

6, Brewer Street, London. W1F 0SB

Report on new licence application

By

Adrian Studd, Independent Licensing Consultant.

Introduction.

1. I have been instructed by Thomas and Thomas Solicitors in connection with the application for a new premises licence for 6 Brewer Street, Soho in order to consider the impact on the licensing objectives of the entrance of the premises being on Brewer Street, rather than Walkers Court.
2. I have knowledge of the area having worked in Central London as a Police Inspector and Chief inspector with responsibility for licensing from 2001 to 2012 and since then as an independent licensing consultant in Westminster, London and across the country from 2012 to date.
3. I have conducted observations on many occasions in the Soho area and am familiar with the issues faced. I have previously visited the area on Saturday 3rd February 2018 and on Friday 17th May 2019. I also conducted observations in connection with this application on Friday 1st November 2019 between midnight and 04.00 hours.

Summary of expertise – Adrian Studd.

4. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in

accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games.

5. In addition to leading my team, I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity.
6. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, in order to address these problems through the use of action plans in order to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
7. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and

ensuring this was used both within London and nationally by police and local authorities.

8. I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs to implement the initiative. I am a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years, I have been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time, I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I have attended a large number of internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).
9. Following my retirement, I set up a licensing consultancy to provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, cumulative impact, sexual entertainment, street drinking, rough sleepers, age related products, betting and gaming and planning. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

Observations in Brewer Street and Walkers Court.

10. I am familiar with the Brewer Street and Walkers Court area from my time as a police officer in central London working in the Clubs and Vice unit and since then as a licensing consultant. I have found that Brewer Street, Rupert Street, Wardour Street and Walkers Court are very busy, in particular around the Brewer Street with Walkers Court junction.

11. There are a large number of bars, nightclubs, massage parlours and sex shops in the area that attract a significant number of visitors and the area is consequently very attractive to touts, sex workers, pedi-cabs and Taxis. I found this to be the case during my observations and the area was busy and crowded. Premises near-by such as Village Soho (licensed until 03.00 capacity 400), Freedom Bar (licensed until 03.00 capacity 275), and Soho Residence (licensed until 03.00 capacity 338) had queues and crowds outside throughout the night while they were open. The roads were busy with traffic, pedestrians and pedi-cabs and with the excellent transport links very close by including night-tube, night buses, taxis, mini-cabs and Ubers the atmosphere was of a busy, vibrant 24 hour city in full swing.
12. On my most recent observations in the Brewer Street area on Friday 1st November 2019 it appeared to me that the touts and drug dealers were operating openly. I was offered a variety of drugs including 'Coke' (Cocaine, Class 'A' drug), touted to go to sex clubs and offered the services of both male and female sex workers. In my view this is because the environment in Brewer Street is less controlled than previously now that the entrance to JoJo's is no longer in use.
13. It appeared to me that this could be improved by a more visible presence of authority figures along Brewer Street leading to a more controlled environment. This more controlled environment was apparent in the vicinity of the bars and clubs that employ SIA door supervisors at their doors who provide supervision at the front of their premises and a degree of supervision in the street in the vicinity. A new entrance on Brewer Street, providing a significant SIA presence, would make a difference to public safety on Brewer Street and in the vicinity as well as reducing the opportunity for such touts and drug dealers to operate, thus promoting the prevention of crime and disorder. I remember the location of the original entrance on Brewer Street and this was not a flashpoint for either drug dealing or touts.
14. Walkers Court is a narrow pedestrian thoroughfare; following the regeneration it is attractive and attracts a diverse mix of people. 'The Box', a popular celebrity nightclub, is busy and regularly has queues outside the entrance in Walkers Court that on occasion restrict the space available for those wishing to walk through. There is

also a smoking area for the premises in Walkers Court set out with rope barriers in the court.

15. The smoking area for 6 Brewer Street is also proposed to be in Walker's Court, a small additional smoking area that is well managed by SIA door supervisors would not be an issue and would be preferable to an entrance there.
16. Both the queuing and smoking areas of the Box were very well managed by the SIA door supervisors during my observations, however Walkers Court is quite narrow and popularity of the premises there inevitably impacts on Walkers Court as a thoroughfare on occasion. Most customers approach and leave via the Brewer Street end and the junction here with Walkers Court is very busy and at times congested. During my observations on 1st November 2019, in common with previous observations, Walkers Court was very busy on my arrival and remained busy until past 03.00.
17. It was noticeable that individuals and groups would stand at the Brewer Street junction with Walkers Court on their way to and from the premises, chatting and deciding what they were doing, either before proceeding on down Walkers Court or, if leaving, making their way along Brewer Street. While the immediate vicinity of the licensed premises in Walkers Court and in the surrounding streets is controlled by SIA door supervisors at those premises and individuals loitering outside premises are encouraged to move on, those at the Walkers Court with Brewer Street junction are not subject to such control. Those who seek to commit crime, such as drug dealing, seek to do so away from anyone who may challenge their behaviour, including the door supervisors outside the licensed premises.
18. During my observations it was clear that using an entrance in Walkers Court will add to the number of people using and queuing in Walkers Court adding to congestion in this narrow thoroughfare; and will also add to the numbers who loiter around the Walkers Court junction with Brewer Street leading to additional congestion in Brewer Street.
19. Having the entrance to 6 Brewer Street located in Brewer Street between Walkers

Court and the Wardour Street junction would have the benefits of providing additional supervision to that portion of the street and any queuing could be contained along the building line towards Walkers Court leaving the pavement passable.

The application.

20. The original entrances to Escape and Madame Jojos were both on Brewer St and had been there for many years. A Premises Licence was granted in 2014 with an entrance in Walkers Court opposite The Box. The current proposal is to re-locate the entrance on Brewer Street.
21. The premises are on the same site as existing premises licences and I understand that these will be surrendered prior to the new licence taking effect. The proposed new premises licence is subject to the same capacity (300), hours and conditions as the existing premises. The only change is the layout and location of the main public entrance.
22. The smoking area remains unchanged and a maximum of 25 smokers at any one time will be accommodated in a smoking area in Walkers Court. This will be supervised by SIA registered door supervisors and smokers will not be permitted to take drinks with them into the smoking area.
23. The hours, capacity and conditions remain the same as on the existing licence and it could be traded now as a nightclub. The new scheme reduces ground floor use and access. In my experience (and indeed supported by WCC's licensing policy), premises with immediate access to a ground floor use are more likely to have problems than those without direct access from the street. The only other change on the new licence is the location of the entrance that is to be moved to Brewer Street which in my view will reduce the potential for cumulative impact.

Representations.

24. Representations have been received from residents in Broadwick Street, Peter Street and Brewer Street. Broadwick Street is some distance from Walkers Court and residents will be unaffected by the change in the location of the entrance from Walkers Court to Brewer Street.
25. Peter Street is at the North end of Walkers Court and is generally much quieter than Brewer Street or the surrounding streets. The proposed change of location for the entrance will move people away from Walkers Court reducing the potential for them to go into Peter Street before or after going to number 6 Brewer Street and therefore reduce the potential for noise or nuisance in Peter Street.
26. At previous licence hearings concerns have been raised by Kemp House Residents association about crowding in Walkers Court and blocking the pedestrian thoroughfare. The new entrance addresses such concern.

Conclusion.

27. The licence application is for a premises located on Brewer Street and Walkers Court with the entrance in Brewer Street. The premises are on the same site as an existing premises; licence reference 14/09057/LIDPSR (and the shadow licence ref: 14/09062/LIDPSR) and will replace that premises with those licences being surrendered.
28. The new premises will operate with the same comprehensive conditions and hours as the existing premises. The operation of the premises will be no different from the premises that could operate now and the impact that it has on the licensing objectives will be no different, save for any impact that changing the location of the entrance may have.
29. This application is for the same premises, however the *location* of the entrance is in a different street, in this case Brewer Street, as opposed to Walkers Court and this is a significant, and positive, change.

30. From my experience in this area, supported by my observations conducted over a number of years and as recently as 1st November 2019, I am confident that relocating the entrance to Brewer Street will reduce the potential for over-crowding in Walkers court and loitering by groups at the Walkers Court junction with Brewer Street. Any queue could be easily managed by SIA door supervisors and their presence would be a welcome addition to Brewer Street, as opposed to queuing in Walker's Court which from my observations would be more difficult.

31. When people are jostling together in public space there is increased opportunity for crime such as theft from the person to take place. Where people are trying to push through a crowd, particularly in a narrow thoroughfare with high buildings on either side, it can easily become a flashpoint for violence and antisocial behaviour which is then more difficult, and dangerous, to control by those required to intervene such as police and door supervisors.

32. Granting this application will reduce the potential for detrimental impact when 6 Brewer Street opens, reduce the potential for cumulative impact in Walkers Court and ensure that Brewer Street around the junction with Walkers Court does not become more congested than it currently is. Using the Brewer Street entrance will add more control of that area around the entrance by SIA door supervisors and enable any queuing to be managed along the building line allowing pedestrians to pass freely.

I understand that my duty is to the Sub-Committee and this report has been prepared in compliance with that duty. All matters relevant to the issues on which my expert evidence is given have been included in this report. I believe the facts I state in this report to be honest and true and that the opinions I have expressed are correct to the best of my judgment. The fee for this report is not conditional on the outcome of the case in any way whatsoever.

Adrian Studd,



Independent Licensing Consultant.

27/11/19