



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

AGENDA FOR THE LICENSING SUB COMMITTEE B

Members of Licensing Sub Committee B are summoned to a meeting, which will be held in Committee Room 3, Town Hall, Upper Street, N1 2UD on, **3 January 2020 at 3.00 pm.**

Enquiries to : Jackie Tunstall
Tel : 020 7527 3068
E-mail : democracy@islington.gov.uk
Despatched : 26 December 2019

Membership

Councillor Phil Graham (Chair)

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.

B. Items for Decision **Page**

1. Club Aquarium, 256-260 Old Street, EC1V 9DD - Summary review of licence 1 - 12

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.

PROTECTIVE MARKING



**METROPOLITAN
POLICE**

TOTAL POLICING

Form 693

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 **PC Loizou 3757CN**

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:

256-260 Old Street, London

Post town: London

Post code:
(if known)

EC1V 9DD

2. Premises licence details

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

Aquarium Management Ltd

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

LN/11384-130819

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:



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

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This application relates to the premises licence for Club Aquarium 256-260 Old Street, Islington, EC1V 9DD. The venue is a nightclub and is licenced for the sale of alcohol 7 days a week, Monday - Wednesday 0900 to 0230, Thursday 0900 to 0600 and Friday - Sunday 0900 to 0900.

On Wednesday 1st January 2020 at 0430 hours, police were outside the premises when they were alerted by members of public that a fight was taking place on Singer Street. Police officers quickly made their way to the location which is around 20 - 30 metres away from Club Aquarium. When they arrived they saw a group of males fighting. One male was holding a belt in his hand using it as a weapon, another male had a fresh wound and was bleeding heavily from the head.

Police officers had to quickly take control of the situation and detained the group.

Police officers carried out their initial investigation. It transpired the two groups of males fighting had been inside Club Aquarium. It had been alleged that one male had been punched. The first group left at around 0430 hours and were stood on Singer Street waiting for a taxi when the second group they had an altercation with earlier on approached them. A fight quickly ensued and one of the males from the first group had been hit with what is believed to be a bottle of champagne.

Officers from the Police Licensing team have viewed body worn video from the attending officer which captures part of the altercation in the street. The officers are stood across the road dealing with an unrelated incident. A very short time later the officers are seen running across the road to the junction of Singer Street to a group of males fighting. The officers reacted quickly to a male armed with a belt. A second male is also detained for punching another male. Both males were arrested for the offences of GBH, Affray and Offensive Weapon.

This incident posed a very high risk and had the potential for a member of public to be injured in the potential cross fire. Officers had to be called away from an incident they were dealing with to take control of the situation. Officers are seen using batons as a tactical option due to the level of violence being used by the group.

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 would be naive to conclude that this incident was solely down to New Year celebrations. Officers from the police licensing team attended Club Aquarium earlier on in the night. When they arrived they witnessed a large number of people congregating outside shoving one another and pushing barriers. It appeared that the security team were overwhelmed. Once inside things did not improve officers were unable to get inside due to the large numbers of customers blocking the stairwell as this used for both entry and exiting customers. This in itself posed a potential risk and only raised tensions as patrons were getting frustrated.

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.

A standard review of the premises licence was submitted on the 7th December 2019. This review is yet to be heard. Despite a review pending, the venue are still coming to police notice. Below are examples of this;

On Saturday 21st December 2019 at around 0410 hours police were called to the venue after a female customer had assaulted the head door man. The security team had to eject two females from the venue due to levels of intoxication. Once outside the females walk across the road when one of them takes umbrage to the way the head door man was dealing with her friend. She runs over and whilst holding her shoe begins to hit the head door man causing him an injury. A video clip has been provided by the venue which demonstrates the level of violence used. This is yet another example of over intoxicated customers committing crime in the early hours. Cris 2733018/19 refers.

On Friday 27th December 2019 Police attended location due to reports of a fight at the location. Upon police arrival there was nothing to indicate a fight had taken place. Officers noticed the venue was in the process of closing so police remained on scene to facilitate with the egress of people leaving the venue.

There were a number of customers complaining that there were ongoing issues downstairs in the cloak room and door staff were becoming aggressive towards customers.

Police have entered the scene to investigate allegations that the situation was getting out of hand. Officers made their way to the cloak room it was apparent that staff had lost control of the situation. There were approximately 150 people pushing one another. Due to the limited space and the volume of people officers were concerned for potential crushing. Police have held the crowd back to protect staff and prevent any harm to customers at the location.

PROTECTIVE MARKING

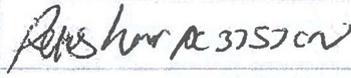
Officers noted the security team and other members of staff were not helpful in trying to sort the situation and police have had to step in to gain control before any serious harm was caused to members of the public. Some of the door staff were not helping patrols and began to flare the situation up in the way they were dealing with customers. It was left to the police to act as glorified cloak room attendants. There is a complete failure by the staff at the venue to control and manage its customers and echoes scenes very similar to those recorded on 20th October 2019 and prompted the review.

On Saturday 28th December 2019 at 0327 hours an assault against a member of the security team was alleged to have taken place by the victim. He states that he attended the venue and was ejected due to his behaviour. During the ejection the victim alleges that one of the members of the security team has punched him in the face. The male has left on the street and was robbed by a group of males. Cris 2733497/19 refers.

There is concern the management of the venue has failed to put measures into place to try and improve things at time of the review. It was suggested that one of the attributing factors to the levels of crime was the event "Afro Beats in the City" continues to take place and will continue to do so until mid-January. We the police have no confidence with the management and believe the venue will continue to be a crime generator.

The Police seek urgent attention and ask that consideration be given to suspending the premises licence in question pending full review.

Signature of applicant

Signature:  **Date:** 02/01/2019 ^{DL} 2020
Capacity: Police Licensing Officer

Contact details for matters concerning this application

Surname: Loizou **First Names:** Petros
Address:
Licensing Department, 3rd floor, 222 Upper St
Post town: Islington **Post code:** N1
Tel. No.: 07919547416 **Email:** Petros.Loizou@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**

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Form 693A

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:
both serious crime and serious disorder**

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:

Aquarium Management Ltd 256-260 Old Street, London

Post town: London

Post code:
(if known)

EC1V 9DD

Premises licence number (if known):

LN/11384-130819

Name of premises supervisor (if known):

Mr Alper Satıcı

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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)

PROTECTIVE MARKING

This application details an incident of serious crime and serious disorder outside Aquarium Nightclub. The concerns Police have regarding the operation of this venue are so serious that this application for a Summary review is felt to be the most proportionate and necessary step.

On Wednesday 1st January 2020 at 0430 hours, police were in the vicinity of the premises when they were alerted by members of public that a fight was taking place on Singer Street. Police officers quickly made their way to the location which is around 20 - 30 metres from Club Aquarium. When they arrived they saw a large group of males fighting. One male was holding a belt in his hand using it as a weapon, another male had a fresh wound and was bleeding heavily from the head.

Police officers had to quickly take control of the situation and detained the group.

It appears that the two groups had been involved in a disturbance inside the venue which has continued once outside. It had been alleged that one male had been punched. The first group left at around 4.30am and were stood on Singer Street, waiting for a taxi when the second group they had an altercation with earlier on, approached them. A fight quickly ensued and one of the males was struck on the head with a Champagne bottle. Both males were arrested for the offences of GBH, Affray and possession of an offensive weapon.

This incident posed a very high risk and had the potential for member of public to be injured in the potential cross fire. Officers had to be called away from an incident they were dealing with to take control of the situation. Officers are seen using batons as a tactical option due to the level of violence being used by the group.

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.

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.

Police have already submitted a standard review of the premises licence owing to the persistent incidents of violence occurring involving Aquarium patrons. Since the review was submitted on the 7th December 2019 the venue is still coming to police notice. Below are examples of this;

On Saturday 21st December 2019. 4.10am. Police called to the venue after a female customer had assaulted the head door man. This female had been ejected with a friend owing to being overly intoxicated. Upon being ejected she attacked security with a shoe and appears to attempt to shove barriers towards security. CCTV shows the levels of intoxication and violent behaviour.

On Friday 27th December 2019 Police called to location and found approximately 150 people pushing one another in the cloak room area with security having lost control of the situation.

Police have held the crowd back to protect staff and customers from harm at the location. It was left to the police to act as glorified cloak room attendants in order to gain control of the situation. There is a complete failure by the staff at the venue to control and manage its customers and echoes scenes very similar to those recorded on 20th October 2019.

On Saturday 28th December 2019 at 3.27am a patron alleges assault against a member of the security team. He states that he attended the venue and was ejected due to his behaviour. During the ejection the victim alleges that one of the members of the security team has punched him in the face. The male has left on the street and was robbed by a group of males.

Police have had significant interventions with the venue management. Despite these interventions, violent crime has continued to take place at the venue. This has led Police to apply for a standard review of the premises licence. Despite this review application being submitted, further incidents of violence still continue. This application is submitted owing to the serious disturbance outside the venue early on New Years Day. Police believe that immediate steps are now necessary to protect the venue staff, patrons and the general public from serious harm.

PROTECTIVE MARKING

Signature		
Signature:		Date:
		02/01/2019 ^{PL} 2020

Retention Period: 7 years
MP 147/12

DARIUS
HEMMATPOUR
(SUPT. CENTRAL NORTH)

WITNESS STATEMENT

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

URN

Statement of: PS Neil Fraser 333CN

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

This statement (consisting of 3 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: *Neil Fraser 333CN* Date: 02/01/2020

This statement details a licensing visit to Aquarium Nightclub, 256 – 260 Old Street, Islington, EC1V 9DD in the early hours of New Year’s Day. I also outline my significant concerns about the manner in which the venue is being operated and the associated serious crime and disorder taking place both inside and in the vicinity of the venue.

I am the licensing Sergeant for Islington Borough. I manage a team of four licensing officers, based at Islington Council offices, 222 Upper Street. The team are responsible for dealing with all licensing premises across Islington Borough. Our role involves proactive patrols of these premises, offering help and reassurance to patrons and management, as well as ensuring that venues fully uphold the licensing objectives. We are also responsible for working with venues when incidents do occur and submitting reports, action plans and review files when necessary.

On Tuesday 31st December 2019, I was on duty in company with PC Loizou, PC Peace and PC Emanuel. We were working a nightshift as part of the Policing plan for New Year’s Eve celebrations. Throughout the evening we conducted visits to licensed premises throughout the borough in order to ensure the venues were operating in keeping with the licensing objectives.

At about 2.30am we attended Aquarium Nightclub. Previous engagement with the venue had advised us that they were hosting a regular event called ‘EPIC NYE PARTY’. This event was running from 9pm until either 6am or 7am. Upon arrival at the scene, we made our way to the front entrance of the venue on Old Street. I immediately noted the area outside was very congested and chaotic, with patrons from the venue arguing with door staff and one another. I saw one of the door staff dealing with an exceptionally irate male and female who appeared to be missing property from inside the venue. The female was shouting and swearing at the door supervisor, as he would not allow her re-entry to the venue to collect property. I noted the area by the front door was very congested and door staff were struggling to keep control of people coming in and out. There appeared to be issues inside the foyer area. I could not see anyone who appeared to be in charge taking control of the situation. I felt it necessary to enter the venue in order to ascertain exactly what the issue was and who was taking control. I identified myself as a Police officer to the door supervisor on the barrier. I advised him that I needed to come past the barrier in order to enter the venue. The door supervisor held his arm out and prevented my colleagues and I from getting past him, asking us to wait where we were. I explained to the door supervisor that we had legal powers to enter the venue and asked him to let us past. The door supervisor reluctantly let us through.

Upon entering the foyer, I was immediately struck by the chaotic scene. The stairwell leading down to the basement of the club was blocked with patrons and SIA pushing and shoving in an attempt to move. I could hear people swearing in frustration at the door supervisors. It was clear that the security did not have proper control of the situation. It appeared that security were making attempts to eject a patron who had been smoking inside the venue, however were unable to do so due to the congestion on the stairs. We were met by the DPS,

Witness Signature: *Neil Fraser 333CN*

Signature Witnessed by Signature:

Continuation of Statement of:

Apler Satici. Mr Satici attempted to intervene with little success. At this stage I asked PC Emanuel to collect a body worn video camera from our car. PC Loizou was able to track down the head door supervisor, Billy, who had been dealing with disorder outside. PC Loizou asked Billy to intervene in the situation taking place on the stairwell. After a few minutes, Billy had been able to push past the crowds blocking the stairs, reach his colleagues and facilitate the ejection of the male. We were then able to make our way down the stairs and into the office of the club. We had a lengthy discussion with Mr Satici and the other manager, Mr Bassil Alhakim. We discussed the issues that we had witnessed and outlined our concerns re the complete lack of control of the entrance / exit of the venue, including the stairwell. We also highlighted the risk of disorder owing to patrons becoming frustrated about being unable to leave, noting that some had told us they had been waiting half an hour to get out of the club.

Upon concluding our discussions, we left the office and made our way back to the stairwell. I noted that the stairwell was once again blocked with patrons with security stuck in the middle. Patrons were pushing against each other and security were struggling to facilitate any form of movement. I noted security escorting an exceptionally drunk male from the club. This male was so unsteady on his feet he had to be held up by security. Security were initially unable to eject the male owing to the blockage in the stairwell. After a few minutes, the head doorman, Billy attended and was finally able clear the blockage. Only with the assistance of security were we able to make our way up the stairs and out of the venue. Upon leaving, I noted that the chaotic scene I had witnessed on arrival was still ongoing. Patrons and security were pushing one another; there was confusion as to who was leaving and who was going to the smoking area. People were attempting to climb over the high barriers to the smoking area. The atmosphere outside the venue was exceptionally tense, with people shouting and swearing at each other on their mobile phones.

From what I had witnessed in the venue, I was concerned that the management did not have proper control and that security were clearly inexperienced and out of their depth. The head doorman, Billy was clearly experienced and trying hard to keep control, however was failing owing to lack of support. I was concerned that the risk of disorder was high. The venue apparently had 960 patrons present although I would be surprised if this number was accurate. It was clear that they could not cope with this number let alone any additional numbers. We asked for the DPS to join us outside the venue to discuss the further issues noted. I asked Mr Satici to consider stopping further admittance and consider implementing a soft close. Mr Satici agreed to this. I asked the control room to request uniformed Police units to monitor the venue owing to the risk of disorder.

I am aware that at about 4.30am a disturbance took place outside the venue. This disturbance appears to have been a continuation of an incident which started inside the venue. Officers witnessed a large group of males fighting in the street, with one male armed with a belt, which was intended to be used as a weapon. A male was found with head injuries, believed sustained by being struck on the head with a Champagne bottle. Two males were arrested at the scene. All persons involved are believed to have been patrons from Aquarium.

Unfortunately, this incident is not unique as the venue regularly comes to Police attention owing to incidents of serious crime and disorder. The venue has become a crime generator for violent offences in the early hours. It appears that despite numerous Police interventions with the venue management, the venue is incapable of operating safely, without its patrons engaging in fighting both inside and outside the venue.

On 7th December, Police submitted an application to review the premises licence (and shadow licence) for Aquarium Nightclub. This application was made following a long period of engagement with the venue management in an effort to improve the operation and reduce violent crime. The hearing for this review is scheduled for 23rd January. Since this review was submitted, we have seen four incidents of crime / disorder at the venue. These include an assault on the head doorman, disorder in the cloakroom area of the venue requiring numerous Police officers to attend to restore order, a male alleging assault by staff who was subsequently robbed once outside and the incident described above on New Year's Eve resulting in a GBH. I feel that we have now reached the stage where the venue poses a real risk to public safety. I feel that if the venue was to continue operating in its current form, further incidents of violence leading to serious injury are inevitable. I do not feel that the management at the venue are able to safely control its patrons and that immediate intervention is essential. I have discussed my concerns with the Local Authority and have outlined

Witness Signature: *Whe PS333CN*

Signature Witnessed by Signature:

Continuation of Statement of:

our intention to submit an application for a summary review of the premises licence with a view an immediate suspension of the licence. I have asked PC Loizou to prepare an application for the consideration of a Superintendent to authorise an application for a summary review under section 53A of the Licensing Act 2003. I consider this action necessary and proportionate given the circumstances.



Witness Signature: *Whe P5333CN*

Signature Witnessed by Signature:

