



**Havering**  
LONDON BOROUGH

Licensing Officer's Report



## LICENSING SUB-COMMITTEE

## REPORT

12 May 2016

**Subject heading:**

**Circuit  
36-38 North Street Romford RM1 1BH  
s.53A expedited premises licence  
review**

**Report author and contact details:**

**Paul Jones, Licensing Officer  
c/o Town Hall, Romford  
paul.jones@havering.gov.uk**

**This application for an expedited premises licence review is made by PC Oisin Daly on the behalf of the Metropolitan Police under s.53A of the Licensing Act 2003. The application was received by Havering's Licensing Authority at 14:26 on 10<sup>th</sup> May 2016.**

This application is made under the provisions of s.53A of the Act. As such, s.53A(2)(a) requires that within 48 hours of the receipt of the application the licensing authority considers whether it is necessary to take interim steps pending the determination of the review application. This hearing is to enable the licensing authority to comply with this duty.

s.53B(3) requires that the licensing authority must consider whether to take the following interim steps:

- (a) the modification of the conditions of the premises licence
- (b) the exclusion of the sale of alcohol by retail from the scope of the licence
- (c) the removal of the designated premises supervisor from the licence
- (d) the suspension of the licence

This consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the licensing authority (s.53B(2)). Any decision the licensing authority may make takes effect immediately or as soon after as the licensing authority directs (s.53B(5)(a)). The licensing authority must then give immediate notice of its decision to the premises licence holder and the chief officer of Police.



## Part A

Premises licence number

016800

### Part 1 - Premises details

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

Circuit  
36-38 North Street, Romford RM1 1BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films, Live Music, Recorded Music, Performances of Dance  
Activity like music/dance, Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

#### Supply of Alcohol

Monday & Tuesday - 11:00 to 00:00  
Wednesday & Thursday - 11:00 to 01:00  
Friday & Saturday - 11:00 to 03:45  
Sunday - 11:00 to 00:30

#### Films, Live Music, Recorded Music, Performances of Dance Activity like music/dance

Monday & Tuesday - 11:00 to 00:00  
Wednesday & Thursday - 11:00 to 02:00  
Friday & Saturday - 11:00 to 04:00  
Sunday - 11:00 to 01:30

#### Late Night Refreshment

Monday & Tuesday - 23:00 to 00:00  
Wednesday & Thursday - 23:00 to 02:00  
Friday & Saturday - 23:00 to 04:00  
Sunday - 23:00 to 01:30

- From the end of permitted hours on New Year's Eve to the start of permitted hours the following day;
- On the trading day on which the clocks go forward (i.e. the start of British Summer Time) permitted hours may be extended for an additional hour;
- The permitted hours may be extended until 04:00 on any day immediately preceding a bank holiday; and
- The permitted hours may be extended until 05:00 on Christmas Eve and Boxing Day.

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The opening hours of the premises

**Monday & Tuesday - 11:00 to 00:15**  
**Wednesday & Thursday - 11:00 to 02:00**  
**Friday & Saturday - 11:00 to 04:15**  
**Sunday - 11:00 to 01:30**

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

**On and Off Supplies**

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## **Part 2**

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Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Buddha RT Limited**  
**PO Box 2944, Romford RM7 1QF**

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

**08592895**

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

**Robert Howe**  
**32 Epping Close, Romford, Essex RM7 8BH**  
**01708 743192**

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

**London Borough of Havering - 009406**

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## **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. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—**
    - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to—**
      - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or**
      - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);**

- (b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) A holographic mark, or
  - (b) An ultraviolet feature.
6. The responsible person must ensure that—
- (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

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**Mandatory Conditions cont'd**

- 7. The admission of children, that is persons aged under 18, to the exhibition of any film shall be restricted in accordance with any recommendation made by the film classification body designated by section 4 of the Video Recordings Act 1984.**
- 8. If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.**
- 9. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. Full details of this Mandatory Condition can be found at:-  
<http://www.legislation.gov.uk/ukdsi/2014/9780111109120>**

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**Annex 2 – Conditions consistent with the operating schedule**

- 1 The Premises Licence Holder shall ensure that the Designated Premises Supervisor is to be present on the premises, whenever any licensable activity is undertaken. (If the DPS is temporarily away e.g. because of holidays or sickness another personal licence holder may be nominated to fulfil the DPS's role on a temporary basis).**
- 2 The Premises Licence Holder shall ensure that intoxicating liquor shall not be sold or supplied prior to 19:00 hours other than to persons attending a bona fide pre-booked function involving, on the whole, the provision of substantial refreshments and/or music and dancing.**
- 3 The Premises Licence Holder shall ensure that no customers carrying open bottles upon entry are admitted to the premises at any time the premises are open to the public.**
- 4 The Premises Licence Holder shall ensure that alcoholic and other drinks are not removed from the premises in open containers, save for consumption in any external area provided for that purpose.**
- 5 The Premises Licence Holder shall ensure that all drinking vessels used at the premises are either toughened glass or made of polycarbonate and, as far as possible, used vessels shall be collected on a basis whereby areas are kept clear of these items.**
- 6 The Premises Licence Holder shall ensure that where appropriate, prominent, clear and legible notices are displayed at all exits requesting the patrons to respect the needs of local residents and to leave the premises and area quietly. A notice visible from outside shall provide a telephone number to which complaints may be made.**
- 7 The Premises Licence Holder shall ensure that noise or vibrations do not emanate for the premises which could cause a nuisance to nearby premises. Except for ingress and egress through the entrance, the inner lobby doors and windows shall be kept closed whilst regulated entertainment is taking place.**
  
- 8 The Premises Licence Holder or DPS shall be a member of the local Pub Watch (or similar) Scheme, if in operation, and a representative shall attend any meetings.**

9. The Premises Licence Holder shall implement and incorporate policies on the following matters. Policies should be reviewed periodically and not changed without consultation with the police. The key points to be covered will include:-

**Drugs:**

- 9.1• There shall be a policy of zero tolerance to the use of illegal drugs ensuring staff are aware of, and react to, the policy, recording each incident, drug related or otherwise, in the site incident book;
- Drugs awareness posters shall be displayed on site;
  - A secure drugs box shall be installed at the premises for any confiscated items which are, or are believed to be drugs. Any such confiscations are to be entered into a drug seizures log, which is to remain in close proximity to the drugs box. The drugs log shall be in a durable format, recording the time/date and location of the seizure; the member of staff seizing the item; the name or description of the customer from whom the item was taken and any action taken at the time to contact Police regarding the item seized (i.e. CAD number or details of officer in attendance);
  - The management of the premises shall contact Police at least once every calendar month, for an officer to attend the premises, empty the drug box, and sign the drugs log accordingly;
  - At all times when licensable activity is undertaken at the premises, at least one member of staff must be present in each set of toilets, at all times to monitor customer activity. These staff members shall be trained to be proactive in deterring and preventing any unlawful activity;
  - Any customer or member of staff found using, possessing or supplying illegal drugs on the premises shall be permanently excluded from the premises; a record of such exclusions shall be entered in the premises daily record. All reasonable steps shall be taken to ensure all staff are aware of the identity of excluded persons;
  - Signs shall be prominently displayed inside and outside the premises warning customers that drug use on the premises will not be tolerated, they will be searched on entry and the police may be called if drugs are found;
  - The DPS must hold a National Certificate of Drug Awareness qualification, run by the BIIAB, or similar accredited body.

9.2 **Security:**

- There shall be radio communication between the premises and the Town Centre Incident Desk;
- When door staff are employed at the premises they shall all be individually registered with the Security Industry Authority (SIA) and comply with the regulations governing that authority;
- All door staff shall enter their full details in the 'Premises Daily Register' at the commencement of work. This shall record their full name, home address and contact telephone number, the door staff's SIA registration number and the time they commenced and concluded working. Details of any SIA agency shall also be recorded including the name of the agency, the registered business address and a contact telephone number.

- All door staff working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear 'High Visibility Clothing.'
  - Door staff duties shall include searching and control of patrons inside the premises, control of patrons while queuing to enter the premises and conducting regular checks of all areas;
  - Door staff of both sexes shall be on duty at all times the premises are engaged in regulated entertainment. The premises shall be permitted to operate without female door staff subject only to one being appointed and employed within a reasonable time; any 'pat down' searches of female customers shall be performed by female door staff ONLY;
  - The four persons listed on the review decision notice may not be employed or work at the premises in any managerial or supervisory capacity. Additionally, they may not be employed in any other capacity at the premises without the written consent of the Police;
  - Upon entry to the premises every customer must be hand searched. These searches will include the searching of the customers' person, wallets, purses, bags and any other items carried on or by the customer. All searches shall be conducted by door staff and must be carried out in an area covered by the premises CCTV system. Any person not submitting to a search shall be refused entry to the premises;
  - The premises shall oblige customers to deposit overcoats and outdoor clothing (but not jackets/blazers, etc.) in the cloakroom on arrival. Similarly, all bags (but not ladies' handbags) shall be deposited within the cloakroom upon arrival. Such customers who are not prepared to comply with these requirements shall not be granted entry to the premises;
  - Details of ejections will be recorded in the premises daily register. This is to detail the exact entry/exit point through which the ejection is made, reasons for the ejection and all staff involved in the ejection. Where applicable, any ejections recorded on CCTV shall be kept on the premises CCTV system for a minimum of one calendar month.
- 9.3 • Bottle Bins shall be provided at the exit doors and staff shall prevent bottles and glasses being taken from the premises;
- The premises shall be cleared of customers and closed no more than 30 minutes after the conclusion of the last licensable activity.
- 9.4 Responsible drinking
- 9.5 Queue Management
- 9.6 Crime Prevention
- 10 The Premises Licence Holder shall ensure that the premises adopts and maintains the "Challenge 21" scheme whereby any person to whom alcohol is sold or supplied who appears under the age of 21 years shall be challenged to prove they are over 18 by providing identification by means of passport, photographic identity driver's licence or identification card approved by the Proof of Age Standards Scheme (PASS) and bearing the PASS logo.



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**Annex 2 – Conditions consistent with the operating schedule cont'd**

- 11 The Premises Licence Holder shall ensure that the premises adopts a club ID scan or a suitable equivalent which will be utilised as part of the conditions of entry after 21:00 on any day when SIA door supervisors are engaged. Patrons seeking to enter may then be subject to the entry process whereby a photograph may be taken, fingerprints may be taken or documentation is required or other means to enable identification to take place.**
- 12 The Premises Licence Holder shall ensure that all staff are suitably trained for their job function for the premises. The training shall be recorded, on-going and under constant review and these records must be available to a relevant Responsible Authority when called upon.**
- 13 The Premises Licence Holder shall ensure that a 'Premises Daily Register' shall be maintained and kept at the premises for a minimum of 12 months and is readily available for inspection by an Authorised Person throughout the trading hours of the premises. The register shall record:-**
  - The name of the person responsible for the premises on each given day;**
  - All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises including the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions to deal with the call;**
  - All incidents in relation to the use of any force by staff or Door Supervisors in the removal of persons from the premises including the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.**
- 14 The Premises Licence Holder shall ensure that a properly specified and fully operational CCTV system is maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk should have coverage appropriate to the risk. The positions of the CCTV cameras shall be clearly shown on a set of plans and any alteration to the system should only made after written approval of Havering Police and the licensing authority.**
- 15 The Premises Licence Holder shall ensure that a qualified user of the CCTV system will be present at the premises whenever licensable activity is undertaken. The positions of all CCTV cameras shall be clearly shown on a set of plans and any alteration to the system should only be carries out after written approval of Havering Police and the licensing authority.**
- 16 The Premises Licence Holder shall ensure that a clear head and shoulders image of every person entering the premises on the CCTV system is obtained. Persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.**

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Annex 2 – Conditions consistent with the operating schedule cont'd

17. The Premises Licence Holder shall ensure that the CCTV system incorporates a recording facility and all recordings shall be securely stored for a minimum of one calendar month and made available within a reasonable time upon request by the police on production of the relevant Data Protection form. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation, and all signs as required will be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
18. The Premises Licence Holder shall ensure that persons under the age of 18 are not permitted on the premises after 18:00 hours except for pre-booked functions where the terminal hour for persons under the age of 18 shall be 22:00 hours. If the club hosts an under 18 promotion for disco, bands or competitions alcohol shall not be served.
19. The premises Licence Holder shall ensure that last admission to the premises on a Friday and Saturday shall be no later than 03:00.
20. The Premises Licence holder shall ensure that the rubbish and glass refuse bins are kept at the rear of the premises away from public access. They shall also ensure that the footpath immediately outside the front of the entire premises is kept clear of refuse emanating from the premises by regular inspection both during and immediately after operating hours.

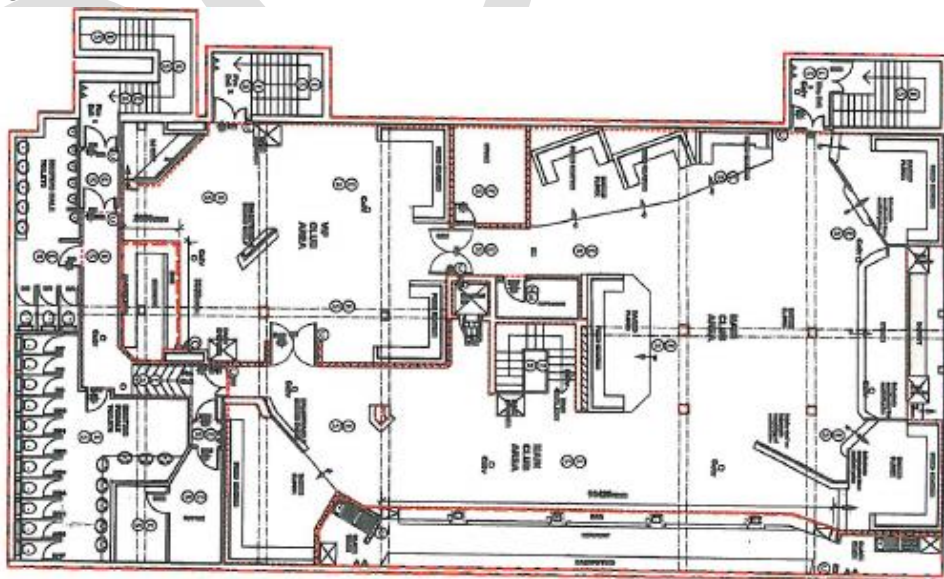
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Annex 3 – Conditions attached after a hearing by the Licensing Authority

None

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Annex 4 – Plans





## Part B

### Premises licence summary

Premises licence number

016800

### Premises details

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

Circuit  
36-38 North Street, Romford RM1 1BH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films, Live Music, Recorded Music, Performances of Dance  
Activity like music/dance, Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

#### Supply of Alcohol

Monday & Tuesday - 11:00 to 00:00  
Wednesday & Thursday - 11:00 to 01:00  
Friday & Saturday - 11:00 to 03:45  
Sunday - 11:00 to 00:30

#### Films, Live Music, Recorded Music, Performances of Dance

##### Activity like music/dance

Monday & Tuesday - 11:00 to 00:00  
Wednesday & Thursday - 11:00 to 02:00  
Friday & Saturday - 11:00 to 04:00  
Sunday - 11:00 to 01:30

##### Late Night Refreshment

Monday & Tuesday - 23:00 to 00:00  
Wednesday & Thursday - 23:00 to 02:00  
Friday & Saturday - 23:00 to 04:00  
Sunday - 23:00 to 01:30

- From the end of permitted hours on New Year's Eve to the start of permitted hours the following day;
- On the trading day on which the clocks go forward (i.e. the start of British Summer Time) permitted hours may be extended for an additional hour;
- The permitted hours may be extended until 04:00 on any day immediately preceding a bank holiday; and
- The permitted hours may be extended until 05:00 on Christmas Eve and Boxing Day.

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The opening hours of the premises

**Monday & Tuesday - 11:00 to 00:15**  
**Wednesday & Thursday - 11:00 to 02:00**  
**Friday & Saturday - 11:00 to 04:15**  
**Sunday - 11:00 to 01:30**

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

**On and Off Supplies**

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Name, (registered) address of holder of premises licence

**Buddha RT Limited**  
**PO Box 2944, Romford RM7 1QF**

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

**08592895**

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Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Robert Howe**

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State whether access to the premises by children is restricted or prohibited

**Restricted**

**2 of 2**

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**Havering**  
LONDON BOROUGH

Police Application



**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:** Metropolitan Police Service

**Address:**

19 Main Road Romford

**Post town:** Romford

**Post code:** RM1 1BJ

**Ref. No.:**

**I Police Constable Oisin Daly 364KD**

**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:**

CIRCUIT 36 - 38 North Street

**Post town:** ROMFORD

**Post code:** RM1 1BH  
(if known)

**2. Premises licence details**

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

BUDDHA RT LTD PC BOX 2944, Romford RM7 1QF

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

08592895

**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)

Monday 2nd May 2016 02:59hrs a group of males were in the venue they had hired one of the VIP area booths on the first floor. This area has glass bottles and customers pour their own drinks. A male who does not belong to the group sits within the area and starts to drink the alcohol that belongs to the males who have paid for the drink. One of the males then takes exception to this and tries to grab the drink from the other males hand. There is a bit of an altercation within the VIP area and this then spills out onto the dance floor area. This continues for around 11 seconds when one door staff appears and tries to separate the males. Another door staff arrives and the male who took the drink is standing beside one of the door staff when another male rushes to him and hits him in the face. The male then hides behind the doorstaff and other members come along and the other males in the VIP start to argue and run around the venue. Door staff start to struggle with the males and then try to eject them out of the back door exit which leads on to a small platform and then down the stairs at the back. One member of door staff is outside with around 5-6 males and they are surrounding him. The doorstaff then hits one of the males in the face and then starts to punch the rest of the males erratically, reigning punches down on more than one of the males. They then go down the stairs with the door man following them and then there are some more customers ejected outside. The males then loiter around outside the back of the venue and they pick up the bollards from around the back door and start to throw them around and at the marshalls that are at the back of the venue. The males are then seen to rush towards the back door and one of the doorstaff comes out and pushes the males back, one of the males falls to the floor backwards and the doorstaff kicks the male in the head whilst he is on the floor rendering him unconscious for around 3-4 minutes. No first aid is offered to the male his friends put him in the recovery position and then police attend some minutes later. The venue lost total control of the incident, there was a lot of violent disorder in and out of the venue resulting in injury.

### Signature of applicant

Signature:		Date:	10/05/2016
Capacity:	Havering Police licensing officer		

### Contact details for matters concerning this application

Surname:	Daly	First Names:	Oisin
Address:	19 Main Road		
Post town:	ROMFORD	Post code:	RM1 1BJ
Tel. No.:		Email:	Oisin.Daly@met.pnn.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.



**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:  
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:**  
36 - 38 North Street

<b>Post town:</b>	ROMFORD	<b>Post code: (if known)</b>	RM1 1BH
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**Premises licence number (if known):**  
08592895

**Name of premises supervisor (if known):**  
Robert Howe

**I am a Chief Superintendant\* 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)

**I AM OF THE OPINION THAT THIS INCIDENT IS SO SEVERE THAT MEASURES ARE NEEDED TO BE PUT INTO PLACE IMMEDIATELY IN ORDER TO PROTECT THE PUBLIC, AND TO PREVENT CRIME AND DISORDER. THE MANAGEMENT HAVE DELAYED PRODUCING CCTV WHICH SHOWED VIOLENT DISORDER AND POTENTIAL EVIDENCE OF A SERIOUS ASSAULT BY DOOR STAFF WHICH RENDERED A MALE UNCONCIOUS. THE VENUE HAVE NOT FOLLOWED THEIR OWN PROCEDURES WHILST THIS INCIDENT IS OCCURING. POLICE HAVE GRAVE CONCERNS WITH THE DOOR STAFF CURRENTLY IN PLACE AND THE OVERALL MANAGEMENT OF THE VENUE BY THE PREMISES LICENCE HOLDERS. THIS CURRENT INCIDENT FOLLOWS ON FROM A GBH THAT OCCURRED IN MARCH 2016.**

**Signature**

<b>Signature:</b>		<b>Date:</b> 10/05/2016
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### 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 DALY 364KD ..... URN: 

01	KD		16
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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: POLICE OFFICER

This statement (consisting of: .... **6**..... 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: 10/05/2016


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

I AM PC DALY 364KD and am one of the Licensing Officers for the London Borough of Havering. I have been in this position since February 2016. I have previously worked as a Police Licensing Officer on the London Borough of Brent and on the Met Police Central Licensing Unit.

On the 02nd May 2016 at approx 0259hrs an incident occurred at Circuit Nightclub, North Street, Romford. The incident was brought to the attention of the Police Licensing Team at Havering on Tuesday 03rd May. PC GOODWIN made several requests for the CCTV to the venue and the venues agents. They insisted on a meeting with all parties at the venue. The meeting took place at Circuit nightclub at 12:30hrs on the 09th May 2016. Present were myself, PC GOODWIN the DPS, Rob Howe, the premises licence holder, Tony Nicholls, an agent for the venue from Dadds solicitors, Alan Aylott and another male who provided his first name but did not clarify his position.

The venue then proceeded to show us CCTV, whilst showing us the footage Mr Aylott repeatedly attempted to give a running commentary on events. He was asked on numerous occasions to let the footage play without attempting to influence opinion with commentary. During the course of viewing the footage it became clear the reasons for all the parties involved in the business being present at the meeting, it was also clear why they had delayed allowing us access to the footage.

The footage shows incidents of assault between patrons within the venue, patrons on door staff, door staff on patrons, poor management of a violent situation, affray, and criminal damage and concludes with a member of door staff kicking a male in the head whilst he is on

Signature:  ..... Signature witnessed by: .....

Continuation of Statement of



the ground rendering him unconscious for several minutes.

The footage shows a litany of serious failures in the ability of the venue of manage incidents of disorder, the door staff show little ability to manage violence and are seen using extreme force, far beyond what could be deemed reasonable, in ejecting a group of males from the premises. There is no evidence of any management intervention in the incident, there does not appear to be any supervision from the footage provided.

At the point of seeing the slow motion replay of the door staff kicking the male in the head I called the meeting to a close. I pointed out the kick in the head to all parties present who all stated that they had not seen it.

In spite of having six days to view the footage and feeling it necessary to have solicitors present at a meeting, they would not acknowledge they had seen the kick which caused the male to be knocked out.

The only call for assistance to the police 999 system was from police who arrived at the incident and were requesting an ambulance for the victim.

There was no aftercare for the victim provided by the venue whatsoever, in fact it was his friends who placed him in the recovery position.

Following calling the meeting to a close I was given two discs of CCTV footage from Rob Howe.

The discs contained CCTV footage from the venue.

Using a Packard Bell NEW65 laptop computer I downloaded the files from the discs. The files were contained in a .dat format. The files were then transferred to Windows Movie Maker, a computer program for editing and converting video files. On the 09th May 2015 I edited the files provided to remove any non-pertinent content, I then added captions and titles and converted the file into an Mpeg-4 file to allow viewing on multiple platforms. The completed project is entitled Circuit 02052016 1080, it is 23 minutes 12 seconds in length and is 822mb in size. At no point was any footage added from any other sources nor the footage provided digitally altered in any way.



Signature:



Signature witnessed by:

Continuation of Statement of R. Paul 364152

restrained he is punched twice in the face at close range by another doorman

13:56 - Doorman leans over banister and punches one of the males in the head as male is walking away

14:04 - Unknown IC3 male attempts to calm down males

14:06 - Doorman appears to spit down on males leaving via fire exit

14:37 - Additional male is ejected who appears to be kicked/kneed by door staff as he is leaving

14:55 - Male kicks at closed door

15:15 - Males begin to make their way to rear of club down stairs

15:27 - Males remonstrate with taxi steward at rear of club

16:19 - Males begin to move towards back doors

16:35 - Alternate angle of rear of premises

17:50 - Males begin coming down from stairs

18:55 - Male pulls down barrier as he is moving toward rear door being followed by door staff

19:08 - Male pulls up barrier to get at rear door

19:44 - Males converge on back door

19:49 - Males are pushed back from door

19:56 - Males converge on back door again,

20:00 - Males are pushed back from door again, this time a member of door staff comes out with group of males and appears to stamp on the head of one of the males

20:05 - Male lies unconscious on ground

20:22 - Group then attempt to assist male on ground, placing him in recovery position, he remains lifeless, some go back to the rear door one of whom proceeds to end up on his hands and knees for several seconds.

22:24 - Door staff return in shot, no obvious assistance offered

22:32 - Unconscious male lifts his head from floor, police can be seen entering shot from top right of footage

22:39 - Replay at full speed of door staff kicking male in the head

22:53 - Replay of door staff kicking male reduced to half speed

23:13 - Footage ends

Signature: R. Paul 364152 Signature witnessed by: .....

Continuation of Statement of

*P. R. S. G. D.***Summary of CCTV**

In summary of CCTV the timings correspond to the timings on the video playback.

Different camera angles are shown consecutively, each angle shows the actual time of events in the top right hand corner.

*I exhibit this CCTV as OVD/1. →*

00:20 - IC4 male with beard is ejected from VIP area

00:55 - IC4 male is punched to ground by IC1 male

01:34 - Door staff speak to IC4 male

01:39 - Door staff and IC4 male return to VIP area

02:17 - IC4 male is then punched by IC1 male in view of door staff

03:12 - Door staff begin ejecting males out of rear fire exit

04:28 - IC1 male with earpiece and torch appears to right of screen, appears to be connected with venue

04:43 - Doorstaff continue to tussle with patrons

05:20 - Patron resisting ejection moves away from door staff and is restrained at top left of screen

05:42 - Male is pulled backwards by door staff onto the ground and is dragged away

06:30 - Door staff eject female and male via front door

07:10 - Staff member begins mopping up

07:32 - Shot of fire exit corridor

08:05 - Ejections commence

09:23 - Male is ejected by three door staff, one of whom appears to gouge his eye

09:53 - Door staff shut fire exit door, holding it closed with their feet

10:30 - Additional males ejected via rear exit, females also involved in incident

11:32 - Dance floor stairs open

12:09 - Ejections commence

12:29 - Scuffles ensue between door staff and males leaving one member of door staff stranded on his own

13:24 - Lone doorman fights group away

13:34 - Male is being restrained from behind by door staff as he is taken out fire door, whilst

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*P. R. S. G. D.*

Signature witnessed by:

Continuation of Statement of PC Paul 3640

Having viewed the footage with the benefit of time it shows members of door staff commit offences of GBH, ABH and common assault.

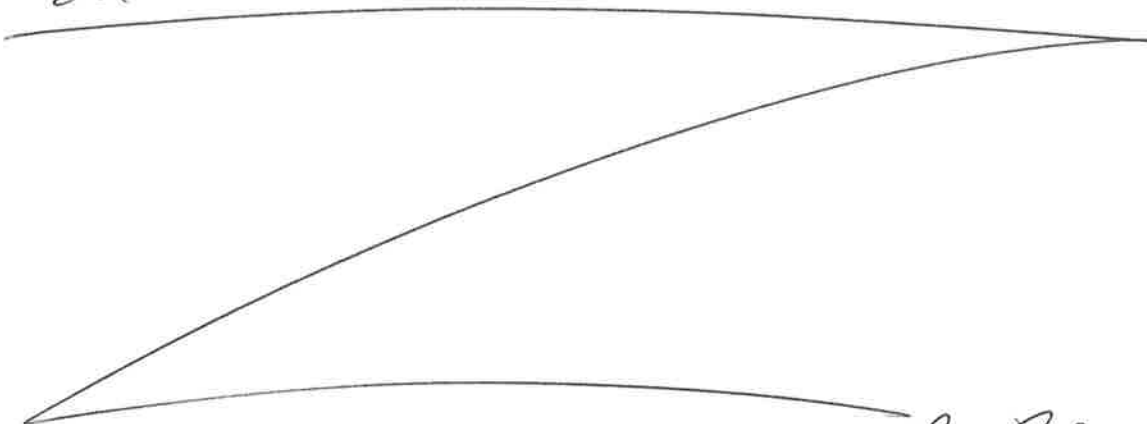
This incident has a harrowing similarity to the tragic death of Lee Rayner in similar circumstances in 2007. Rayner and others had been refused entry to the same venue, called the Opium Lounge at the time, when one of them subsequently spat on a member of door staff. A group of door staff then followed the group before one or more of them stamped on his head fracturing his skull across the circumference. Several members of door staff were jailed following the incident.

The premises licence holder, Tony Nicholls, when he purchased the venue stated that he was aware of the history and incidents at the venue and wanted a fresh start, specifically door staff policies.

There has been clear evidence of violence used by door staff. There has been no apparent intervention by any management at the venue, no aftercare provided to a male left unconscious on the street and reluctance from the venue to provide CCTV when requested. There is a blatant disregard for the licensing objectives and a definite risk to members of the public should the venue be allowed to continue to trade in its current form.

For these reasons Police request an immediate suspension of the licence.

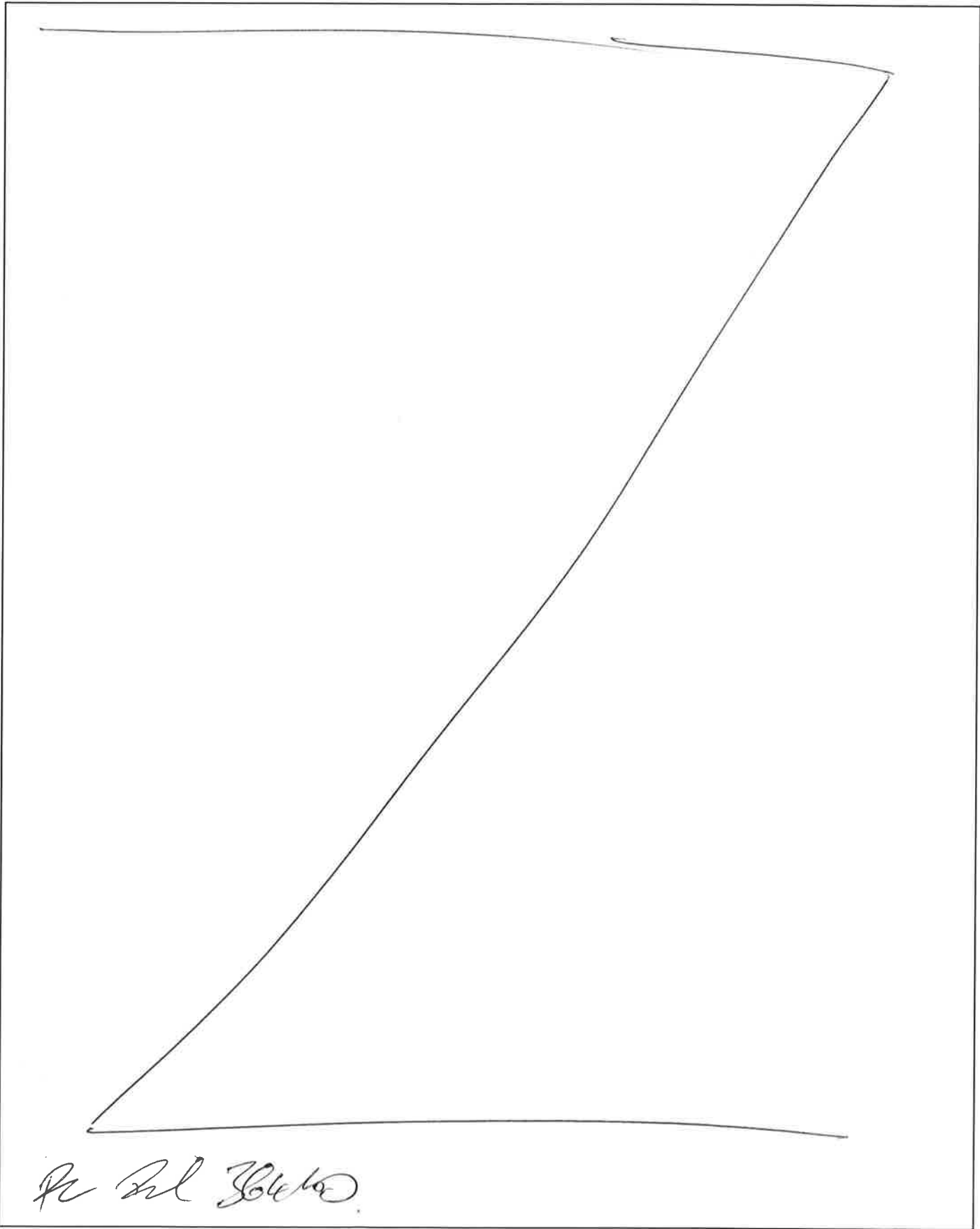
PC Paul 3640



PC Paul 3640

Signature: PC Paul 3640 Signature witnessed by: .....

Continuation of Statement of Re Paul Zwick



Signature: Re Paul Zwick Signature witnessed by: \_\_\_\_\_

## WITNESS STATEMENT

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

URN 

Statement of: Belinda GOODWIN

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

This statement (consisting of 4page(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: 10/05/2016

I am a Police licensing officer for the borough of Havering. I have been in this role for 12 months and it is my duty to ensure that the licensed venues within the borough of Havering adhere to and uphold the four licensing objectives.

Our working day consists of scanning through our crime reports first thing in the morning checking any allegations of crime for the whole of the borough that are linked to any licensed premises. On Tuesday 3rd May 2016 I conducted a search and found that there had been an incident of affray at a venue called CIRCUIT 36-38 North Street Romford RM1 1BH. PS Ruane who is one of the Town centre sergeants and who was on duty that night came and spoke to myself and PC DALY 364KD with concerns about the incident that occurred at Cricuit and that the males involved had severe cuts on their faces and one male had been knocked to the floor. One of the officers on the team had viewed the CCTV at the time and one of the cameras (13) had blacked out and he could not view this, but what he did see was some fighting and the males being ejected from the venue, they returned and they were acting disorderly at the back of the venue. No arrests were made at the time, the males were all aggressive towards police and the allegations that door staff had assaulted them had not been substantiated by the officer who viewed the CCTV at the time. The males had also said that they had been drinking since 1pm that previous day and that they had paid £600 for the booth in the VIP area and that they were angry that this male had come and took their drinks and that they got thrown out for it.

Once I had been told this information I e-mailed Mr Rob Howe and Mr Tony Nicholls at 13:08hrs and requested the CCTV of the incident. I did not get any response so I e-mailed again the next day at 11:34hrs requesting the CCTV again. I then got a response from Mr Nicholls a few minutes later and then from Mr Howe who said that he would sort a copy of the CCTV out for me. On Thursday 5th May 2016 at around 1400hrs I was at Mercury House with PC Daly 364kd and we received a call from Mr Alan Aylott who is one of the licensing legal agents that acts on behalf of CIRCUIT and who I have had previous dealings with, and he stated that he would prefer that we look at the CCTV together as he has viewed it and in his words " there is some learning that needs to come from this" I expressed my concerns about what was on the CCTV and he said it is not that bad but he thinks that it would be better if we viewed together as he could explain what was happening whilst we were watching it. I again stated that I would like to take a copy for us to view first and he said that it was difficult as there would be no-one there for us to collect it from. As I have dealt with Mr Aylott previously I trusted that what he has seen was not too severe and would just need

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Signature Witnessed by Signature:.....

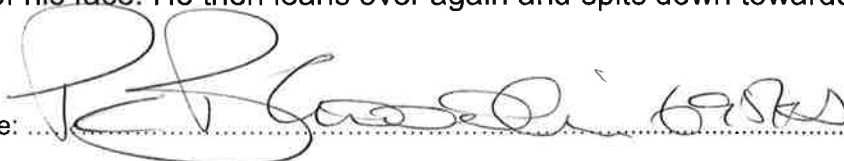


Continuation of Statement of:

some work around the back where the taxi marshalls are so I was reluctant but agreed to us meeting with Mr Aylott on Monday 9th May 2016 for 12:30.

Myself and PC DALY 364KD arrived at the venue CIRCUIT just before 12:30 on the 9th May and were met by Mr Rob Howe, Mr Tony Nicholls, Mr Alan Aylott and another male who did identify himself but I cannot remember his name and am not sure what capacity he was at the meeting as, but he sat at the back of the CCT V room and office taking notes. Mr Howe started to show us the CCTV, I asked that we summarise why we were there, that we had told by Sergeant Ruane who was on that night that he had concerns about the males who had been in the venue with regards to the cuts on their faces and that one male had been knocked unconscious. Mr Aylott did not seem to be aware that there was an allegation of an assault. Mr Howe continued to show the CCTV and we started to view it. At 02:59hrs the camera that is just above one of the VIP booths shows two tables that are around 5 feet apart with bottles of drink and glasses on them. There are around 7 or 8 males and 2 females that are in the area. There is one male who is sitting at the far end and he is seen to pick up a glass and take a drink. One of the other males sees this and seems to try and grab the drink from his hand, this then escalates and the male then pushes the other male off the VIP area into the dance floor area and then the other males who are in this area get involved. There are some punches that are thrown and the male makes off pushing past other customers in an attempt to get away. This incident is happening for around 11 seconds before any door staff start to see it and intervene. The male who took the drink then comes back round and stands with the door staff, there are two of them then and one of the other males comes round again and punches the male knocking him backwards. The male then runs behind one of the door staff and they are trying to keep them apart. Two more door staff turn up and there is another male who is black who is not in uniform who appears to know the male who took the drink and he seems to know the door staff and he gets the male who took the drink away and he is seen to say something to the door staff who then starts to grab the other males in the VIP area and take them out the back exit. Some of the males then make off towards the back of the venue, door staff give chase and they are grabbed and dragged out of the club towards the back door. We were then shown the camera by the back door and it shows a number of door men grabbing the males and literally throwing them out the door onto a small metal platform. One of the door men is seen to gouge a male on his face and around his eye area whilst taking him out the door. There is a female that is seen to come out who is very petite and the door men are seen to be quite heavy handed with her pushing her back in through the door to the club. We are then shown another camera outside where the platform area is and there are up to 5 males who have been ejected in this small area, along with 1 door man who is standing up against the door. One of the males seems to touch the door man on his face and the other males then seem to crowd around him and he then brings back his right arm and hits one of the males in the face, the other males seem to move back and the door man then brings his right arm up and hit out erratically at two or three of the male to his left, reigning punches down on the males who then jump up and make for the stairs. The doors to the club open and there are more males who are being ejected out and they make their way down the stairs. As the males are walking away one of the door men leans over the railing towards the stairs and with his right arm brings it back and throws a punch towards one of the males and seems to connect with the right side of his face. He then leans over again and spits down towards the males.

Witness Signature: .....



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Continuation of Statement of:

One of the males then comes back up to the platform and attempts to kick the door. Another male comes out who was involved previously who is trying to talk to the males and get them to go down the stairs. The males then get down the bottom of the stairs and are loitering around at the back of the venue around where the taxi marshalls are and they are seen to approach one of the taxi marshalls and surround him. One of the males then picks up one of the bollards that are surrounding the back doors and tries to throw them at the back of the doors. The males are then seen to rush to the back doors and some of them go out of camera. This goes on for a couple of minutes when a male is seen to come out and push the group over, and one chap is on the floor laying very still. I asked to see the footage brought back to see how the male had fell and Mr Howe slowed the camera down and it is seen that the male who comes flying out of the venue kicks out his right leg towards the male who lands on his back and is then seen to stamp on some part of the males body and then move back. The other males crouch down towards him and immediately place him in the recovery position. This incident happened at 03:07 hours and seems to be unconscious until police attend at 03:09 hours. Not at any time do staff or anyone from the club attend to this male. The other males who are with him are now very calm and not acting aggressively they are standing around and look concerned at the situation.

All the way through the showing of the CCTV Mr Aylott is trying to give us commentary about what is happening and is trying to guide us through. Once we saw the incident of the male lying on the floor PC Daly 364KD asked for the meeting to be terminated and we left.

**On Sunday 10th January 2016 at 02:00hours an allegation of ABH in the VIP area. Males were ejected from the venue and the CCTV showed that there was one door staff left outside the platform area with him and he was vulnerable and I made representations on 12th January when I visited the venue that there should be at least two door staff dealing at any one time.**

On Saturday 5th March 2016 at 03:00hrs there was another incident within the venue at the VIP area where a male picked up a large bottle of champagne and with both hands he hit another male who was on the dance floor with the bottle causing GBH injuries to him. I attended the venue 07/03/2016 and we discussed the incident at length and we agreed to the following recommendations

**VIP AREA - To have one SIA monitoring each area once a bottle has been served and to continuously monitor whilst there are bottles on the tables.**

**REFRESHER TRAINING - VIP waitresses to be re-educated around collecting empty bottles**

**EXTRA GLASS COLLECTORS**

**CCTV to be monitored more intensely on the dance area whilst SIA staff are concentrating on the VIP areas**

**At this stage we are not asking that this be included in the licence, however this may be a consideration if there is another incident of this nature.**

It is clear from this latest incident that there were no door staff static to the VIP area because if there was this incident would have been seen and dealt with a lot sooner. Door staff take around 11 seconds to come and deal with the situation and they seem to have trouble in calming the situation down and not being able to eject the males efficiently. Once the door

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Continuation of Statement of:

staff have the males out on the back platform they are seen to lose total control and are seen to assault the males whilst they are walking away and causing no threat to them. The managers or door staff did not put a call into the police not even when the males are at the back of the venue throwing the bollards around. There is also opportunity for the back doors to be closed but instead this is when one male from the venue rushes out towards the males and kicks one of the males in his body knocking him unconscious. There is also no attempt to administer first aid to the male who is lying still on the floor for around 3 minutes until the police arrive. In the meeting that was conducted yesterday I asked why yet again there was one door staff out on the platform on his own and they said that he chose to do that. I asked why there was no door staff at the VIP booth and they could not answer.

**Police have grave concerns and do not feel that the licensing objectives are being met and fear for the public safety of potential customers and that there will be future crime and disorder at the venue whilst these issues are not dealt with. Police therefore ask for suspension of the premise licence at this time.**

*[Handwritten signature]*



Witness Signature: .....

*[Handwritten signature]*

Signature Witnessed by Signature: .....

## Goodwin Belinda'B' - KD

---

**From:** Goodwin Belinda'B' - KD  
**Sent:** 03 May 2016 13:08  
**To:** 'Rob Howe'; 'Tony Nicholls'  
**Cc:** Daly Oisin P - KD  
**Subject:** Incident Sunday 01/05/2016 Affray

Rob,

Would it be possible to obtain the CCTV for the disturbance that occurred inside and outside the premises on the above date please

I can collect tomorrow

Regards

Belinda Goodwin 695kd

### **Licensing Officer - Metropolitan Police - Havering**

Met Phone 712804 | Direct 01708 779162 or 01708 432781 | Fax 01708 432554

Address - **ROMFORD POLICE STATION 19 MAIN ROAD, ROMFORD, ESSEX RM1 3BJ or 5th Floor, Mercury House, Mercury Gardens, RM1 3SL**

E mail - Belinda.goodwin@met.pnn.police.uk

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A handwritten signature in black ink, appearing to read 'Belinda Goodwin', with the number '695kd' written to the right of the signature.



## Goodwin Belinda'B' - KD

---

**From:** Goodwin Belinda'B' - KD  
**Sent:** 04 May 2016 11:34  
**To:** 'Rob Howe'; 'Tony Nicholls'; 'Alan Aylott'  
**Cc:** Daly Oisin P - KD  
**Subject:** Incident Sunday 01/05/2016 Affray

Hi All,

Any update on the cctv please, we can come anytime to collect

Regards

Belinda

---

**From:** Goodwin Belinda'B' - KD  
**Sent:** 03 May 2016 13:08  
**To:** 'Rob Howe'; 'Tony Nicholls'  
**Cc:** Daly Oisin P - KD  
**Subject:** Incident Sunday 01/05/2016 Affray

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Belinda Goodwin 695kd

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