



**Resources Department
Town Hall, Upper Street, London, N1 2UD**

AGENDA FOR THE LICENSING SUB COMMITTEE A

Members of Licensing Sub Committee A are summoned to a meeting, which will be held
Meeting to be held by teleconference on **30 December 2019 at 1.00 pm.**

Enquiries to : Philippa Green
Tel : 020 7527 2000
E-mail : democracy@islington.gov.uk
Despatched : 20 December 2019

Membership

Councillor Sheila Chapman (Chair)
Councillor Marian Spall (Vice-Chair)
Councillor Alice Clarke-Perry
Councillor Satnam Gill OBE

Substitute

All other members of the Licensing committee

Quorum: is 3 Councillors



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.

B. Items for Decision **Page**

5. Summary review of premises licence at Orleans, 259 - 261 Seven Sisters Road, N4 2DD under section 53A of the Licensing Act 2003 1 - 6

This item of business is being considered under urgency provisions.

The special circumstances under which the urgency provisions are being used, are detailed in the application for a summary licence review submitted by the Metropolitan Police, attached to this agenda.

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**METROPOLITAN
POLICE**

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:	Islington Council		
Address:	222 Upper Street, Islington		
Post town:	London	Post code:	N1 1XR
Ref. No.:			

I PS Neil Fraser 333CN

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:

Orleans, 259 - 261 Seven Sisters Road, Finsbury Park, Islington

Post town:	London	Post code: (if known)	N4 2DD
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2. Premises licence details

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

Ms Davina John

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

LN/8462-150319

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:

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

PROTECTIVE MARKING

This application relates to Orleans, 259-261 Seven Sisters Road, N4. The venue is a late night bar licenced for the sale of alcohol 7 days a week from 12pm to 3.30am. At 2.30am on 25th December 2019, police were flagged down by a member of the public owing to a male with head injuries on the ground outside the venue. The male was treated by Police and an ambulance called. The male had received a cut to the head with significant bleeding.

Door staff told the attending officers that the male had been ejected from the venue owing to being drunk and had returned with the injuries. They did not know how he came to be injured.

Police viewed local authority CCTV that captured the incident in full. The CCTV shows the male being ejected, causing a nuisance and attempting to attack the door staff. He appears to be intoxicated. After some time, the male walks away and returns throwing an object at the door staff. One of the door staff responds by taking a metal pole from inside the venue door and approaches the intoxicated male along with two other door staff. The male who took the pole hits the victim multiple times with the object, causing a gash to his head. The other two males kick the victim multiple times while he is on the floor. They then walk back to their post at the venue, leaving the male laying on the ground and rearrange the barriers. The door supervisor with the pole places the object back inside the door of the venue.

When police have arrived and ask what has happened to the victim and how he has sustained these injuries, door staff have stated they do not know. It also seems they have attempted to wash away the crime scene from outside the venue. Police have attempted to gain details from members of staff to assist in the investigation. The officers report staff refused to provide their details.

The manager of the venue calls Police at 02.52am stating a drunk male that was trying to get into the venue, and was trying to smash people with metal barriers. The manager noted that the drunk male was bleeding from his head but did not see how this injury happened, but the incident had been going on for at least the last 15 minutes. This call was made some 22 minutes after the assault is believed to have taken place. (CAD 1037/25DEC)

PS Fraser spoke with the DPS, Mr Ronald Tomlinson on the morning of the 27th December regarding the incident. A full incident pack was requested to include an incident report and SIA logs. Mr Tomlinson stated that he was on duty that night and was aware of the incident. He stated that he is aware that three of his security team were arrested. Mr Tomlinson stated that he has not made any changes to the operation of the venue and has not had the chance to talk about it with his colleagues.

Police have significant concerns regarding this incident and are concerned that the operation of this venue in its current state poses a risk to public safety. The incident in question was investigated as a GBH and Affray. Both of these crimes can be categorised as 'serious crime'. It is not disputed that the security team working on the door were provoked by a drunk male whom they had ejected, however their actions in attacking him with a metal pole and kicking him whilst he lay injured on the ground were completely unacceptable and criminal. The victim of this assault has been released from hospital after having his head injury treated and is expected to make a full recovery. The outcome of this assault could have easily been far worse.

It is of concern that three members of the venue security would collectively take the decision to deal with a drunk customer by attacking him with a metal pole and kicking him. It is clear that these individuals knew they had committed criminal offences as they claimed to have no knowledge of how the male came by his injuries. They also made efforts to clear up the crime scene, intentionally frustrating the Police investigation.

It would be naive to conclude that this incident was solely down to the actions of 3 rouge SIA door supervisors. Police are concerned that the venue management do not have proper control of the operation of the venue or the security who work within it. It is clear that the security involved knew where to source a weapon and were able to hide it again back in the venue after the assault. Despite the passage of time since the incident, the DPS has not taken any actions to address the significant failings.

Over the past 12 months Police have had numerous interactions with the venue owing to reports of violence and non-compliance. In January 2019 a male patron attempted to slash a female across the face and punched her outside the venue. Owing to this and another violent incident, Police met with the management and discussed measures that would assist them in operating safely and in keeping with the licensing objectives. The DPS submitted a minor variation, adding conditions to the licence as agreed with Police. one of these conditions included an ID scan device. Police visited the venue in May 2019 and noted 5 breaches of the licence, including no ID scan. On 29th May a door supervisor at the venue was stabbed in the neck. This incident was not reported to Police by either the venue or the door supervisor, nor was any incident report made as per licence conditions. This serious assault only came to light following contact from the hospital. This prompted another visit to the venue where 5 breaches were noted, again including no ID scan. on 27th June the DPS and PLH attended a joint officer panel with Police and Council licensing officers to discuss the continued failings.

PROTECTIVE MARKING

We enter this precis for the panels urgent attention and ask that consideration be given to suspending the premises licence in question pending full review. This will enable Police time to work with the venue to fully debrief the incident and determine if suitable changes can be made so that the venue can operate in keeping with licensing objectives.

Signature of applicant

Signature:	<i>Neil Fraser 33301</i>	Date:	30/12/2019
Capacity:	Police Licensing Officer		

Contact details for matters concerning this application

Surname:	Fraser	First Names:	Neil
Address:			
Licensing Department, 3 rd floor, 222 Upper St			
Post town:	Islington	Post code:	N1
Tel. No.:	07919544689	Email:	Neil.fraser@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



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:

Orleans, 259 - 261 Seven Sisters Road, Islington

Post town:	London	Post code: (if known)	N4 2DD
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Premises licence number (if known):

LN/8462-150319

Name of premises supervisor (if known):

Ms Davina John

PROTECTIVE MARKING

I am a Superintendent* 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)

This application relates to an incident involving serious crime, namely an affray and serious assault (GBH) with a weapon on a patron of Orleans by security staff. The incident is directly linked to Orleans, 259-261 Seven Sisters Road, N4 2DD.

In the early hours of Christmas day, a male was ejected from the premises by security staff owing to over intoxication. Once outside the venue, the male attempted to antagonise the 3 security staff working at the venue entrance. The male has thrown punches at security and eventually thrown a can or bottle at them. One of the security supervisors has then taken a metal pole from inside the venue and attacked the male with it, hitting him multiple times causing significant bleeding to his head. The male victim falls to the floor and is then further attacked by the other 2 security guards who kick him multiple times. The male is left lying on the ground by security who return to the venue entrance. No first aid is provided.

Passing Police officers have been alerted to the situation by a member of the public. Police discover the male unconscious on the floor with a significant head injury. Upon speaking to the security and staff, all stated that they do not know how the male came by his injuries. They stated that he was ejected from the venue and the doors closed. CCTV clearly contradicts this account as it clearly shows the venue security attacking the male with a pole and by kicking him. The three security guards involved in the attack were arrested at the scene on suspicion of GBH. The initial officers who attended the scene reported that staff at the venue cleared the crime scene before Police arrival and refused to provide their details to them in order to assist with the investigation.

It is of note that in June 2019 Police Licensing team have had reason to conduct a joint officer panel with the venue management owing to continued breaches of the licence and incidents of violence. One of the most concerning incidents being where the venue management failed to report to Police that a door supervisor was stabbed in the neck.

I have considered authorising a standard review of the premises licence. I do not feel this step to be appropriate as the incident was so serious that the case must be put before a licensing committee as soon as possible in order for measures to be put in place to address the risk to the public that this venue poses. I have serious concerns regarding the management of this venue to operate without posing a risk to public safety. It is my view that such critical failings, highlighting as they do grave deficiencies in the actions of the staff on duty, and of the broader management of the venue, constitute ongoing risk of serious crime.

Signature

SUPERINTENDENT	
Signature: David Morhead	Date: 30/12/2019

Retention Period: 7 years
MP 147/12