

Licensing Sub Committee B - 28 January 2020

Minutes of the meeting of the Licensing Sub Committee B held at Committee Room 1, Town Hall, Upper Street, N1 2UD on 28 January 2020 at 6.30 pm.

Present: **Councillors:** Paul Convery, Phil Graham and Marian Spall

Councillor Phil Graham in the Chair

- 93 **INTRODUCTIONS AND PROCEDURE (Item A1)**
Councillor Phil Graham welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.
- 94 **APOLOGIES FOR ABSENCE (Item A2)**
Apologies were received from Councillor Vivien Cutler and Matt Nathan.
- 95 **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
Councillor Marian Spall substituted for Councillor Nathan and Councillor Paul Convery substituted for Councillor Cutler.
- 96 **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 97 **ORDER OF BUSINESS (Item A5)**
The order of business would be as the agenda. The Chair proposed that the evidence for the three items on the agenda be heard together, although the decisions would be made separately. He invited the parties to make submissions regarding this matter and all parties agreed with this approach.
- 98 **PREMISES LICENCE REVIEW - CLUB AQUARIUM, 256-260 OLD STREET, LONDON EC1V 9DD (Item B1)**
The Chair stated that the Sub-Committee had read all the papers that had been published and provided by the police and the licensee's solicitor by email. The Sub-Committee had now received bundle 1 of 1. The licensee was requested to highlight key documents in the bundle for the Sub-Committee to consider during the 20 minutes allowed. The Sub-Committee had seen CCTV footage for the 12, 28 December, 1 and 3 January and body-worn camera footage from the 20 October. This was footage that had been served on all parties.

The licensing officer confirmed that the following papers had been circulated after the despatch of the agenda to the Sub-Committee:- a letter from the holder of the shadow licence, a letter from the night-time industries association, a letter from the

Licensing Sub Committee B - 28 January 2020

Night Czar and a witness statement from Chief Inspector Holyoak. An additional folder with evidence from Club Aquarium and two folders with evidence from the Police were set before members of the Sub-Committee. These would be interleaved with the agenda papers.

The police representative stated that the issues were summarised in two police statements. Firstly, there had been too much crime. There had been 17 incidents that they considered could be properly connected to the premises. Of these incidents, 14 were violent crimes and patrons were either victim or suspects. Four crimes were on door staff and it was stated that there should be no distinction between staff or others where there was violent crime. There had been four incidents of sexual assault. There was a public order incident on the 20 October and issues regarding overcrowding around the cloakroom area as detailed at PLL 31 and 34 in the papers. The venue had a large capacity and was in the cumulative impact zone. The venue was engaging with the police but despite joint meetings with the police and council, words and new policies had not been enough.

Secondly, the police were disappointed that since the review submitted there had still been a number of incidents. As detailed in PLL15 (minutes of the 16 October), the venue had made positive steps but it was still under scrutiny and it was suggested at this meeting that a contributing factor could be the late hour that patrons were allowed to enter the venue. On the 20 October, police had been called at 2:05am as door staff had been unable to handle a large crowd. Seven officers were in attendance (PLL19) and met a hostile crowd who had no tickets for the event that evening. It was considered that the door staff were antagonising the crowd. It was noted that the event had been oversold by only 28 tickets. The overcrowding had been caused by an announcement at an O2 event about an after party at Club Aquarium. These incidents were a drain on police resources. The review had been submitted on the 6 December and since then there had been an incident on the 21 December (PLL 30), the 27 December (PLL31) and on 28 December when door staff assaulted a customer. On arriving at Club Aquarium on New Years' Eve, the police had found a chaotic and congested scene. A brawl outside had started in the venue. (PLL 34). There was also an incident on 3 January where a victim had two slash marks to the rear of his head.

Thirdly, they were concerned with the timings of incidents. Incidents occurred at 1am or later and usually 4am or later. Since the review had been submitted the earliest incident was at 2.30am It was not enough to say that there were other premises nearby.

Fourthly, the police were concerned about the levels of intoxication. Of the 17 separate incidents, 11 referred to high levels of alcohol. The police asked that the Sub-Committee consider revocation. They were concerned that incidents were happening despite engagement with the applicant and they no longer believed that conditions would be sufficient. Despite interaction they could not operate safely.

Regarding the shadow licence, he stated that whilst the duties of the licence holder for the shadow licence were less onerous than the main licence, the landlord had responsibility over the tenants. With the issues in the early hours of the morning it was no longer considered that a late licence was appropriate, including those hours

Licensing Sub Committee B - 28 January 2020

on the shadow licence. The framework hours detailed in the licensing policy were considered to be appropriate for the licence.

In response to questions, it was noted that regarding the sexual assaults, one victim had moved abroad and investigations had been discontinued. The suspect in relation to the incident on the 1 January was unable to be identified.

The Licensing Authority reported that there had been seven officer panels since 2014. These were on the basis of GBH, assaults, lack of control and poor management and contraventions of licence conditions including the use of glass bottles. Conditions had been applied to the licence but incidents were still occurring. The police review was fully supported. Consideration be given to poor control and management.

The police stated that there were also low level incidents that occurred. There was a clear link to the premises. CCTV footage indicated assaults. High management standards were expected with such a generous licence.

In response to questions, the licensing authority stated that management had been slow to implement advice e.g the Licensing Authority had suggested that an operations manual be drafted and a minor variation be submitted for this. This had not been done. It was noted that the barriers erected outside were to provide a queuing/smoking area although this area of the public highway were not owned by the venue. It was unlikely that these would be licensed although they had been in place for many years.

The Night Time Industries Association referred to their two representations, in the agenda pack and one tabled. He stated that this was a diverse city and it was important to experience different evenings. In response to questions he stated that violent crime should be addressed collaboratively. Closing the venue would only displace the crime to another area. It was important to ensure there were effective controls. He stated that there were challenges in managing venues but it was key to bring people together and to understand cultural differences. Managing venues safely needed to be worked towards. The situation would not be resolved if patrons found other places to go which were not properly controlled. There were challenges in a society as a whole and not just in the night time economy. He considered that the licensee was collaborative and wanted to work with the responsible authorities. There were challenges in the area as well as in the venue.

A promoter, who had promoted various clubs, stated there had been two incidents where the police had been called. After being told not to, the O2 mentioned an after party was being held at Club Aquarium on the 19 October. He believed this was a genuine mistake. He had called the police because of the large crowd but when they arrived he felt as if he was being attacked by the police. The police had stated that they had wanted to shut the venue down. Tickets had not been oversold. They had increased security to control the crowds and to manage the queuing system. Club Aquarium was an important weekend venue. Staff would lose

jobs with the closure and he asked the Sub-Committee to consider re-opening the venue.

In response to a question about crowd control at the venue, it was stated that other local venues attracted patrons who then assaulted customers from Club Aquarium. It was stated that the Council should work with the club and the promoters to avoid this. Concern was expressed that the venue called the police to fix the overcrowding problem when this should have been managed by their own security team. In response, it was stated that the crowd were not regular customers but were there through a mistake of an announcement by O2. If this announcement had not been made, there would have been no overcrowding. Club Aquarium had not reported the issue of the police officer stating that they would close the venue down.

The licensee's representative stated that the Sub-Committee should consider paragraph 9.12 of the Home Office guidance and the evidence of the police must be scrutinised. Regarding the incident on the 19 October, the police had sent an email which stated that they appreciated and applauded the immediate action that the venue had taken. The police had not admitted that the venue had not oversold an event. The police had not provided a fair and balanced picture. Only 28 tickets had been oversold. Of the 75 crimes reports, many of these were mobile or petty theft. It was reported that there was immediate engagement of this incident by management. Regarding the sexual offences, the venue had co-operated with the police and checked the CCTV. On an occasion when they had confiscated a knife and then called the police, this had counted as a knife crime against them. This was an area of cumulative stress and in terms of promoting the licensing objectives, the venue should be commended. The Council would want knives to be found and ID scanners used.

He stated that paragraph 11.20 of the Home Office guidance should be considered which stated that causes be identified and appropriate remedies sought. He considered that discussions should be continued. 95 000 patrons visited the venue last year. It was an established long term local business and letters of support had been sent from DJs and promoters.

A common goal was the promotion of the licensing objectives. He was pleased to see that the police were dropping the idea that afro beat music was the generator of crime. There was not too much crime at the venue and the venue responded well to it. The policewoman was the person that was the most agitated with the crowd on the 20 October; it had not been the security staff shouting. Security staff had been engaging in order to tackle crime and they expected support. The engagement they had made should be a source of credit to the venue. Other reviews had taken place and venues had not provided CCTV or incident logs. A promoter has apologised. All were here to respond and engage in discussion. He referred to the report from Shield Associates (Tab 4) which reported on all the crime data. A member of the Sub-Committee stated that part of the CCTV they had seen had shown a member of door staff who had not taken any action during a violent assault. In response, it was stated that door staff may remain at their posts although often they would go and assist at incidents. As detailed in the report at paragraph 13.3 it was not always easy to determine which crimes were attributed to which venue. The conclusion of the report was that through CCTV, layout,

Licensing Sub Committee B - 28 January 2020

safeguarding and intelligence sharing, a number of issues could be addressed. CCTV has been provided by the venue, the swimming pool has been removed, Ask Angela was in operation.

In order to address the issues of concern the operating schedule had been amended to control admission and readmission. He proposed a condition that there would be no re-entry after 3.30am to ensure that patrons from other late night venues would not attend. Shield Associates attended on the 13/14 December and the report was detailed at Tab 6. Operations manuals had been updated. The police had not raised any problems with the queue. City Aquarium were a feature of the night time economy and management took it very seriously. Most of the implementation had already been carried out.

In response to questions, the licensee's representative stated that the numbers of patrons peaked in October and Christmas and New Year. Some of the 95000 'entrances' would be regular clientele. Concerns were expressed that the Shield report considered that assaults on staff were not a crime. It was stated that these had been caused due to interventions by staff and should therefore not be held against the venue and did not demonstrate bad management. The Sub-Committee were concerned that patrons who were drunk had been served alcohol. In response it was stated that patrons would not show indications that they were drunk in the venue. They may have pre-loaded or left the venue reasonably sober until they hit the fresh air. If police required CCTV of the bar area they could see this if it would assist but it was also noted that individuals should play their part and act responsibly.

A member of the Sub-Committee had stated that since the closure of the venue the area had been quiet. Remedies had been tried but patrons were intoxicated at 2, 3 or 4am. The closure of the club at an earlier time may be the remedy that was required. The licensee's representative stated that this area was a difficult area and operators faced certain challenges. Patrons were out to have a good time and operators must do what they can. Police must also fulfil their part. The licensee's representative added that this appeared to be a pre-determination of the area. There had been no evidence that the area was quieter and he stated that new evidence should not be considered as stated in the S128 guidance. The legal officer advised that the Sub-Committee was entitled to ask a party a question in order to assist with a decision. The Sub-Committee asked the police if there were comparable statistics for the time that the venue had been closed and in response they stated that they did not have this data available at the meeting. In response, the Sub-Committee member stated that he would not reach any decision based on the fact that he had considered that the area had been calm and peaceful over the weeks when the club was closed.

In response to further questions, it was stated that management would be expected to control crowds but at the event in October an announcement had been made that there was due to be an after party at the venue. An unruly large crowd attended and it was decided that the venue would need assistance. The police were called and it was the police who had lost patience and were aggressive with the crowd. Regarding the 27 December, a fuse had tripped in the venue and caused

panic inside the premises. The police arrived when called. It was stated that venues should call the police in an emergency. It was stated that these two occasions were out of the ordinary and the Sub-Committee should put them out of their mind. He referred to the email on page 135 from the police which stated that calling the police to the incident in October was 'absolutely correct'. It was stated that the barriers had been used for 26 years. They were not used during the day and they were used in the evening for people seeking access and egress from the venue.

In summary, the police stated that there had been a lot of talking with the venue but sometimes the issues became too serious and there needed to be other actions. The police had no confidence that the issues would not continue. It should not be necessary for Shield to draw up an intoxication policy for the venue. Issues were specific to the venue and were worse due to the late hour and the high levels of intoxication.

Regarding the interim steps, it was stated that if the Sub-Committee decided to revoke the licence it was logical that the interim steps should remain in place. The police officer stated that incidents actually peaked in December when the premises were under review. He urged the Sub-Committee to consider the last resort of revocation.

The licensing authority stated that they were in complete agreement with the police and maintained their representation. Concerns were raised that a system should be in place if emergency evacuation procedures were required as they were on the 27 December. Staff should be able to evacuate the venue safely.

The promoter suggested that there should be a weekly meeting between the police and the venue to agree measures. The dispersal of the crowd should be a consideration. The majority of the incidents occurred outside the venue.

The licensee's representative stated that there had been a number of wrong conclusions made by the police for which no apology had been received. It was considered that the venue and the police should spend time talking. The venue had operated since 1995. There had been full and effective management. The operating schedule highlighted key measures. There was the proposal of no re-entry after 3.30am. With the increasing competence of staff and a no re-entry time the Sub-Committee were invited not to take draconian steps. The situation could be remedied. A short suspension could be imposed in order that the standards imposed could be met. Time was required for a full and frank discussion. It was proposed that the venue re-open on the 14 February and that all parties move forward in a co-operative way.

RESOLVED that the premises licence in respect of Club Aquarium, 256-260 Old Street, EC1V 9DD be revoked.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and considered the material provided. The Sub-Committee reached the decision having given

Licensing Sub Committee B - 28 January 2020

consideration to the Licensing Act 2003, as amended, and its regulations, the national guidance and the Council's Licensing Policy.

The Sub-Committee considered Home Office Guidance, paragraph 9.12 which sets out that the police should usually be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. The Sub-Committee noted that the guidance sets out that it remains incumbent on all responsible authorities to ensure that their representations can withstand scrutiny.

The police summarised their evidence under four headings:-

- 1) Too much crime
- 2) Problems since premises on notice of review
- 3) Timing
- 4) Intoxication.

The licensing authority submitted that since 2014 the licensee and management have attended seven different officer panels. It was submitted that there had been plenty of engagement with management and more so in the last eighteen months and although measures had been put in place incidents were still occurring.

The Sub-Committee noted the submissions from the NTIA that the safe management of cultural events was a challenge across London. The remedy was not to take away a licence but to attempt to resolve issues with key stakeholders. The Sub-Committee also noted the promoter's view that the issues could be resolved by the local authority and police working together with the premises.

The licensee submitted that the management and personnel at the premises were engaging with the crime prevention objective and co-operating with the police. The licensee submitted that discussions with the police and licensing authority should continue. The licensee presented the Shield report which scrutinised the police evidence and it was submitted that a number of crimes presented by the police could not be attributed to the premises. The licensee offered a number of changes to the licence conditions including a new condition that there would be no admission or readmission of customers to the premises after 3.30am.

The Sub-Committee concluded that the incidents put forward by the police were linked to the premises. The Sub-Committee considered the Shield report and were not persuaded that crimes should be categorised as not attributable to the premises. The Sub-Committee considered that, in terms of the promotion of the crime objective, there should be no distinction of violence towards staff or anyone else. The Sub-Committee were of the view that where a crime report was self-generated by the venue staff, this should be recorded as an incident at the premises. The level of crimes at the premises were a concern to the Licensing Sub-Committee and in particular, the level of intoxication associated with a large number of the reported offences.

Licensing Sub Committee B - 28 January 2020

The Sub-Committee noted the escalation of crime and disorder following the meeting on the 16 October where the licensee was advised that the venue was under scrutiny, including the option of a review. The Sub-Committee also noted that the offences were generally occurring in the early hours of the morning and the earliest offence since the review occurred at 2.30am.

The Sub-Committee decided that it was proportionate and appropriate for the licence to be revoked.

The Sub-Committee recognised that, in accordance with licensing policy 29, the promotion of the licensing objectives was best achieved in an atmosphere of mutual co-operation between all stakeholders. The Sub-Committee noted the representations from the interested parties in this regard and considered that the promoter had been let down by the management. However, there had been a large level of engagement which failed to achieve the necessary improvements at the premises and the Sub-Committee concluded that it was necessary for the police to submit the review.

The Sub-Committee considered the option of imposing additional conditions but concluded that this was not a sufficient measure that would ensure that the licensing objectives would be promoted. The proposals by the licensee would see the premises still operating until the early hours of the morning and they would not address the pattern of offences occurring in the early hours and the levels of intoxication recorded.

The Sub-Committee also considered the option of suspension. The licensee put forward that a short period of suspension would allow the premises to complete the implementation of new policies. The Sub-Committee concluded that the proposed measures would not be sufficient to promote the licensing objective of crime and disorder.

The Sub-Committee noted the statement of Chief Inspector Holyoak that, since the submission for the review, there had been 3 GBH offences along with 2 incidents of disorder where police had to take over responsibility of the management and dispersal of patrons from the premises. The Sub-Committee noted the Licensing Authority's submission in relation to the 27 December, that it was a fundamental requirement for a premises of this nature to have an evacuation procedure in place. It should not have been necessary for the police to be called out and the Sub-Committee concluded that this was part of the evidence of systematic failure of the venue management to operate as a safe club.

The Sub-Committee referred to paragraph 11.20 of the Home Office guidance and was satisfied that the appropriate and proportionate remedial action was for the licence to be revoked. The remedies put forward by the licensee were not sufficient to address the unacceptable levels of crime associated with the premises and the Sub-Committee was not satisfied that the licensing objectives would be promoted.

99

PREMISES LICENCE REVIEW - CLUB AQUARIUM, 256-260 OLD STREET, LONDON EC1V 9DD ("SHADOW" PREMISES LICENCE) (Item B2)

See Minute No 98 above for details of discussion.

RESOLVED

That the shadow premises licence, in respect of Club Aquarium, 256-260 Old Street, EC1V 9DD, be modified to the following licensing hours:-

- Sunday to Thursday 8am to 1am
- Friday and Saturday 8am to 2am.

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 listened to all the evidence and submissions and considered the material provided. 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 considered Home Office Guidance, paragraph 9.12 which sets out that the police should usually be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. The Sub-Committee noted that the guidance sets out that it remains incumbent on all responsible authorities to ensure that their representations can withstand scrutiny.

The police stated that they were relying on all the same evidence that had been submitted for the review of the licence held by Club Aquarium. The police summarised their evidence under four headings:-

- 1) Too much crime
- 2) Problems since premises on notice of review
- 3) Timing
- 4) Intoxication.

The Sub-Committee noted the submissions from the NTIA that the safe management of cultural events was a challenge across London. The remedy was not to take away a licence but to attempt to resolve issues with key stakeholders.

Club Aquarium presented the Shield report which scrutinised the police evidence and it was submitted that a number of crimes presented by the police could not be attributed to the premises. However, the Sub-Committee concluded that the incidents put forward by the police were linked to the premises. The Sub-Committee considered the Shield report and were not persuaded that crimes should be categorised as not attributable to the premises. The Sub-Committee considered that, in terms of the promotion of the crime objective, there should be no distinction

of violence towards staff or anyone else. The Sub-Committee were of the view that, where a crime report was self-generated by the venue staff, this should be recorded as an incident at the premises.

The Sub-Committee noted the licensee's representations as set out in their letter dated 23 January 2020. However, the level of crimes at the premises were a concern to the Sub-Committee and it considered that the licensee would have some powers over Club Aquarium in the context of their business relationship. Furthermore, as a premises licence holder, the licensee should demonstrate the promotion of the licensing objectives.

The Sub-Committee was particularly concerned about the timing of the offences and the level of intoxication associated with a large number of the reported offences. The Sub-Committee noted that the offences were generally occurring in the early hours of the morning and the earliest offence since the review occurred at 2.30am. The Sub-Committee also noted the statement of Chief Inspector Holyoak that the premises had placed a disproportionate burden on local police resources and posed a risk to the public.

In accordance with licensing policy 29, the Sub-Committee considered the options available and decided that it would be proportionate and appropriate to restrict the hours of operation. The Sub-Committee noted that there was a striking pattern of offences associated with the premises in the early hours of the morning. It was therefore reasonable and proportionate for the hours of operation to be reduced and brought within the Councils framework hours for a nightclub. This was in accordance with licensing policy 5 which states that a limitation on hours will be imposed where premises are shown to be the focus or cause of crime and anti-social behaviour.

The Sub-Committee considered the option of imposing further additional conditions but was satisfied that with the conditions in place the licensing objectives would be promoted. In particular, the Sub-Committee noted the condition already in place that provided that the licence shall have no effect until it is transferred to the operator approved by the police.

The Sub-Committee referred to paragraph 11.20 of the Home Office guidance and was satisfied that the appropriate and proportionate remedial action was for the reduction in hours and this would ensure the promotion of the licensing objectives.

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SUMMARY LICENCE REVIEW - CLUB AQUARIUM, 256-260 OLD STREET, LONDON EC1V 9DD (Item B3)

See Minute No 98 above for details of discussion.

RESOLVED

- 1) That the premises licence, in respect of Club Aquarium, 256-260 Old Street, EC1V 9DD, be revoked.

- 2) That the interim steps of suspension remain in place pending the final determination of any appeal.

REASONS FOR DECISION

The Sub-Committee listened to all the evidence and submissions and considered the material provided. 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 considered Home Office Guidance, paragraph 9.12 which sets out that the police should usually be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. The Sub-Committee noted that the guidance sets out that it remains incumbent on all responsible authorities to ensure that their representations can withstand scrutiny.

The police summarised their evidence under four headings:-

- 1) Too much crime
- 2) Problems since premises on notice of review
- 3) Timing
- 4) Intoxication.

The licensing authority submitted that since 2014 the licensee and management have attended seven different officer panels. It was submitted that there had been plenty of engagement with management and more so in the last eighteen months and although measures had been put in place incidents were still occurring.

The Sub-Committee noted the submissions from the NTIA that the safe management of cultural events was a challenge across London. The remedy was not to take away a licence but to attempt to resolve issues with key stakeholders. The Sub-Committee also noted the promoter's view that the issues could be resolved by the local authority and police working together with the premises.

The licensee submitted that the management and personnel at the premises were engaging with the crime prevention objective and co-operating with the police. The licensee submitted that discussions with the police and licensing authority should continue. The licensee presented the Shield report which scrutinised the police evidence and it was submitted that a number of crimes presented by the police could not be attributed to the premises. The licensee offered a number of changes to the licence conditions including a new condition that there would be no admission or readmission of customers to the premises after 3.30am.

The Sub-Committee concluded that the incidents put forward by the police were linked to the premises. The Sub-Committee considered the Shield report and were not persuaded that crimes should be categorised as not attributable to the premises. The Sub-Committee considered that, in terms of the promotion of the crime objective, there should be no distinction of violence towards staff or anyone else. The Sub-Committee were of the view that where a crime report was self-

generated by the venue staff, this should be recorded as an incident at the premises. The level of crimes at the premises were a concern to the Licensing Sub-Committee and in particular, the level of intoxication associated with a large number of the reported offences.

The Sub-Committee noted the escalation of crime and disorder following the meeting on the 16 October where the licensee was advised that the venue was under scrutiny, including the option of a review. The Sub-Committee also noted that the offences were generally occurring in the early hours of the morning and the earliest offence since the review occurred at 2.30am.

The Sub-Committee decided that it was proportionate and appropriate for the licence to be revoked.

The Sub-Committee recognised that, in accordance with licensing policy 29, the promotion of the licensing objectives was best achieved in an atmosphere of mutual co-operation between all stakeholders. The Sub-Committee noted the representations from the interested parties in this regard and considered that the promoter had been let down by the management. However, there had been a large level of engagement which failed to achieve the necessary improvements at the premises and the Sub-Committee concluded that it was necessary for the police to submit the review.

The Sub-Committee considered the option of imposing additional conditions but concluded that this was not a sufficient measure that would ensure that the licensing objectives would be promoted. The proposals by the licensee would see the premises still operating until the early hours of the morning and they would not address the pattern of offences occurring in the early hours and the levels of intoxication recorded.

The Sub-Committee also considered the option of suspension. The licensee put forward that a short period of suspension would allow the premises to complete the implementation of new policies. The Sub-Committee concluded that the proposed measures would not be sufficient to promote the licensing objective of crime and disorder.

The Sub-Committee noted the statement of Chief Inspector Holyoak that, since the submission for the review, there had been 3 GBH offences along with 2 incidents of disorder where police had to take over responsibility of the management and dispersal of patrons from the premises. The Sub-Committee noted the Licensing Authority's submission in relation to the 27 December, that it was a fundamental requirement for a premises of this nature to have an evacuation procedure in place. It should not have been necessary for the police to be called out and the Sub-Committee concluded that this was part of the evidence of systematic failure of the venue management to operate as a safe club.

The Sub-Committee referred to paragraph 11.20 of the Home Office guidance and was satisfied that the appropriate and proportionate remedial action was for the licence to be revoked. The remedies put forward by the licensee were not sufficient

Licensing Sub Committee B - 28 January 2020

to address the unacceptable levels of crime associated with the premises and the Sub-Committee was not satisfied that the licensing objectives would be promoted.

The Sub-Committee considered whether it was appropriate for the promotion of the licensing objectives for the interim steps to remain in place, or if they should be modified or withdrawn. For the reasons as detailed above, the Sub-Committee decided that it was proportionate and appropriate for the suspension to remain in place until any appeal was finally determined.

The meeting ended at 9.30 pm

CHAIR