

## **Westminster Licensing Sub-Committee**

### **Opium, 9 Rupert Street, London**

I Eamonn Mulholland of 6 Florence Street Islington say as follows:

#### **Introduction**

1. I am the designated premises supervisor of Opium, 9 Rupert Street London (the premises).
2. I make this statement in support of Opium's response to the summary review of their premises licence, made by the Metropolitan Police Service.
3. The facts and matters addressed in this witness statement are within my own knowledge. Where they are not and or constitute my belief I say so and identify the source of my knowledge and all the reasons for my belief.

#### **My professional history**

4. I have over 20 years of management experience in the night time economy in London. This includes the following positions.
5. From 1998 to 2000, I was the Operations Manager of Simpsons of Cornhill.
6. From 2001 to 2003 I was first the Assistant General Manager and then the General Manager of Maxwells Limited as it launched its first venture in clubs.
7. From 2003 to 2004, I was commissioned to set up and run Kaberat Prophesy, a high end club in Central London.
8. From 2005 I was appointed to a dual role as director of operations at Beat and Movidia, two London late night venues. I had full control over both businesses and 110 staff.

9. In 2015, I was appointed as Operations Manager of Tape, leading 42 staff. I was ultimately responsible for all aspects of the business, which proved to be an award-winning club.
10. Additionally, from 2014 until 2018, I was the operations director for MKNY HSE restaurant, a £9m per annum business. In this role, as well as a major renovation and relaunch, I was responsible for staff recruitment and training.
11. In none of my management roles have any of my venues been subject to reviews, prosecutions or any similar intervention. To the contrary, I believe my venues to be generally well-run, with excellent relationships with the authorities and a strong team ethic. The importance of these cannot be overstated.
12. My experience is that the authorities will help you if you are running the premises properly, but running it properly requires a concerted approach from everyone, including the management, the door team, the bar staff, the floor hosts, the security and the serving staff. They all need to work together to create an evening which is fun, memorable but above all safe. To make sure that this happens is, essentially, my career in a nutshell.

### **My involvement with Opium**

13. I was hired by the Costa Este Group in April 2018. My role was to oversee the extensive refurbishment of the former DSTRKT nightclub in London, undertake staff recruitment and training, and to undertake all the strategic and operational functions prior to its reopening. This also involved working with environmental health, police and the LFEPA.
14. I knew that DSTRKT had had a chequered history. Its music style was hip-hop and R&B. It was in a challenging part of London and attracted the wrong crowd. I visited the Spanish operation and was highly impressed with its organisation, its management and the standard and reputation of the clubs. I spoke extensively with Ramon Snr and Jnr. I was satisfied that they wished to move the club away from its DSTRKT days and attract a difference audience. As part of this the music style was to change to commercial and house music.

15. The refurbishment of Opium was a £7m exercise. It was finally ready to open in December 2018. I have seen an email from Dave Nevitt showing he inspected, firstly on 4 December 2019 with respect to the club lounge so that could open, and then on 14<sup>th</sup> December 2018 with respect to the restaurant area; on both visits he found all works satisfactory and following the visit of 14 December 2018 he removed the works condition in full. The email is here produced as “EM1”.
16. The first night of trade in the club lounge was the evening of 4 December 2018 (friends and family), following the clearance by Dave Nevitt, although it really got going in January 2019. I recruited and, with my assistant general manager, trained the staff. I appointed the door company which was Profile Protection, with which I had worked successfully before. We had a very cohesive team. We had weekly meetings, where I would outline the coming week’s trade and any events that had been booked in, and discuss the expectations on staff for the nights to come. I used weekly meetings to reinforce the central importance of licence conditions, and what the staff would need to look out for to ensure compliance.
17. Because door teams are recruited through SIA-licensed operators they can sometimes be a little disengaged from the management structures and controls in the venue. So I make a point of liaising personally with the security at the venue, to ensure that the security team are also familiar with the licence conditions and front of house operations. The manager of a good club needs to spend significant time on the door, because who comes in, the controls on the entry process, including ID scan and searching, and the expectations established by the venue at the door are absolutely crucial. It is obviously more fun to be a host in the club, but in my mind hospitality comes after safety and compliance in the pecking order of importance. Apart from anything else, it is safety and compliance which makes sure that you have a licence to trade with at all. This is something I impress on my staff.
18. In January 2019, we had a visit from PC Bryan Lewis, whom I greatly respect and with whom I have a good professional relationship. To my embarrassment, PC Lewis pointed out that there were some breaches, which of course we quickly rectified. He was curious about the music style, which he thought sounded like the old DSTRKT style, but was in fact Beyonce. He also made it clear that he did not want the venue to slide back into the DSTRKT days.

19. In his statement PC Lewis correctly refers to subsequent correspondence and meetings at which he made it clear that it was down to the venue to show that it could run in a safe manner. I am sure PC Lewis would acknowledge that we did operate well following his initial visit in January 2019. Incidents were very few and far between. No further police concern was expressed.
20. I have also been shown correspondence from Francis Keegan to Lana Tricker dated 2<sup>nd</sup> January 2019 noting that an SIA guard had been carrying handcuffs, which was improper and stopped immediately. More importantly, Mr. Keegan's letter of 19<sup>th</sup> January 2019 stated that when he had visited (at the same time as PC Lewis) he had found the fire escape compromised because of temporary storage of glass panels. I sorted that out within the hour, but also wrote to Mr. Keegan apologising for the situation. No other situation arose with Mr Keegan or his colleagues over the next 5 months.

#### **My departure from Opium**

21. Although matters ran, I believe, smoothly and professionally after the early issues referred to above, on a personal level, it is right for me to say that I was not satisfied. I was promoted into a different role which took me further away from the day to day handling of the club than I wanted. This led ultimately to my departure at the end of June. I believe that the club was to stay open for a further few days before being closed for refurbishment over the summer.
22. I had nothing whatsoever to do with the club following my departure. I believe that the door company was changed to a company named Equalizer, which I would not frankly have recommended. I have subsequently learned of the events of the Bank Holiday weekend in August which caused this review.
23. From what I have learned of this event, there were a number of errors. I understand that these have been accepted in a letter sent by Ms. Tricker to the Metropolitan Police. The errors, broadly, concerned the failure to replace me as DPS, the process for selecting the promoter, the management and staffing for the event, the handling of the guest list, the security on the front door and the venue's response as the incident developed and in the aftermath. This can be collapsed down into the single thought that quite clearly management was seriously lacking.

## **My return to Opium**

24. Since the incident occurred, the Ramons have approached me to return. After much thought I have decided to do so. I have not made this decision lightly.
25. I would not be returning if I felt that the Ramons did not have full insight into why this appalling incident happened at their venue. I believe that they are both absolutely distraught at what occurred. I would describe it as borderline despair, and deep embarrassment that one of their premises has ended up in this position, with the public endangered and at loggerheads with the authorities. With the closure of the club and these proceedings, they have learned a bitter and very costly lesson. They are, in my view, determined to ensure that this does not happen again. They call this a “one-off”. If I did not think they were genuinely committed to taking all steps necessary to make their venue safe, I would not have wished to be associated with the venture any further. Their determination is obviously guided to an extent by the vast investment they have made in the business, which would be lost if the licence is lost, and also by the loss of reputation it would cause their similarly named clubs in Spain. But, more than this, I hope the Sub-Committee will not mind if I say that they are genuinely decent people with the right instincts. They have been naïve, and have perhaps listened to too many people. But fundamentally they want to do the right thing, and I trust them that they will continue to do so, with appropriate guidance.
26. This leads me to my main condition for returning. I have to have full control over how the club operates so as to promote the licensing objectives. My own reputation is for running a safe venue. I will not squander that reputation, as in fact I demonstrated when I left in June. The Ramons have seen that and understood it. They have placed faith in me to help them to run a tight ship in accordance with their licence.
27. As part of my control, I have insisted that I pick my management team.
28. Working directly under me will be Edon (“Eddie”) Krasniqi as general manager. Edon was previously the DPS at Cuckoo Club and I understand he is well respected by the authorities. Under him, as assistant general manager will be Marcello Toscano. I have full confidence in them. I have met them both and have spent days with them going through the operation and the licensing requirements. I am confident that we

have a team which is aware of what is required, supported from above, and ready to work together to deliver it.

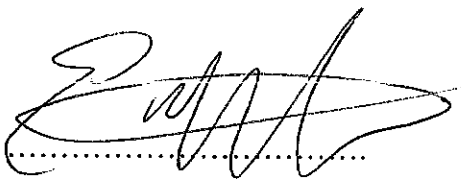
29. An essential part of the management of the venue, of course, is the door team. I am pleased that Profile Protection will also be returning. They are a very experienced company with a deep knowledge of the West End. I have no special allegiance to any door company, but I find Profile to be intelligently run by Hassan Serdoud, with whom I have worked not just at Opium but also previously. His approach is not one size fits all. Perhaps rarely in the security industry, he has the sensitivity to understand the special requirements presented by particular venues. I know I can trust him to align his service to my objects and deliver a safe venue, as I believe he has done previously.
30. I understand that the Ramons, through Lana Tricker, have promised that there will be no more promoted events at the club. I think that this is an important and wise decision. For a club to succeed here, it is crucial that it builds up its own crowd with the desired demographic, and maintains full control over the music policy and the way the venue is promoted. I can assure the Sub-Committee that this is a key concession, not only because I am sure that it will be crucial to ensuring safety in the future, but also because it demonstrates to me that the Ramons are completely serious in their intent to ensure that the club runs without harm.
31. I also understand that the Ramons have promised that there will be a search arch and a 100% search condition. This is a fair acknowledgment of what has gone wrong and what needs to be done to put it right. I am aware that there was some laxity in the ID scan of those coming in on the night of the incident, and that the searching was very poor. My experience is that a strong search policy together with full and proper use of the ID scan is a major deterrent to criminals wanting to come anywhere near a club, and in any case it demonstrates to customers that they are entering a strictly controlled environment. It is, again, a big concession to make for an upmarket club/restaurant, and the fact that it has been made again underlines the commitment of the Ramons to making effective change. It certainly makes my job easier, knowing that there will be a firm, effective door policy.
32. If the licence is not revoked, then the process of final recruitment and retraining of staff will commence, so that on re-opening there will be a 70-strong team in place.

There is staff on payroll already though it is necessary to find the right people: team players who are prepared to shoulder responsibility.. The job of promoting the licensing objectives runs through the entire team from the senior directors to the bus boys. It is the job of my management team to imbue that ethic in the staff. Training the staff will be down to myself, Eddie and Marcello, with the assistance of the well-known and respected licensing consultant Michael Watson, who is to be retained both for training and compliance audit purposes.

33. If the Sub-Committee decides to allow the licence to continue, it will take at least 3 weeks to complete the recruitment and carry out the training of the front-line staff. In any case, I will not be re-opening this venue until it is ready. That means until I am fully confident that I have a staff in place which marries the Opium brand, which is a famous one in the world of clubs, to a high standard of compliance. I am not prepared to rush that date and will not do so. In this I have the full support of the Ramons.

34. I am more than aware that this licence is in the most serious jeopardy and that the Police continue to seek revocation. I can only assure the Sub-Committee that if the licence is not revoked, I will be running these premises, with the support of the Ramons, to the standards which the Police and Westminster's licensing service, rightly expect and in partnership with them. There will be no repetition of the obvious laxity which resulted in the shocking events of August.

35. I believe the facts stated in this witness statement are true.

A handwritten signature in black ink, appearing to read 'E. Mulholland', written over a horizontal dotted line.

Eamonn Mulholland

September 2019

**EM1**



## Lana Tricker

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**From:** Nevitt, Dave: WCC <dnevitt@westminster.gov.uk>  
**Sent:** 29 August 2019 10:13  
**To:** Lana Tricker; Sumeet Anand-Patel  
**Cc:** Steward, Michelle: WCC; Gadd, Daisy: WCC  
**Subject:** FW: OPIUM, RUPERT STREET - WORKS CLEARANCE

Lana,

Further to your enquiry yesterday and my email of 5<sup>th</sup> December 2018 – I did return to clear the final works at Opium. I believe I inspected on 14<sup>th</sup> December. All works were satisfactory and I have no objection to the removal of the 'works' Condition.

**From:** Nevitt, Dave: WCC  
**Sent:** 05 December 2018 12:11  
**To:** Sumeet Anand-Patel <sumeet@ltlaw.co.uk>  
**Subject:** OPIUM, RUPERT STREET - WORKS CLEARANCE

Hello Sumeet,

David Doyle and I inspected Opium yesterday. All works to the 'club' side of the premises have been satisfactorily completed. The restaurant side has been partitioned off to ensure fire separation whilst building works are in progress. Eamonn says that the restaurant is due to be completed at the end of next week but will arrange for us to have a look sometime early next week.

David Nevitt  
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