



LICENSING SUB-COMMITTEE

REPORT

27th March 2012

Subject heading:

Club Ciroc
64-64a South Street
Romford RM1 1RB

Report author and contact details:

Premises licence review
Paul Jones, Licensing Officer
Mercury House, ext. 2692

This application to review a premises licence is made under section 51 of the Licensing Act 2003 by PC David Fern on behalf of the Metropolitan Police. The application was received by Havering's Licensing Authority on 2nd February 2012.

Club Ciroc is located in the pedestrianised area of Romford's South Street. The area is predominantly commercial although there are residential properties in the immediate vicinity.

Application to review

PC Fern submits this application to review based upon the following grounds:

- The premises is not adhering to the conditions of the licence and is failing to operate in accordance with the licence
- There have been several licence breeches despite previous warnings from the Police
- There was a serious breach of health and safety recently, investigated by the fire service

Representations

Fire Safety Officer David Hallam makes representation in support of this application on behalf of the London Fire & Emergency Planning Authority. FSO Hallam makes representation based upon the licensing objective of public safety. FSO Hallam indicates that he was asked by the Metropolitan Police to inspect Club Ciroc after a Police inspection raised concerns in relation to public safety. The LFEPA inspection subsequently identified a series of matters considered necessary for the premises licence holder to implement to promote the licensing objective of public safety.

Requirements upon the Licensing Authority

The provisions of section 51 of the Licensing Act 2003 dictate that the Licensing Authority undertake certain functions with regard to a premises licence review application. To this end a public notice advertising this application, and inviting interested parties and responsible authorities to make representations against or statements of support for the application, was placed on a lamp-post directly outside the premises on 2nd February 2012. This notice was seen to remain in place for the required 28 day period. The same notice was also installed at Havering's Town Hall notice board on Main Road, Romford and placed on Havering's website on the same day. A copy of the notice is attached for reference.

When determining an application for a premises licence review section 52(3) of the Licensing Act 2003 requires that the Licensing Authority must, having regard to the application and any relevant representations, take such of the steps mentioned in section 52(4) as it considers necessary for the promotion of the licensing objectives. These steps are:

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

Copies of all representations and supporting documentation are attached for reference.

Paul Jones
Licensing Officer



11343

DAVE A ASKED IF THE FIRE SERVICE CAN BE SENT AN ELECTRONIC COPY WHEN SCANNED IN

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the Guidance Notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I PC 118 KD David Fern on behalf of the Metropolitan police
[Insert name of applicant]

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description
Club Ciroc, 64 South Street.

Post town
ROMFORD

Post code
RM1 1RB

Name of premises licence holder or club holding club premises certificate (if known)
Night life Ents Ltd, 64 South Street, Romford, Rm1 1RB

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

7450837

1716

Part 2 - Applicant details

I am
✓ Yes

Please tick

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of
- c) a person involved in business in the vicinity of
- d) a body representing persons involved in business the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

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

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
Email (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

David Fern, Police Licensing officer London Borough of Havering Romford Police station 19 Main Road RM1 3BJ
Telephone number 01708 432781
Email (optional) David-anthony.fern@met.police.uk

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

Please tick one or more boxes ✓

- | | |
|-----------------------------------------|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children form harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read Guidance Note1)

The premises are not adhering to the conditions of the licence and failing to operate in accordance with the licence.

There have been several breeches despite previous warnings from the police.

A serious breech of health and safety recently, investigated by the fire service.

I believe that the public safety is at risk.

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

Club Ciroc, 64 South Street, Romford, RM1 1RB,
The premises licence is held by Night Life Ents Limited, 64 South Street, Romford. The designated premises supervisor is Mr Aydemir Yatzman.

History

On January 13th 2012 Mr Yatmaz applied for several temporary event notices, this led me to look into the crime statistics for the premises, has the applications involved extending the licensable hours from 0300 - 0400 and some for 0430 hours.

The crime figures raised my concerns over the last six months of operating there had been several reports of ABH, GBH, assaulting involving violence, along with disturbances. I then conducted further research into the premises which raised my concerns further. The nature and violence associated with the premises include a victim with a fracture skull who needed a metal plate around his eye socket.

I raised my objection to allow the premises to be open later during these temporary event notices, fearing that this would create and lead to further offences and not in line with preventing crime and disorder.

Police also received information that on the night of 27/12/2011 that the entire door team walked out of the premises due to an altercation with the DPS Mr Yatmaz. This questions the management of the premise and does not promote the licensing objective of public safety, prevention of crime and disorder.

At the end of the evening I have reviewed the local authority CCTV, 3 police officers are outside the venue preventing 2 fights from occurring. The venues staff were nowhere to be seen. The dispersal policy is clearly not being adhered to.

I conducted a visit to the premise on 20th January 2012 and met Mr Yatmaz and Mr Poppat. The crime figures were explained to both parties and my concerns about how the premises were being run.

I then conducted an inspection of the premises.

I asked to see the premises daily register, I was presented with a diary, which contained very little apart from names not all readable and numbers which I promised was of the SIA staff.

I then explained what was required as per the condition on the licence.

Annex 3 - CD6

This also requires incidents involving use of force to be documented this was not done. I checked the dates against the relevant reported crimes ten in total no entries. I did not continue to check the register as it was clear there were no entries being made.

There was no SIA register as per condition CD7 annex 3.

CCTV - there was a fault with the system and Mr Yatmaz called for an engineer, another failure.

Condition PNGPG1 requires a queue management and dispersal policy.

There was not a policy in place this section of the binder was blank.

I informed Mr Yatmaz and Mr Poppat that I was concerned about how the premise operates.

The queue management consisted of a barrier pulled across the main entrance, fire exit area. I had observed CCTV of the premises showing door staff walking off and people just walking into the club.

This again raised my concerns that the licensing objectives were not being met.

There have been two incidents involving fights within the smoking pen area, one made it on to the internet on you tube.

This area is too large and not managed by the door team. I informed Mr Yatmaz that this area needs to be reduced and that I wanted to see a door supervisor there at all times.

I explained that I would like to see two pens, one created for the queue and one created for the smokers. That the fire exit would remain clear and unblocked. That barriers would be used to define these two areas.

Condition CD20 relates to drugs policy, again a log is required and a box to secure the drugs should also be introduced. No drugs log book was in place or a documented trial of drugs found.

The club has a capacity limit for 930 including staff, with such a large amount I would like to see a female member on the door team to ensure adequate searches are carried out. Mr Yatmaz accepted that this should be in place.

The down stairs toilets are not use I was concerned that when only the front section is open patrons had to walk through the rear section of the club to use the toilets on the first floor. The rear area is not adequately supervised on these quieter nights and I feel drugs use could take place easily, also the potential for fights and disorder. On these nights there are less SIA staff employed, technical covering the same area.

I was told that the measures discussed would be rectified; I left the premises and then return later that evening and issued a Closure notice under section 19 of the criminal justice and police act 2001. Lists of ten items were required to be address.

This high lighted all of my concerns and gave the operator and DPS 7 days to comply or I would see a closure order.

I returned to the premise on 27th January 2012 there had been some steps forward.

The SIA log book consisted of a binder with laminated names and copies of the cards inside. I checked this to see if it was correct, there was a member of the door team on duty, who details did not appear in the log.

I told Mr Yatmaz, that I wanted to see CD7 condition of the licence, that address and telephone numbers need to be available to the police, along with times and who is employed at the premises.

I want to see a Book not a binder that could be changed to suit any purpose.

The daily premises book was still the diary with the SIA staff names logged in, so again the conditions were not complied, however another binder was present which held details of incidents, and this had A4 pages attached to a ring binder.

I accepted that effort had been made; a book is required to ensure transparency My Yatmaz informed he would purchase the books, however I was reassured of this the week before.

CCTV - the system was working, I raised my concerns at two of the camera locations and the quality of the cameras. Mr Yatmaz informed me he would change the cameras. The system needs to be check by a crime prevention design officer to ensure compliance. The system board was being fixed but a temporary replacement was in use. I am not totally satisfied that the CCTV covers all areas adequately this was due to on my visit this time the main bar area in the club had been removed.

The entrance was again blocked by a barrier and not as discussed, no separate pen had been made for the queue.

There was a notice informing patrons that the number outside smoking was limited. I felt that Mr Yatmaz had again made some steps in the right direction but not enough.

I accepted that progress had been made but more need to be done to ensure compliance with the conditions.

I issued a counter notice for the closure and an action plan to rectify the conditions still not being fully complied to.

During my visit I notice a large amount of building work taking place in the rear section of the club. There were raised area's, steps down to the dance floor area unmarked and the middle bar section had been removed, dangerous practice considering the front bar was open and the toilets were upstairs through the main club. There appear to be staged are too.

I have not received any application to vary the premises, I thought at the time the place did not look safe and far from being ready for a launch party the following evening Saturday 28th January.

My concerns at this stage were for public safety.

I contacted the fire brigade in order to conduct an inspection.

The outcome was the owner had board over and restricted a fire exit. There were other concerns raised. I was informed that the fire officer could have closed the premises down straight away. However My Poppat said he would remove the building work and avoid an immediate closure.

I later spoke to Mr Poppat that evening via the police duty inspector's telephone.

I told him that there had been no variation to the premise licence and if he conducted licensable activity he would be in breach of his conditions/licence.

I have been made ware that the premise remained closed on the Saturday 28th January 2012.

The police are concerned that the premises are not complying with the conditions on the licence and the premises owner and operator are not operating in a manner that promotes the licensing objectives.

The operator is an experienced operator who should be well aware of the licensing act. There have been representations made to me that the operator has had many issued of compliance raised before at other venues, some out of London.

I believe that a suspension of the licence should be made until the premises operator and DPS have adequate measures in place and have complied with the conditions on the licence. This would allow the management at the venue to remedy all systems and controls

This would also provide time for additional staff training; SIA staff and club staff also to ensure adequate first aid trained staff are available as per condition PS23. This in turn would promote condition CD1 on the licence regarding training.

I would also like to present further conditions to the panel which I believe the committee should consider in order to promote the licensing objectives.

My main concerns are Public safety, Prevention of crime and disorder, and preventing public naissance.

Conditions to be considered:

Entry:

A minimum of one SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business. On busier nights when capacity is over 200 a minimum of two should be employed. (This will ensure both the queue and the smoking area are controlled)

All staff engaged outside the entrance to the premises or supervising controlling queues shall wear high visibility yellow jackets.

The premises licence holder shall ensure that the queue to enter the premises is orderly and supervised so as to ensure that there is no public nuisance or obstruction to the public highway.

No patrons shall be admitted or re admitted to the premises one hour before licensable activity ends, except for smokers held in the smoking pen.

Patrons permitted to temporary leave and re-enter the premises to smoke shall be limited to 35 persons at one time.

Patrons permitted to temporarily leave and re enter shall not be permitted to take drinks or containers with them.

The designated queue and smoking area shall be enclosed within the appropriate barriers to ensure that the footway by the entrance and exit is kept clear.

Persons entering and re entering shall be subject to a search by an SIA trained member of staff this will be monitored by a CCTV camera.

A female door staff member will be on duty at times the premises are open to the public.

CCTV

Shall comply with current conditions and add

A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member must be able to show police or an authorised officer recent data or footage without delay.

CD18 shall be amended to read 31 days and not 21 days.

Bottle and glass conditions:

CD 10 - proposal to remove and replaced with.

No drinks shall be served in glass containers at any time; the use of non glassware drinking vessels at all times is mandatory.

All bottles must be decanted into non glassware.

Exit doors

All external fire exits doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been open.

Events

All events held at the premises shall be risk assessed through the Metropolitan Police clubs section SCD9. Completion of the relevant risk assessment form will be submitted this will be authorised prior to any event being advertised and or flyers and posters printed.

Dispersal

Immediately following the cessation of the sale of alcohol the playing of music is wound down with lower tempo music and decreased volume, the lights will be gradually increased.

An Announcement will be made asking patrons to leave.

Door staff will ensure no patrons leave with any drink containers.

Door staff and management will ensure that patrons do not cause any disturbance or nuisance within the vicinity of the premises.

If a disturbance does occur then patrons will be asked to move on and disperse.

My opinion is that the above conditions are required to ensure the premises promote the licensing objectives. This also makes the owner and DPS fully aware of the expectations that are required by responsible operators.

Please tick ✓ yes

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

When do you want the premises licence to start?

Day		Month		Year			

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

None.

Please tick ✓ yes

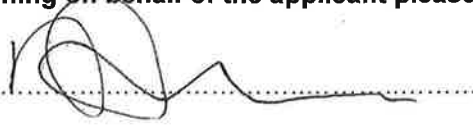
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read Guidance Note 2)

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

Signature



Date

01/02/2012

Capacity

Police Licensing Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read Guidance Note 5)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by e mail your e mail address (optional)

Guidance Notes

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

All correspondence to be sent to :

Licensing Section
London Borough of Havering
Mercury House, Mercury Gardens
Romford, Essex RM1 3SL

Tel 01708 432777



Havering

LONDON BOROUGH

LICENSING ACT 2003 APPLICATION FOR PREMISES LICENCE REVIEW

Club Ciroc 64-64a South Street Romford RM1 1RB

Notice is hereby given that an application has been made to the Licensing Authority of the London Borough of Havering by the Metropolitan Police for a review of the above premises licence.

GROUNDS FOR REVIEW

Police contend that: the premises is not adhering to the conditions of its licence; the premises is failing to operate in accordance with its licence.

Any interested party or responsible authority wishing to make representation on this matter must do so in writing to: Licensing Authority, 5th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL between 3rd February 2012 and 1st March 2012 inclusive.

The public register of Havering's Licensing Authority containing the full grounds for this review may be inspected by appointment at the above address by telephoning 01708 432777 Monday to Friday 09:00hrs to 17:00hrs or at www.havering.gov.uk.

It is an offence to knowingly or recklessly make a false statement in connection with an application for a review. On summary conviction a person is liable to a fine not exceeding level 5 on the standard scale (£5000).



LONDON FIRE
AND EMERGENCY
PLANNING AUTHORITY

Fire Safety Regulation: North East Area 2
169 Union Street London SE1 0LL
T 020 8555 1200 x52132
F 020 8536 5963
Minicom 020 7960 3629
www.london-fire.gov.uk

London Fire and Emergency Planning
Authority runs the London Fire Brigade

Date 28 February 2012
Our Ref 15-001256

The Licensing Section
London Borough of Havering
Mercury House
Mercury Gardens
Romford
Essex
RM1 3SL

Dear Sir/Madam

LICENSING ACT 2003

Premises: Club Ciroc, 64 South Street, Romford, Essex, RM1 1RB.

With reference to the premises licence review notification received from PC David Fern on 3 February 2012, concerning the above premises, I can advise that the Fire Authority will make a representation to the licensing committee about the Public Safety objective.

The items that are of concern to this authority are detailed on the attached schedule.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

for Assistant Commissioner (Fire Safety Regulation)
Fire and Community Safety Directorate
firesafetyregulationNE@london-fire.gov.uk

Reply to D Hallam
Direct T 020 8555 1200extn 52100



SCHEDULE

Schedule referred to in the letter reference 15-001256 under the Licensing Act 2003, issued by the London Fire and Emergency Planning Authority on 28 February 2012.

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the fire authority, need to be taken in order to promote the public safety objective.

NOTE : Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the workplace, **you** must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

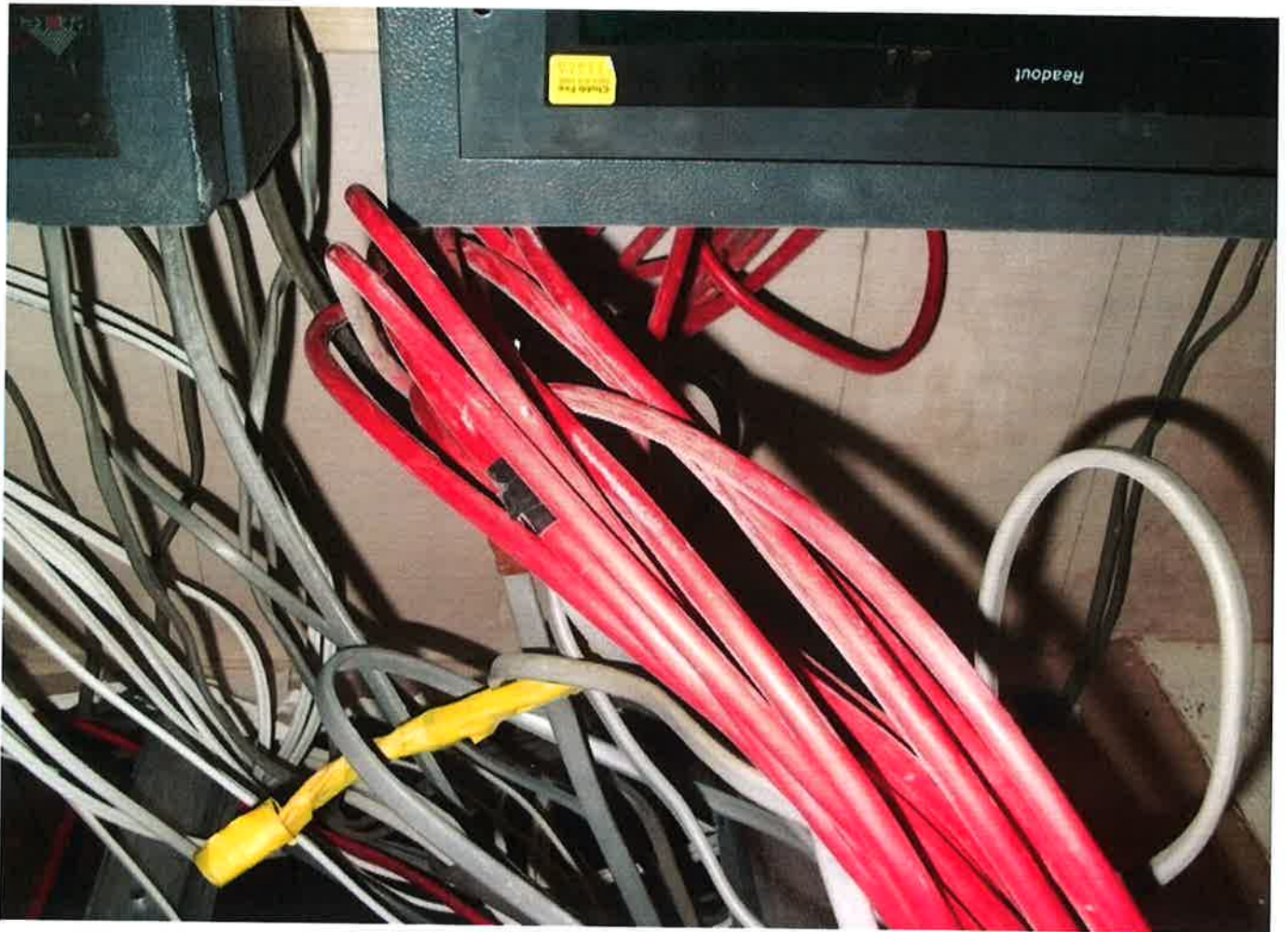
Licensing Objective not adequately addressed	Location and detail of matters which are considered to put people at risk in the event of a fire emergency	Steps considered necessary to promote the public safety licensing objective
Public Safety	<p>On Saturday 28 February 2012 a request was made by the Metropolitan Police for the Fire Brigade to visit the premises as they had concerns for public safety. Group Manger S Alden-Smith and Station Manger M Burrell attended. A number of unsatisfactory items were found as follows :-</p> <ol style="list-style-type: none"> 1. The fire alarm system was showing a "Fault" signal. 2. Building works were taking place in the premises which were not complete. This resulted in escape routes not being fully fire protected (see photographs ref: 322001-322002-322003-322004-322005-322010-322072-322073). 	<p>An inspection was undertaken by Fire Safety Officers D Hallam and P Repman on 6 February 2012. The following was found :-</p> <ol style="list-style-type: none"> 1. Evidence was produced to show that the fire alarm system was in an operational condition. 2. The building work is yet to be fully completed. 3. The sunken dance floor area was boarded up and not in use. 4. The central bar area has since been replaced. 5. The fabric drape is still in place, It is either to be removed or evidence provided that it is fire resistant. 6. The rear escape corridor is clear. <p>During this inspection a number of other unsatisfactory items were found which should be addressed prior to the premises being opened. These are as follows.</p> <ol style="list-style-type: none"> 7. A new fire risk assessment is to be carried out and an occupancy capacity for the new layout needs to be proposed. 8. The new entrance route is to be completed and the existing fire alarm and emergency lighting systems are to be extended into this area. Compliance certificates for the fire alarm and emergency lighting work are to be provided.

	<p>3. The rear sunken dance floor area had been raised which had resulted in a double exit door not being available for use (see photo ref:322074). This door was subsequently made available at a further inspection later on that day.</p> <p>4. The central bar area had been removed which resulted in an uneven floor surface which could cause a trip hazard (see photo ref: 322043-322041-322059).</p> <p>5. A large fabric drape was suspended from the ceiling. No evidence could be produced verifying that it was fire resistant (see photo ref: 322045).</p> <p>6. Ground floor rear escape corridor storage of goods and materials which could hinder evacuation.</p>	<p>9. The two new sets of double doors from the entrance corridor to the bar area are to be provided. These are to be self closing 30 minute fire doors fitted with intumescent strips and cold smoke seals.</p> <p>10. The old payment hatch is to be boarded over with a fire resistant material or fire resistant glazing.</p> <p>11. There are several floor levels within the premises. Where possible the floor should be level and consistent with any steps up or down being avoided.</p> <p>12. The new bar area is to be completed.</p> <p>13. The old central bar area is to be removed and the flooring area to be left level and consistent with no trip hazards.</p> <p>14. Final exit door to the rear of the premises. The exit doors are catching on the threshold and require adjustment.</p> <p>15. The old dance floor area is to be fully secured from the public by suitable boarding.</p> <p>16. The fabric hanging above the central bar area is to be removed or a certificate provided showing its fire resistance.</p> <p>17. Kitchen access corridor. Hole in the corridor wall/ceiling which requires infilling with fire resistant material.</p> <p>18. Storage of tables/stools in the staff office staircase. These are to be removed</p>
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Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455) www.informationcommissioner.gov.uk or visit: www.london-fire.gov.uk















Club Ciroc 64 South Street Romford

Map Reference: TQ5188NW
Date: 22/02/2012

Scale @ A4
1:1250

Scale
0 10 20 30 40 50 m

London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

Havering
LONDON BOROUGH

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Ordnance Survey
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