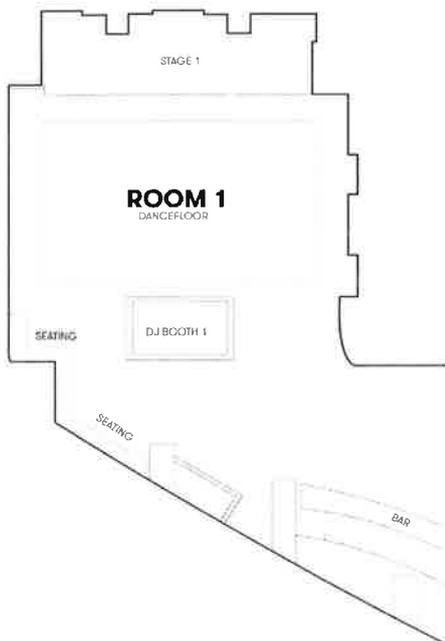
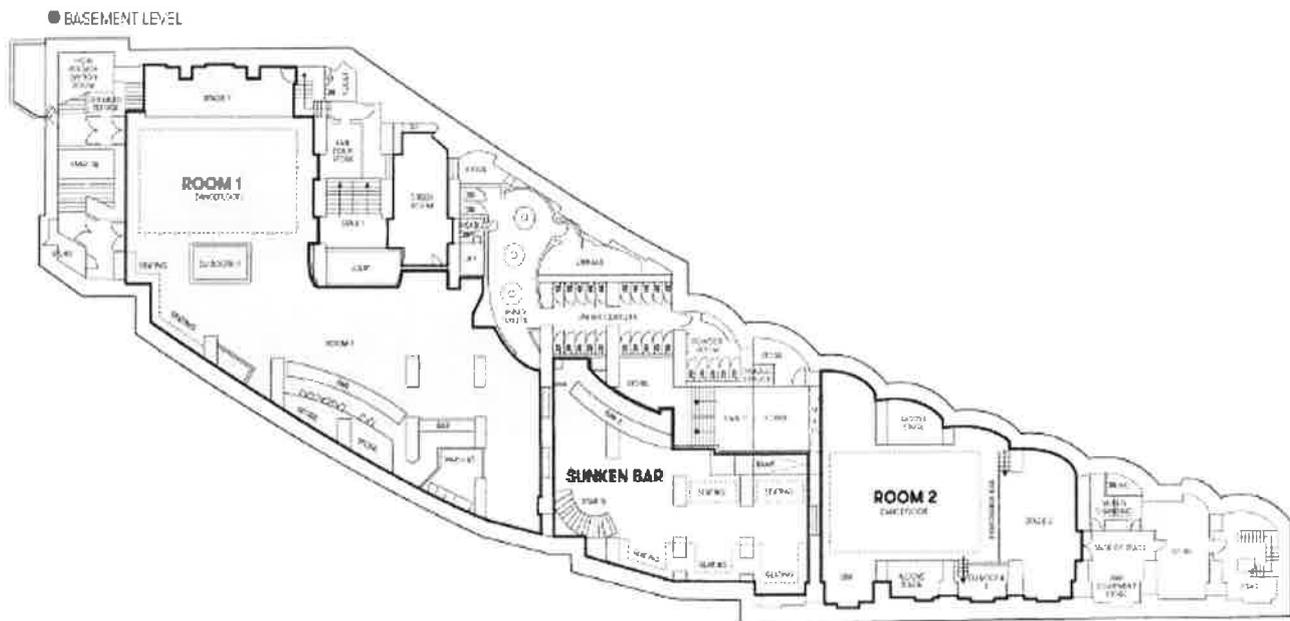
The club was founded by Keith Reilly and Cameron Leslie and opened on 21st October 1999 and Fabric occupies the renovated space of the Metropolitan Cold Stores. Smithfield Meat Market stands and operates from a site directly opposite, with the building's construction taking place in Victorian times.

The conversion work from warehouse to club took over 3 years to complete, with the idea that Fabric was conceived by people that go to clubs. Fabric has three purpose built rooms with independent sound systems; two of the rooms feature stages for live acts. A feature of the club is its vibrating floor in Room One known as a "bodysonic" dancefloor. Sections of the floor are attached to 400 bass transducers emitting bass frequencies of the music being played. The vast majority of the club is located below ground connected by a labyrinth of stairs and interconnecting rooms; only the entrance, ticket office, cloakroom and smoking area are on the ground floor with the club occupying a total area of 25,000 square feet.



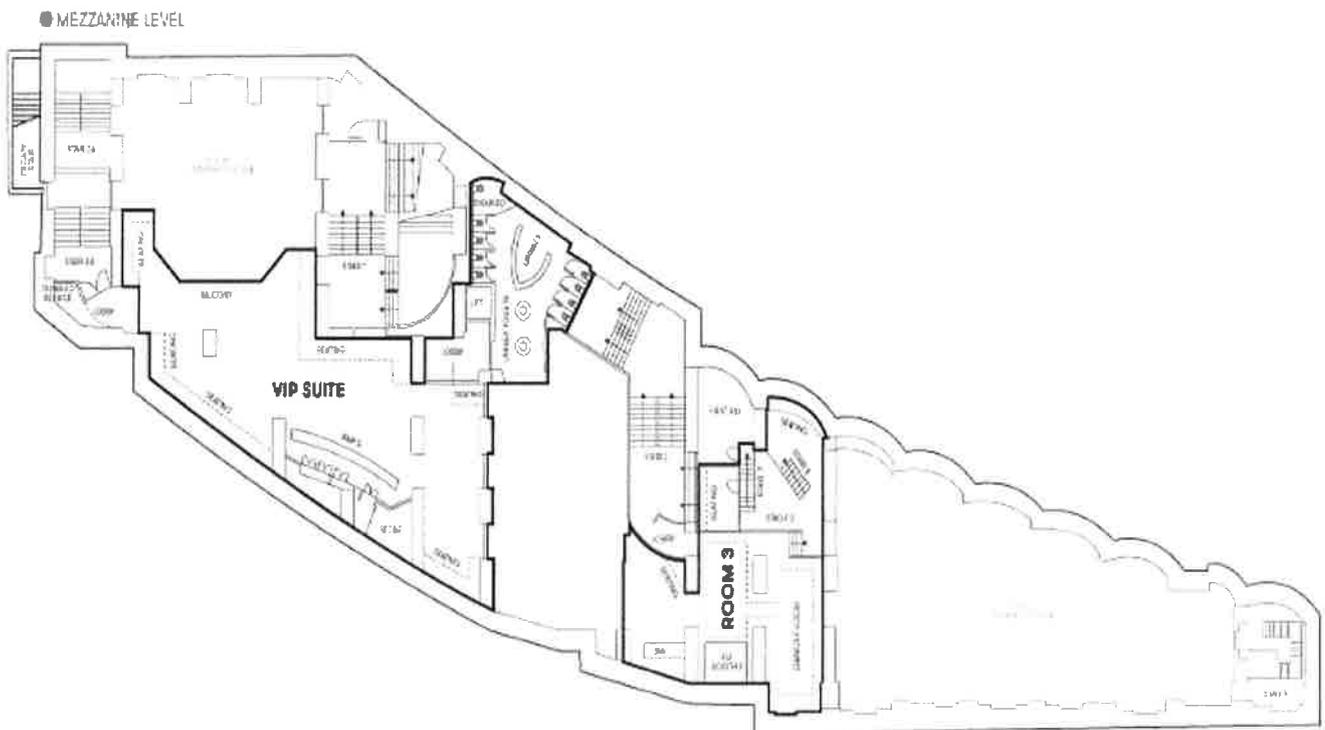
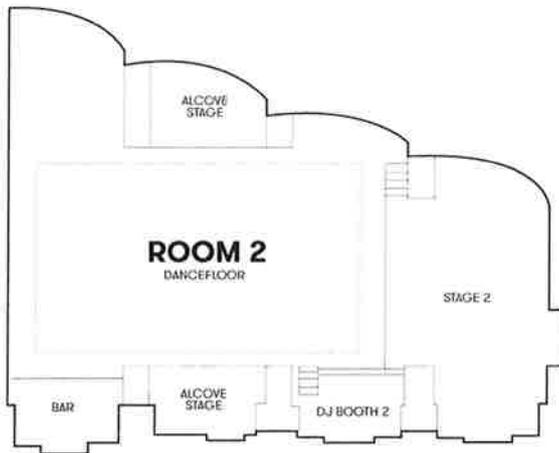
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3D Plan of Fabric Fabric floor plans



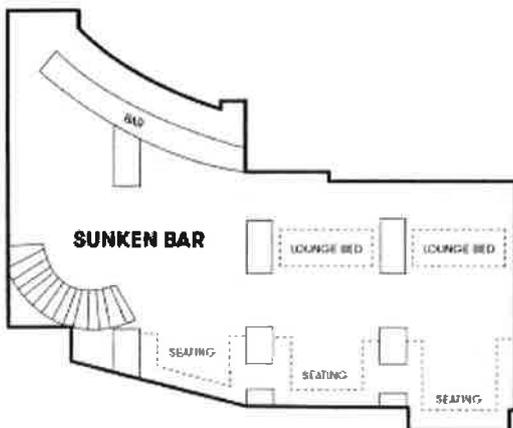
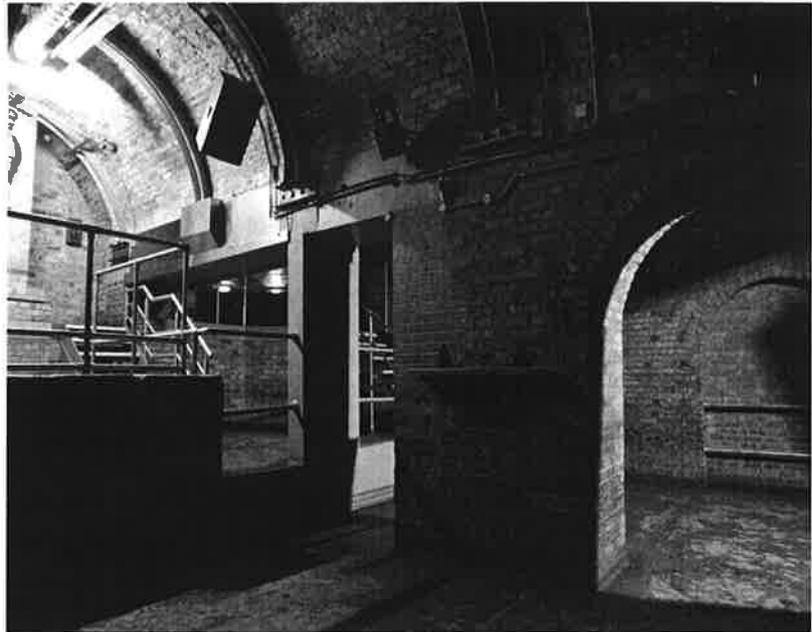
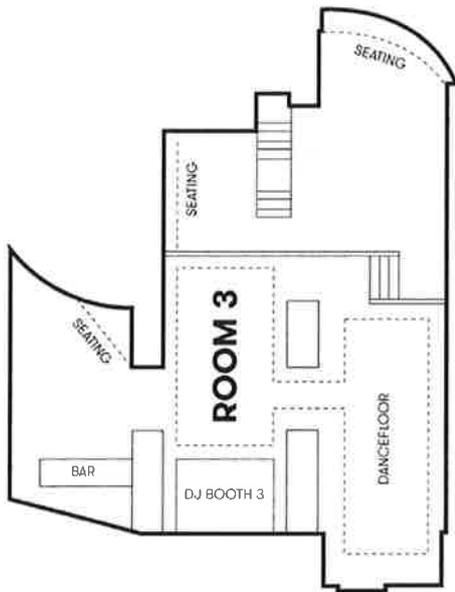
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Fabric floor plans



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Fabric floor plans



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2. Introduction

Officers from the Central Licensing Team (CLT) and a Design Out Crime Officer (DOCO) attended Fabric night club on Sunday 3rd July 2016 at approx. 01.15 hrs to conduct a joint visit with the local borough's (Islington) licensing officer PC Steve Harrington. This was in relation to a recent death of a patron from what is believed at this point in time to be a drug related incident. This is the fifth drug related death connected to the venue since 2011.

3. Structure and operation

Access to the club is gained via the front of the building on Charterhouse Street via a set of double doors which are located on the ground floor of the building. The entire ground floor front elevation is a combination of metal/timber door sets and masonry. When in operation, the doors to the right of the facade are utilised for access in to the club and the doors to the left are used for egress only. The main doors in the center of the building are not used and remain closed while the club operates. Above the exterior doors are two steel and glass canopies with internal down lights, constructed to give shelter to patrons and staff below.

The only other aspect of the club which is at ground level is the smoking area which is located to the rear of the venue and is connected to the club when in operation, by a series of tubular 1.2 metre high barriers, which form a footway. The smoking area is partitioned off with temporary heras interlocking fencing and illuminated by halogen spot lights. The rear of this area has a 1.8 m high brick wall which is adjacent to 78 Cowcross Street, EC1M. The area the other side of this wall is a brick courtyard accessed by a 2m high steel gate and roller shutter from 78 Cowcross Street.

Once patrons are inside the front doors of the club, there is a small entrance lobby, which is divided in half with a rope style barrier and a double width staircase rising to the left. This rises to the first floor where a number of small ticket offices are located, again on the left, and after this the club's cloakroom is situated. The corridor turns towards the front of the building once again and falls back to the ground floor, directly opposite the entrance. The rope barrier is required to direct customers up to the first floor ticket offices as customers are required to pay on entry. Without the barrier, customers would be able to walk directly down into the club, bypassing the ticket booths.

A wider staircase then takes you down from the entrance lobby to below ground level where there are three separate themed rooms with various bars and seating areas. The vast majority of the club is below ground level.

Fabric night club has limited facilities to accommodate queuing customers within the curtilage of the building and has developed a queuing strategy where prospective customers assemble at ground level in the street directly outside the venue. The strategy further breaks down this group into potentially three further sub queues and has staff located at various points to allow access to neighboring venues.

There is a queue for walk up / pay on-the-door customers and entry to the club is approximately £20 to £30. The second queue is for ticket holders or pre-paid customers and, when required, there is a third queue for guest list/VIPs.

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The queuing system is all accommodated on the footway directly outside Fabric and the combined queue can stretch for some considerable distance and consist of hundreds of customers as illustrated in the image below.



Typical queue system used at Fabric

The management of the venue erects temporary barriers along Charterhouse Street and other surrounding streets, in an attempt to control the crowds that gather when the club is operating. The club has a 24 hour premises licence and no fixed last hour of entry. Fabric has a defined operating capacity of 1510 which is the only controlling factor regarding access and egress at the venue. As such, there is normally a healthy footfall through the club's hours of operation, with doors opening at 11pm and closing in the late morning.

The local authority has recognised the affect the club has on the surrounding area and requires the club, via conditions on the premises licence, to dedicate staff to patrolling the locality and specific fixed posts, in an attempt to reduce the operation's impact on local business and residents.

Hours the club elects to operate are:

Friday 11pm until 7am
 Saturday 11pm until 8am
 Sunday 11pm until 5.30am

Capacity:

Basement stage 2 and rooms to the rear of stage 2	0 persons
Basement and Mezzanine 1 and Dance floor 1	200 persons
Mezzanine 1 V.I.P Suite	300 persons

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4. Observations

4.1 Natural surveillance and territorial control - queue

The club faces a number of challenges in relation to the queue and the limited space available to accommodate what can be significant numbers of patrons. The site was originally a cold meat store/warehouse for Smithfield Meat Market, which is located directly opposite and as such this adapted building has a limited footprint above ground, making its operation as a night club challenging.

All who seek to enter the club are required to queue directly outside the venue in Charterhouse Street and line up heading west. The queue can stretch all the way in to St John Street and Cowcross Street. The queue system is affected by the lack of space outside the club entrance with three separate lines filling the pavement, making anyone looking to walk along that section of pavement divert into the road and in to oncoming traffic and, as such, is a hazard.

There is also no cab or vehicle drop off point either forcing taxis to pull up in the carriageway directly adjacent to the main doors of the club, further adding to congestion. This creates a chaotic space with significant hazards to both vehicles and pedestrians.

The management are aware of the impact this has on its surroundings and have now introduced the use of 1.2 metre high tubular steel pedestrian bar barriers to manage the queue. This queue strategy has been developed further with breaks in the line of barriers, in order for neighbouring venues to have access allowing them to operate. The gap / breaks in the queue system are supervised by Fabric's security staff.

This long winding line of prospective customers becomes increasingly vulnerable the further they are from the venue. The risk of patrons either taking drugs prior to entry, or drug dealers targeting this group, increases the further distance they are from the doors.

It is important to encourage territorial control of these remote aspects of the operation and, in doing so, it allows the club greater time to profile prospective customers; assisting to profile those who are intoxicated, violent or taking / selling drugs and, when required, offering assistance to those who are vulnerable. The St John Street area and its cafes and shops that were open, appeared busy with people who filled the footway drinking and eating.

There was evidence of both pre-loading of alcohol and drug dealing within this location, with officers observing part drunk or empty bottles of Vodka, Jack Daniels, beer and wine discarded on the floor. Males were seen to approach groups heading towards the club and brief conversations were overheard, where these males offered Mandy (which officers believed to be MDMA). Most ignored the offer but officers did see groups pause and ask about prices.

When asked about the St John Street area, Luke Laws, the duty manager, stated that they did position staff at static posts within Peter Lane and Green Hill Rents, where the club block off the street with heras fencing panels to create the smoking area. It is

unclear if the club has the authority to construct such a physical barrier when operating; blocking a right of way for neighbouring properties.

However, due to past attacks on security staff, mobile patrols are only conducted when there are two or more staff available. During the entire tour, officers only observed static points being manned and no interaction with the security staff members and the crowds within that area.

The impression to officers was that the static points were there to reduce noise to nearby homes by directing clubbers away from local resident's property and remove discarded bottles left by clubbers.

At the same time, officers also failed to observe any uniformed police presence patrolling this location during the tour. There were brief moments when a marked police car would pass the front of the club but none stopped to engage with any groups either outside the club or in the areas around the club.

Options

1. Restructure the queue so that access to the venue is through the rear of the club via Greenhill Rents which is currently blocked off by the venue. Clarity over control over this location would need to be confirmed prior to any adaptations being planned. The rear smoking area occupies only part of the exterior space utilised by the club when it trades, as during the visit a number of motor vehicles were parked in a sectioned off area close to the rear of the club. This could allow a higher number of prospective patrons to be accommodated within a protective perimeter. In turn, moving the displaced smoking area to the front elevation in a pen constructed from temporary fencing. This would reduce the impact on neighbouring properties. This would also assist with vehicular congestion at the junction with Charterhouse Street and St John Street.
2. Set a terminal hour for last entry in to the club. Fabric operates from 11pm until 8am on Friday, Saturday and 11pm until 5.30am on Sunday.

The premises do not operate at any other time during the week. Their business model looks to maximise the hours of operation within the weekend period and, to do this successfully, the club needs to be open as long as possible during this reduced time frame.

The club has a footfall far in excess of its capacity and relies on customers paying an entrance fee, throughout the late evening and early morning. Once at capacity, prospective patrons are held in the queue. The later the entry time, the higher the entrance price.

This 'churn' is responsible for queues later on in the club's operation, with the club looking to target customers wishing to continue their night out after other bars, restaurants and clubs have closed. It was clear to officers that a significant portion of the venue's income is generated this way.

3. Police could mount an operation with drugs indicator dogs used in conjunction with TSG (territorial support officers) to identify dealers and patrons who may

hold drugs and are within the vicinity of the club. Once identified, TSG officers would detain and search identified subjects.

4. Safer neighbourhood teams could conduct operations during the clubs hours of operation. For example, joint foot patrols with both local authority enforcement officers and club security staff in the streets surround the club.
5. Continue with the queue system in its current form for walk up customers and support this with further security staff at regular intervals along the queue, who are issued with body worn video and part of the club's radio linked system. This would help deter ASB and drug dealers from the queue, as well as help identify patrons looking to pre-load prior to entering the club.
6. This should be supported by regular pulse patrols from local police night time economy units and night duty police officers, paid for by money raised by the borough's night time levy.
7. Fabric could contact the corporation of London who have control of the car park spaces opposite the club, serving the meat market, and enquire to hire car park bays opposite to act as a taxi drop off area, maintaining traffic flow and reducing the vehicle hazard.
8. The amount of pavement monopolised by the club needs to be reduced to allow the public to navigate past the venue safely. Pre-paid and VIP customers could use the rear entrance via Greenhill Rents, which would help reduce the need for three alternative queues.

4.2 Natural surveillance - inside the club

Natural surveillance inside the club is poor. This is due to light levels which are mentioned later in this report. However, design visibility (line of sight) is especially challenging due to the nature of the conversion from warehouse/ cold store to multi-roomed night club.

Design visibility is hampered by recessed doorways, remote alcoves, and sharp 'blind corners' and steep changes in gradient, all of which Fabric have. This situation is further aggravated by poor levels of lighting and large crowds of customers congregating in certain parts of the club, making natural surveillance a problem.

Fabric has attempted to mitigate this problem with an extensive CCTV system (formal surveillance) with a member of staff responsible for monitoring the feeds. However, very few CCTV systems are able to capture every aspect of the building they are installed in and likewise there are many blind spots within the club, smoking area and the queue.

Options

1. Improve lighting levels with the use of coloured lighting, rather than just white light.
2. Increase the number of windows between rooms and common parts of the building such as corridors and walkways.

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3. Install mirrors at key locations to allow vision beyond a corner.
4. Increase the use of CCTV and body worn video throughout the club.

4.3 Access control - the entrance lobby / search area

This space is located as you enter the club on the ground floor and is sectioned off to direct customers upstairs to the ticket offices. The 25sqm space was then used to search both male and female customers and located against the far wall was a small table, which was not used whilst officers observed the entry aspect of the operation.

Officers observed five members of door staff stationed in this location who were dealing with 3 customers. There was a metal detector arch located over both male and female entrances, restricting space even further. The entrance lobby was not suitable for the number of customers that the club processes while operating.

This poorly designed space did not have adequate levels of task driven lighting or designated marked out search boxes / stations, supported with search tables. As such, the quality of searching suffered. Patrons were not asked to empty their pockets / bags, etc and were subject to pat down searches only, with no attempt to look into pockets, remove headwear or outer clothing.

Options

1. Relocate the stairs from the ticket office and cloak room above to allow greater lobby space. This will allow the use of search boxes / tables to assist the search process.
2. If the entrance is moved to the rear of the building, a temporary structure (marquee) could be used to house search teams and equipment.
3. Improve the levels of lighting in the existing lobby area, in conjunction with a lighting survey conducted by a suitably qualified engineer (Lux plan).
4. Construct search boxes / stations in preset planned areas of the lobby, clearly marked out to both staff and patrons. The search boxes should be covered by quality CCTV (audio) supported by adequate lighting.
5. Retrain staff regarding search techniques.

4.4 Access control - electronic computerised entry system

Fabric doesn't use any electronic I.D. scanning equipment to profile patrons. Management may require proof of age, and agreed forms of ID are provided by customers but are not routinely recorded. If once inside, a customer is found in breach of the club's rules, for example found with drugs or a weapon, they are taken to an internal security room, where they are subject to a more thorough search.

If small amounts of drugs are found, they are seized and the subject's photo is taken. If they are in possession of any I.D. this too is photographed.

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This information is then transferred into a paper binder which is updated once a week. Before being ejected from the club, the subject is taken to the front door where door staff are shown the subject and instructed to remember that individual.

If larger amounts of drugs or weapons are found, then the police are called. Customers who are found in possession of smaller amounts of drugs while being searched on entry to the club, have the drugs seized and are then refused entry.

The club's management are extremely resistant to any I.D. scan style device being used and have concerns over speed of use and its reliability.

They state that if used any I.D. scan style system would result in disorder from customers, due to the frustration of being held in a queue for such an extended period of time.

Options

1. The venue adopts an I.D. scan style system, with multiple system interfaces. These can be body worn and taken along the awaiting queues with banned subjects then removed from the queue. The existing system is antiquated and allows the potential for ejected customers to return later that night or after a few days.

It is unrealistic to expect the door staff to consult a binder every time a customer presents themselves at the door, in an area with limited space and poor lighting. Any system which requires security staff to be able to locate and successfully identify a past banned patron in such a way is unreliable and time consuming.

2. Link the I.D. scan details with other premises in the location that have a similar system within the borough, for example EGG. This way, the drug dealers would then find it more difficult to get access to venues.
3. Local licensing officer to work closely with the club's management and meet every two weeks to discuss recent crimes within the venue, explicitly telling the club where within the venue they occurred. This is not the situation at the moment; only details from theft crimes are shared with the club. Management are unaware of any drugs information at this point.

4.5 Access control - rear smoking area

The club operates a ground floor exterior smoking area which is located to the rear of the club, which can be accessed from Greenhill Rents. The club has constructed a physical temporary barrier between the junction of Cowcross Street and Greenhill Rents. Security staff are employed at this location to assist with the creation of a sterile area, restricting access to the rear of the club. Within this area were a number of parked vehicles; it was unclear who the vehicles belonged to. Located behind the smoking area is a 1.8 metre high brick wall which is the boundary to 78 Cowcross Street.

There is a roller shutter / service gate at 78 Cowcross Street which is damaged and insecure and, while conducting the inspection, the management stated that this gate was constantly being damaged by vehicles during the day, while the club is closed.

Crime Prevention advice is given without the intention of creating a contract. Neither does the Metropolitan Police Service accept any other legal responsibility for the advice given. You must abide by the fire and safety regulations and if you are in any doubt consult the Fire Prevention Officer and Building Control Officers.

As such, the management stated that they were not content to keep paying for the shutter to be repaired and have placed a single staff member there to mitigate the risk. This rear access point is a vulnerability for the club and is reliant on staff members' integrity and vigilance.

Options

1. Remove the rear steel gate and frame and replace this with an approved and accredited security rated floor-to-ceiling roller shutter to LPS 1175 security rating 2 or above.
2. Fit automatic vehicle access control barriers to the rear access gate at 78 Cowcross Street. This could be operated by controls from within the venue and will protect any roller shutter or gate from contact with vehicles.
3. Continue with the manned security and utilised body worn CCTV. Cover the position with in-house CCTV camera to mitigate the risk from a breach to the perimeter or physical threat toward staff.

4.6 Maintenance / Image - levels of lighting

Officers are concerned that the levels of lighting throughout the public areas of the club are too low, hindering natural surveillance and making navigation of the club confusing and difficult. Officers were unable to see into the more remote aspects of the club. Low levels of lighting affect a number of key elements of the operation such as customer and staff safety.

Lighting should be uniformly spread to reduce contrast between shadows and illuminated areas. More fixtures with lower wattage, rather than single fixtures with very high wattages, help reduce deep shadows and avoid excessive glare.

The smoking area is constructed with heras fencing covered in black close mesh matting, this coupled with temporary high output halogen lighting fitted to the rear of the club façade, leads to deep shadows and excessive glare. This makes observing the area more difficult for staff.

Options

1. Request a lighting plan from a qualified engineer and amend areas highlighted within the report. All outside areas should be compliant with BS 5482.
2. The majority of materials used within Fabric are dark in colour and matt in texture and absorb light, limiting visibility further. Light colour finishes on walls and ceilings should be used.

4.7 Natural surveillance - fixed security points within the club

Within room 1, officers observed that staff were lost amongst the large crowd gathered there. Combined with the low light levels, this made identifying staff very difficult.

Crime Prevention advice is given without the intention of creating a contract. Neither does the Metropolitan Police Service accept any other legal responsibility for the advice given. You must abide by the fire and safety regulations and if you are in any doubt consult the Fire Prevention Officer and Building Control Officers.

The management explained that if traditional Hi-Viz tabards are worn they render the clubs CCTV useless. The door staff in a number of other locations were equally difficult to identify due to low light levels and this can prove awkward when staff try to engage with patrons. This may lead to confrontational situations.

Options

1. Install a number of fixed raised points within the club where staff are expected to be positioned; this will aid them in observing customers, crowd dynamic and fellow staff members as well as being easily identifiable to patrons in distress. Security staff should be rotated between fixed and roving posts as often as possible.
2. Suitable corporate clothing must be considered to assist identifying staff.

4.8 Maintenance / Image - signage/customer flow

There is very little to help the new customer to navigate their way around Fabric. Officers found the layout confusing and have witnessed staff having to give verbal commands to customers encouraging them to keep moving when they are transitioning from any of the three rooms to avoid congestion.

The club has issues with crowd density, with Room 1 being the most popular and other smaller rooms with only a handful of patrons present. The management stated that condition 30 of the premises licence (which relates to capacities throughout the club) is not adhered to.

There was no staff member counting people in or out of individual rooms and there is good reason to believe that this condition is being breached regularly.

There is very little signage identifying various rooms/toilets/bars or smoking area. As a result, patrons are frequently seen transitioning from room to room either looking to find friends, seeking to smoke, or get a drink. Confused patrons add to the flow which is then funneled through a network of dark interconnecting tunnels.

Officers found the bar areas throughout the club to be some of the quietest areas within the venue. Officers did not see large numbers of customers waiting at the bars or drinking alcohol throughout the visit. The club did offer a free water bar which provided free drinking water to customers. Officers observed patrons still purchasing water at the bar. If consumption of free water is deemed excessive, security staff will remove that person and subject them to further questioning and a possible search.

Where crowd densities increased in the more popular locations (Room 1), there was a noticeable increase in room temperature. The management did state that the club had an Air Handling Unit (AHU) which circulates air within the rooms of the building. The managed air system (AHU) was not able to deliver cold air uniformly around the site and this is of great concern when dealing with patrons who maybe suffering the effects of a drugs overdose.

It was clear that the venue had identified the issues of air circulation and cooling throughout the club and have taken the steps to fit a localised air conditioning unit to the medical room where patrons, who are displaying symptoms of intoxication, are taken.

Options

1. Clear and legible signage which can be supported by suitable lighting.
2. Condition 30 is explicit around numbers of patrons being in any one area while the club is operating. The police cannot be seen to allow certain venues to ignore conditions especially when relating to safety issues such as capacity.
3. If condition 30 is to be adhered to, there will need to be clickers used on all three areas mentioned on the licence. The club will need to have a plan in place when any of the areas hits the capacity and implement appropriate crowd control measures.
4. Upgrade the existing air handling unit to deliver cold air to areas where it is required and reduce the flow where it is not. Balancing the system to achieve this is important, however, it is currently not working.

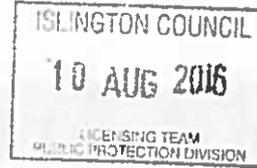
5. Conclusion

Following the undertaking of this EVA, it has been especially challenging to identify tactical options which will produce any real positive outcomes. The link with this venue and high risk drug use is undeniable, and tragically, evident from recent events.

The options highlighted within this report, whilst may have some minor positive impact with respect the issues identified, are ultimately far from ideal and unlikely to achieve the desired outcomes one would expect following this process.

Therefore, this leads to the conclusion that due to the current business model and style of operation which is not compatible with the building in which it operates, and the location of the premises, there are very limited options available that would increase public safety to an acceptable level.

PROTECTIVE MARKING



Approved & Received
16-44
Form 693



TOTAL POLICING

Form for Applying for a Summary Licence Review

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

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.

Insert name and address of relevant licensing authority and its reference number:

Name: Metropolitan Police Service

Address:

Islington Police Station, 2 Tolpuddle Street

Post town: Islington

Post code: N1 0YY

Ref. No.:

I Superintendent Stuart Ryan

on behalf of the chief officer of police for the Metropolitan 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 club premises, or if none, ordnance survey map reference or description:

77A Charterhouse Street

Post town: Islington

Post code:
(if known)

EC1M 6HJ

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Fabric Nightclub

Number of premises licence or club premises certificate (if known):

2

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 serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:

PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both
(Please read guidance note 2)

On Saturday 6th August 2016 an 18 year old male was taken to hospital from Fabric Nightclub, having fallen seriously ill following the consumption of what was believed to be MDMA, which is a Class A drug, also known as 'Ecstasy'. The young male victim died shortly after arriving at hospital.

The victim originally entered the venue with a friend on Friday 5th August 2016 at about 2330 hours and both of them reportedly consumed MDMA within the premises. Both males were able to carry it into the venue on their person. It has been reported that during the course of the evening the victim approached a person at the bar within Fabric and purchased two 'MDMA bombs' (powder MDMA in a wrap). The two friends then both consumed the MDMA Bombs and a short while later the victim began suffering ill effects of the drug. He was taken to the medical room within the venue and an ambulance was called. Following the arrival of the ambulance at the venue, the male's condition was so serious that HEMS (Helicopter Emergency Medical Service) attended the scene. He was taken to Royal London Hospital where he tragically died.

This incident follows another MDMA related death associated with the premises only six weeks ago on Sunday 26th June 2016. An 18 year old male victim died having taken what is believed to be MDMA whilst at Fabric nightclub in almost identical circumstances. The 18 year old male victim entered the venue along with his two friends where they all had drugs concealed on their person. Once inside the venue all three males reportedly went to the toilets where they consumed MDMA. During the course of the evening the victim consumed more MDMA reportedly purchased inside the venue. Soon after he too suffered ill effects, an ambulance was called and he tragically lost his life shortly after arriving at hospital.

Crime figures from January 2016 show eleven reported drugs offences. It is important to note that not all possession of drugs offences are reported to the Police. Following a visit to the premises by DC Walker on Saturday 25th June 2016, he reported that he was handed a number of drugs which had been confiscated from patrons at the premises during the evening of Friday 24th June 2016. The items included Eighty one (81) pills, one (1) cannabis cigarette, nine (9) bags of herbal cannabis, twenty three (23) wraps and twenty (20) bags of unknown powder.

The Metropolitan Police Service (MPS) contend that the venue provides a safe haven for the supply and consumption of illegal drugs. The heavy association with the supply of class A drugs represents serious crime. Fabric nightclub has not done enough to ensure the safety of its patrons and fails to promote the crime and disorder objective. This was evidenced by police officers who conducted a plain clothes licensing visit to the premises on the night of Saturday 2nd July 2016, where they found a number of failings at the venue, in which the licensing objectives were clearly being undermined. The search regime was reported to be particularly poor, and the officers were also approached twice during the evening by patrons offering to sell them drugs, namely MDMA.

The MPS contend that Fabric nightclub represents a serious risk to its patrons. The failings of the management have led to an environment where illegal drug taking has become acceptable. If the premises is permitted to remain open and operating in its current form, then there is a strong possibility that further drug related deaths will occur. There have now been six drug related deaths associated with the venue since 2011. This situation cannot be allowed to continue. The issues highlighted from the previous review of the licence in 2014 have not been addressed.

Therefore in order to mitigate the serious risk and protect the public, the MPS request that the licence be suspended as an interim step, in order that patrons are kept safe until the licence can be subject to a full review by the sub-committee. This would represent a proportionate and appropriate step considering the risks posed.

The MPS reserve the right to make further submissions in relation to this application for summary review of the premises licence.

Signature of applicant

Signature:



Date:

10/08/2016

Capacity:

Superintendent

Contact details for matters concerning this application

Surname:

Aaron

First Names:

Barnes

Address:

PROTECTIVE MARKING

Islington Police Station, 2 Toipuddle Street

Post town: Islington

Post code: N1 0YY

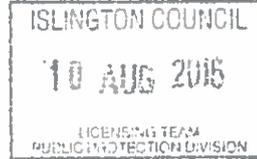
Tel. No.: 07799133204

Email: aaron.barnes@met.police.uk

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.

Retention Period: 7 years
MP 146/12



Received
16.44
Form 693A



TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with:
serious crime

Premises (Include business name and address and any other relevant identifying details):

Postal address of premises or club premises, or if none, ordnance survey map reference or description:
77A Charterhouse Street, Islington

Post town: **Islington** Post code: **EC1M 3HN**
(if known)

Premises licence number (if known):
LN/4086-230216

Name of premises supervisor (if known):
Luka Matthew Laws

I am a Supt* in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

The Police contend that there is serious crime associated with Fabric Nightclub. There is evidence to suggest the supply of Class A drugs is occurring within the venue on a frequent basis. In six weeks there have been two drugs related fatalities concerning the venue. In both instances the victims are alleged to have bought Class A Drugs namely MDMA from persons within the premises.

Signature

Signature: Date: **10/08/2016**

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RESTRICTED (when completed)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of [redacted] URN: [] [] [] []

Age if under 18 OVER 18 (if over 18 insert 'over 18') Occupation: POLICE CONSTABLE

This statement (consisting of: pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature: [redacted] Date: 3rd July 2016

Tick if witness evidence is visually recorded (supply witness details on rear)

On Saturday 2nd July 2016 I was on duty in plain clothes and was tasked to Op Lenor which was concerned with ensuring Fabric Night Club was complying with its licencing conditions. This was achieved by conducting an unannounced licensing visit at the location which was 77A Charterhouse Street EC1M 3HN. Prior to attending the nightclub we were given a briefing by the central licensing team and were given a copy of the licence which made us aware of the conditions we needed to be monitoring. I was in the company of Pc [redacted] and we were not identifiable as police officers. This comes after a drug related death in June 2016. I entered the club under section 179 of the Licencing act to monitor compliance of the conditions.

I entered the club on Sunday 3rd July; the aim was to see if the conditions concerning entry were being adhered to. I was asked by bouncers outside in the queuing area of the night club if they could see my ID. I passed them [redacted] and the photograph was compared to my face. The queues outside were divided by rope and door staff were directing people. This was compliant with the conditions of the licence. I then made my way to the main entrance of the club where a [redacted] member of door staff took me to one side and searched me. [redacted] searched [redacted] top half of my body only [redacted] did not search my jeans pockets but did look inside my [redacted] bag. The search was not thorough and only lasted for less than 10 seconds. The door staff that I came across was wearing their SIA

Signature: [redacted] Signature witnessed by:

Continuation of Statement of [REDACTED]

badges on display and were therefore complying with the licensing conditions. I was not asked about the purpose of my visit to the night club. There were numerous door staff and stewards who were inside and outside the club. There was a steward outside the club clearing litter and a door member did direct me to the correct queue. This is as per the licensing condition however I am unable to say how many stewards and door staff there were but it did not appear under staffed.

I then went up a flight of stairs and paid for my ticket in to the night club at a booth; my ticket was then taken from me and checked by a further member of staff before I was allowed into the nightclub itself. I made my way down stairs into room 2 via the sunken bar. When in room 2 it was clear when looking around that some people were intoxicated by drugs or otherwise, they were sweating and had glazed red eyes and appeared to be staring into space. PC [REDACTED] made me aware that when we walked through the seating area near to room 2 that there was a male with pills in the palm of his hand; this male then offered the pills to a female that was sat next to him. There were no door staff present at the time and they did not witness this. We then walked back through the sunken bar to room 1, whilst on our way we saw a male go into an extremely unlit alcove and then come out again. There was no reason for him to be there as it did not lead anywhere.

When back into room 1 I saw one male who was dancing with a female put something to his mouth and then take a drink; he then passed something to the female he was with. I could not confirm what this was but I believe it to have been drugs. PC [REDACTED] and I went to the bar to get a drink; we asked [REDACTED] and both drinks were decanted from glass bottles into hard plastic glasses as per the licence condition. The bar was not busy as lots of people were on the dance floor. After a few minutes we made our way upstairs to go to the smoking area, en-route we stopped at the unisex toilet and PC [REDACTED] went in. When [REDACTED] came out [REDACTED] informed me that [REDACTED] had found evidence of drug use in the toilet [REDACTED]. We then made our way out into the smoking area. There was signage just before going outside saying that patrons may be subject to random searches - this is compliant with the licensing conditions in relation to the outside smoking area. After talking to a young IC1 male [REDACTED] called [REDACTED] who engaged [REDACTED]

Signature: [REDACTED] Witnessed by: [REDACTED]
Zack (V)

Continuation of Statement of [REDACTED]

in general conversation [REDACTED] another [REDACTED] male approximately [REDACTED] years old asked Pc [REDACTED] if [REDACTED] would like some "MDs", [REDACTED] declined and then, a few other males approached and were discussing prices of drugs with the first male. A bouncer was stood approximately 2 meters behind this group and I believe he would have been in ear shot of this conversation as we were approximately equidistant from it. At no point did he approach. We then made our way back into the club. There was a number of door staff around, however they did not appear to be moving around much or paying attention to their surroundings as they should be. There were others who were constantly collecting glasses from the dance floor.

We went to the toilets, which were unisex and were manned by toilet attendants who waited at the front of the toilets only. They did not move around the toilet area.

We then made our way back to room 2, on our way Pc [REDACTED] pointed out a young IC1 male [REDACTED] who appeared extremely intoxicated; no one from the club approached him to check on him... As the night went on people in the club appeared more intoxicated, they were sweating profusely and were staring in to space, their eyes were glazed and red and they were drinking water. These people were not approached at any time by door staff or staff in the club.

We went in the smoking area a further time, we began to chat with 2 males – one of which was extremely intoxicated and was asking for help and slurring his words, his pupils were enlarged and his eyes were red. The other male said to me that he had given all of his drugs to his friend and that he wanted to get some more as his girlfriend was annoyed with him. On our way back into the club I witnessed door staff letting people in via the temporary barrier at the back of the club; however on the conditions of the club it states only access shall be gained from the club itself. I witnessed this a further time later on during the evening.

We then spent some time inside the club observing the door staff and other staff members. There were a large amount of stewards that were going around and searching the floor with flashlights and picking up any plastic ware that may be on the floor. The club became very busy and the main dance floors were crowded, however other areas of the club like stair ways and seating areas were not although

Signature: [REDACTED]

Signature witnessed by:

2007(1)

Continuation of Statement of [REDACTED]

there were people sitting down. We continued to observe the general atmosphere of the club which in general was friendly and non-threatening, I did not witness any kind of violence or confrontation. The age range of the club customers was generally young although there were some older people too, there was a mix of males and females although I would say that there were more groups of males. There was also a diverse demographic in regards to race, there were people who appeared to be speaking French, Italian and Chinese.

We visited the smoking area for a final time and a [REDACTED] male approached me and began to engage in conversation, he asked if we had any gear on us. He said that he "dropped" (taken his drugs) too early and that he was desperate for some more. He was exhibiting signs of having taken drugs as he was very twitchy, talking very fast and gurning. He also kept touching his face in a strange manner. He said that he was considering asking one of the bouncers for some. When we probed this further he said that if you are found with drugs the bouncers take this from you and then give it to people that they know.

He also said one of his friends had been found with drugs, he was taken away by the bouncers and was brought back a few minutes later -- he was then able to remain in the club. He also disclosed that his friend who is a dealer had been in the club on the night before (Friday) and had been there to deal drugs specifically, he mentioned that he had not put prices up that much. He also asked if we had managed to find a dealer. We made our way back into the club. On our way back into the club I asked the door staff member if we could leave the club via the temporary barriers as we were going and not coming back in. However we were declined.

We made our way back into the club and visited the unisex toilets again between rooms one and 2, it was very busy and I did not witness any one taking drugs or any evidence of drugs use however the staff were still situated at the front of the toilets and not moving around.

The club was not very well lit, there were a number of raised areas within room 2 which also went back approximately 2 meters and these were not lit up either. There were other small cubby holes which are obscured from the main room by walls and were not lit up. The smoking area was not well managed and there were not many door staff around to monitor loitering as per licensing conditions.

Signature [REDACTED]

Signature witnessed by:

2003(1)

Continuation of Statement of

We left the club at approximately [REDACTED] to make our way back to the RVP to be collected. On our way out we were asked if we were coming back in and if we needed a stamp to which we replied that we were not. We were also asked if we needed a taxi. On our way back to the RVP we were asked by 2 males standing outside another club just to the left of Fabric if you were coming out of the exit, if we had just came from fabric and what it was like. They said that they had their MDMA and so would be able to enjoy it anyway, they walked off towards Fabric. [REDACTED]

7 3

Signature

Signature witnessed by:

3003(1)

WITNESS STATEMENT

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

URN

Statement of

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 5 page(s) each 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.

Witness Signature

Date: 06/07/2016

I am a Police Licensing Officer within the Borough Licensing and Night Time Economy Team. I have held this position since December 2014

On Saturday the 2nd of July 2016 I was deployed to assist the Central Licensing Team as part of Operation Lenor, and was in the company of PC I was in plain clothes and was not identifiable as a Police Officer. The purpose of this operation was to carry out an unannounced licensing inspection of Fabric, 77A Charterhouse Street EC1M 3HN following a drugs death on 25th June 2016. PC and I were tasked to enter the premises and ensure that the venue was operating in accordance with the conditions specified in the premises licence and the operating schedule held in respect of the venue.

Before the visit I was given a copy of the full premises licence, a plan of the venue and an opportunity to become familiar with the operating schedule of the premises. During my visit in the premises I was monitoring whether the premises was complying with the conditions laid out in that document. In order to do this I needed sufficient time to inspect the premises, and monitor the running of the venue. There are 53 conditions on the current premise licence, and the capacity across the three rooms is 1510 persons.

The power used to do this was s179 of the Licensing Act 2003 which states: **Section 179 of the Licensing Act 2003 gives an authorised person rights of entry to investigate licensable activities. Where a constable or an authorised person has reason to believe that any premises are being, or are about to be, used for a licensable activity, he may enter the premises with a view to seeing whether the activity is being, or is to be, carried on under and in accordance with an authorisation.**

At on Sunday 3rd of July I approached the venue, with PC. There was a queuing system in place with barriers manned by Door Supervisors. As I approached the venue I was asked by one of the SIA whether I had a ticket or whether I would be paying in the door. I stated that I would pay on the door. I was ushered into the far-right queue closest to the venue and walked towards the door. As I approached the door I was asked for I.D by another Door Supervisor slightly before the entrance to the venue. I gave him which he scrutinised for a moment before letting me into the venue. I walked in through a

Witness Signature

Signature Witnessed by Signature

Continuation of Statement of:

metal-detecting arch to another door supervisor who stated that I would be searched. I raised my arms and allowed him to search me. The search lasted less than five (5) seconds and consisted of a pat down to my torso, a feel of the outside of my pockets, and putting a finger into the small pocket of my jeans. It also consisted of feeling both sides of my crotch and up the inside of my legs. I was not asked to empty my pockets. In my pockets I had an opened pack of cigarettes, a wallet and a phone. I was not asked to remove anything from my pockets and my back pockets were not checked or felt. There was barely any queue so I did not have to wait to complete this process. I was not asked about the basis of my attendance at the venue during queuing nor asked any screening questions. This is a condition of the premises licence. Another condition is: **No patrons shall be admitted to the premises without being subjected to a thorough search of their person and bag.** I do not believe that the search which I was subjected to was particularly thorough, and as such would be a breach of conditions. There were other Door Supervisors next to me whilst I was being searched.

Upon entering the premises I was directed upstairs to a booth where I paid the entrance fee to enter the venue. Once I had paid I then went downstairs into the venue. Once we were inside the venue

We then went to the left and through the Sunken Bar to Room 2 to acquaint ourselves with the venue. At this stage the club was not crowded though there were a number of people already sitting in the seating area at the Sunken Bar. I noticed a couple, a male and a female sitting next to each other on the seats to the left nearest Room 2. As we came back through the venue a few minutes later I saw the same male show white pills to the female and saw her take one from his outstretched palm. As I passed I was only around half a metre from this, whilst the ambient lighting was such that I could clearly see the exchange. There were no SIA in visual range of this seating area and I saw no door staff patrolling this area for the period in which I was in the venue. As I walked back through the Sunken Bar towards Room 1 I noticed a white male in an alcove next to the unisex toilets. He walked into the alcove, turned his back to the room and raised his hands to his face. I believe that he was sniffing drugs there. The alcove lead nowhere and there appeared to be no reason for him to be there.

When we got to the right hand side of Room 1 and observed the crowd there. PC drew my attention to a white male dancing with a black female and told me that he had put something to his mouth and then took a drink of water straight afterwards. told me believed that he had just taken a pill. I turned around and saw him hand something very small to the female, which she then put in her pocket. After a few minutes we went to the bar in Room 1.

which were decanted into plastic cups as per licensing conditions. The bar was not busy, and an electric till system was in use. Red Bull and various spirits were advertised for sale in signage behind. Not many people were buying alcohol, and many people on the dance floor, even at the beginning of the night could be seen holding bottles of water.

I then went to the toilet and entered one of the cubicles. Inside I saw two snap bags with a white powder residue inside, lying behind the bin. I took a picture of this and exhibit this as

Witness Signa

Signature Witnessed by Signature

Continuation of Statement of:

Shortly afterwards we went to the smoking area. I noted on my watch that this was at [redacted]. The smoking area is accessed to the rear of the venue. There are temporary fencing panels which lead into an outside area at the bottom of Greenhill Rents, a street behind the venue. Whilst there, I was approached by a white male [redacted] called [redacted] who engaged with us in general conversation. He was in the company of a white male [redacted] and a white female. Whilst we were chatting an [redacted] male, who was around [redacted] years old, wearing a [redacted] [redacted] approached us. He spoke to me in a normal voice, making no attempt to hide what he was doing, and said 'do you want MD?' I replied 'MDMA' and he said 'yes'. I then declined and said no thanks. He remained next to us, around a metre away, and was approached by [redacted] other males. As they were so close I could hear their conversation. The [redacted] males were debating prices for drugs. I heard [redacted] offer 0.3g for thirty pounds which the [redacted] males found too expensive. They continued bartering until a price was agreed. There was a member of door staff around a few metres from the group on the opposite direction from me. He did not intervene to stop the exchange. One condition within the premises licence is: **The premises licence holder shall adopt a policy of carrying out random drug searches of customers using the smoking area. Signage shall be displayed in the smoking area indicating that such searches will be carried out. A record shall be kept of all such searches.** I did not see anyone being searched whilst in the premises or smoking area.

We saw the male and female who were with [redacted] around an hour later, when we were in the smoking area, being let in by door staff through the smoking area fencing. They were not searched upon entry. One condition within the premises licence is: **The dedicated customer smoking area shall be maintained secure and only accessible via the premises. No drinks shall be permitted within the smoking area and customers shall be encouraged not to loiter within the smoking area. Any customer engaging in activity likely to cause a nuisance to occupants of dwellings within the vicinity shall be asked to leave.** We saw this condition being broken. I also never saw any persons being encouraged not to loiter, as per licensing conditions.

We then went back into towards the dance floor area in Room 2. On my way there I saw young, perhaps 18 year old, male with [redacted]. He was stumbling through the club in an almost catatonic state. His eyes were almost closed, and he was bumping into people as he made his way through the dance floor. There were members of staff, with torches, who were an almost constant presence on the dance floor. They appeared to be looking for discarded glasses though did not appear to pay much attention to the patrons. One passed the [redacted] male, though did not intervene to check on his welfare. Around 15 minutes later I saw the same male almost bouncing through the crowd. His behaviour was on the opposite extreme and he was extremely agitated and animated. I believe the result of this stimulation was likely to be chemical.

Within the dance floor areas there were door staff visible through their positions appeared static and I did not see door staff patrolling amongst the dance floor areas. Their lines of sight were also poor. In Room 2 there were raised stage areas which would have afforded a better view of the dance floor area, though there were no door staff positioned there. One member of door staff was positioned near the Green Room door, though with his line of sight he would have been unable to observe the goings on in the seating area where I saw the

Witness Signature: [redacted]

Signature Witnessed by Signature: [redacted]

Continuation of Statement of:

male pass pills to the female. Another member of door staff was positioned at the fire exit at room 1, though he was not on a raised dais or platform so would not have been able to see into the dance floor.

At this point the club became much more busy, and the crowd denser. The demographic was young and I heard mostly Italian, Spanish, German and Mandarin Chinese being spoken in addition to English. There were several groups, of mostly young males, who did look particularly young. The crowd was good-natured and peaceful though, despite not many people having alcoholic drinks in their hands, many appeared quite heavily intoxicated. Their eyes were glazed and their gait and movement indicative of intoxication.

We then went back out to the smoking area. There we were approached by two males and engaged in general conversation. One male [REDACTED] and the other [REDACTED] who introduced himself as Chris Chris was heavily intoxicated and his behaviour was erratic. He repeatedly said 'help, help me' whilst staring into the distance. His friend found this amusing and I could hear him say to PC [REDACTED] than he had given [REDACTED] all of his drugs. He stated that he was looking for some more and asked us if we had any. We stated that we did not. We then went back into the club. [REDACTED]

It was at this point I saw a Paramedic stationed at the front door. [REDACTED] could look at the searching going on. I had not seen the paramedic before this.

I then went into the toilet [REDACTED] and used another cubicle. In there, behind the bin, I found another discarded drugs snap bag. I took a picture of this [REDACTED] which I exhibit as [REDACTED]. Whilst I was in the toilet I heard two males in the same cubicle next to me speaking French. When I exited my cubicle I could still hear them speaking, though the cubicles at either side were empty. In the cubicles the toilet roll holder had a flat surface and could have been used to take drugs from. Guidance for Licensed Premises states that it is best-practice for all flat surfaces to be removed from locking cubicles, so as to discourage drugs use.

I saw the male [REDACTED] pass us on the stairs. He was still heavily intoxicated and still agitated.

In Room 2 I noticed a [REDACTED] male, [REDACTED]. I believed that he was dealing drugs, as he was approaching groups of people he did not appear to know, engaging them in brief conversation and then walking away. He was not intoxicated and did not seem to be on a night out, and appeared unduly wary of his surroundings. He was not challenged by door staff and I saw him circulate between Room 1 and Room 2 throughout the evening.

At around 03:00hrs PC [REDACTED] and I again went out to the smoking area as we had been concerned by the previous licensing breaches and this area demanded further attention. Both [REDACTED] and [REDACTED] were outside, and were still heavily intoxicated. I saw [REDACTED] leaning on his friend for support. I could see two or three door staff in fixed points. They were asking people to be quiet, particularly as they exited the club, though did not intervene otherwise. Whilst we were near the centre of the smoking area another male, who appeared to be of [REDACTED]

Witness Sign [REDACTED]

Signature Witnessed by Signature [REDACTED]

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Continuation of Statement of:

[redacted] with a [redacted] accent approached PC [redacted] and began to speak to her and then spoke to me. He approached us and asked if we had any MDMA. We said 'no' though he continued to speak to us. He explained that he had 'dropped' (taken) his drugs before he entered the premises though thought he had taken them too early and was looking for more. He said that he had just had a conversation with a dealer in the venue, though he thought the price was too expensive. He was very twitchy and held his arms in front of him in a strange manner. He was gurning and exhibited all the signs of having taken drugs. If anyone was looking for persons exhibiting those signs then he would have stood out. At this point, [redacted] and his friend joined us, and the conversation. The male from [redacted] then continued speaking and said that his friend was a dealer and had been working from the club the previous Friday though he did not put the prices up as much as the male working that night. He then explained that he had seen the door staff approach a dealer and take him away. He then returned a few minutes later, without his drugs, though had been allowed to remain in the venue. It was unclear whether that was on the previous Friday, or on the day we were present. However, he repeated the story to [redacted] and his friend and told them that he believed that the door staff gave the drugs to dealers they were 'looking after' to re-sale. They then discussed where they were going to get drugs for the evening and asked us if we were also looking and if we'd managed to find a dealer. The male [redacted] then stated that he was going to ask a member of the door staff where he could buy. At this point, we made our excuses and left.

As we exited the smoking area we asked the member of the door team positioned at Greenhill Rents whether we could exit that way, though were politely declined. We did this as we had previously seen patrons passing through this way and wanted to check whether the licence condition was being continuously broken. We then went back to the toilets [redacted]. The toilets were busy and I did not see any drugs use at the [redacted]. There was a member of door staff and a toilet attendant positioned at the entrance of the toilets, directing people to the right area. However, from that position they had very poor line of sight into the facilities and would not have been able to monitor what was going on in [redacted].

At [redacted] hrs we then exited the club and walked back to the RVP. On exit we were asked by door staff if we were coming back in, and a taxi marshal asked us if we needed a taxi. These are conditions on the premises licence and were being complied with. Outside Cubana, on Charterhouse Street slightly west of Fabric, we were stopped by two males who asked us for a lighter. They asked us if we had just come from Fabric and what the music was like. We told them, and they didn't seem too happy with the music choice, though one stated 'we've got our MDMA - we'll be fine' and they walked in the direction of Fabric.

We then went back to the RVP and were picked up by our supporting officers and did not re-enter the nightclub.

Witness Sign

Signature

[redacted signature area]

ISLINGTON COUNCIL LICENSING SUB-COMMITTEE
DECISION FORM

Licensing Sub-Committee A – 12 August 2016

Fabric Nightclub, 77A Charterhouse Street, EC1

DECISION

The licensing authority received an application for a summary review under section 53A of the Licensing Act 2003 from the Metropolitan Police Service (MPS) on the 10 August 2016.

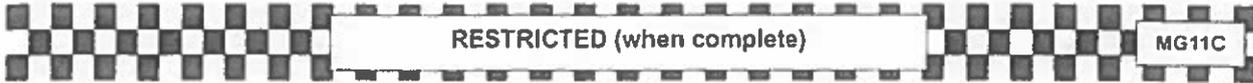
The Licensing Sub-Committee has considered whether it is necessary to take interim steps pending the determination of the review.

The Sub-Committee have decided to suspend the licence of Fabric Nightclub, 77A Charterhouse Street, EC1, as an interim step and with immediate effect, pending a full review hearing.

REASONS FOR DECISION

The licensing Sub-Committee has made this decision for the following reasons:-

- The licensing authority gave the holder of the premises licence the opportunity to make representations but the authority was notified that Fabric did not intend to challenge the application by the MPS for suspension as an interim step.
- The parties did not put forward any proposals to modify the conditions of the premises licence and in view of the serious crime associated with the premises it was not appropriate or proportionate for the Sub-Committee to consider any other interim step.
- There is serious crime associated with the premises, as set out in the review application form and the supporting evidence submitted by MPS.
- The Sub-Committee noted that the serious crime associated with the premises relates to the supply of Class A drugs within the venue.
- The Sub-Committee noted, in particular, the deaths of two young people who are alleged to have purchased Class A drugs, namely MDMA, from within the premises.
- The Sub-Committee note that MPS contend that Fabric represents a serious risk to its patrons. In accordance with paragraph 9.12 of the Home Office guidance, the Licensing Sub-Committee accepted the representations made by the Police.
- The Sub-Committee notes that the MPS sought a review of the premises licence in December 2014 in relation to the use of drugs associated with the premises. At that time, the Sub-Committee considered that the licensing objectives could be promoted by the imposition of additional conditions to the licence. However, the fact that there had been a previous review which has not addressed the issues of serious crime at the premises, it is therefore appropriate and proportionate to impose a suspension.
- The Sub-Committee are satisfied that the suspension of the licence will promote the licensing objective for the prevention of crime and disorder.



RESTRICTED (when complete)

MG11C

WITNESS STATEMENT

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

URN

Statement of: Mr Ian Graham

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Chief Licensing Officer, Metropolitan Police

This statement (consisting of 6 page(s) each 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.

Witness Signature: *Mr Ian Graham* Date: 25th 8 16

I am a member of police staff in the Metropolitan Police Central Licensing Team and hold the position of Chief Licensing Officer. I have worked in alcohol licensing for the Metropolitan Police since September 1992. I have sat on advisory groups with the Home Office, Department of Media Culture and Sport and have been directly involved as either a staff officer or advisor to the NPCC/ACPO (chief officer) lead on alcohol and licensing for over 15 years. I have undertaken numerous licensing inspections in the company of police officers and given evidence in committee hearings and at magistrates court.

In response to an incident linked to Fabric Nightclub at 77a Charterhouse Street EC1M 3HN, I was tasked to undertake a licensing visit to the premises in the company of PC 185TP Turton, who is an accredited Design Out Crime Officer and former licensing officer, and PC 425NI Harrington who is a police licensing officer in Islington.

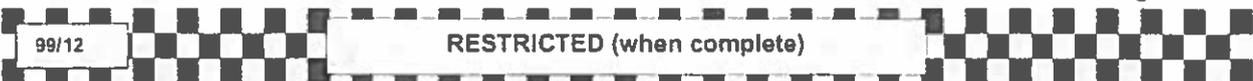
PC Turton and I arrived at the venue at approximately 0120 hours on Sunday 3rd July 2016; we stood on the opposite side of the road to the venue with a clear line of sight and spent approximately 25 minutes watching the queue. The queue was relatively short and rarely consisted of more than about 30 persons. The demographic of the queue appeared to be predominantly white and under 30 years of age with slightly higher numbers of males than females. The queue for the premises was controlled by metal barriers approximately 1.2 metres high, divided into separate queues and were arranged parallel to the kerb and taking up most of the width of the pavement, these barriers extend for a significant distance away from the venue with the only breaks where a business fronted onto the footway and was open.

We continued to observe the venue and the interaction of the security staff managing the queue; at the time there was a single male managing the entrance to the queue which due to the low levels of patrons arriving was approximately 20 metres away from the entrance to the club. It was observed that persons producing a pre-paid entry ticket were directed into a separate queue to those who turned up on spec.

PC Turton and I walked along the length of the queue following the barriers which extended along Charterhouse Street to the junction with St John Street. At this point, there is a pissoir and I noticed a number of males in conversation including a black male approximately 6 foot tall in a light blue coloured jacket. We then walked along St John Street into Cowcross Street where I saw two males in black clothing with SIA badges displayed on their arms. We continued past Greenhill Rents which was barricaded at its entrance with the same style of

Witness Signature: *Mr Ian Graham*

Signature Witnessed by Signature:



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RESTRICTED (when complete)

Continuation of Statement of: Mr Ian Graham

barrier used to control the queue for the club. I saw a male at this barrier also dressed in black and displaying an SIA badge on his arm. I looked along Greenhill Rents and approximately 30 metres along I saw a Picnic style table with two persons in light coloured clothing sitting at it.

Pc Turton and I walked a little further along Cowcross Street and turned and headed back towards Charterhouse Street. As we passed Peter's Lane I noticed a Male in black clothing with a SIA badge stood in at the entrance to the Lane facing towards Cowcross Street. PC Turton and I continued back to Charterhouse Street where we stood on the footway opposite to the entrance of Fabric.

We were shortly joined by PC 425 NI Harrington; the three of us continued observations for 10 minutes and then approached the venue at approximately 0210 hours. We were immediately met by Mr Luke Laws, whom I have met on a previous visit to the premises and I know to be the General Manager, and a few moments later by Mr Paul Durrand whom I have also met before and I know to be Head of Security at the venue. PC Harrington informed Mr Laws that we were would like to undertake a licensing visit and Mr Laws invited us into the premises.

We entered the premises through the exit doors which are adjacent to the entrance doors and walked around to the entrance lobby. The lobby was segregated by a rope barrier with patrons entering the premises being directed to the search area and then up a set of stairs towards the 'ticket office'. The stairs were divided by a metal handrail which was aligned with the rope barrier directing patrons up one side of the stairs the other side for customers coming down from the ticket office and allowing entry to the main parts of the premises. Mr Laws asked us if we would like to follow him and he would take us around the premises.

Mr Laws explained the searching policy for the venue as being two separate entrances with one for males and one for females; he pointed out that each entrance had a full-size metal detecting arch that customers had to pass through and that each patron would then be subjected to a search.

I observed several patrons enter; males were called over to be searched and I observed a male in black clothing who was wearing a SIA badge on his sleeve search a number of males I would estimate to be in their mid twenties in age. The search consisted of a finger tip search of sleeves and trouser legs both on the outside of the leg and inside of the leg. Pockets were examined from the outside by feeling the contents and at no time did I witness anyone empty their pockets or be asked to do so. Patrons were not asked to remove shoes or any outer layers of clothing such as jackets.

There was a small table to one side against a wall and I saw a few items placed upon it including a bottle of Lucozade and what appeared to be a small spray type deodorant. On one occasion I witnessed a female patron place her bag on the table so that it could be searched, I saw the female open the bag and a male security officer look inside, I did not seem him search the bag or ask for any of its contents to be removed, the bag was of a cream colour and approximately 25-30cms wide and 15cms high.

Witness Signature

Ian Graham

Signature Witnessed by Signature

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Continuation of Statement of: Mr Ian Graham

Mr Laws then asked us to follow him up the stairs to the ticket office so that we could 'follow the route' a patron would take. The entrance being used for female patrons is immediately adjacent to the bottom of the stairs, as passed I overheard a female patron ask if it was necessary for her bra to be searched and she then stated that she was ticklish. I did not stay to watch the search but it is clear that the search takes place in full view of all patrons passing to go up the stairs.

We then proceeded up the stairs to the ticket office where there was a queue of about 30 patrons; we walked past this queue and back down the stairs. The entrance, stairs and ticket office were in my opinion moderately lit but with no specific spotlights or task lights focused on the entrance or search area.

The layout of the premises is on multiple levels with various interconnecting stairs with the majority of the premises being subterranean. We followed Mr Laws and Mr Durrand down a further set of stairs into the main body of the club. We were taken through the venue as we proceeded through the club I noticed that the light levels were significantly reduced in most areas. I did see security staff mainly as they interacted with Mr Laws and Mr Durrand; they were all dressed in dark clothing and would not have been as easy to identify had I not been with Mr Laws and Mr Durrand.

We entered the VIP area which is a mezzanine area above room 1. This area was not particularly busy and as we walked the length of the mezzanine, on one table I noticed a number of glasses and a bottle cooler which contained a frosted bottle; there were no patrons sitting at the table at this time. We reached the far end of the VIP area which overlooks the dance floor in room 1. Mr Laws spoke to PC Turton, I was standing immediately next to PC Turton but due to the volume of the music I was unable to hear anything Mr Laws said to PC Turton. Similarly, PC Harrington was immediately behind me and spoke to Mr Durrand and again I could not hear any part of the conversation. I then spoke to PC Turton and had to raise my voice considerably to make myself heard. I consider that I have normal hearing.

On viewing the dance floor area from the balcony of the mezzanine apart from a high intensity 'lightshow' the ambient lighting in the venue made it all but impossible to identify individuals from my position directly above the dance floor which was approximately 4-5 metres below me. I observed the dance floor and as far as I could see into room 1 with the exceptionally low light levels for several minutes and during that time was unable to identify any security staff.

We all exited the mezzanine and down another set of stairs into room 1, we passed a bar area that was lit above the general ambient lighting levels en route and I noticed a number of patrons exhibiting varying levels of intoxication including a male sat slumped on a low seating area staring straight ahead without blinking.

Mr Laws showed us an area where merchandise may be purchased that also was used to provide free drinking water to patrons. I looked but could not see any signage advising patrons of this but I did witness one male ask for, and be given, a clear plastic cup of tap water. Whilst standing at this area, immediately to the right is a bar and I observed a male purchase a bottle of water and a female purchase a dark coloured drink in clear plastic glass.

Witness Signature: *[Signature]*

Signature Witnessed by Signature:

Continuation of Statement of: Mr Ian Graham

Overall during the course of the entire visit, I observed relatively few patrons drinking anything, with those that I did observe, split evenly between bottled water and drinks in clear plastic drinkware.

We continued through the area shown on the plans as the sunken bar and into room 2; this area has a similar size dance floor shown on the plans to room 1 but is approximately half the overall size of room 1. Considering the relative size of room 2 to room 1, it was considerably less busy than room 1.

As we exited room 2, we entered the sunken bar again where a male was observed to be moving in front of the bar in an exaggerated and erratic manner which resembled no form of dance I had previously seen. As this was not a 'dance floor' and was taking place directly in front of the bar, I expected Mr Laws, or more particularly Mr Durrant, to summon his security team and identify if the patron was dancing or in some form of distress or suffering the effects of intoxication. However, the only comment made was by Mr Durrant, who laughed and described the individual concerned as 'break dancing'. The movements being performed did not resemble any form of 'body popping' spins or steps that I could recognise as a traditional form of break dancing.

We continued up a set of stairs and onto a steel walkway above the sunken bar; from this position I could see that the male whom I had observed 'dancing in an erratic fashion' was continuing to do so with no intervention from staff at the venue.

We continued into room 3 which was much cooler and had a better ambient lighting set-up; the area being used as a 'chill out' area and had low level seating and large 'bean bag' style furniture. The level of music could be described as moderate and it was possible to hold a conversation with voices at a normal level. PC Turton and Mr Laws had a technical discussion about the air circulation system in the venue and the complexities of cooling the venue without adding air conditioning units.

We left this room and headed towards the smoking area which is located to the rear of the venue. As we exited the venue towards the smoking area, we were shown into the medical room. This consisted of three beds arranged around the wall of the room; above the bed nearest to the door, Mr Laws pointed about an air conditioning unit to be used on patrons that had become 'overheated'. In the room, was a female medic dressed in a green uniform with a female patron aged approximately 25-30 years old who was exhibiting signs of significant intoxication. Her eyes were bloodshot and she struggled to focus on us as we stood in the entrance, her expression was uncomprehending and she was holding a small plastic cup filled with a clear liquid. Mr Laws pointed out the room also doubled up as an overflow cloakroom and pointed to an area to the rear of the room which contained rails with hangers upon them. We left this room and continued to the smoking area access to this is across 'Greenhill Rents', a cul de sac to the rear of the venue. Patrons are directed to the smoking area via a walkway created from the same 1.2 metre barriers used to control the queue at the front of the venue.

The smoking area is entered through an entrance bounded on one side by a building on the other by a 2 metre high wall. Once through the entrance, the smoking area is enclosed within 2 meter high metal fencing covered in a black material; it is lit by predominantly by a single

Witness Signature: *Tom Golan*

Signature Witnessed by Signature:

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Continuation of Statement of: Mr Ian Graham

high intensity spotlight towards the rear of the area. The area was relatively busy with patrons and I identified one male member of the security team. There were a number of patrons exhibiting varying degrees of intoxication but I witnessed no intervention from security. PC Turton and Mr Laws discussed the lighting of the area and the physical security arrangements and we then left the area.

On the way back towards the club, we exited onto Greenhill Rents and along to Cowcross Street where we turned left and walked down to number 78 Cowcross Street where there is an entrance to a courtyard which was behind an unsecured open fretwork design metal gate. A male was sat on a chair behind the gate and opened it at the request of Mr Laws, we walked through into the courtyard and at the end was a 2 metre high wall which bounded the smoking area of the venue, Mr Laws explained that he had a condition on his licence to have a metal shutter fitted to the entrance to the courtyard but it had been damaged on a number of occasions by cars reversing into it and it cost £3500 to replace which he was no longer going to do and, as such, had placed the staff member in this area to prevent any potential access to the rear of the club's smoking area.

We then left the courtyard and headed back towards the club passing Peter's Lane on the left hand side. This lane is pedestrianised and, at the entrance, was the same male security officer I had previously seen. Mr Laws stated that he was on static point and his staff used to patrol but another door security company had been attacked by drug dealers and as such he deemed the risk too great to his staff to continue their patrols.

We then continued back to the club via Greenhill Rents where access was controlled by barriers and a staff member. I again noticed several people sat and stood around the picnic table at the end of the Rents.

Mr Laws then invited us into the area they used to search patrons suspected of being in possession of drugs; the area is in the lobby area of the glass-fronted extension. Inside were a male and female staff and a patron of slim build with dark clothing aged 25-30 wearing long shorts and having his lower legs tattooed. It was established that he had been searched and found in possession of two 'bombs' (this is often used as a description for powdered drugs wrapped in a small twist of tissue paper and ingested by swallowing.) The male was in the process of being ejected and was taken out by the male member of staff. We were informed that the male's details had been recorded and he would be prohibited future entry to the premises. The method was described to us in that the individual would be shown to the door security team on his ejection so that they could memorise his face and prevent re-entry, I asked how future entry was prevented and was told they hold a paper record of all persons 'banned' and that it contains a photo taken of the individual and any driving licence or other identification document, I asked if a picture had been taken of the male ejected and was shown in image on the back of a small camera of the male ejected. I then asked to see the manual used to record details and was shown a binder dated 2015. I was informed that the 2016 binder was at the front door and all person banned are shown to staff at the beginning of every shift so that they can memorise it should a banned person attempt to gain entry. I asked if any of the staff were 'super recognisers' and could memorise all of the persons on the banned list; Mr Laws informed me he had no such member of staff.

Witness Signature:

Ian Graham

Signature Witnessed by Signature:

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Continuation of Statement of: Mr Ian Graham

PC Turton asked how many patrons had visited the premises since the previous review at the end of 2014. Mr Laws stated that it would be in excess of 600,000. Having considered the number of patrons visiting the premises, and the venue's policy on possession and dealing drugs, there seemed to be a very low number of banned persons in the binder for 2015. Discussion took place about the benefits of an electronic identity scanning and recording system and how this could provide the venue with a more robust banning system; Mr Laws stated that this had been rejected by the judge at the appeal in respect of the previous premises review and, in addition, when they had trialed a system it had added three and a half hours to the overall processing time for patrons queuing for entry.

We then left the search area and re-entered the rear of the club and went to the office to view the CCTV system. Mr Laws then showed PC Turton the CCTV and they discussed the technical elements around the system.

A general discussion then took place with Mr Laws asking what the police were going to do in respect of the premises, I outlined that no decision had at that time been made but due to the serious nature of the latest incident and the previous incidents, I would not rule out a further review at that time. I also informed them that PC Turton would complete his report into the physical security and general layout and design of the premises and this would form part of the decision making process.

PC Turton, PC Harrington and I then left the premises at approximately 0400 hours. We returned to our car and drove past the premises and along Charterhouse Street turning left onto St John Street. As we passed the pissoir at the junction, I again saw the black male in the light blue coloured jacket I had seen prior to our entering the premises. We then took PC Harrington back to his office and en route back to Charing Cross Police station at approximately 0440 hours we drove slowly past the junction of St John Street and Charterhouse Street where PC Turton pointed out the black male in the blue light coloured jacket I had seen previously and informed me that he had seen and heard him offering something to a group of males who were haggling over the price.

We continued past the entrance to Fabric but witnessed no queue and no one entering the premises and we then returned to Charing Cross Police Station.

Witness Signature:

Ian Graham

Signature Witnessed by Signature:

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Vehicles

Call Start 25/06/2016 03:05:15

Callsign	Dispatch	At Scene	Blue Call	At Hospital	Green	Response
IR11	25/06/2016 03:06:12				25/06/2016 03:07:55	
AP61	25/06/2016 03:06:00	25/06/2016 03:06:00			25/06/2016 04:00:00	0:45
G331	25/06/2016 03:05:49	25/06/2016 03:12:11		25/06/2016 03:55:40	25/06/2016 04:22:09	6:56

Vehicle Breakdown

IR11

Time	Fleet No	Status	Easting	Northing	Description
25/06/2016 03:06:12	7501	Dispatch Event	530657	179564	T [REDACTED] ch
25/06/2016 03:06:50	7501	Unit Enroute	530659	179566	
25/06/2016 03:07:55	7501	Available-On-Radio	530659	179566	Preempt Request Acknowledged

AP61

Time	Fleet No	Status	Easting	Northing	Description
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G331

Time	Fleet No	Status	Easting	Northing	Description
25/06/2016 03:05:49	7830	Dispatch Event	533150	183839	T/RUNCAL (AEU)
25/06/2016 03:06:06	7830	Unit Enroute	533136	183782	
25/06/2016 03:06:06	7830	Vehicle is mobile while being amber to scene.	533138	183783	Automatic message received from MDT
25/06/2016 03:12:11	7830	Estimate that vehicle is Red at scene	531951	181764	Automatic message received from MDT
25/06/2016 03:12:59	7830	Sat Nav has indicated at destination	531740	181697	Automatic message received from MDT
25/06/2016 03:13:01	7830	Unit Onscene	531736	181702	
25/06/2016 03:14:32	7830	Ignition turned off	531800	181825	Automatic message received from MDT
25/06/2016 03:37:42	7830	Transporting	531807	181800	ROYAL LONDON (WHITECHAPEL) HOSPITAL
25/06/2016 03:55:03	7830	At Hospital from Sat Nav (implied by status)	534947	181791	Automatic message received from MDT
25/06/2016 03:55:04	7830	Estimate that vehicle is Red At Hospital	534947	181791	Automatic message received from MDT
25/06/2016 03:55:34	7830	Ignition turned off	534832	181738	Automatic message received from MDT
25/06/2016 03:55:40	7830	Transport Arrive	534830	181737	ROYAL LONDON (WHITECHAPEL) HOSPITAL
25/06/2016 04:22:09	7830	Available-On-Radio	534830	181743	

EOC Log

Log entry type Remarks at 25/06/2016 03:07:57 by LESTERAM from extension DP1128BW
IR41 REQ 1 AMB FEMALE TAKEN MDMA O/D

Log entry type Remarks at 25/06/2016 03:09:35 by PIKECH from extension DP2303WT
APP - AP61 ADVISING BEEN DRAGGED BACK INTO CLUB FOR 2ND PT MDMA AND OTHER DRUG SHE HOWEVER IS GCS 14.
AP61 IS WITHOUT LIFEPAK AS IT IS WITH PT1 ENR TO RLH WITH HEMS. HE DOES HAVE A DEFIB.
2ND CREW DEF REQ. //CLP

Log entry type Remarks at 25/06/2016 03:28:59 by DOLANFL from extension DP1127BW
ir41 report ir41 and app now leaving scene, patient being conveyed to hosp by g331

NIRT00485206

On FRIDAY 1st JULY 2016 Pc Steven HARRINGTON 425NI and PS Aaron BARNES attended FABRIC NIGHTCLUB 77A CHARTERHOUSE STREET EC1M3HN for a meeting with representatives of the club. Mr Luke LAWS General Manager, Mr Paul DURAND Head of Security and Mr Gary KILBY Director. Unfortunately Mr KILBY was unable to attend as he had been delayed on a flight from Spain.

The meeting was convened after an attendee of the club had died from a believed drug overdose on 25/06/2016. The purpose of the meeting was to discuss further strategies to attempt to prevent this type of incident.

The following points were discussed

1. Clarification of drug policy, are persons refused entry and barred from venue if found in possession of drugs? The club runs a zero tolerance policy on drugs. If a person is found in possession of drugs at point of entry or once inside the club they are barred or removed.

2. If persons suspected to be under the influence of drugs at point of entry, are they assessed by club medics? Or just refused entry and turned away?
If it is felt that they are not fit to look after themselves the person is taken to the medical room and looked after by the club medics until they have recovered. At this point they are then ejected from the club.

3. What extra procedures will the club put in place to try and deal with this?
The club is carrying out an assessment of the environs of the venue to see if there are any links between these and the drug related deaths at the venue. They will also look at the use of the vibrating dance floor to see if this is in any way linked. The club medics and the SIA door teams do regular sweeps of the venue looking for people who may be suffering from the effects of drugs or alcohol.

4. Is the club air conditioned? Could the temperature within the club be an aggravating factor in how people are reacting when taking drugs?
The club only has air conditioning in the medical room. The rest of the club is ventilated using large fans

5. Can the search regime be tightened up any further? What is the current level of the searches undertaken by door staff?
The searches carried out are as full as legally allowed. Every person entering is searched and if anyone in the club is alleged to be using or dealing drugs they are searched again.

Pc HARRINGTON asked Mr LAWS to fully explain what provisions the club had in place to try to prevent the use of drugs within the venue.

Mr LAWS explained that the club has Non SIA staff permanently employed within the toilet areas of the club. If these staff see a person using the toilets excessively then they bring this to the attention of the SIA registered Door Staff who will then speak to the person and if necessary that person will be taken to a secure room and searched for drugs.
The club also uses two covert SIA registered door staff who patrol within the club looking for any offences and use of drugs or drug dealing. These are changed regularly.
The club has also started to use Mystery Shoppers, these are arranged by Mr Gary KILBY and at times not even Mr LAWS or Mr DURAND are told that the mystery shopper is in the venue. The mystery shopper is given the telephone number of Mr LAWS and Mr DURAND and if any signs of drug use or dealing are seen then a text is sent describing the people involved and then the door staff stop the people involved.

The venue also has a dedicated water bar. Water is readily available, the staff at this bar are briefed to monitor the amount of water being drunk by individuals and if anyone is drinking excessive amounts of water they are taken to be assessed by the club medics.

The club is now going to produce flyers to be handed to every person entering the club. These flyers will alert people to the dangers of taking recreational drugs.

Meeting ends.

A copy of the most up to date venue license is attached to this report

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Graham HISLOP** URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 203394**

This statement (consisting of: **5**..... pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature: Date:

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named officer and I am currently attached to the Metropolitan Police Central Licensing Team based at Empress State Building in EARLS COURT.

ON Friday 22nd JULY 2016, I was on duty in plain clothes in company with PC DANDRIDGE and PC KEMP when we attended FABRIC Night Club 77a Charterhouse Street London EC1M 6HJ, to conduct a licensing inspection at the venue. We had decided early that for this inspection we would enter the premises under SEC 179 LICENSING ACT 2003 which allows police officers a power of entry to any premises where officers believe licensable activity is taking place. We entered the premises via the exit doors at around 0145 hrs on the 23rd JULY 2016 this door is located to the left of the entrance as you look at the premises from the street. There were to SIA Door Supervisors at the exit door who didn't have their attention on who was about in the street, with the SIA Door Supervisor closest to the street not even registering that myself and the other two officers passing him and going into the premise. The second SIA Door Supervisor has put his arm out and attempted to stop us but all three of us have identified ourselves as police officers by showing our warrant cards and announcing that we were here to conduct a licensing visit. I recall this SIA Door Supervisor saying something to the effect of "You can't come in this way, you have to wait for the management." Once inside the premises we have made our way to the Smoking Area, which is located at the rear of the premises. As we reached the stairs that lead out of the premises into the alleyway that leads to the Smoking Area, there was a SIA Door Supervisor stood at the top of these stairs directing patrons to the side of the stairs the premises want you to use so as there is no congestion,

Signature: Signature witnessed by:

Continuation of Statement of **Graham HISLOP**

this male was also informing patrons that they couldn't take drinks out to the Smoking Area and when needed he was taking drink off of patrons.

Once down the stairs we all followed the barriers to the Smoking Area, as we entered the Smoking Area I saw two SIA Door Supervisors wearing HI VIZ tabards stood flush against the block mesh the made up the Smoking Area. These two Door Supervisors weren't engaging with an patrons but were just stood casually talking to each other, not even looking around to see if anything was going on or if anyone required assistance. We stayed in the area for about 10 minutes so as to observe the Door Supervisors as there is a condition on the venue licence that states there should be no loitering in the Smoking Area, we had a walk around and identified several groups of patrons sat on the ground smoking and chilling out. At no stage during our stay in the Smoking Area did either of the Door Supervisors make any attempt to see if these person sat on the floor were feeling ok or make any attempt to stop the persons sat on the floor from loitering in the smoking area. These Door Supervisor just remained stood flush against the block mesh fencing chatting to each other. As the Smoking Area had a number of persons in it there was no way that the Door Supervisors could see those patrons sat on the floor from there vantage point. We have then made our way back in the premises and head for Room 1, we have walked around the rear of the DJ booth and stood on the edge of the dance floor, this room very dark plus there was a lot of dry ice being used. From what I could see through the flashes of white light and dry ice was a very crowded dance floor. Whilst stood on the dance I could feel a vibrating sensation in my chest which I believed was due to the vibrating dance floor. Whilst stood there we witnessed a very tall Door Supervisor walk passed us into the middle of the dance floor, from time to time this Door Supervisor would flash his torch towards the floor for an unknown and unseen reason. We have then made our way to the mezzanine that overlooks the dance floor of Room 1. Once there I saw a roped of area of seating and tables with jugs of liquid left on the table, at the time there were no patrons present in the roped off area however there wasn't any staff there supervising this area either. We have look over the railings onto the dance floor below, however due to the lack of light and the dry ice I couldn't see anything of note. From the mezzanine we made our way to the chill out area which was located in Room 3. As we entered this area I saw an IC 3 male wearing an orange HI VIZ tabard with FIRE MARSHALL on the back of it, as I watched this male he was interacting with a group of females who were taking photos of each other with a mobile phone, I then witnessed the male remove his HI VIZ tabard and sit in between to the females and posse for a photo with them. As I watched this an IC1 MALE AND IC1 FEMALE entered the chill out area, the male was

Signature: Signature witnessed by:

2003(1)

Continuation of Statement of **Graham HISLOP**

in a state of undress, he had his right arm out of his T-shirt with the t-shirt pulled up onto his shoulder exposing the right side of his Torso. This male wandered around the area for a short while, whilst this was happening the female with him was trying to talk to him and get him to stand still. From looking at this male I would say he was highly intoxicated. The males has then walked up a small flight of stairs that led to a small landing area in front of a law and fire door. Once at the top of these stair the male began to fumble with his trouser fastenings as if he was about to remove them, he was stopped by the female. He was also very unsteady on his feet, swaying constantly, I would also say that the female with the male was also intoxicated but not to the state that the male was. Once she had stopped him from undoing his trousers they have made their way out of the chill out area, whilst this was happening the member of staff wearing the FIRE MARSHALL Tabard was still posing for photos with the females. This male and female have then walked out of the chill out area and out of my view. We have remained in the chill out area a little longer and witnessed two IC 6 FEMALES laying on some bean bags, one of these females has started retching but wasn't sick. By this time the male wearing the FIRE MARSHALL Tabard was walking about the area and spoke to the female, she replied something to the effect of "Yeh, I don't drink." With this we have left the chill out area.

We have then made our way back through the club towards the smoking area, as we did so I noticed a male in front of me dancing in an erratic manner and as I got close to him I noticed that his pupils were very large and he had what I can only describe as a startled expression on his face, akin to the expression of BEZ, from the Happy Mondays. Once back in the Smoking Area, I observed that the area was a lot fuller that my previous visit and that there was now 4 Door Supervisors stood together against the block mesh fencing. Again these Door Supervisors weren't taking much notice of what was happening in the Smoking Area and were chatting amongst themselves. We made our way into the middle of the Smoking Area and again observed a number of groups sat on the floor. Where we stood there was a group of 4 females sat behind us smoking and there was a strong smell of cannabis coming from their direction. A short time later an IC1 female came and stood next to us, she was smoking and the smell of cannabis coming from her cigarette was very strong. It is at this time I notice an IC3 Door Supervisor walking around the Smoking Area telling those sat on the floor to stand up. I have watched this male asking the patrons to stand up and in some case helping people to stand you. One person that comes to mind is a tall IC1 male who the Door Supervisor asked to stand up was so intoxicated that he found it difficult to stand up and then once on his feet he was very unsteady and had a lost expression on his face, he has then staggered off into the

Signature: Signature witnessed by:

2003(1)

Continuation of Statement of **Graham HISLOP**

premises. We have then left the Smoking Area again after about 10 – 15 minutes walking back towards the premises, as we approached the entry door I observed that the premises medical room was to our left. I have stopped outside the door to the Medical Room and spoke to the other two officer, as I did so we were asked by a Door Supervisor to move on, with this I identified myself as a POLICE OFFICER by showing the Door Supervisor my warrant card as did PC DANDRIDGE and PC KEMP and informed him that we were conducting a licensing visit and that we were going to enter the Medical Room. As I entered the Medical Room I hear an intoxicated female voice shout "You can FUCK OFF." I have then seen a female in an intoxicated state sat next to a male in a green uniform akin to a member of the ambulance service, who I have taken to be the premises medic. Whilst in the Medical Room we have been joined by the Door Supervisor in charge on the night at the premises MR Paul DURAND. We all identified ourselves and MR DURAND explained that the female was found by security outside the premises and brought inside for medical attention. We have then accompanied Mr DURAND upstairs to the manager office where Ian Graham and SGT Ian MARTIN were carrying out a full licensing inspection with the premises Manager Mr Luke LAWS. Once in the office I have been asked by Ian GRAHAM if I could check the SIA Door Supervisors badges against the list the premises had supplied, I asked Mr DURAND if he could send up one member of his team at a time so as I could check there badges. There were two SIA of note one male produced a photo copy of the front and rear of his badge crudely glued onto a piece of white plastic card. I have asked him to provide me with proof of his Identity which he has be way of several bank cards in his name. I then inform him and Mr DURAND that he was not able to conduct anymore duties as he was not in possession of this badge as required by the SIA. The second male produced a paper photo copy of his badge and when asked where his proper badge was be stated it was in his car. I advised him that he need to go and get it and bring it back to me so as I could confirm it was a proper badge, to which after a short while he has done. Once everything was checked and both Mr GRAHAM and SGT MARTIN were happy that they had completed their inspection we have all left the office and made our way back through the club to the exit door. As we climbed the stairs towards the exit I observed a BLONDE IC1 FEMALE struggling to get up the stairs, once on the flat walking towards the exit she was being held by and IC 1 MALE. I would say from her appearance that she was highly intoxicated through drink or drugs. Once at the door this female has walked passed not only the 2 SIA Door Supervisors but MR LAWS and MR DURAND, without them asking her or her male friend if they needed

Signature: Signature witnessed by:

2003(1)

Continuation of Statement of **Graham HISLOP**

assistance or even acknowledge that she was intoxicated. We finally left the premises at 0415 on the 23rd JULY 2016.

Signature: Signature witnessed by:

2003(1)

Witness contact details

Home address: Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): W1 Religion/belief:
Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **Yes.** If 'No', include reason(s) on MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No.** If 'Yes' submit MG2 with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): PC 186 203394 Graham HISLOP Station: WALWORTH

Time and place statement taken:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Pc Perry Kemp..... URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 198470

This statement (consisting of: ... 2..... pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature: Date: 28.7.2016.....

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am the above named person and a serving Police officer. My current role is with the Central Licensing Team based at Empress State Building Earls Court. On Friday 22nd July 2016 I was In company with Pc Dandridge, Pc Hislop when we attended Fabric night club 77a Charterhouse Street, London EC1M 6HJ to carry out a licence inspection at the venue. On approaching the exit of the venue I saw 2 door supervisors standing near the door I walked passed the first supervisor who did not attempt to stop me, the second who was standing next to the door then put his hand out in a gesture to stop me, I showed him my warrant card and told him we were carrying out a licensing inspection, I then entered the venue using section 179 power of entry under the licensing act 2003 to ensure licensable activities are being carried out in accordance with the venues premises licence. I entered the venue at about 0145 using the exit door which is located to the hand side of the entrance. The first area that the team wanted to inspect was the smoking area which is located at the rear of the venue I made my way down the smoking area of the venue. To gain entry to the smoking area I had to walk through the club through various rooms. One of the conditions for the smoking area is that no drinking vessels are allowed in to the smoking area. I could see a male member of staff at the door the stairs where entry is gained to the smoking area, he was asking people who had drinks with them not to take them outside and at times was physically taken drinks off patrons. Myself Pc Dandridge and Pc Hislop followed the barred walkway to the smoking area. I could see one male security personnel wearing a high visibility jacket standing approximately half way up the walkway, further up near the entrance to the smoking area I could see another 2 security personnel standing at the entrance of the smoking area they were also wearing high visibility jackets. The smoking area was well lit there are dark fabric panels attached to metal barriers that surround the area. I would estimate there was approximately 50 - 100 patrons in the smoking area. I could see there were a number of patrons sitting down leaning against the barriers in groups of 3 or 4. At no time during this period did I see any security engage with any patrons and ask them to see if they were ok. We stayed in the smoking area for approximately 10 minutes and made our way back in to the club. Whilst walking through I could see a sign asking patrons to be quiet as they were walking back there was also another member of security in high visibility jacket asking patrons to be quiet. Back in the venue we walked through the club to room 1, I stood at the edge of the dancefloor. There were a large number of people on the dancefloor, I could only see a few meters in front of me due to dim lighting and dry ice being used on the dance floor. We then moved to the upstairs mezzanine area of room 1, to the left of this room was a roped off area with seating and tables. There were a number of jugs full of liquid left on the tables with drinking vessels next to them. There were no patrons in this area at the time we visited. I did not see any staff supervising this area. When looking over the balcony on to the dancefloor of room 1, I was unable to see the stage where the act was performing due to the dry ice and dim lighting. From here we made our way to the chill out zone which is located in room 3. Walking through the zone I could see a member of staff wearing a high visibility jacket with Fire Marshal written on the back, he was swaying his body in an action that appeared to be a dance. He was talking and laughing with a group who were sitting on bean bags on the floor. The room was cool and well lit, there were approximately 15- 20 patrons in the room sitting on bean bags. I noticed one male who passed me, he was with a young female, he was walking around

Signature: Signature witnessed by:

Continuation of Statement of

zone and then went up a small flight of stairs which led to a brick wall .This male was not wearing a shirt and was holding his shirt in his hand. He was still in company with the female whilst on the stairs, he was unsteady on his feet sweating and was fumbling with trouser buttons, he appeared to be intoxicated. The female with him also appeared to be intoxicated.

We then moved down to the sunken bar which was not very busy, there is a water bar located in this area. From here we went back to the smoking area, it appeared to be busier with more patrons in the area. I could see that two other staff members with high visibility jackets had joined the other two members of security, there were now a total of four. We stood in the middle of the smoking area once again there were a number of patrons in groups sitting on the floor leaning against the fabric barriers that enclose the smoking area. The four security members were standing next to each other talking at this time. I did not see any engagement to patrons by them. I then noticed a group of about four females sit down on the concrete floor next to me. At this time I smelt a strong smell of cannabis coming from behind me. After about 5 minutes I saw a member of security walking around the smoking area approaching patrons who were sitting down, he appeared to be asking patrons to stand and was physically assisting some patrons.

We left the smoking area after approximately 10 to 15 minutes, walked passed the security personnel who is designated to ask patron to be quiet. I noticed to my right the security room where searches of patrons are carried out was roped off and there were no lights on. Opposite this is the medical room we entered the entrance of the medical room where we were approached by a member of security who asked as what we were doing. Pc Hislop identified himself as a Police officer and told him we were carrying out a licensing inspection, myself and Pc Dandridge also identified ourselves as Police officers. Whilst in the medical room I could see a group of four females sitting on the bench to the left and two other females sitting on the bench to the right. One of the females sitting on the right was being tended to by a male in a green uniform, on the front of the uniform at the pocket area on the left was a sewn in NHS badge. This female was very intoxicated and was unable to carry out any simple commands asked by the male. At this point we were joined by Paul Durand a member of security at the venue, he stated that the female who was being tended to was found by security outside the club and brought inside for medical attention. All the other females in the medical room appeared to intoxicated.

We were then taken up to the office area by Mr Durand where we met Ian Graham and Sergeant Iain Martin who were inspecting the premises licence, also in the office with them was the DPS Luke Laws.

During this time I went with Mr Laws to inspect signage at the front of the venue which is a condition on the premises licence. All signage was correct and in place. I also inspected a number of training records of staff whilst in the office. We left the venue at approximately 04.15

Signature: Signature witnessed by:

RESTRICTED (when completed)

MG 11 (T)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of [redacted] URN: [] [] [] []

Age if under 18 OVER 18 (if over 18 insert 'over 18') Occupation: POLICE CONSTABLE

This statement (consisting of: pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature: [redacted] Date: 3rd July 2016

Tick if witness evidence is visually recorded (supply witness details on rear)

On Saturday 2nd July 2016 I was on duty in plain clothes and was tasked to Op Lenor which was concerned with ensuring Fabric Night Club was complying with its licencing conditions. This was achieved by conducting an unannounced licensing visit at the location which was 77A Charterhouse Street EC1M 3HN. Prior to attending the nightclub we were given a briefing by the central licensing team and were given a copy of the licence which made us aware of the conditions we needed to be monitoring. I was in the company of Pc [redacted] and we were not identifiable as police officers. This comes after a drug related death in June 2016. I entered the club under section 179 of the Licencing act to monitor compliance of the conditions.

I entered the club on Sunday 3rd July; the aim was to see if the conditions concerning entry were being adhered to. I was asked by bouncers outside in the queuing area of the night club if they could see my ID. I passed them [redacted] and the photograph was compared to my face. The queues outside were divided by rope and door staff were directing people. This was compliant with the conditions of the licence. I then made my way to the main entrance of the club where a [redacted] member of door staff took me to one side and searched me. [redacted] searched [redacted] top half of my body only [redacted] did not search my jeans pockets but did look inside my [redacted] bag. The search was not thorough and only lasted for less than 10 seconds. The door staff that I came across was wearing their SIA

Signature: [redacted] Signature witnessed by:

2004/05/11: MC

Continuation of Statement of [REDACTED]

badges on display and were therefore complying with the licensing conditions. I was not asked about the purpose of my visit to the night club. There were numerous door staff and stewards who were inside and outside the club. There was a steward outside the club clearing litter and a door member did direct me to the correct queue. This is as per the licensing condition however I am unable to say how many stewards and door staff there were but it did not appear under staffed.

I then went up a flight of stairs and paid for my ticket in to the night club as a booth; my ticket was then taken from me and checked by a further member of staff before I was allowed into the nightclub itself. I made my way down stairs into room 2 via the sunken bar. When in room 2 it was clear when looking around that some people were intoxicated by drugs or otherwise, they were sweating and had glazed red eyes and appeared to be staring into space. PC [REDACTED] made me aware that when we walked through the seating area near to room to that there was a male with pills in the palm of his hand; this male then offered the pills to a female that was sat next to him. There were no door staff present at the time and they did not witness this. We then walked back through the sunken bar to room 1, whilst on our way we saw a male go into an extremely unlit alcove and then come out again. There was no reason for him to be there as it did not lead anywhere.

When back into room 1 I saw one male who was dancing with a female put something to his mouth and then take a drink; he then passed something to the female he was with. I could not confirm what this was but I believe it to have been drugs. PC [REDACTED] and I went to the bar to get a drink; we asked [REDACTED] and both drinks were decanted from glass bottles into hard plastic glasses as per the licence condition. The bar was not busy as lots of people were on the dance floor. After a few minutes we made our way upstairs to go to the smoking area, en-route we stopped at the unisex toilet and PC [REDACTED] went in. When [REDACTED] came out [REDACTED] informed me that [REDACTED] had found evidence of drug use in the toilet [REDACTED]. We then made our way out into the smoking area. There was signage just before going outside saying that patrons may be subject to random searches - this is compliant with the licensing conditions in relation to the outside smoking area. After talking to a young IC1 male [REDACTED] called [REDACTED] who engaged [REDACTED]

Signature: [REDACTED] Name witnessed by: [REDACTED]

RESTRICTED (when completed)

Continuation of Statement of

in general conversation another male approximately years old asked Pc if would like some "MDs", declined and then, a few other males approached and were discussing prices of drugs with the first male. A bouncer was stood approximately 2 meters behind this group and I believe he would have been in ear shot of this conversation as we were approximately equidistant from it. At no point did he approach. We then made our way back into the club. There was a number of door staff around, however they did not appear to be moving around much or paying attention to their surroundings as they should be. There were others who were constantly collecting glasses from the dance floor.

We went to the toilets, which were unisex and were manned by toilet attendants who waited at the front of the toilets only. They did not move around the toilet area.

We then made our way back to room 2, on our way Pc pointed out a young IC1 male who appeared extremely intoxicated; no one from the club approached him to check on him... As the night went on people in the club appeared more intoxicated, they were sweating profusely and were staring in to space, their eyes were glazed and red and they were drinking water. These people were not approached at any time by door staff or staff in the club.

We went in the smoking area a further time, we began to chat with 2 males - one of which was extremely intoxicated and was asking for help and slurring his words, his pupils were enlarged and his eyes were red. The other male said to me that he had given all of his drugs to his friend and that he wanted to get some more as his girlfriend was annoyed with him. On our way back into the club I witnessed door staff letting people in via the temporary barrier at the back of the club; however on the conditions of the club it states only access shall be gained from the club itself. I witnessed this a further time later on during the evening.

We then spent some time inside the club observing the door staff and other staff members. There were a large amount of stewards that were going around and searching the floor with flashlights and picking up any plastic ware that may be on the floor. The club became very busy and the main dance floors were crowded, however other areas of the club like stair ways and seating areas were not although

Signature:

[Redacted Signature]

Signature witnessed by

.....

2000

RESTRICTED (when completed)

Page 4 of 5

Continuation of Statement of [REDACTED]

there were people sitting down. We continued to observe the general atmosphere of the club which in general was friendly and non-threatening, I did not witness any kind of violence or confrontation. The age range of the club customers was generally young although there were some older people too, there was a mix of males and females although I would say that there were more groups of males. There was also a diverse demographic in regards to race, there were people who appeared to be speaking French, Italian and Chinese.

We visited the smoking area for a final time and a [REDACTED] male approached me and began to engage in conversation, he asked if we had any gear on us. He said that he "dropped" (taken his drugs) too early and that he was desperate for some more. He was exhibiting signs of having taken drugs as he was very twitchy, talking very fast and gurning. He also kept touching his face in a strange manor. He said that he was considering asking one of the bouncers for some. When we probed this further he said that if you are found with drugs the bouncers take this from you and then give it to people that they know.

He also said one of his friends had been found with drugs, he was taken away by the bouncers and was brought back a few minutes later -- he was then able to remain in the club. He also disclosed that his friend who is a dealer had been in the club on the night before (Friday) and had been there to deal drugs specifically, he mentioned that he had not put prices up that much. He also asked if we had managed to find a dealer. We made our way back into the club. On our way back into the club I asked the door staff member if we could leave the club via the temporary barriers as we were going and not coming back in. However we were declined.

We made our way back into the club and visited the unisex toilets again between rooms one and 2, it was very busy and I did not witness any one taking drugs or any evidence of drugs use however the staff were still situated at the front of the toilets and not moving around.

The club was not very well lit, there were a number of raised areas within room 2 which also went back approximately 2 meters and these were not lit up either. There were other small cubby holes which are obscured from the main room by walls and were not lit up. The smoking area was not well managed and there were not many door staff around to monitor loitering as per licensing conditions.

Signature

Signature witnessed by:

200301

RESTRICTED (when completed)

Continuation of Statement of

We left the club at approximately [redacted] to make our way back to the RVP to be collected. On our way out we were asked if we were coming back in and if we needed a stamp to which we replied that we were not. We were also asked if we needed a taxi. On our way back to the RVP we were asked by 2 males standing outside another club just to the left of Fabric if you were coming out of the exit, if we had just came from fabric and what it was like. They said that they had their MDMA and so would be able to enjoy it anyway, they walked off towards Fabric. [redacted]

f s

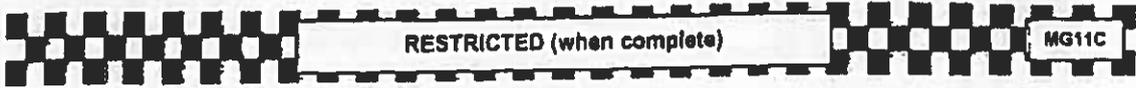
Signature

[redacted signature]

signature witnessed by:

.....

20.11.



WITNESS STATEMENT

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

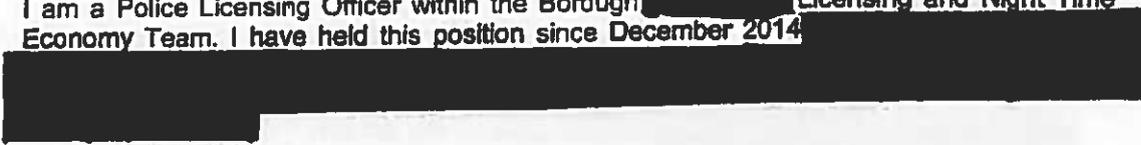
URN [] [] [] []

Statement of [redacted]
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 5 page(s) each 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.

Witness Signature [redacted] Date: 06/07/2016

I am a Police Licensing Officer within the Borough [redacted] Licensing and Night Time Economy Team. I have held this position since December 2014



On Saturday the 2nd of July 2016 I was deployed to assist the Central Licensing Team as part of Operation Lenor, and was in the company of PC [redacted] I was in plain clothes and was not identifiable as a Police Officer. The purpose of this operation was to carry out an unannounced licensing inspection of Fabric, 77A Charterhouse Street EC1M 3HN following a drugs death on 25th June 2016. PC [redacted] and I were tasked to enter the premises and ensure that the venue was operating in accordance with the conditions specified in the premises licence and the operating schedule held in respect of the venue.

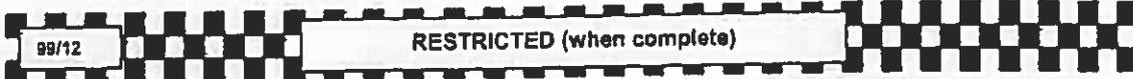
Before the visit I was given a copy of the full premises licence, a plan of the venue and an opportunity to become familiar with the operating schedule of the premises. During my visit in the premises I was monitoring whether the premises was complying with the conditions laid out in that document. In order to do this I needed sufficient time to inspect the premises, and monitor the running of the venue. There are 53 conditions on the current premise licence, and the capacity across the three rooms is 1510 persons.

The power used to do this was s179 of the Licensing Act 2003 which states: Section 179 of the Licensing Act 2003 gives an authorised person rights of entry to investigate licensable activities. Where a constable or an authorised person has reason to believe that any premises are being, or are about to be, used for a licensable activity, he may enter the premises with a view to seeing whether the activity is being, or is to be, carried on under and in accordance with an authorisation.

At [redacted] on Sunday 3rd of July I approached the venue, with PC [redacted]. There was a queuing system in place with barriers manned by Door Supervisors. As I approached the venue I was asked by one of the SIA whether I had a ticket or whether I would be paying in the door. I stated that I would pay on the door. I was ushered into the far-right queue closest the venue and walked towards the door. As I approached the door I was asked for I.D by another Door Supervisor slightly before the entrance to the venue. I gave him [redacted] which he scrutinised for a moment before letting me into the venue. I walked in through a

Witness Signature [redacted]

Signature Witnessed by Signature [redacted]



RESTRICTED (when complete) MG11C

Continuation of Statement of:

metal-detecting arch to another door supervisor who stated that I would be searched. I raised my arms and allowed him to search me. The search lasted less than five (5) seconds and consisted of a pat down to my torso, a feel of the outside of my pockets, and putting a finger into the small pocket of my jeans. It also consisted of feeling both sides of my crotch and up the inside of my legs. I was not asked to empty my pockets. In my pockets I had an opened pack of cigarettes, a wallet and a phone. I was not asked to remove anything from my pockets and my back pockets were not checked or felt. There was barely any queue so I did not have to wait to complete this process. I was not asked about the basis of my attendance at the venue during queuing nor asked any screening questions. This is a condition of the premises licence. Another condition is: **No patrons shall be admitted to the premises without being subjected to a thorough search of their person and bag.** I do not believe that the search which I was subjected to was particularly thorough, and as such would be a breach of conditions. There were other Door Supervisors next to me whilst I was being searched.

Upon entering the premises I was directed upstairs to a booth where I paid the entrance fee to enter the venue. Once I had paid I then went downstairs into the venue. Once we were inside the venue

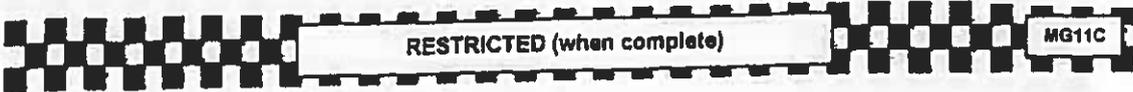
We then went to the left and through the Sunken Bar to Room 2 to acquaint ourselves with the venue. At this stage the club was not crowded though there were a number of people already sitting in the seating area at the Sunken Bar. I noticed a couple, a male and a female sitting next to each other on the seats to the left nearest Room 2. As we came back through the venue a few minutes later I saw the same male show white pills to the female and saw her take one from his outstretched palm. As I passed I was only around half a metre from this, whilst the ambient lighting was such that I could clearly see the exchange. There were no SIA in visual range of this seating area and I saw no door staff patrolling this area for the period in which I was in the venue. As I walked back through the Sunken Bar towards Room 1 I noticed a white male in an alcove next to the unisex toilets. He walked into the alcove, turned his back to the room and raised his hands to his face. I believe that he was sniffing drugs there. The alcove lead nowhere and there appeared to be no reason for him to be there.

When we got to the right hand side of Room 1 and observed the crowd there. PC drew my attention to a white male dancing with a black female and told me that he had put something to his mouth and then took a drink of water straight afterwards. told me believed that he had just taken a pill. I turned around and saw him hand something very small to the female, which she then put in her pocket. After a few minutes we went to the bar in Room 1. which were decanted into plastic cups as per licensing conditions. The bar was not busy, and an electric till system was in use. Red Bull and various spirits were advertised for sale in signage behind. Not many people were buying alcohol, and many people on the dance floor, even at the beginning of the night could be seen holding bottles of water.

I then went to the toilet and entered one of the cubicles. Inside I saw two snap bags with a white powder residue inside, lying behind the bin. I took a picture of this and exhibit this as

Witness Signature
Signature Witnessed by Signature

99/12 RESTRICTED (when complete)



Continuation of Statement of:

Shortly afterwards we went to the smoking area. I noted on my watch that this was at [redacted] The smoking area is accessed to the rear of the venue. There are temporary fencing panels which lead into an outside area at the bottom of Greenhill Rents, a street behind the venue. Whilst there, I was approached by a white male [redacted] called [redacted] who engaged with us in general conversation. He was in the company of a white male [redacted] and a white female. Whilst we were chatting an [redacted] male, who was around [redacted] years old, wearing a [redacted] approached us. He spoke to me in a normal voice, making no attempt to hide what he was doing, and said 'do you want MD?' I replied 'MDMA' and he said 'yes'. I then declined and said no thanks. He remained next to us, around a metre away, and was approached by [redacted] other males. As they were so close I could hear their conversation. The [redacted] males were debating prices for drugs. I heard [redacted] offer 0.3g for thirty pounds which the [redacted] males found too expensive. They continued bartering until a price was agreed. There was a member of door staff around a few metres from the group on the opposite direction from me. He did not intervene to stop the exchange. One condition within the premises licence is: **The premises licence holder shall adopt a policy of carrying out random drug searches of customers using the smoking area. Signage shall be displayed in the smoking area indicating that such searches will be carried out. A record shall be kept of all such searches.** I did not see anyone being searched whilst in the premises or smoking area.

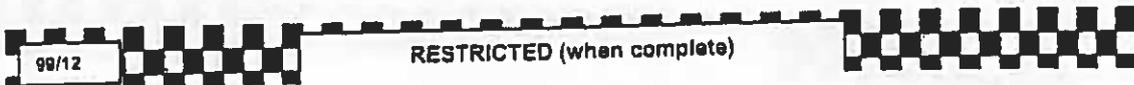
We saw the male and female who were with [redacted] around an hour later, when we were in the smoking area, being let in by door staff through the smoking area fencing. They were not searched upon entry. One condition within the premises licence is: **The dedicated customer smoking area shall be maintained secure and only accessible via the premises. No drinks shall be permitted within the smoking area and customers shall be encouraged not to loiter within the smoking area. Any customer engaging in activity likely to cause a nuisance to occupants of dwellings within the vicinity shall be asked to leave.** We saw this condition being broken. I also never saw any persons being encouraged not to loiter, as per licensing conditions.

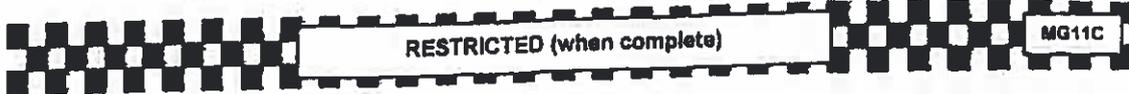
We then went back into towards the dance floor area in Room 2. On my way there I saw young, perhaps 18 year old, male with [redacted] He was stumbling through the club in an almost catatonic state. His eyes were almost closed, and he was bumping into people as he made his way through the dance floor. There were members of staff, with torches, who were an almost constant presence on the dance floor. They appeared to be looking for discarded glasses though did not appear to pay much attention to the patrons. One passed the [redacted] male, though did not intervene to check on his welfare. Around 15 minutes later I saw the same male almost bouncing through the crowd. His behaviour was on the opposite extreme and he was extremely agitated and animated. I believe the result of this stimulation was likely to be chemical.

Within the dance floor areas there were door staff visible through their positions appeared static and I did not see door staff patrolling amongst the dance floor areas. Their lines of sight were also poor. In Room 2 there were raised stage areas which would have afforded a better view of the dance floor area, though there were no door staff positioned there. One member of door staff was positioned near the Green Room door, though with his line of sight he would have been unable to observe the goings on in the seating area where I saw the

Witness Signature: [redacted]

Signature Witnessed by Signature:





Continuation of Statement of:
male pass pills to the female. Another member of door staff was positioned at the fire exit at room 1, though he was not on a raised dais or platform so would not have been able to see into the dance floor.

At this point the club became much more busy, and the crowd denser. The demographic was young and I heard mostly Italian, Spanish, German and Mandarin Chinese being spoken in addition to English. There were several groups, of mostly young males, who did look particularly young. The crowd was good-natured and peaceful though, despite not many people having alcoholic drinks in their hands, many appeared quite heavily intoxicated. Their eyes were glazed and their gait and movement indicative of intoxication.

We then went back out to the smoking area. There we were approached by two males and engaged in general conversation. One male [redacted] and the other [redacted] who introduced himself as [redacted] was heavily intoxicated and his behaviour was erratic. He repeatedly said 'help, help me' whilst staring into the distance. His friend found this amusing and I could hear him say to PC [redacted] than he had given [redacted] all of his drugs. He stated that he was looking for some more and asked us if we had any. We stated that we did not. We then went back into the club. [redacted]

It was at this point I saw a Paramedic stationed at the front door. [redacted] could look at the searching going on. I had not seen the paramedic before this.

I then went into the toilet [redacted] and used another cubicle. In there, behind the bin, I found another discarded drugs snap bag. I took a picture of this [redacted] which I exhibit as [redacted]. Whilst I was in the toilet I heard two males in the same cubicle next to me speaking French. When I exited my cubicle I could still hear them speaking, though the cubicles at either side were empty. In the cubicles the toilet roll holder had a flat surface and could have been used to take drugs from. Guidance for Licensed Premises states that it is best-practice for all flat surfaces to be removed from locking cubicles, so as to discourage drugs use.

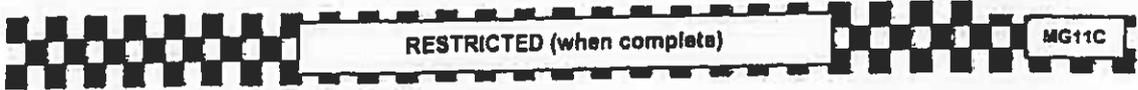
I saw the male [redacted] pass us on the stairs. He was still heavily intoxicated and still agitated.

In Room 2 I noticed a [redacted] male, [redacted] I believed that he was dealing drugs, as he was approaching groups of people he did not appear to know, engaging them in brief conversation and then walking away. He was not intoxicated and did not seem to be on a night out, and appeared unduly wary of his surroundings. He was not challenged by door staff and I saw him circulate between Room 1 and Room 2 throughout the evening.

At around 03:00hrs PC [redacted] and I again went out to the smoking area as we had been concerned by the previous licensing breaches and this area demanded further attention. Both [redacted] and [redacted] were outside, and were still heavily intoxicated. I saw [redacted] leaning on his friend for support. I could see two or three door staff in fixed points. They were asking people to be quiet, particularly as they exited the club, though did not intervene otherwise. Whilst we were near the centre of the smoking area another male, who appeared to be of [redacted]

Witness Sign [redacted]
Signature Witnessed by Signature: [redacted]





RESTRICTED (when complete)

MG11C

Continuation of Statement of:

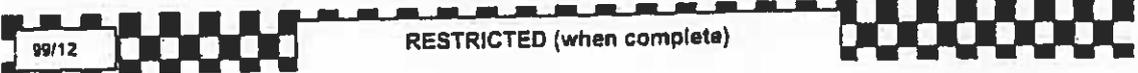
[redacted] with a [redacted] accent approached PC [redacted] and began to speak to her and then spoke to me. He approached us and asked if we had any MDMA. We said 'no' though he continued to speak to us. He explained that he had 'dropped' (taken) his drugs before he entered the premises though thought he had taken them too early and was looking for more. He said that he had just had a conversation with a dealer in the venue, though he thought the price was too expensive. He was very twitchy and held his arms in front of him in a strange manner. He was gurning and exhibited all the signs of having taken drugs. If anyone was looking for persons exhibiting those signs then he would have stood out. At this point, [redacted] and his friend joined us, and the conversation. The male from [redacted] then continued speaking and said that his friend was a dealer and had been working from the club the previous Friday though he did not put the prices up as much as the male working that night. He then explained that he had seen the door staff approach a dealer and take him away. He then returned a few minutes later, without his drugs, though had been allowed to remain in the venue. It was unclear whether that was on the previous Friday, or on the day we were present. However, he repeated the story to [redacted] and his friend and told them that he believed that the door staff gave the drugs to dealers they were 'looking after' to re-sale. They then discussed where they were going to get drugs for the evening and asked us if we were also looking and if we'd managed to find a dealer. The male [redacted] then stated that he was going to ask a member of the door staff where he could buy. At this point, we made our excuses and left.

As we exited the smoking area we asked the member of the door team positioned at Greenhill Rents whether we could exit that way, though were politely declined. We did this as we had previously seen patrons passing through this way and wanted to check whether the licence condition was being continuously broken. We then went back to the toilets [redacted]. The toilets were busy and I did not see any drugs use at the [redacted]. There was a member of door staff and a toilet attendant positioned at the entrance of the toilets, directing people to the right area. However, from that position they had very poor line of sight into the facilities and would not have been able to monitor what was going on in [redacted].

At [redacted] hrs we then exited the club and walked back to the RVP. On exit we were asked by door staff if we were coming back in, and a taxi marshal asked us if we needed a taxi. These are conditions on the premises licence and were being complied with. Outside Cubana, on Charterhouse Street slightly west of Fabric, we were stopped by two males who asked us for a lighter. They asked us if we had just come from Fabric and what the music was like. We told them, and they didn't seem too happy with the music choice, though one stated 'we've got our MDMA - we'll be fine' and they walked in the direction of Fabric.

We then went back to the RVP and were picked up by our supporting officers and did not re-enter the nightclub.

Witness Statement
Signature [redacted]



99/12

RESTRICTED (when complete)

WITNESS STATEMENT

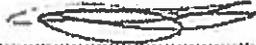
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **TDC MARSTON**..... URN:

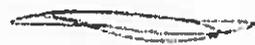
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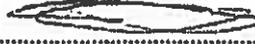
Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 228495**

This statement (consisting of ... 1..... pages each 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 anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 18th November 2014

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and am a Police Officer within the Metropolitan Police Service. I am the Officer in the Case of an incident at Fabric Nightclub, where a **PG** died. On Thursday 2nd October 2014 I attended
obtained statements from Also present was
M works as a welfare officer at the venue. She supports the students and caters for any welfare issues that may arise. Whilst speaking to **M** in-between taking statements, **M** informed me that it is common knowledge amongst the students at, that if any of them want to go to London and want drugs, then the place to go to is Fabric Nightclub in London. I specifically recall that **M** said to me that if the students want to go and get drugs, then "Fabric is the place to go to" **M** was very concerned that the students were aware of a specific place that they could go to London to acquire drugs and felt it necessary to inform me. 

Signature:  Signature witnessed by:

Barnes Aaron M.W - NI

From: Luke Laws <luke@fabriclondon.com>
Sent: 26 July 2016 12:18
To: Harrington Steve A - NI
Cc: Barnes Aaron M.W - NI
Subject: RE: Annex 3 Condition 21

Hi Steve

Thanks for your mail.

In terms of the breach that you refer to, we did not witness anyone being struck, merely a commotion on the dance floor. Once we investigated and had an allegation and then the male being adamant that he did not want Police assistance we were not sure whether a crime had been committed or not, hence not calling Police. In this circumstance I feel that we were not in breach as – notwithstanding an injury to the male – having an allegation made and then a robust refusal for Police assistance from the alleged victim and no admission from the alleged suspect leaves us with no confirmation that a crime has actually taken place. In fact, an allegation followed by such a refusal for Police assistance normally leaves me to doubt the word of the person, especially when they get treated for a cut and then just carry on with their night. This could just as likely have been an accident if the female had been dancing with her hand in the air whilst holding a cup. We want to be absolutely clear what the authorities want of us and what constitutes a 'violent crime' so we can adhere to that and of course that we are not wasting valuable Police time.

Our Directors will be sending a communication across to the local authority this week, as recent developments with Police Central Licensing appear to be at odds with the last meeting we had at Islington Council earlier this year, with Jan Hart, Simon Gallacher, Kevin Blenkinsopp and yourself present. Again we want to clear up any confusion that clearly exists.

With regards to the reports of drugs being taken into the venue inside people's shoes, we profile those entering the building and search their shoes & socks and beyond that we undertake random spot checks. This has been our policy for some time now, and we will continue this policy to restrict the opportunity of drugs to be smuggled into the venue inside shoes/socks.

I will respond to your other requests separately so that there are not issues jumping from one e-mail chain to another.

Kind regards

Luke

From: Steve.A.Harrington@met.pnn.police.uk [mailto:Steve.A.Harrington@met.pnn.police.uk]
Sent: Monday, July 25, 2016 1:25 PM
To: Luke Laws <luke@fabriclondon.com>
Cc: Aaron.M.W.Barnes@met.pnn.police.uk
Subject: Annex 3 Condition 21

Hi Luke.

Thanks for talking to me earlier.

The discussion centred around the incident which occurred on 17-18th July 2016 whereby the male victim was hit in the face with a glass.

From reading your reports that you sent me it would appear that the male did not wish Police to be called and was treated by your club medic and then continued his night out. The female suspect was ejected from the club.

As I explained the male concerned decided that he would report the matter and did so on 20th July. Unfortunately we now do not have any details of the female suspect, although you have told me that you may be able to produce a picture from your CCTV and this would be very helpful.

The fact that Police were not called at the time is a breach of Annex 3 Condition 21 which states the following:

Any information regarding crimes committed within the premises, including suspected drug dealing or violence, shall be reported to the Police immediately or as soon as reasonably practicable.

Having discussed this with you I appreciate that the male did not want Police informed at the time and that was why Police were not called, that said the victim of a crime can report this at any time and that is why we ask for CCTV footage to be stored for 31 days as this allows for such eventualities. To try and deal with such a situation I put forward the following wording to be added to the condition:

All ejections of patrons believed to be involved in a crime related incident to be recorded and those details to include the following:

Name and address if provided
Detailed physical description
Full description of clothing worn.

Another point that we did not discuss fully is how the last paragraph of the condition is worded:

Any information regarding crimes committed within the premises, including suspected drug dealing or violence, shall be reported to the Police immediately or as soon as reasonably practicable.

Can you please ensure that all crimes involving violence are reported to Police immediately, other types of crime can be reported as soon as reasonably practicable.

We may revisit the way this has been worded, no criticism of you or the council but it needs to be clear that all crimes involving violence are reported immediately.

We did not discuss the following point at all as I have only just been made aware of the following.

We have statements that tell us that drugs have been taken into the venue hidden inside peoples socks and shoes.

Can you tell us what measures you believe you can put in place to try to prevent this happening in the future?

If you want to discuss any of the points raised further before you respond to this email then do call me on 07799133204.

Kind Regards

Steve
Steven Harrington PC 425NI

Licensing Officer Islington Police Station

Mobile 07799133204

External E-mail Licensingpolice@islington.gov.uk

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

Consider our environment - please do not print this email unless absolutely necessary.



TOTAL POLICING

Form for Applying for a Summary Licence Review
Application for the review of a premises licence under section 53A of the Licensing Act 2003
 (premises associated with serious crime, serious disorder or both)

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.

Insert name and address of relevant licensing authority and its reference number:

Name: Metropolitan Police Service

Address:

Islington Police Station, 2 Tolpuddle Street

Post town: Islington

Post code: N1 0YY

Ref. No.:

I Superintendent Stuart Ryan

on behalf of the chief officer of police for the Metropolitan 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 club premises, or if none, ordnance survey map reference or description:

77A Charterhouse Street

Post town: Islington

Post code: EC1M 6HJ
(if known)

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Fabric Nightclub

Number of premises licence or club premises certificate (if known):

2

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 serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:

PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both
(Please read guidance note 2)

On Saturday 6th August 2016 an 18 year old male was taken to hospital from Fabric Nightclub, having fallen seriously ill following the consumption of what was believed to be MDMA, which is a Class A drug, also known as 'Ecstasy'. The young male victim died shortly after arriving at hospital.

The victim originally entered the venue with a friend on Friday 5th August 2016 at about 2330 hours and both of them reportedly consumed MDMA within the premises. Both males were able to carry it into the venue on their person. It has been reported that during the course of the evening the victim approached a person at the bar within Fabric and purchased two 'MDMA bombs' (powder MDMA in a wrap). The two friends then both consumed the MDMA Bombs and a short while later the victim began suffering ill effects of the drug. He was taken to the medical room within the venue and an ambulance was called. Following the arrival of the ambulance at the venue, the male's condition was so serious that HEMS (Helicopter Emergency Medical Service) attended the scene. He was taken to Royal London Hospital where he tragically died.

This incident follows another MDMA related death associated with the premises only six weeks ago on Sunday 26th June 2016. An 18 year old male victim died having taken what is believed to be MDMA whilst at Fabric nightclub in almost identical circumstances. The 18 year old male victim entered the venue along with his two friends where they all had drugs concealed on their person. Once inside the venue all three males reportedly went to the toilets where they consumed MDMA. During the course of the evening the victim consumed more MDMA reportedly purchased inside the venue. Soon after he too suffered ill effects, an ambulance was called and he tragically lost his life shortly after arriving at hospital.

Crime figures from January 2016 show eleven reported drugs offences. It is important to note that not all possession of drugs offences are reported to the Police. Following a visit to the premises by DC Walker on Saturday 25th June 2016, he reported that he was handed a number of drugs which had been confiscated from patrons at the premises during the evening of Friday 24th June 2016. The items included Eighty one (81) pills, one (1) cannabis cigarette, nine (9) bags of herbal cannabis, twenty three (23) wraps and twenty (20) bags of unknown powder.

The Metropolitan Police Service (MPS) contend that the venue provides a safe haven for the supply and consumption of illegal drugs. The heavy association with the supply of class A drugs represents serious crime. Fabric nightclub has not done enough to ensure the safety of its patrons and fails to promote the crime and disorder objective. This was evidenced by police officers who conducted a plain clothes licensing visit to the premises on the night of Saturday 2nd July 2016, where they found a number of failings at the venue, in which the licensing objectives were clearly being undermined. The search regime was reported to be particularly poor, and the officers were also approached twice during the evening by patrons offering to sell them drugs, namely MDMA.

The MPS contend that Fabric nightclub represents a serious risk to its patrons. The failings of the management have led to an environment where illegal drug taking has become acceptable. If the premises is permitted to remain open and operating in its current form, then there is a strong possibility that further drug related deaths will occur. There have now been six drug related deaths associated with the venue since 2011. This situation cannot be allowed to continue. The issues highlighted from the previous review of the licence in 2014 have not been addressed.

Therefore in order to mitigate the serious risk and protect the public, the MPS request that the licence be suspended as an interim step, in order that patrons are kept safe until the licence can be subject to a full review by the sub-committee. This would represent a proportionate and appropriate step considering the risks posed.

The MPS reserve the right to make further submissions in relation to this application for summary review of the premises licence.

Signature of applicant

Signature:



Date:

10/08/2016

Capacity:

Superintendent

Contact details for matters concerning this application

Surname:

Aaron

First Names:

Barnes

Address:

PROTECTIVE MARKING

Islington Police Station, 2 Tolpuddle Street

Post town: Islington

Post code: N1 0YY

Tel. No.: 07799133204

Email: aaron.barnes@met.police.uk

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.

Retention Period: 7 years
MP 146/12



**METROPOLITAN
POLICE**

TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

**I hereby certify that in my opinion the premises described below are associated with:
serious crime**

Premises (Include business name and address and any other relevant identifying details):

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

77A Charterhouse Street, Islington

Post town: Islington

Post code:
(if known)

EC1M 3HN

Premises licence number (if known):

LN/4086-230216

Name of premises supervisor (if known):

Luke Matthew Laws

I am a Supt* in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

**I am giving this certificate because I am of the opinion that other procedures under the
Licensing Act are inappropriate in this case because:**

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

The Police contend that there is serious crime associated with Fabric Nightclub. There is evidence to suggest the supply of Class A drugs is occurring within the venue on a frequent basis. In six weeks there have been two drugs related fatalities concerning the venue. In both instances the victims are alleged to have bought Class A Drugs namely MDMA from persons within the premises.

Signature

Signature:

Date:

10/08/2016

Document is Restricted

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From: [REDACTED]
Sent: 24 August 2016 16:30
To: Hart, Jan
Subject: RE: Official statement re fabric London

To Jan re Fabric.

Firstly, I am delighted to hear that the club has been all be it temporary . The whole management of the club has been one that we can do what we like and if anything happens it is not our fault. I used to work next door the Club at night and seen for myself first hand, how it is run it, it under staff and the main function of the security is to make sure as many people as they can get in the club not checking for drugs or anything else. Their view is what people do or take is their business not the clubs. The club is run with different act or DJ each performer or act is given carte blanche on what they do. From Thursday to Monday the club is run almost 24 hours a day putting a strain on staff and everyone in the area around the venue.

The management is either unwilling or does not care what problems are been created and is not taking action to deal with it. If it was and has been we would not be here and there would not be these latest death. They have been warn again and again and have failed to heed them.

I am not doing this out of bitterness or malice but for the safety of people who use the club and also the licencing objectives. They were made for a reason and the council has to act after so many incidents of loss of life. One death is one to many abut to have these in on place is not just bad just bad luck.

This club has to be closed under the licencing objectives, public safety and law and order. There can be not stronger reason why any club that is licenced should be closed. I feel that while it remains open there will be the danger of more deaths and more lives will be lost.

From: [REDACTED]
Sent: 24 August 2016 15:19
To: Licensing
Subject: Review of license for Fabric nightclub, EC1M 6HJ

To the licensing team -

I wish to point out some contraventions of the licensing regulations at Fabric nightclub in support of the review of the club's license.

I attended Fabric nightclub on Sunday 1 May until the early hours of Monday 2 May 2016 for the WYS night which took place at Fabric.

Firstly, arriving at 10pm I was surprised that the entry search and my ticket inspection was very perfunctory, and included only a glance by a security guard into my bag. The staff were so lackadaisical I could have just wandered in without needing to show a ticket. Equally, I

could have had a bag of illicit substances to sell inside and no-one would have challenged me.

I was subsequently also shocked at the lack of security and staff inside to monitor the dance floors. Some of the night clubbers were obviously the worse for wear - I do not believe through alcohol - and I think they should have been removed to a recovery room for their safety. One man in particular was showing obvious signs of either the use of the G drug (GHB) or opiates such as heroin, as he was almost asleep on his feet. At no time did I see these people either monitored for safety or challenged for drug abuse by Fabric staff.

At around 3.30 am on 2 May I decided to leave the club and tried to queue for my bag at the cloakroom. The situation was totally chaotic, with one woman alone having to manage the clubbers who were still being admitted to the venue and to also monitor the cloakroom queue for those who were leaving. She had no idea who was queueing for which queue, whether they were putting coats in or taking them out. The corridor was dangerously overcrowded, clubbers becoming angry and confused. Had an emergency occurred such as a fire or a crowd surge, I fear there would have been multiple loss of life.

I can only conclude that few of the staff on duty that night had received much training in the running of a nightclub or were interested in doing a good job; some of the staff were not even good at speaking English.

I regularly attend clubs in other boroughs such as Lambeth, Southwark and Westminster, where crowd control, security and queueing is strictly and efficiently controlled. Most importantly, if clubbers show any signs of being intoxicated with whatever substances they seem to either be not admitted or to be removed quickly to a place of safety for monitoring. Most of the clubs have a medic present for emergencies.

I had heard stories in the media and anecdotally about Fabric and possible dangers there, but to witness the flouting of regulations so blatantly was totally shocking to me.

I really do not see how the venue can be allowed to continue to be operated in this way.

Best regards

Licensing Act 2003**Representation from Camden and Islington Public Health on behalf of health bodies providing services in Islington concerning Fabric Nightclub, 77a Charterhouse Street, EC1M 6HJ**

I am submitting a representation in regards to the application under section 53A of the Licensing Act 2003 from the Metropolitan Police for a summary review of the Premises Licence at Fabric Nightclub. This representation is on behalf of Islington Council's Public Health department, which is a responsible authority.

We support the Metropolitan Police's request for a review and consider this premises poses a significant and high level of risk in terms of public safety and crime and disorder. We believe that evidence of recent events at the venue do not show due regard to the responsibilities of a licenced premises and believe that this venue poses a serious and significant ongoing risk to those using the premise.

The grounds for the representation are:

- Public safety
- Crime and disorder

The relevant policies in Islington's Licensing Policy

- Policy 17: Drugs and licensed premises

Reasons for representation

There have been a number of health related events at Fabric Nightclub that raise serious concerns around the public safety of the venue.

During the summer of 2016 there have been two deaths in a six week period – one death on the 26th June 2016 and one on Saturday 6th August. Evidence indicates both these deaths are associated with use of MDMA. In both cases it appears individuals have: been able to carry drugs into the venue, take these drugs in the venue and buy and consume drugs within the venue. All these actions cause significant concern about this venue.

The apparent ease of class A drug purchasing, and taking at this venue is unacceptable and as such there is a clear and significant risk to public safety. There appears to be a disregard for the responsibilities related to being a licenced premises under the public safety objective of the Licensing Act. The possession and supply of class A drugs is illegal, thus the activity has been occurring within this club also raises concerns around the ability of this club to uphold the crime and disorder objective of the Licensing Act.

From MPS intelligence reports, we are also aware of a number of other very serious incidents that are linked to the club. In total we are aware of another seven serious incidents where patrons of Fabric have taken MDMA and as a result have been admitted to hospital and survived – these events have all occurred since 2011. We are also aware of four further individuals who have taken MDMA, become ill within the club and subsequently died as a result of the drugs they have taken – these deaths have occurred since 2012.

Nationally there is limited data availability on the total number of deaths as a result of ecstasy. The National Programme on Substance Abuse Deaths (NPSAD) is a surveillance programme that reports information on drug related deaths. The statistics reported by the programme shows the number of

deaths reported in a year, in England, where a substance was implicated in the death. The latest year for which data is available is 2013. The surveillance programme identified 50 deaths where ecstasy was implicated in a death (either sole or in combination with other substance). This was similar to 2012 when there was a total of 57 deaths where ecstasy was implicated in a death (either sole or in combination with other substance).

Based on data available from NPSAD, the six deaths that have occurred in Fabric since January 2012 appears high for one venue.

Recommendation

Public Health have significant concerns about the tragic events linked to the use of MDMA at Fabric nightclub – this is not a one off event, six deaths within a 4.5 year period in addition to a number serious health related events is unacceptable. Evidence shows that class A drugs appear to be readily available and used within this venue – this is illegal, poses significant risk to health (including risk of further deaths), and shows a disregard to the responsibilities of a licensed premises as stated within the licensing act.

Based on the evidence available Islington Public Health Department recommend that:

- The license held by Fabric nightclub is permanently revoked

Licensing Act 2003- Representation from the Licensing Authority

Application: Fabric 77a Charterhouse St London EC1

This is a representation submitted on behalf of the Licensing Authority following the Police application for an expedited review of the premises licence.

The grounds for the representation are:

- Public Nuisance
- Public Safety
- Crime and Disorder

Licensing Policy Considerations

- *Licensing Policy 9 & 10* *Standards of Management – Operating Schedule*
- *Licensing Policy 17* *Dance venues and drugs*

December 2014 Review Application

The Licensing Committee undertook a review of Fabric's licence on 18th December 2014. The review was triggered by the Metropolitan Police Service (MPS) and the council, acting as the Licensing Authority, submitted a representation supporting the application.

The Review was initiated after discussions with Fabric over a long period of time concerning the need to address the risk to public safety associated with deaths and serious illness of patrons who had used Class A drugs. At this time, 4 deaths had occurred since 2011. The MPS submitted evidence that indicated that patrons had used and acquired drugs in the club.

The MPS requested that various conditions were amended or added to Fabric's Premises Licence. These conditions were designed to reduce the supply of drugs into the premises by strengthening security on entry and, through this and other means, promoting a zero tolerance to drugs. Fabric was in agreement with some proposals but not all and the Licensing Sub-Committee resolved to amend the licence (see Appendix 8 of the Committee report)

Fabric appealed the decision and during the intervening period some further agreements were made, however there was no agreement on two fundamental conditions suggested by the MPS. These were the use of dogs to detect drugs in the queue and the use of ID scanners to support the banning of patrons who attempt to bring drugs into the club and assist in the detection of dealers.

December 2015 Appeal Decision

The appeal was heard at Highbury Magistrates Court In December 2015. Whilst the Judge stated that she felt the council had not made an incorrect decisions in the time that they had to hear the application, she overturned the decision to impose the conditions relating to the use of drugs detection dogs and ID scanners. The reasons for not agreeing the conditions are summarised below:-

Drug detection dogs

- Unfair to those registering as false positives (drugs indicated but can't be found on search) to be refused entry - may already have purchased ticket or be split form their group
- Not all drugs would be detected especially if hidden on the body
- Drugs will be taken in the queue before entry with possible consequences as they take larger quantities in a shorter period of time
- People may not join the queue when they see dogs so drugs that would have been seized are not and stay in circulation – this could be significant amounts
- Dogs are not regulated to any standard unlike police dogs
- Those taking drugs outside don't have the benefit of the medical room if things go wrong

ID Scanners

- Primarily useful for situations with violence or underage admission and these are not problems at Fabric
- Police could only able to give one example of when it would have been useful to have ID scanning
- It could undermine the licensing objectives
- Limited value and minimum benefit if installed - they are meant for small venues or ones with a steady entry flow

The conditions added by the Judge after discussion with the police, council and Fabric were

- 3 SIA security to be located in smoking area
- 2 'plain cloths' SIA security to be roaming the club with 1 located in the smoking area
- Train staff on recognising signs of drug taking and detection in club

- Improve signage and website information to stress 'zero tolerance drug policy'
- Random searches to be undertaken when people go in and come out of the smoking area
- Improve lighting to the smoking area to a level agreed with the police

Licensing Authority Concerns - August 2016

The Summary Review has been initiated following the tragic deaths of two more young people. The circumstances of these deaths is similar in fact to most of those in the past in that drugs have been taken into the club by the individuals but then a further purchase has been made inside the premises and consumed.

The MPS submission also includes statements from officers of the MPS who visited the club covertly on 2nd July. The evidence that they present illustrates that drugs are available in the club and that staff and security are not managing even the visible use and availability.

The previous review sought to add conditions to Fabric's licence so that the search and entry procedures would do all they could to prevent the supply of drugs into the premises, and that within the premises, security and staff would be equipped to recognise and act if they encountered drug use, supply or those suffering after use. It is clear from the statements produced by the MPS by their officers and associates of the deceased as part of this review that serious breaches of the licence conditions are occurring which allow the supply and use of drugs in the club. This covert information is important in that the conditions are ones that can and are easily complied with when overt inspections are undertaken.

The conditions being breached are:

- Capacity – condition 30 – MPS officers identified that no checks were in place to ensure that the set capacities are adhered to. There was an admission by staff that they are not actively controlling numbers in the various areas and there is no means of verifying this. During the appeal process, a linked condition requiring that capacity records are kept was removed as these controls were imbedded in Fabric's operating procedures.
- Security requirements – condition 35 – various statements detail the availability and consumption of drugs in instances where security staff were in close proximity
- Smoking area requirements – conditions 48 and 52 – MPS officers observed people being let into the smoking area from outside the premises, saw no

evidence of random searches and were approached by others seeking to obtain drugs.

- Search regime – condition 9 – search regimes were not vigorous and did not include personal possessions such as wallets or bags where concealment may take place. The metal detection search arches did not appear to be operational.

Recommendation

The Licensing Authority concurs with the MPS that serious risk to public safety is posed by the club in its current operation and that unless a substantial review of operation can deliver change, revocation of the licence is the only acceptable option.

Janice Gibbons
Service Manager
Islington Council

24 August 2016



**PREMISES LICENCE
LICENSING ACT 2003**

Premises licence number	LN/4086-230216	Date of original grant*	24 November 2005
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**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

Postal address of premises, or if none, ordnance survey map reference or description			
FABRIC 77A CHARTERHOUSE STREET			
Post town	LONDON	Post code	EC1M 3HN
Telephone number	020 7549 4162		

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Basement and Mezzanine Floors
<ul style="list-style-type: none"> The provision of regulated entertainment by way of: <ul style="list-style-type: none"> The performance of plays The exhibition of films The performance of live music The playing of recorded music The performance of dance The provision of late night refreshment The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities																																																								
<ul style="list-style-type: none"> The provision of regulated entertainment for the performance of plays: <table> <tr><td>Monday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Tuesday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Wednesday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Thursday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Friday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Saturday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Sunday</td><td>00.00</td><td>to</td><td>24.00</td></tr> </table> The provision of regulated entertainment for the exhibition of films: <table> <tr><td>Monday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Tuesday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Wednesday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Thursday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Friday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Saturday</td><td>00.00</td><td>to</td><td>24.00</td></tr> <tr><td>Sunday</td><td>00.00</td><td>to</td><td>24.00</td></tr> </table> 	Monday	00.00	to	24.00	Tuesday	00.00	to	24.00	Wednesday	00.00	to	24.00	Thursday	00.00	to	24.00	Friday	00.00	to	24.00	Saturday	00.00	to	24.00	Sunday	00.00	to	24.00	Monday	00.00	to	24.00	Tuesday	00.00	to	24.00	Wednesday	00.00	to	24.00	Thursday	00.00	to	24.00	Friday	00.00	to	24.00	Saturday	00.00	to	24.00	Sunday	00.00	to	24.00
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- The provision of regulated entertainment for the performance of live music:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

- The provision of regulated entertainment for the playing of recorded music:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

- The provision of regulated entertainment for the performance of dance:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

- The provision of late night refreshment:

Monday	23.00	to	02.30	the following day
Tuesday	23.00	to	02.30	the following day
Wednesday	23.00	to	02.30	the following day
Thursday	23.00	to	02.30	the following day
Friday	23.00	to	05.00	the following day
Saturday	23.00	to	05.00	the following day
Sunday	23.00	to	05.00	the following day

- The sale by retail of alcohol:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

The opening hours of the premises:

Monday	00.00	to	24.00
Tuesday	00.00	to	24.00
Wednesday	00.00	to	24.00
Thursday	00.00	to	24.00
Friday	00.00	to	24.00
Saturday	00.00	to	24.00
Sunday	00.00	to	24.00

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

On and off supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Fabric Life Limited
12 Greenhill Rents
London
EC1M 6BN

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

07258997

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

Luke Matthew Laws
Yalta House
Romney Road
Lydd
Kent
TN29 9LN

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

AS/LN/020060499 – Ashford Borough Council

Islington Council
Public Protection Division
222 Upper Street
London
N1 1XR
Tel: 020 7527 3031
Email: licensing@islington.gov.uk

Service Manager - Commercial

Date of Issue

Annex 1 - Mandatory conditions

1. No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. All door supervisors shall be licensed by the Security Industry Authority.

There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, www.islington.gov.uk. This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

Annex 2 - Conditions consistent with the Operating Schedule

Annex 3 - Conditions attached after a hearing by the licensing authority

Queuing and outside management

1. Queuing arrangements on the public highway shall be arranged so as:
 - To prevent crime and disorder within the venue by deterring organised and opportunist offenders from entering the venue
 - not cause an obstruction or nuisance to those wishing to enter other premises or use the public highway
 - to facilitate the club entry procedures with a view to minimising queuing times.

In addition, queuing arrangements shall be in accordance with any plan agreed in writing to the venue operators by Local Authority licensing officers or the Metropolitan Police.
2. The venue queuing system will be organised so as to provide for:
 - a number of points of contact with SIA licensed door supervisors within the queue, by providing a break in the queue supervised by a SIA registered door supervisor where questioning of patrons takes place prior to the search point and entrance to the venue
 - for SIA licensed door supervisors to question potential patrons on a one to one basis about their attendance at the venue before they progress to a final venue entry queue
 - to allow for crime prevention advice to be given to patrons whilst in the queue
 - the designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear with adequate security and stewarding staff deployed to deliver the agreed queue plan at all times.
3. A minimum of 1 SIA registered door supervisors per 100 customers present, including customers queuing, shall be on duty at the premises at all times whilst it is open for business, at least one of whom shall be a female. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall be clearly identifiable. All persons to be searched shall only be searched by a SIA licensed member of staff and the location where the search is to take place must be monitored by the premises CCTV system. All door staff to receive a briefing at the start of each shift which should include updates on relevant police information and the identity of banned customers.

The duties of the SIA licensed door staff and stewards shall include,

- Stopping any pushing or shoving in the queue that could cause a surge towards the door
 - Looking for ticket touts
 - Looking out for people under the influence of drugs and/or alcohol to prevent them entering the premises
 - Ensuring customers are in the correct queue lane
 - Answering queries and directing people to the appropriate staff member.
 - Looking out for, and clearing, litter – in particular glassware.
 - Preventing persons from drinking alcohol in the queue
 - Informing any potential customers seen drinking alcohol on the street in the vicinity of the club that they will not be permitted entry to the club unless they immediately cease.
 - At least one SIA licensed door supervisor should be engaged in initial questioning within the queue to screen patrons.
 - Ensuring no persons under 18 years of age enters the premises
 - Ensuring patrons are being searched in accordance with the search policy.
 - Report any suspicious behaviour to the venue manager.
 - Ensuring accurate numbers of patrons entering and existing the premises are recorded.
4. At least one experienced member of the venue management team shall be stationed at the entrance at all times the venue is in operation under the licence, unless called away to deal with an emergency situation. He / she should ensure that door staff are operating as outlined within these conditions, particularly with regard to actions to prevent drugs and crime.
5. Staff shall be employed to patrol the immediate vicinity of the premises to include Peter's Lane, Cowcross Place and St John's Lane around the Save the Children Building. They shall be specifically briefed to:
- Deter Fabric customers from urinating, littering, loitering or engaging in street drinking in these areas
 - When not patrolling, to maintain a static position on Peter's Lane.
 - If Fabric customers are loitering, to ask them politely and quietly to move on.
 - Moderate the volume of their own voice and radio so as not to cause any potential addition disturbance.
 - If fabric customers are abusive, refuse to keep quiet or move away, call for assistance on their radio.
 - Regularly visually check the entrance of 88 Cowcross Street to ensure doorway clear at all times
 - Ensure Corps Shutter is down at all times when the club is open, if not, a static SIA door man will be placed at the entrance and the club's management and duty manager will be notified.
 - Where possible, move minicab touts and vehicles attempting to park illegally in the vicinity. If driver refuses, call 101 to report them and indicate this action to the person
 - If it is one of the drivers operating for the club, to take their details (driver number on rear view mirror ticket) and radio or pass details to the Club's management.

6. All SIA licensed door supervisors and stewards engaged in managing the queuing system and entry shall be clearly identifiable.

Entry / Exit Policy and Controls

7. No persons under 18 years shall be permitted on the premises.
8. A proof of age scheme, such as Challenge (25), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as: a driving license or passport / holographically marked PASS scheme identification cards.
9. No patrons shall be admitted, or re-admitted, to the premises unless they have passed through a metal detecting search arch or scanned with a search wand.
No patrons shall be admitted to the premises without being subjected to a thorough search of their person and bag.
Signs adverting the search policy shall be prominently displayed at the entrance. All searches must be carried out where they can be monitored by the club's CCTV system.
10. A drugs safe and log system will be employed at the premises to record all seizures of drugs and weapons from customers. The premises management shall liaise with police on a regular basis to report, and arrange for the collection of, any seized drugs and/or weapons. All seized items will be placed into evidence bags provided by police. The bags will be sealed, signed by person taking the drugs and times and dates written.

The premises management will ensure that the Police are called to the premises where individuals are found in possession of quantities of drugs that suggest they may be engaged in the supply of drugs to others.

Any person found attempting to bring drugs or weapons into the premises shall be refused entry and banned from future entry. Similarly any person found in possession of drugs or weapons on the premises shall be excluded from the premises and banned from future entry.

11. The premises shall prominently display signage at all entrances informing customers:
 - All persons entering and exiting this premise are liable to be searched.
 - Agreement to search is a condition of entry. If persons do not consent, entry will be refused.
 - Police may be called if drugs or weapons are found.
 - CCTV is in operation throughout these premises and is made available to the police.
 - Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.
 - Management reserve the right to refuse entry
 - To leave quietly and respect your neighbours

The club will advertise its search on entry and exit policy on their website and ticketing, ensuring patrons are aware that this is a condition of entry and that any person refusing to be searched will have to remain at the club until police attend.

12. The venue shall implement a search on exit policy with the purpose of deterring offenders entering the premises and committing crime within.

The dates and times during which search on exit is being operated at the premises should be recorded in the security log.

Security Staffing Procedures

13. A register of security personnel employed on the premises shall be maintained in a legible format and made immediately available upon request by an authorised officer. The register should be completed by the DPS/duty manager/ nominated staff member at the commencement of work by each member of security staff and details recorded should include: Full name, SIA badge number, registration expiry date and time of commencement of duties. The security operative should then sign their name against these details. This record shall be made immediately available upon request by Police or Local Authority Officers.
14. A record of allocated security positions shall be kept at the premises, to record the location and duties for each member of security and marshals/stewards. This record shall be made immediately available upon request by Police or Local Authority Officers.
15. All door staff to receive a briefing at the start of their duty to include any updates on local crime trends. Each member of security shall sign off to confirm that they have been briefed. A written record of the details of nightly security briefing shall be kept and made available upon request by an authorised officer, together with briefing sign off sheets.
16. Each security staff member, member of management, technical staff, department supervisors and medics shall be equipped with a radio or other form of electronic communication devices to aid communication with each other, including the use of ear-pieces to ensure communications can be properly heard and understood at all times the premises are open to the public.
17. The management must instruct security staff and other staff members to assist police or local authority officers with any enquiries they make in the execution of their duties.
18. Two covert SIA registered staff shall be employed at the premises when open to the public.
19. The premises are to take all reasonable steps to make security and other staff members aware of the identities of excluded persons. The premises are to keep a record of all excluded persons. This record is to be made available to police officers and local authority officers on request.
20. Undercover "spotter" staff shall be employed at the premises whose duties shall include looking for signs of drug use or dealing, potential thieves and other suspicious or inappropriate behaviour.
21. Incident logs shall be kept at the premises, and made available on request to the Police or Local Authority Officers, which will record the following:
 - all crimes reported to the venue
 - all ejections of patrons
 - any complaints received
 - any incidents of disorder
 - all seizures of drugs or offensive weapons
 - any faults in the CCTV system equipment
 - any refusal of the sale of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.
 - Persons refused entry for intoxication or providing false ID
 - Altercations in the queue or venue
 - Any person becoming ill or unconscious / unresponsive in the venue
 - Any visit by a relevant authority or emergency service.
 - Any other significant incident

The logs shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premise is open.

Any information regarding crimes committed within the premises, including suspected drug dealing or violence, shall be reported to the police immediately or as soon as is reasonably practicable.

Supply of Alcohol

22. No alcohol shall be sold or supplied for consumption off the premises.
23. No patron shall be permitted to leave the designated licensed area in possession of any glass vessel.
24. The sale of alcohol must be ancillary to the use of the premises for music and dancing.
25. No glass bottles shall be sold over the bar without first being decanted, with the exception of champagne and spirit bottles in the dedicated VIP area. Staff shall remove empty champagne and spirit bottles promptly. Polycarbonate glassware shall be used at all times when the premises is operating as a nightclub.
26. On induction staff shall receive training relevant to their role on alcohol and drug awareness, responsible retail of alcohol, conflict management, crime scene preservation, premises licence conditions, incident reporting procedures, cash handling, property management, evacuation procedures and security awareness. All staff shall sign to acknowledge receipt of this training and regular refresher training relevant to their role shall be carried out. Records of staff training shall be kept available for inspection, including the type and date of training received.

CCTV

27. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge to assist in the immediate investigation of offences. If the system malfunctions and will not be operating for longer than one day of business then Police must be informed.

Customer welfare / Crime Prevention

28. Pre-opening checks shall be carried out and recorded prior to the admission of the public. Checks shall include:
 - All emergency lighting/club lighting working and in order
 - Test emergency public address system
 - Ensure all fire exits/stairwells are clear and unobstructed
 - Check exits at street level and remove any obstructions
 - Unchain and unlock all fire exit doors
 - Ensure all extracts/supply fans are working correctly
 - Ensure all rubbish is placed in designated rubbish area
 - Make sure all signage/projected signage in working order
 - Make sure all emergency exit signs and crime prevention notices in place

- All queue barriers in place
 - Issue all radio, or other forms of electronic communication
 - All security and stewards in position
 - All staff in appropriate uniforms and badges displayed
 - All bins in place
 - All bottle bins in place
 - Cash floats issued and cash locked away in back bar areas
 - Issue all management sets of keys/bar keys
 - Check all toilets/sinks are working with running water
 - Ensure all staff and security have signed in
 - Check CCTV is fully operational
 - Search arches and wands are working and in place
 - Medical staff are on duty and medic room ready for use
 - All safety equipment is in place
29. A dedicated and secure medic area shall be provided with easy access for paramedics/ambulance. A minimum of two trained medical staff shall be employed at the venue when it is operating as a club. Medical staff shall be trained in the ability to spot and monitor someone who is under the influence of either alcohol and/or drugs, together with knowledge of the remedies/procedures necessary to assist them with recovery. All staff shall take medical instructions from the onsite medical team. In addition at least one manager on duty shall hold a current first aid at work qualification.
- If an ambulance is called and customer taken to hospital the police must be notified.
- First Aid boxes shall be maintained throughout the venue, including all bars, the security office and entrance/exit points.
30. The maximum number of persons accommodated at any one time in the premises shall not exceed the following:
- | | |
|--|-------------|
| Basement Stage Two and Rooms Back of Stage Two: | 10 |
| Basement and Mezzanine One Dance Floor Three: | 1200 |
| Mezzanine One VIP Suite: | 300 |
31. Staffed and clearly sign posted cloakroom facilities shall be provided for customer use during the whole time the premises is in use by customers.
32. A clearly signed and visible staffed lost property area shall be provided at all times with the means to contact door supervisors immediately if a theft is reported. Telephones shall be made available for customers to report the loss or theft of items such as bank cards and telephones. Details of lost property reported or found must be recorded, and records forwarded to police on a weekly basis.
33. A crime prevention policy shall be in place with the aim of tackling the latest crime trends associated with the venue.
34. Privacy shields must be fitted to all chip and pin machines (PDQ's). The privacy shields must be sufficient to prevent customers Personal Information Numbers (PIN) being compromised.
35. An internal security team, clearly identifiable, shall be employed within the venue. Their duties shall include:
- Looking for any individuals who are under the influence of excessive alcohol consumption or drugs
 - Signs of potential conflict

- Consumption of drugs/and or dealing
 - Ensuring the free flow of customers
 - Preventing unauthorised access to non-customer areas
 - Ensuring broken glass and spillages are promptly cleared
 - Safe guarding unattended property
 - Ensuring emergency exits and escape route are kept clear
 - Ensuring stairways are clear and customers do not loiter on stairways
 - Ensuring empty and unattended drinks vessels are removed
 - Actively advising patrons regarding the security of their property
36. The licence shall be subject to the Council's Technical Standards for Places of Entertainment.

Noise Control

37. A maximum noise level of 116 dBL (103dBA) shall not be exceeded on dance floor 1. The measurement position is at 1.2m in the centre of the dance floor under the ring of high frequency speakers. Levels in the octave bands of 63 and 125Hz shall not exceed 114 and 110dB respectively.
- These levels shall not be exceeded except with the permission of the Council.
38. The name and contact telephone number of the person(s) in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen from the outside of the premises.

Dispersal

39. The licensee shall employ a dedicated cab company for the collection of customers to minimise disturbance to local residents.
40. Door Supervisors stationed outside the venue shall remain on duty until all customers have left the vicinity of the premises.
41. At least one duty manager shall be present outside the venue until all customers have dispersed from the vicinity of the premises, unless called away to deal with an emergency situation. They shall ensure:
- Security encourage all departing customers to leave the area orderly, safely and quietly
 - The vicinity of the venue is clear of litter associated with customers of the premises.
42. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

Police Liaison and Partnership

43. The club's monthly event calendar to be sent to the Licensing Authority and Police Licensing team prior to the start of each month, together with any subsequent amendments.
44. No outside promoters shall be used.
45. A member of the premises management (whether the DPS or other owner/manager) must attend all Police Licensing Forums organised by the local police when invited and actively participate in the local Pubwatch scheme.
46. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

Smoking Area

47. All patrons wishing to smoke on the premises must be directed by signage and staff to use the designated smoking area of the premises. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
48. The dedicated customer smoking area shall be maintained secure and only accessible via the premises. No drinks shall be permitted within the smoking area and customers shall be encouraged not to loiter within the smoking area. Any customer engaging in activity likely to cause a nuisance to occupants of dwellings within the vicinity shall be asked to leave.
49. Lighting in the smoking area shall be set to a standard agreed with the police and the licensing authority.
50. CCTV coverage in the smoking area to be agreed with the police and the licensing authority. Signage shall be displayed indicating that CCTV cameras cover the smoking area.
51. A minimum of one overt SIA registered door supervisor per 50 customers present in the smoking area, shall be employed in the smoking area at all times the premises are open to the public; they shall be required to wear a yellow or orange high visibility jacket, vest or tabard.
52. The premises licence holder shall adopt a policy of carrying out random drug searches of customers using the smoking area. Signage shall be displayed in the smoking area indicating that such searches will be carried out. A record shall be kept of all such searches.

Website

53. The website maintained by the premises licence holder shall clearly promote the zero drugs policy as agreed by the licensing authority and adopted by the premises licence holder at all times.

Annex 4 – Plans

Reference Number: ISL86676



ISLINGTON

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

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 this 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.

You may wish to keep a copy of the completed form for your records.

I PC Steven HARRINGTON 425NI on behalf of the Commissioner of Police of the Metropolis

.....

Apply for the review of a premises license under Section 51 of the Licensing Act 2003 described in part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
FABRIC	
77A CHARTERHOUSE STREET	
Post town LONDON	Post Code EC1M 3HN

Name of premises licence holder or club holding club premises certificate (if known)
Fabric Life Limited 12 Greenhill Rents London EC1M 6BN

Number of premises licence or club premises certificate (if known)
LN/4086-030613

Part 2 - Applicant details

I am

Please tick ✓ yes

an interested party (please complete (A) or (B) below)

a person living in the vicinity of the premises

a body representing persons living in the vicinity of the premises

a person involved in business in the vicinity of the premises

a body representing persons involved in business in the vicinity of the premises

a responsible authority (please complete (C) below)

a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Pc Steven Harrington 425NI Police Licensing Officer C/O Islington Council Public Protection Division 222 Upper Street London N1 1XR
Telephone number (if any) 07799133204
E-mail address (optional) licensingpolice@islington.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| public safety | <input checked="" type="checkbox"/> |
| the prevention of public nuisance | <input type="checkbox"/> |
| the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

I am Police Constable Steven Harrington 425NI Police Licensing Officer for Islington and I act on behalf of the Commissioner of Police of the Metropolis.

Fabric Nightclub: In the last three years, since 30/07/2011 there have been 8 incidents of patrons collapsing at the venue having taken illegal drugs. (Listed below) Four of these incidents resulted in the near death of the victims and four have resulted, unfortunately, in the death of the victims. Two of these drug related deaths at the venue have occurred in the last three months. The last incident occurred on Monday 15th September 2014. Fabric staff did not call or request Police attendance for any of these incidents. Police have only been made aware by LAS or by Hospital staff.

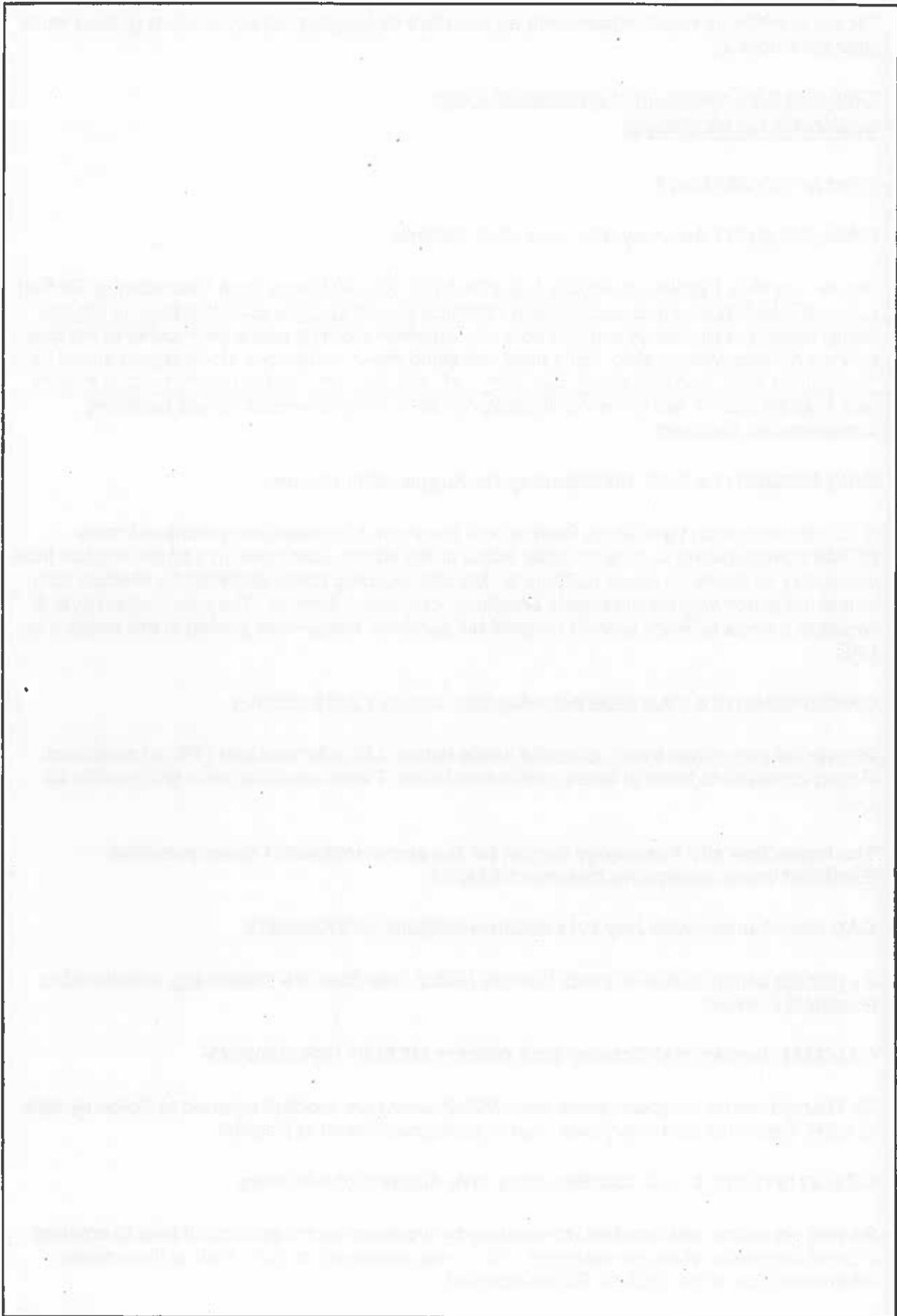
The levels of this type of incident are wholly disproportionate to other late night club venues in the area. I am not aware of any similar incidents at any of the other club venues in Islington Borough or in fact within the MPS.

In the last six months between 1st April 2014 and 1st October 2014 there have been 12 drug related offences at the premises where Police have been called to deal. (Listed below in the summary of incidents).

The Police invite the Sub-Committee to consider all proportionate and appropriate options available to them in order to deal with the issues arising at this premise and to promote the licensing objectives in the future.

Engagement:

The venue has been visited a number of times over the last three years and there have been meetings between the Management team of Fabric and the Senior Leadership Team from Islington Police. Letters and electronic correspondence have also been sent seeking voluntary implementation of measures to prevent further incidents of drug ingestion. The details of the above are in the attached schedule. (Fabric schedule of incidents).



Please provide as much information as possible to support the application (please read guidance note 2)

CRIS and CAD reports in chronological order:

SUMMARY OF INCIDENTS

CRIS & CAD REPORTS

CRIS 2719820/11 Saturday 30th July 2011 0336hrs

18 year old male travelled to Fabrics Night Club with 20 - 30 friends from Bedfordshire. He had taken MDMA that they had purchased in Bedfordshire whilst at the club. It seems he reacted badly, suffering seizures. Around 03.36hrs on Saturday morning police were called to the club by the LAS who were dealing with a male exhibiting violent behaviour. However, on arrival he had calmed down and was being treated by LAS. He was taken to the hospital where a coma was induced and he was placed on life support. By Sunday afternoon he was breathing independently. Survived

CRIS 2720005/11 & CAD 1057/Monday 1st August 2011 0030hrs

A 23 year old patron travelled to Fabrics from Stanmore Middlesex and purchased some MDMA from someone outside the club. Some of the MDMA was mixed in a bottle of water from which they all drunk. At about 12.30am on Monday morning police attended the medical room where the patron was having trouble breathing, lung had collapsed. The patron spent over 2 weeks in a coma in Royal London Hospital but survived. Police were alerted to this incident by LAS.

CRIS 2702344/12 & CAD 2229/Saturday 28th January 2012 0550hrs

28 year old patron was found collapsed inside Fabric. LAS attended and CPR administered Patron conveyed to hospital where pronounced dead. Police were alerted to this incident by LAS.

The Inquisition and Toxicology Report for the above incident. Copies provided. Exhibited in accompanying statement SAH/13

CAD 2794 Sunday 29th July 2012 0653hrs MERLIN 12FOU006877

21 year old patron collapsed inside Fabrics, MDMA overdose, life threatening, transferred to hospital & survived.

CAD 2474 Sunday 21st October 2012 0655hrs MERLIN 12FOU009473

22 Year old patron collapsed inside club. MDMA overdose. Incident reported to Police by staff at UCH. Fabric did not notify police. Patron pronounced dead at Hospital.

CRIS 2718173/13 & CAD 2504/Saturday 17th August 2013 0626hrs

24 year old patron was supplied with ecstasy by unknown person and took it prior to entering Fabrics Nightclub, where he collapsed. Patron was conveyed to UCH. Staff at the hospital informed Police of the incident. Patron survived

CRIS 2717261/14 & CAD 1499/Saturday 26th July 2014 0246hrs

21 year old patron attended Fabric and allegedly took illegal substances prior to entering the club. Patron collapsed in the club. LAS were called and attended. Patron conveyed to the UCH where later died. Police were alerted by LAS to this incident.

CRIS 2721386/14 Sunday 14th September 2014 0100hrs

An 18yr old female attended Fabric with some friends. The female purchased some MDMA powder within the premises and she and her friends took some. Female became ill and was eventually taken to hospital by Ambulance. The female has subsequently died. The venue did not inform the Police of the incident even though Police Sergeant Instone visited the premises between 5-6am during the time that the female was taken ill and spoke with the head of Security who stated that there were no problems. Police were only made aware of the incident when Staff at the Royal London Hospital contacted Police on Monday 15th September 2014 at 1434hrs.

Below is an extract from the details of investigation Page 1;

VIW2 stated he and VIW1 had gone to Fabric on Saturday 13th September just before midnight. Whilst in the club they started looking for drugs. The club is apparently on a number of levels. She first approached an Italian male on the second level and asked him where she could get some drugs. He told her 'The Italian guy upstairs on the third floor.' They went up to third floor and VIW1 purchase half a gram of what they believed to be MDMA powder. VIW2 does not know how much she paid for it.

The twelve recent drug related offences are as follows:

CRIS 2713924/14 - 16/04/2014 Person arrested on suspicion of Possession of drugs with intent to supply. MDMA Ongoing at this time.

CRIS 2709163/14 - 19/04/2014 MDMA Charged with possession.

CRIS 2709238/14 - 20/04/2014 charged with Possession with intent to supply MDMA and Ketamine

CRIS 2715557/14 - 06/07/2014 Caution for possession of MDMA

CRIS 2716727/14 - 20/07/2014 Caution for possession of MDMA

CRIS 2716726/14 - 20/07/2014 Caution possession of Ketamine

CRIS 2716728/14 - 20/07/2014 Caution possession of Ketamine

CRIS 2718997/14 - 17/08/2014 Possession with intent to supply. Awaits drugs analysis

CRIS 2720051/14 - 30/08/2014 Possession with intent to supply. Awaits drug analysis

CRIS 2720053/14 - 30/08/2014 Charged with Possession with intent to supply MDMA

CRIS 2721813/14 - 20/09/2014 Arrested on suspicion of possession of Class A drugs with intent to supply. Investigation ongoing

CRIS 2722431/14 - 27/09/2014 Arrested on suspicion of possession of Class A drugs with intent to supply. Investigation ongoing

SUMMARY & RECOMMENDATIONS

Fabric is a venue that appears to attract younger clientele. It attracts clientele from all over Europe and it would seem that the immaturity or lifestyle of these patrons leads to them becoming actively involved in the taking of illegal drugs and this could account for the disproportionate and wholly unacceptable number of deaths and near death incidents at the venue. The use of recreational drugs is far more prevalent than in the past and they are cheaper and far more readily available now and as a result of this Police would expect the Management of the venue to put in place all options open to them in an attempt to prevent these drugs being sold and used within their venue and to promote the Licensing Objectives. The management have engaged with Police but although there have been a number of letters and correspondence exchanged since 2012 and most recently following the two the deaths in July and September 2014, none of the recommendations suggested by Police have as yet been agreed or implemented.

A meeting was held at Islington police Station on 21st August 2014 in response to the death of the patron on 26/07/2014 and was between Supt Steve Deehan, the Owner of the club, the club's head of security, the Council Licensing Managers and Pc Paul Hoppe Police Licensing Officer. This meeting was to discuss the death and measures to be put in place to prevent any further such incidents. Minutes of this meeting are exhibited as SAH/04. However just a few weeks later a further death occurred at the premises.

During the last three years there have been a number of meetings, visits and letters from the Police giving recommendations to assist in dealing with the issues at the venue. The Management have engaged with Police but only to a certain level, stopping short of implementing the recommendations suggested by police. It is now time for effective measures to be implemented in an attempt to prevent any future deaths or near death incidents within the venue.

In light of this Police would seek as a minimum, the following:

1: An ID scanning system to be installed and operated at the venue during all hours of operation.

This will allow for the identification of all persons within the venue and will assist in identifying suspects involved in criminal activity within the club. This will also assist victims and police in identifying suspects. The system will automatically alert the staff to persons who have been barred from the venue. The system can be linked to other premises where the same system is operating allowing an exchange of information regarding persons involved in the sale or use of drugs and who have been barred from either venue for such.

In the last incident described above CRIS 2721386/14 September 14th 2014 the friends of the person who collapsed described the person who had sold them the drugs. If some form of scanning equipment had been in use this person could have been identified from the images stored on the scanner and if the time this person entered the club was logged then the scanner could have been used to identify the individual.

2: Drugs dogs to be used outside of the venue for at least 50% of the hours of operation per night. Shifts to be varied from night to night. Any person identified by the drugs dog, to be refused entry. A log to be kept of the hours the dogs are deployed and numbers of refusals.

The dogs would work in and at the front of the queue. Police would require the full details and track record of any company used to supply the dog and the company would only be employed on the approval of the Police. *Any person indicated by the dog will be refused entry. At times when the drug dog is not operating then a full search of persons and bags will be carried out by SIA Registered door staff. Everyone entering will be searched without exception. A full written record will be maintained listing all seizures of drugs found on persons and this record will be made available immediately to a Police Officer or officer from a responsible authority. Any person found attempting to enter with drugs will be barred from the venue.*

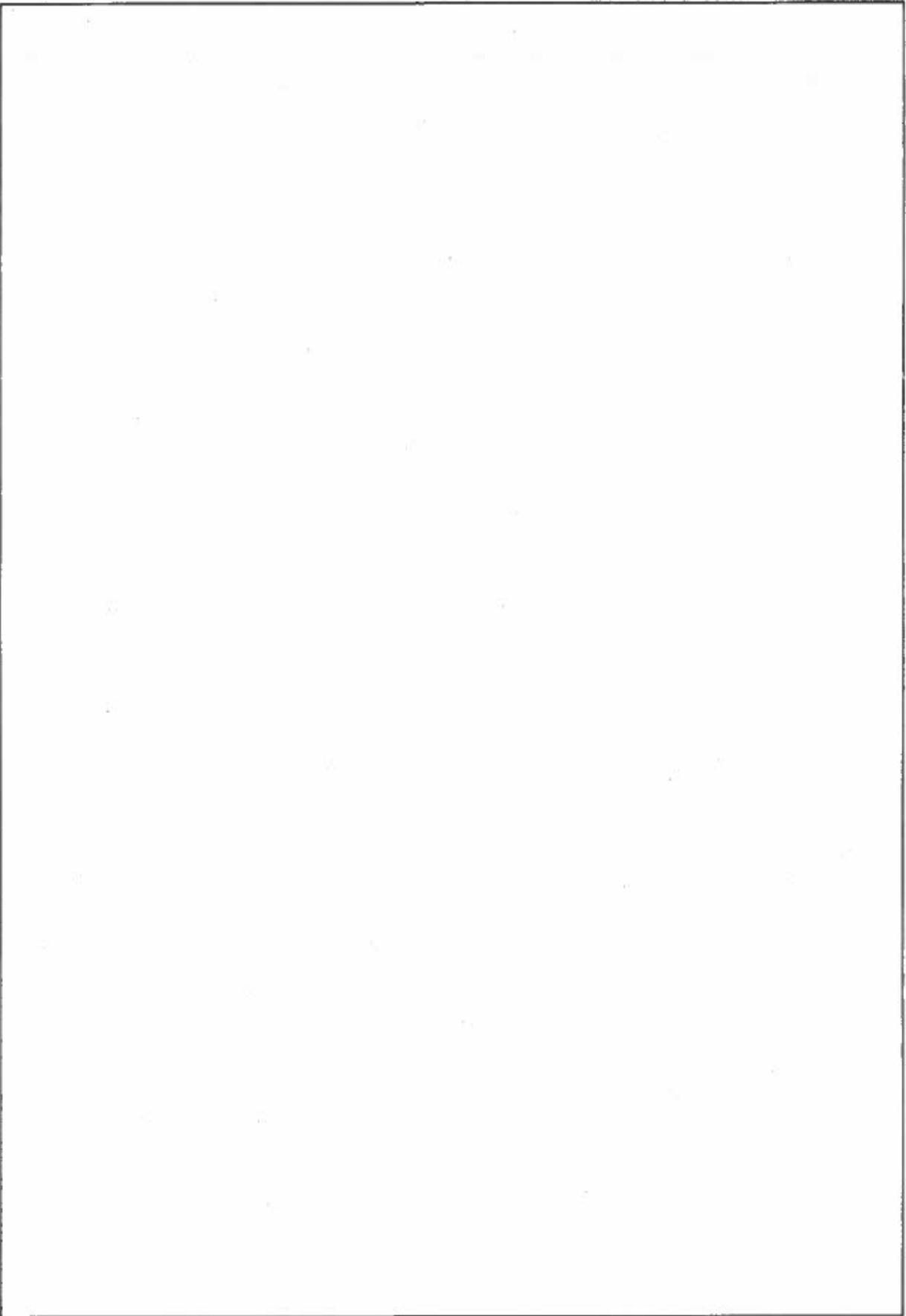
This condition would assist the venue greatly in reducing the amount of drugs within its premises. It will also allow the door supervisors to turn away people from the club who have handled drugs and perhaps taken them before they try and enter the venue. This would also act as a deterrent to persons who would normally attend the club to purchase or sell drugs within the venue

3: CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately free of charge.

This will allow investigating officers to progress a criminal investigation far more speedily and efficiently and assist in the identification of suspects when cross referenced with the ID Scanning system. This will also act as a deterrent to persons who currently feel that they can take or sell drugs within certain locations within the venue and not be identified

4. No patron will be admitted to the premises without being subjected to a thorough search of their person and bag.

The Police invite the Sub-Committee to consider the options set out above as well as any further action they deem appropriate and proportionate in order to promote the licensing objectives.



Please tick ✓ yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to this premises please state what they were and when you made them

Please tick ✓ yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature James Pearce
Date Thursday 6th November 2014
Capacity Licensing officer for Metropolitan Police Service

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

The ground(s) for review must be based on one of the licensing objectives.

Please list any additional information or details for example dates of problems which are included in the grounds for review if available.

The application form must be signed.

An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

This is the address which we shall use to correspond with you about this application.

ISLINGTON COUNCIL LICENSING SUB-COMMITTEE
DECISION FORM

Licensing Sub-Committee D – 18 December 2014

Fabric, 77a Charterhouse Street, EC1

DECISION

The Sub-Committee have decided to modify the premises licence in respect of **Fabric, 77a Charterhouse Street, EC1** with the addition of conditions as outlined on Appendix 4 on page 195 of the report, including the draft conditions proposed by the licensing authority 1-49 on pages 162-170.

The following amendments regarding the licensing authority proposed conditions are set out below:-

Condition 1 – Final paragraph to read. In addition queuing arrangements shall be in accordance with any plan agreed in writing to the venue operators by Local Authority licensing officers or the Metropolitan Police.

Condition 9 – First paragraph to read. No patrons shall be admitted or re-admitted to the premises unless they have passed through a metal detecting search arch or scanned with a search wand.

Conditions 13 and 23 – Add the wording 'subject to a threshold agreed by the police'.

Condition 31. Add the wording 'if an ambulance is called and customer taken to hospital the police must be notified'.

The determination of the sub-committee (including the reasons for the decision) will be provided to you in writing within 5 working days.

Appendix 3

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and read all the material. The Sub-Committee reached the decision having given consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee noted that the police recognised that the premises were well managed but that customers at Fabric are exposed to an exceptional risk in relation to illegal drugs. The premises have search procedures in place but recent incidents indicate that these procedures are not sufficient.

The Sub-Committee noted that Fabric in principle did not object to the use of a drugs dog at the premises but requested additional time in order to put a drugs dog into operation. The police submitted that the highest degree of certainty was required as to when the drugs dog would be implemented at the premises, in order for the prevention of crime and disorder licensing objective to be promoted. The Sub-Committee decided that the condition proposed by the police would mitigate further risk to Fabric's customers and that there should be no delay in implementing this. The proposed condition was therefore proportionate and justifiable. The Sub-Committee noted the evidence of Inspector O'Hara and was satisfied that Fabric would be able to source the required drug dogs in the private sector.

The Sub-Committee noted that Fabric had ID scanners in place and that they were looking for the proposed police condition to be amended to give them some discretion regarding customer ID scanning. The Sub-Committee noted that, with regards to invasion of privacy, the police would only download information from Fabric ID scan if an offence was committed at the premises and that introduction of judgement or intelligence led discretion would undermine the purpose of the ID scanning machine. The Sub-Committee was satisfied that the condition proposed by the police was proportionate and would promote the licensing objectives.

The Sub-Committee noted that in accordance with condition 19 of the current premises licence, the venue should have an Operating Plan which was updated sporadically to reflect new operating procedures. The conditions proposed by the licensing authority set out in Appendix 2 would form the new Operating Procedures for the venue.

Fabric submitted a document detailing their proposed changes to Appendix 2 and this was considered as follows:-

- Condition 1. The proposed amendment was accepted.
- Condition 3. This amendment was refused as the Sub-Committee accepted the police condition regarding ID scanners.
- Condition 5. This condition was to be included because the Sub-Committee noted that the provisions were already in place and had been developed over a number of years. The Sub-committee noted the licensing authority's request that the arrangements should be retained and that, in order to promote the licensing objective to prevent public nuisance, it was proportionate and justifiable for this condition to be imposed.
- Condition 9. This condition to be removed.
- Condition 11. This amendment was refused as the Sub-Committee accepted the police condition regarding the use of drug dogs.
- Condition 12. The condition was to be included because the Sub-Committee noted that the premises already undertake monitoring at the premises. The licensing authority submitted that the proposal was in accordance with good practice and would ensure that the licensing objective to promote public safety would be promoted.
- Condition 13 and 23. Amendments proposed by the Sub-Committee were accepted by the licensing authority and the police.
- Condition 31. The Sub-Committee noted that Fabric were now aware that they were required to take this action and the Sub-Committee therefore concluded that it was proportionate to include it as a condition.
- Condition 39. The Sub-Committee noted that the Technical Standards for the Places of Entertainment is a document that the Council still works to and Fabric accepted this condition should remain in place.

The Sub-Committee noted the representation from the noise team and that the proposed conditions would modernise the operating procedures in relation to noise control. The Sub-Committee noted that, when the current conditions were originally written, the smoking ban in public places was not in place. The Sub-Committee also noted the evidence of the interested parties regarding noise breakout from the premises and the Sub-Committee was therefore satisfied that the proposed conditions were proportionate and justifiable to promote the licensing objectives.

The Sub-Committee considered the Home Office guidance, paragraphs 11.24 – 11.28 regarding reviews arising in connection with crime. The Sub-Committee noted that where the crime prevention objective was being undermined, revocation should be seriously considered. However, following submissions of all the parties, the Sub-Committee was satisfied that, in this case, the licensing objectives would be promoted with the imposition of the additional conditions.

Note of the Committee

At the hearing, Fabric provided interested parties with contact details for their management to deal with public nuisance issues. This was welcomed by the Sub-Committee.

Conditions suggested by Metropolitan Police Service:

1. ID scanning system shall be installed and operated at the venue during all hours of operation.
2. Drugs dogs shall be employed outside the venue for at least 50% of the hours of operation per night. Shifts shall be varied from night to night. Any person identified by the drugs dog shall be refused entry. A log shall be kept of the hours that the dogs are deployed and the numbers of refusals.
3. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request, free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images free of charge.
4. No patrons shall be admitted to the premises without being subjected to a thorough search of their person and bag.

Conditions suggested by the Licensing Authority

As shown in representation 1 at Appendix 2

Conditions suggested by the Noise Service

In addition to the existing licence noise conditions:

5. Entertainment noise control systems (noise limiters) shall be installed and calibrated so the maximum sound levels approved by the Council shall not be exceeded.
6. The entertainment noise control systems (noise limiters) shall be checked and calibrated by an acoustician accredited by the Institute of Acoustics annually (at the time of the payment of annual fees) and copies of the calibration certificates shall be forwarded to the Pollution and Licensing Teams.
7. The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the Licensee or a designated manager.
8. The rear designated smoking area shall be managed in order to prevent noise nuisance to neighbours.
9. The rear smoking area shall be supervised at a rate of one identifiable steward per 25 customers. At least 50% of stewards employed shall be SIA registered to maintain order in the rear smoking area.
10. There shall be no sales of food or refreshments in the rear smoking area.
11. There shall be no heating or shelters provided to the rear smoking area.

Fabric - Draft Conditions

Queuing and outside management

<p>1</p>	<p>Queuing arrangements on the public highway shall be arranged so as:</p> <ul style="list-style-type: none"> ➤ To prevent crime and disorder within the venue by deterring organised and opportunist offenders from entering the venue ➤ not cause an obstruction or nuisance to those wishing to enter other premises or use the public highway ➤ to facilitate the club entry procedures with a view to minimising queuing times. <p>In addition queuing arrangements shall be in accordance with any plan stipulated in writing to the venue operators by local authority licensing officers or the Metropolitan Police.</p>
<p>2</p>	<p>The venue queuing system will be organised so as to provide for,</p> <ul style="list-style-type: none"> • a number of points of contact with SIA licensed door supervisors within the queue, by providing a break in the queue supervised by a SIA registered door supervisor where questioning of patrons takes place prior to the search point and entrance to the venue • for SIA licensed door supervisors to question potential patrons on a one to one basis about their attendance at the venue before they progress to a final venue entry queue • for identification scanning to take place prior to entry • to allow for crime prevention advice to be given to patrons whilst in the queue • the designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear with adequate security and stewarding staff deployed to deliver the agreed queue plan at all times.
<p>3</p>	<p>A minimum of 1 SIA registered door supervisors per 100 customers present, including customers queuing, shall be on duty at the premises at all times whilst it is open for business, at least one of whom shall be a female. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall be clearly identifiable. All persons to be searched shall only be searched by an SIA trained member of staff and the location where the search is to take place must be monitored by the premises CCTV system. All door staff to receive a briefing at the start of each shift which should include updates on relevant police information and the identity of banned customers.</p> <p>The duties of the SIA licensed door staff and stewards shall include,</p> <ul style="list-style-type: none"> • Stopping any pushing or shoving in the queue that could cause a surge towards the door • Looking for ticket touts • Looking out for people under the influence of drugs and/or alcohol to prevent them entering the premises

	<ul style="list-style-type: none"> • Ensuring customers are in the correct queue lane • Answering queries and directing people to the appropriate staff member. • Looking out for, and clearing, litter – in particular glassware. • Preventing persons from drinking alcohol in the queue • Informing any potential customers seen drinking alcohol on the street in the vicinity of the club that they will not be permitted entry to the club unless they immediately cease. • At least one SIA licensed door supervisor should be engaged in initial questioning within the queue to screen patrons. • Ensuring each customer entering the venue has been satisfactorily vetted by the computer based identification entry system. • Ensuring no persons under 18 years of age enters the premises • Ensuring patrons are being searched in accordance with the search policy. • Report any suspicious behaviour to the venue manager. • Ensuring accurate numbers of patrons entering and existing the premises are recorded.
4	<p>At least one experienced member of the venue management team shall be stationed at the entrance at all times the venue is in operation under the licence, unless called away to deal with an emergency situation. He / she should ensure that door staff are operating as outlined within these conditions, particularly with regard to actions to prevent drugs and crime.</p>
5	<p>Staff shall be employed to patrol the immediate vicinity of the premises to include Peter's Lane, Cowcross Place and St John's Lane around the Save the Children Building. They shall be specifically briefed to:</p> <ul style="list-style-type: none"> • Deter customers from urinating, littering, loitering or engaging in street drinking in these areas • When not patrolling to maintain a static position on Peter's Lane. • If people are loitering to ask them politely and quietly to move on. • Moderate the volume of their own voice and radio so as not to cause any potential addition disturbance. • If someone is abusive, refuses to keep quiet or move away call for assistance on their radio. • Regularly visually check the entrance of 88 Cowcross Street to ensure doorway clear at all times • Ensure Corps Shutter is down at all times when the club is open, if not, to notify the Club's General Manager or Duty Manager. • Where possible move minicab touts and vehicles attempting to park illegally in the vicinity. If driver refuses call 101 to report them and indicate this action to the person • If it is one of the drivers operating for the club, to take their details (driver number on rear view mirror ticket) and radio or pass details to the Club's management.

6	All SIA licensed door supervisors and stewards engaged in managing the queuing system and entry shall be clearly identifiable.
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Entry / Exit Policy and Controls

7	No persons under 18 years shall be permitted on the premises.
8	A proof of age scheme, such as Challenge (25), shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving license or passport / holographically marked PASS scheme identification cards)
9	<p>No patrons shall be admitted or re-admitted to the premises (excluding those who are re-entering from the smoking area) unless they have passed through a metal detecting search arch or scanned with a search wand.</p> <p>No patrons shall be admitted to the premises without being subjected to a thorough search of their person and bag.</p> <p>All patrons wishing to smoke on the premises must be directed by signage and staff to use the designated smoking area of the premises. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly. All staff engaged in controlling this area, shall be clearly identifiable.</p> <p>Signs adverting the search policy shall be prominently displayed at the entrance. All searches must be carried out where they can be monitored by the club's CCTV system.</p>
10	ID scanning system shall be installed and operated at the venue during all hours of operation.
11	Drugs dogs shall be employed outside the venue for at least 50% of the hours of operation per night. Shifts shall be varied from night to night. Any person identified by the drugs dog shall be refused entry. A log shall be kept of the hours that the dogs are deployed and the numbers of refusals.
12	A record of numbers of persons accommodated within the premises shall be continually maintained. An hourly written record of these numbers shall be maintained at the door and made immediately available for inspection by authorised officers. The hourly record shall also include a record of accommodation splits within the premises. Hourly records shall be signed by a duty manager.
13	<p>A drugs safe and log system will be employed at the premises to record all seizures of drugs and weapons from customers. The premises management shall liaise with police on a weekly basis to report, and arrange for the collection of, any seized drugs and/or weapons. All seized items will be placed into evidence bags provided by police. The bags will be sealed, signed by person taking the drugs and times and dates written.</p> <p>The premises management will ensure that the Police are called to the premises where individuals are found in possession of quantities of drugs that suggest they</p>

	<p>may be engaged in the supply of drugs to others.</p> <p>Any person found attempting to bring drugs or weapons into the premises shall be refused entry and banned from future entry. Similarly any person found in possession of drugs or weapons on the premises shall be excluded from the premises and banned from future entry.</p>
14	<p>The premises shall prominently display signage at all entrances informing customers: -</p> <ul style="list-style-type: none"> • All persons entering and exiting this premise are liable to be searched. • Agreement to search is a condition of entry. If persons do not consent, entry will be refused. • Police may be called if drugs or weapons are found. • CCTV is in operation throughout these premises and is made available to the police. • Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed. • Management reserve the right to refuse entry • To leave quietly and respect your neighbours <p>The club will advertise its search on entry and exit policy on their website and ticketing ensuring patrons are aware that this is a condition of entry and that any person refusing to be searched will have to remain at the club until police attend.</p>
15	<p>SIA licensed door supervisors will instigate search on exit during each opening session in order to deter offenders entering the premises and committing crime within.</p> <p>The times during which search on exit is being operated at the premises should be recorded in the security log.</p>

Security Staffing Procedures

16	<p>A register of security personnel employed on the premises shall be maintained in a legible format and made immediately available upon request by an authorised officer. The register should be completed by the DPS/duty manager/ nominated staff member at the commencement of work by each member of security staff and details recorded should include; Full name, SIA badge number, registration expiry date and time of commencement of duties. The security operative should then sign their name against these details. This record shall be made immediately available upon request by Police or Local Authority Officers..</p>
17	<p>A record of allocated security positions shall be kept at the premises, to record the location and duties for each member of security and marshals/stewards. This record shall be made immediately available upon request by Police or Local Authority Officers.</p>
18	<p>All door staff to receive a briefing at the start of their duty to include any updates on local crime trends. Each member of security shall sign off to confirm that they have been briefed. A written record of the details of nightly security briefing shall be kept and made available upon request by an authorised officer, together with briefing sign off sheets.</p>

19	Each security staff member, member of management, technical staff, department supervisors and medics shall be equipped with a radio or other form of electronic communication devices to aid communication with each other, including the use of ear-pieces to ensure communications can be properly heard and understood at all times the premises are open to the public.
20	The management must instruct security staff and other staff members to assist police or local authority officers with any enquiries they make in the execution of their duties.
21	The premises are to take all reasonable steps to make security and other staff members aware of the identities of excluded persons. The premises are to keep a record of all excluded persons. This record is to be made available to police officers and local authority officers on request.
22	Undercover "spotter" staff shall be employed at the premises whose duties shall include looking for signs of drug use or dealing, potential thieves and other suspicious or inappropriate behaviour.
23	<p>Incident logs shall be kept at the premises, and made available on request to the Police or Local Authority Officers, which will record the following:</p> <ul style="list-style-type: none"> • all crimes reported to the venue • all ejections of patrons • any complaints received • any incidents of disorder • all seizures of drugs or offensive weapons • any faults in the CCTV system or searching equipment or ID scanning equipment • any refusal of the sale of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. • Persons refused entry for intoxication or providing false ID • Altercations in the queue or venue • Any person becoming ill or unconscious / unresponsive in the venue • Any visit by a relevant authority or emergency service. • Any other significant incident <p>The logs shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premise is open.</p> <p>Any information regarding crimes committed within the premises, including suspected drug dealing or violence, shall be reported to the police immediately or as soon as is reasonably practicable.</p>

Supply of Alcohol

24	No alcohol shall be sold or supplied for consumption off the premises.
25	No patron shall be permitted to leave the designated licensed area in possession of any glass vessel.
26	The sale of alcohol must be ancillary to the use of the premises for music and

	dancing.
27	No glass bottles shall be sold over the bar without first being decanted, with the exception of champagne and spirit bottles in the dedicated VIP area. Staff shall remove empty champagne and spirit bottles promptly. Polycarbonate glassware shall be used at all times when the premises is operating as a nightclub.
28	On induction staff shall receive training on alcohol and drug awareness, responsible retail of alcohol, conflict management, crime scene preservation, premises licence conditions, incident reporting procedures, cash handling, property management, evacuation procedures and security awareness. All staff shall sign to acknowledge receipt of this training and regular refresher training shall be carried out. Records of staff training shall be kept available for inspection, including the type and date of training received.

CCTV

29	CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system will cover the full exterior of the premises and shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request, free of charge. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images free of charge.
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Customer welfare / Crime Prevention

30	<p>Pre-opening checks shall be carried out and recorded prior to the admission of the public. Checks shall include:</p> <ul style="list-style-type: none"> • All emergency lighting/club lighting working and in order • Test emergency public address system • Ensure all fire exits/stairwells are clear and unobstructed • Check exits at street level and remove any obstructions • Unchain and unlock all fire exit doors • Ensure all extracts/supply fans are working correctly • Ensure all rubbish is placed in designated rubbish area • Make sure all signage/projected signage in working order • Make sure all emergency exit signs and crime prevention notices in place • All queue barriers in place • Issue all radio, or other forms of electronic communication • All security and stewards in position • All staff in appropriate uniforms and badges displayed • All bins in place • All bottle bins in place • Cash floats issued and cash locked away in back bar areas
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	<ul style="list-style-type: none"> • Issue all management sets of keys/bar keys • Check all toilets/sinks are working with running water • Ensure all staff and security have signed in • Check CCTV is fully operational • Search arches and wands are working and in place • The computer based identification entry system is operational. • Medical staff are on duty and medic room ready for use • All safety equipment is in place 						
31	<p>A dedicated and secure medic area shall be provided with easy access for paramedics/ambulance. A minimum of two trained medical staff shall be employed at the venue when it is operating as a club. Medical staff shall be trained in the ability to spot and monitor someone who is under the influence of either alcohol and/or drugs, together with knowledge of the remedies/procedures necessary to assist them with recovery. All staff shall take medical instructions from the onsite medical team. In addition at least one manager on duty shall hold a current first aid at work qualification.</p> <p>First Aid boxes shall be maintained throughout the venue, including all bars, the security office and entrance/exit points.</p>						
32	<p>The dedicated customer smoking area shall be maintained secure and only accessible via the premises. At least one member of security, wearing high visibility jacket or tabard, shall be present within the smoking area when it is in use. No drinks shall be permitted within the smoking area and customers shall be encouraged not to loiter within the smoking area. Any customer engaging in activity likely to cause a nuisance to occupants of dwellings within the vicinity shall be asked to leave.</p>						
33	<p>The maximum number of persons accommodated at any one time in the premises shall not exceed the following:</p> <table style="margin-left: 40px;"> <tr> <td>Basement Stage Two and Rooms Back of Stage Two:</td> <td style="text-align: right;">10</td> </tr> <tr> <td>Basement and Mezzanine One Dance Floor Three:</td> <td style="text-align: right;">1200</td> </tr> <tr> <td>Mezzanine One VIP Suite:</td> <td style="text-align: right;">300</td> </tr> </table>	Basement Stage Two and Rooms Back of Stage Two:	10	Basement and Mezzanine One Dance Floor Three:	1200	Mezzanine One VIP Suite:	300
Basement Stage Two and Rooms Back of Stage Two:	10						
Basement and Mezzanine One Dance Floor Three:	1200						
Mezzanine One VIP Suite:	300						
34	<p>Staffed and clearly sign posted, cloakroom facilities shall be provided for customer use during the whole time the premises is in use by customers.</p>						
35	<p>A clearly signed and visible staffed lost property area shall be provided at all times with the means to contact door supervisors immediately if a theft is reported. Telephones shall be made available for customers to report the loss or theft of items such as bank cards and telephones. Details of lost property reported or found must be recorded, and records forwarded to police on a weekly basis.</p>						
36	<p>A crime prevention policy shall be in place with the aim of tackling the latest crime trends associated with the venue.</p>						
37	<p>Privacy shields must be fitted to all chip and pin machines (PDQ's). The privacy shields must be sufficient to prevent customers Personal Information Numbers (PIN) being compromised.</p>						
38	<p>An internal security team, clearly identifiable, shall be employed within the venue.</p>						

	<p>Their duties shall include:</p> <ul style="list-style-type: none"> • Looking for any individuals who are under the influence of excessive alcohol consumption or drugs • Signs of potential conflict • Consumption of drugs/and or dealing • Ensuring the free flow of customers • Preventing unauthorised access to non-customer areas • Ensuring broken glass and spillages are promptly cleared • Safe guarding unattended property • Ensuring emergency exits and escape route are kept clear • Ensuring stairways are clear and customers do not loiter on stairways • Ensuring empty and unattended drinks vessels are removed • Actively advising patrons regarding the security of their property
39	The licence shall be subject to the Council's technical standards for Places of Entertainment.

Noise Control

40	<p>A maximum noise level of 116 dBL (103dBA) shall not be exceeded on dance floor 1.</p> <p>The measurement position is at 1.2m in the centre of the dance floor under the ring of high frequency speakers. Levels in the octave bands of 63 and 125Hz shall not exceed 114 and 110dB respectively.</p> <p>These levels shall not be exceeded except with the permission of the Council.</p>
41	The name and contact telephone number of the person(s) in charge of the premises shall be displayed on the premises in a prominent position so that it can be seen from the outside of the premises.

Dispersal

42	The licensee shall employ a dedicated cab company for the collection of customers to minimise disturbance to local residents.
43	Door Supervisors stationed outside the venue shall remain on duty until all customers have left the vicinity of the premises.
44	<p>At least one duty manager shall be present outside the venue until all customers have dispersed from the vicinity of the premises, unless called away to deal with an emergency situation. They shall ensure:</p> <ul style="list-style-type: none"> • Security encourage all departing customers to leave the area orderly, safely and quietly • The vicinity of the venue is clear of litter associated with customers of the premises.
45	The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

Police Liaison and Partnership

46	The club's monthly event calendar to be sent to the Licensing Authority and Police Licensing team prior to the start of each month, together with any subsequent amendments.
47	No outside promoters shall be used.
48	A member of the premises management (whether the DPS or other owner/manager) must attend all Police Licensing Forums organised by the local police when invited and actively participate in the local Pubwatch scheme.
49	A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

FABRIC LIFE LTD -v- LONDON BOROUGH OF ISLINGTON

DRAFT AGREED ADDITIONAL CONDITIONS

1. Lighting in the smoking area to be set to a standard agreed with the police and the licensing authority.
2. CCTV coverage in the smoking area to be agreed with the police and the licensing authority. Signage shall be displayed indicating that CCTV cameras cover the smoking area.
3. Three overt SLA registered staff to be employed in the smoking area at all times the premises are open to the public.
4. Two covert SLA registered staff to be employed at the premises are open to the public.
5. The premises licence holder will adopt a policy of carrying out random drug searches of customers using the smoking area. Signage shall be displayed in the smoking area indicating that such searches will be carried out. A record shall be kept of all such searches.
6. The website maintained by the premises licence holder shall clearly promote the zero tolerance drugs policy as agreed with the licensing authority adopted by the premises licence holder at all times.

Jones, Carol

From: Keshani, Mumtaz
Sent: 10 December 2015 18:06
To: Hart, Jan; Gallacher, Simon
Subject: Fabric Appeal
Attachments: Scanned from a Xerox Multifunction Device.pdf

Jan/Simon

Just a quick note to report on the outcome of the court hearing today when DJ Allison delivered her judgment ex tempore.

Conditions appealed which remained the subject of the appeal were:

No.11 " Drugs dogs shall be employed outside the venue for at least 50% of the hours of operation per night. Shifts shall be varied from night to night. Any person identified by the drugs dog shall be refused entry. A log shall be kept of the hours that the dogs are deployed and the numbers of refusals."

The DJ concluded that rather than promoting the licensing objectives the condition could undermine them. She gave 5 reasons for her decision which I noted.

No 10: "I.D. Scanning system shall be installed and operated at the venue during all hours of operation."

The DJ concluded that it would offer limited value and found the condition to be neither proportionate or appropriate. The condition declined to offer any discretion to Fabric, the reason given for this by the local authority was that it would undermine the licensing objectives.

There were conditions that in her view should be imposed instead and adjourned proceedings for the parties to agree covering the improving lighting to the smoking area, the number of SIA staff patrolling the smoking area, the searching of patrons in/out of the smoking area, and appropriate signage to indicate searches would be undertaken of patrons,

The email attachment lists the conditions that were agreed by the parties and put before the District Judge.

Sarah Le Fevre for the local authority then dealt with all the other conditions which were the subject of the appeal as set out in the Notice of Appeal. She informed the Court that the conditions proposed by the noise service would no longer be part of the licence (i.e. conditions 5,6,7 in Appendix 4 on page 195 of the report. Also conceded by the local authority was:

Condition No 12: "A record of numbers of persons accommodated within the premises shall be continually maintained. An hourly written record of these numbers shall be maintained at the door and made immediately available for inspection by authorised officers. The hourly record shall also include a record of accommodation splits within the premises. Hourly records shall be signed by a duty manager."

The Court was told that Condition No 5 relating to external patrols had been amended by agreement between the parties before the hearing.

There was no application for costs for the DJ to consider and so no order was made in this regard.

In reaching the conclusions she had come to the District Judge stated that the sub-committee quite rightly were very concerned with the situation presented to it, that she did not believe that the sub-committee's decision was wrong nor did she criticise the sub-committee although she noted that the sub-committee had deliberated for 35 minutes and made their decision at 10.35pm and did not have the benefit of the evidence before the court which had heard the case over 3 days.

The DJ also hoped the relationship between Fabric and the police and local authority would improve and suggested that police dogs and handlers could be used to carry out future trials to consider their effectiveness.

The above is a summary of the notes I took as the DJ delivered her judgment. I have asked Counsel to provide us with a note of the hearing by way of a debrief and will forward to you on receipt.

We can meet and go through the reasons for the decision.

Regards
Mumtaz

Mumtaz Keshani
Solicitor, Housing & Prosecutions Team
Legal Services
Governance & HR Services
Chief Executive's Department
Phone: 0207 527 3050
Fax: 0207 527 3425
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Alternative contact: Imogen Wooder : 0207 527 2477 This communication contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee. If you are not the addressee, please note that any distribution, dissemination, copying or use of this communication or the information in it is prohibited. If you have received this communication in error, please telephone me immediately on the above number. Thank you.

Licensing History from 2010

APPENDIX 9

24.6.10

Premises Licence transferred to Fabric Life Limited – Licence No. LN4086-240610

General Manager and DPS Nathan Leslie.

15.9.11

Minor Variation applied for to change Operating Plan in agreement with Police and Licensing Authority. Licence No. LN4086-051011 issued

18.12.12

Police raise concerns about high levels of drugs and crime incidents in Fabric and from the evidence they have form the view Fabric is a place where the use of drugs is accepted by staff and management, and patrons expect to be offered and dealt drugs. The Police decision was to issue a warning.

29.5.13

Nathan Leslie resigned as DPS and general manager to be replaced by Luke Laws. Premises Licence issued no. LN4086-030613.

21.8.14

Meeting with the Police, Licensing and Fabric to discuss management action following the death of customer on 26 July 2014 and 3 deaths and four near misses since 2011. Fabric agreed to look into use of drugs dogs and improve drug detection.

6.11.14

Police submitted an application to review the premises licence following drug related deaths and near misses over previous three years and 12 drug related offences within six months to October 2014. Representations received from the Licensing Authority, Noise Team, 14 local residents, 1 local business, the ward councillor and 6 representations supporting Fabric.

18.12.14

Licensing Committee hears the review application and decides to impose additional conditions on the licence – see Appendix 8 of the Committee report. Appeal against the decision lodged in the Magistrate Court on 21.1.15.

24.1.15

Licensing and Nightsafe Team visit to monitor external area. Door security had reports that medical room was busy that night with several people suffering effects of MDMA.

13.6.15

Licensing and Police inspection of premises revealed

- two young men receiving treatment in the medical room; one looked groggy and the other was conscious but agitated. One of the men said that he had taken something before entering Fabric as he was worried about search dogs.
- One of the metal detector arches was not in use.

10.12.15

Appeal against the decision to impose additional conditions on the premises licence following the police review in December 2014.

Appeal heard and conditions imposed.

29.1.16

Police and Licensing inspection of Fabric at 23.00 reported:

- two young males receiving treatment in the medical room,
- a smell of cannabis in the smoking area which had 3 security on duty
- searching signs were not prominent,
- blind spots on CCTV.

2.2.16

Meeting with Police, Licensing and Fabric to

- discuss the findings of the visit of 29.1.16,
- review queuing & security protocols
- searching procedure
- agree the wording of the conditions imposed by the District Judge.

New conditions agreed and Licence Number LN4086-230216 issued

Dec15/Jan16

Police and LBI operation to deter balloon sellers, also suspected of drug dealing and intimidation to people at cash points, who gathered outside Fabric and corner of Charterhouse Street and St Johns Street.

7.5.16

Licensing Team investigated complaint from resident complaint about loud music noise coming from Fabric and confirmed music noise was breaking out from rear of Fabric. Whilst the officers where in the area they were offered MDMA and "Coke" by two different drug dealers outside the premises between Smiths and the corner of St Johns Street. Both matters reported to the DPS.

21.5.16

Complaint from local resident to MP reporting regular drug dealing outside his home and expressing concern that drug dealers are attracted to the area attracted by the club. Parkguard Nightsafe Patrol tasked to monitor area and act as deterrent. Police informed. Residents letter attached.

30.6.16

Complaint received from local resident requesting that Fabric staff do more to keep customers under control so as to reduce noise and rowdy behaviour.

Fabric confirmed the incident was a staff party during the day and agreed to inform residents if they organised anything similar in future.

11.7.16

Complaint from resident that they are frequently woken up by Fabric customers leaving the club at 5am and congregating in nearby squares and open spaces, making noise and drinking alcohol.

Parkguard Nightsafe Team tasked to monitor area.

Parkguard Nightsafe Patrols

Parkguard Nightsafe Patrol Team regularly patrols the Farringdon area of Clerkenwell area to prevent and respond to antisocial behaviour, alcohol related disorder including pre-loading, street drinking, urination and balloon (nitrous oxide) sellers. Since the team

started operating in December 2014 they have intervened or used enforcement powers in the area surrounding Fabric as follows:

- 85 occasions to deal with drinking in the street drinking
- 109 occasions to direct people to leave the area
- Issued 183 warnings for antisocial behaviour
- Intervened in 73 incidents of fights, assaults, or abusive behaviour
- Dealt with 4 drug related interventions and 29 occasions where drug paraphernalia
- 51 interventions directed at nitrous oxide balloon sellers.

12.8.16

Parkguard Nightsafe Patrol GNS and Licensing Team have visited the area and noted it has been quieter, a lot less footfall, cleaner, no sign of urination in the street and the public urinals were very clean. Street drinking has been minimal and balloon sellers and street sleepers not seen in the area. Local bars reported they were no busier than usual for the time of year.

From: [REDACTED]
Sent: 21 May 2016 08:44
To: THORNBERRY, Emily [REDACTED]
Subject: The elephant in the room.

Dear Mrs Thornberry,

I've written to you in the past. You were prompt in your response, and the effect of your reply was helpful. At the time, I was thankful for this.

I'm writing to you today, in the hope that you might be able to do the same once again. However this time, I fear your response won't have the same effect. After all, big business often has its way in the Clerkenwell area these days. The fact that people live here has almost been forgotten. Their concerns trampled on, rather than tackled.

This morning, I was awoken (again) by the idle chat of drug-takers, as they dealt outside my bedroom window. The time was 5:58am. I could be wrong though. These days it happens so often that I might have easily confused this time with another. However, I think I'm spot on. The people involved this Saturday made it rather memorable. They were particularly loud and oblivious to their surroundings. Undoubtedly an effect of the substances they are taking. Their senses, too muted, to notice. Their minds, too high, to care.

I am not simply emailing you though about those huddled outside my window. They are not the real 'villains' of this story. They are simply a passing anecdote. They will fly home next week. Only to be replaced by a new group. Instead, I believe the real 'villain' is Fabric itself. In my mind, it's this club that is the real ongoing issue for the area. A Pandora's box of problems that refuses to stop rearing its ugly head; no matter how hard its owners try to hide it. The recent debate around the use of sniffer dogs highlights this perfectly.

At the time, the use of dogs was a savvy short-term agreement that saved the club. [Great for the owners]. It reduced the heat on the club from the council and even (dare I say it) any potential liability that might crop up when drugs did sneak in further down the line. [Great for the owners]. Now though, the dogs can't even operate anymore because drug users can apparently "circumvent the dogs and the security" (Fabric's solicitors). [Even better for the owners]. One less cost and issue to worry about.

What the above debate brought to light though (and why I've raised it) is how the argument has cleverly been focused on the tail of the snake rather than the head. That is, that the council is currently trying to come up with solutions to stop drugs getting into Fabric. A solution that is only helpful to the club's owners. Instead of trying to stop drugs coming into the area full-stop. A solution that is helpful to the residents. The real issue here is not drugs sneaking into the club but the flooding of drugs into the area in the first place that ultimately then leads to the former.

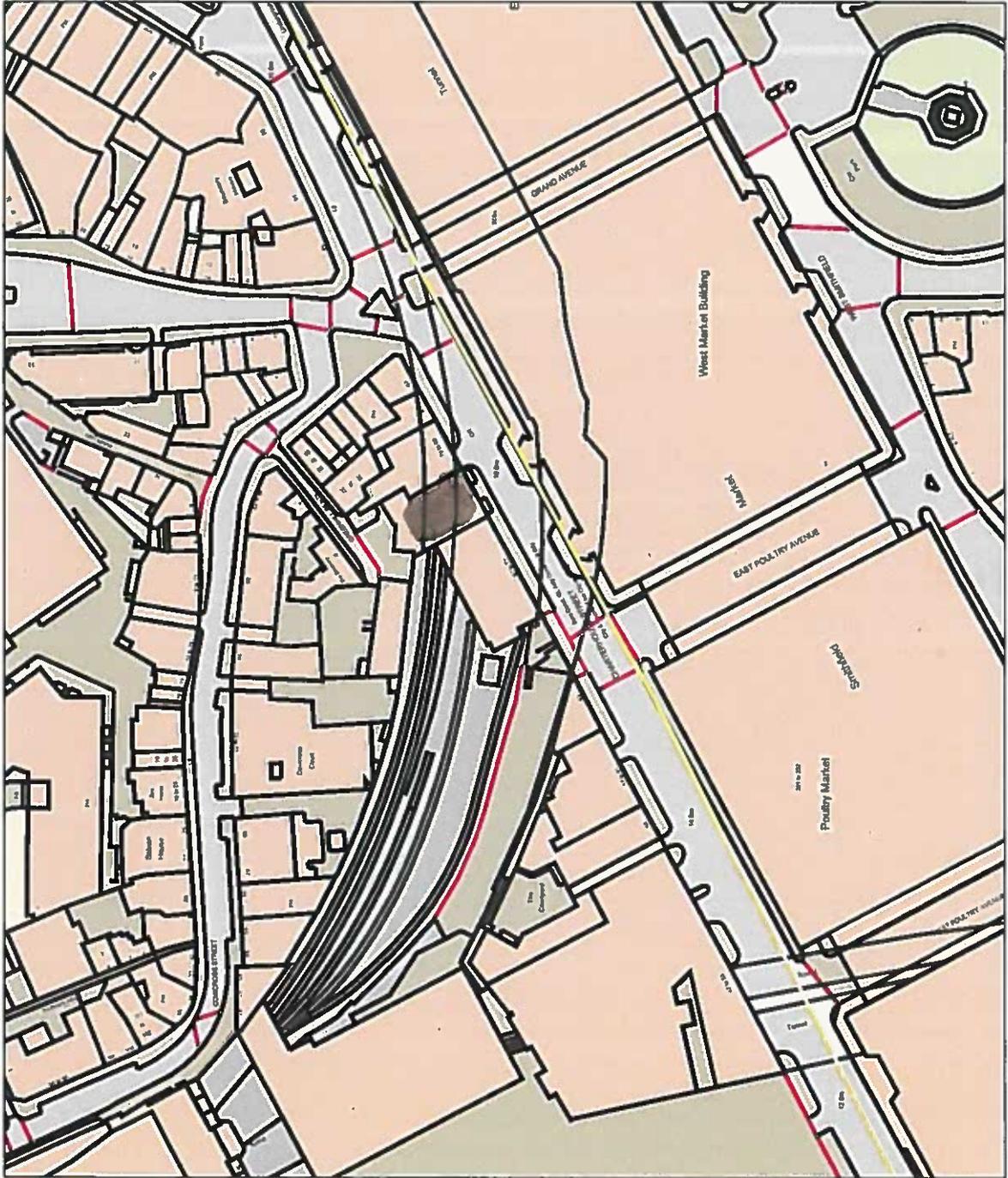
By simply being here, Fabric is a magnet for drugs; drawing them into Clerkenwell. Yet, in some peoples minds, as long as they don't then get into the club and lead to a death inside of it, that's ok. Yet what they naively forget (or choose to ignore) is that the drug dealing and taking simply takes place around the area instead. The risk of drug related deaths is still there (e.g. bigger doses pre-clubbing). No matter whether you put dogs at the door or at the station entrance, the market for drugs simply replaces the local meat market. You only have to walk the area to realise this. It's amusing how in the very heart of one of the world's greatest modern cities, this culture is so obviously apparent and prevalent.

So what's the answer to all of this? In my mind, Fabric needs to go. If you take the club away, the use of drugs here will diminish significantly. Yet clearly, the priority at the moment is not this. Instead, it is stopping drugs getting into the club. If that's the only thinking, let's move it somewhere else then where the residents don't have to put up with it taking place outside their front doors and windows every few days. We've got enough issues/bars to deals with anyway.

I look forward to hearing your response.



Map That Scale Print Title



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