

# Licensing Sub-Committee

## Supplementary Agenda A

Wednesday 7 December 2022 at 6.30 pm

This meeting will be held remotely

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### MEMBERSHIP

Administration:	Opposition:
Councillor Mercy Umeh (Chair) Councillor Paul Alexander (Vice-Chair)	Councillor Dominic Stanton

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Speaking at Licensing meetings is restricted to those who have submitted a representation and registered to speak.

Date Issued: 02 December 2022

# Licensing Sub-Committee Agenda

7 December 2022

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## **Shield Associates Licensing Compliance Visit**

**Venue – Simmons Bar, 374 North End Road, London SW6 1LY**

**Dates/Times of Visit – 25/11/2022 – 2130hrs to 0000hrs**

### **History of Venue / Issues of Note**

Simmons Bar in North End Road sits within a busy and vibrant area of Fulham. It has operated at this location for approximately eight years having previously operated as licensed premises call The Lucky Pig. Licensed hours currently run until 2345hrs with the venue operating from 1600hrs until 0000hrs seven days a week.

#### **1) Is the premises license displayed/correct?**

Yes, the venue licence is secured to the wall to the left of the entrance.

#### **2) Is DPS present (record details / personal licence holder):**

No – Sean Hyland is the DPS for the venue tonight, he is not at the venue though is contactable.

#### **3) If no DPS, who is in charge (record details)**

There are two Simmons duty managers at the venue tonight – Hayley Govnaruk (PLH) and Kelsey Brennan (PLH and Simmons Area Manager)

**4) Is a copy of the full premises licence available?**

Yes, both hard copy and on-line version readily available.

**5) What is the capacity of the venue?**

220 capacity.

**6) How many people are present?**

2150hrs – 104

2300hrs - 116

**7) How are numbers recorded?**

In/Out clickers operated by the door security team.

**8) Is CCTV system installed & working?**

Full updated HD system recently installed. There are 16 fixed CCTV cameras. The monitor and hard drive locked in an office in basement next to the toilets. All managers have access to the system to download images if required.

**9) If SIA Door Staff required, details of the company?**

Yes – Oracle Security provide the SIA door team for the venue. There were three SIA security team on duty during our visit, two posted to the front entrance and one patrolling the bar area. One on the door always wears Body-Worn Camera during their deployment.

**10) Are customers searched prior to entry?**

All bags are searched, though there is no blanket search policy.

**11) Are there any drinks promotions offered?**

Yes – 1600-2100hrs Standard Pricing Happy Hour. Drinks at standard pub prices until 2100hrs when there is a slight increase.

**12) Are toilets monitored / checked?**

Hourly checks by staff and security team, monitored by manager/DPS who receives a completed work sheet at the end of every night.

**13) Is smoking area designated and monitored?**

Yes, open pavement space at the front of the venue monitored by the door team. Maximum of 12 patrons allowed to use the area at the same time. We witnessed this working during our visit and the maximum number we saw was around 6. Well managed and controlled by the door team.

**14) Ambience/state of premises & customers**

The bar is a mix of seating and vertical drinking areas. The entrance leads to a short staircase down into the premises. There is a bar that runs along the left-hand wall as you enter, a kind of island design that protrudes into the venue. There is a mix of seating options around all the exterior walls, old school desks, mixed seating and higher bar stools and tables. The décor I would describe as shabby chic and was in good order, looking well maintained and clean. Toilets were accessed via a short staircase at the rear of the bar and were similarly clean and well presented. There is a DJ post at the rear of the premises playing contemporary and vintage dance music, though the volume wasn't

overly intrusive, and we found we could talk without problems inside the venue. You could barely hear any music from the venue with the doors closed from the outside. Overall the bar presents as a well-run and controlled environment.

#### **15) How many staff on duty/staff training records available**

There were 5 bar/hospitality staff, duty manager and 3 security team on duty during our visit.

#### **16) General attitude of staff**

All the staff we spoke to during the night were friendly, knowledgeable, and hard working. The door team were aware of their role and the expectations of Simmons Bars in relation to supporting the licensing objectives, especially in relation to the prevention of crime, disorder and public nuisance.

There is a staff training package with details of compliance maintained on-line on the Simmons database. All staff have undertaken or will be undertaking WAVE training.

**David Gair – Shield Associates.**

**Member of the Institute of Licensing**





29<sup>th</sup> November 2022

**Environmental Visual Audit and Licensing Impact Assessment**

**Simmons Bar, 374 North End Road, Fulham, SW6 1LY**

**Author:** David Gair – Director Shield Associates

**For:** Mr Nick Campbell – Simmons Bar

**Reference:** SA2022/0141

**1. Introduction**

1.1. I retired from the Metropolitan Police Service as a Chief Inspector in September 2013 after having completed 31 years' exemplary service. I was personally responsible for policing, liaison, partnership working and compliance in relation to licensed premises in the Boroughs of Westminster, Sutton and Kingston-upon-Thames as well as involved in licensing issues and strategies across the Metropolitan police area.

1.2. In particular, most recently, I was Chief Inspector Operations at Kingston-upon-Thames responsible for all Licensing related issues and enforcement with a dedicated licensing team under my command. As part of my responsibilities, I managed and delivered a series of crime and disorder reduction and public safety strategies in relation to Oceana nightclub in Kingston – upon - Thames (now PRYZM) which had headed a list of London's top 50 night-time economy venues ranked according to the amount of crime generated from these venues.

1.3. In relation to my responsibilities, I undertook problem solving, partnership working and compliance regimes to ensure the safety and security of patrons, staff and the local community in relation to NTE licensed premises, in particular large night-clubs and venues that remained open beyond 0200hrs. This included late-night

refreshment houses, liaison with public transport providers and licensed mini-cab activities as part of the larger problem-solving initiatives.

1.4. The strategies I put in place resulted in an immediate 25% reduction in crime at 'Oceana' and falling crime throughout a six-month period resulting in the venue being removed from the top 50 NTE venues ranked according to reported crime in London.

1.5. I am Director of a company called Shield Associates that delivers nationally accredited training for owners, DPS, licensees, security companies, bar staff and workers involved with NTE venues around crime reduction, anti- social behaviour and awareness of their responsibilities under the Licensing Act, forensic awareness, drugs awareness and personal safety and vulnerable persons.

1.6. I am a member of the Institute of Licensing and as such am qualified to conduct compliance audits and security reviews on licensed premises.

1.7. I am aware of the potential impact of the operation of NTE venues on local communities and have provided reports to licensing committees and courts in relation to a variety of licensing issues on various occasions both as a police officer and as a Director of Shield Associates.

1.8. As a company, our aim is to provide independent regulatory support to the Licensing trade, offer problem solving and compliance guidance and support the key objectives of the Licensing act in reviewing working practices, policies and procedures to ensure:

- The security and safety of those visiting a venue
- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of young & vulnerable people from harm

1.9. As such we have undertaken comprehensive reviews and audits of licensed premises to ensure compliance and responsible management in support of the licensing objectives. We have delivered training to staff at licensed venues, local Pub-Watch schemes, personal licence holders and SIA door security companies.

1.10. As a company, we undertake independent reviews of premises when instructed to do so and as such my duty is to the licensing committee, venue owners and local



community when considering the impact of any new licence application or variation to permitted hours' application.

1.11. All issues identified in this report are true to the best of my knowledge and experience. They were either witnessed or experienced by me or told to me in good faith. The opinions I have expressed in this report are honest held and correct to the best of my judgement. The fee for this report is not conditional on the outcome of the case in anyway whatsoever.

## **2. Instructions to Shield Associates**

2.1. Shield Associates were instructed to undertake an independent licensing impact assessment, compliance visit (separate report) speak to staff, and conduct an environmental visual audit of the venue.

2.2. The aim was to test measures that the venue had in place to support the licensing objectives and suggest changes/improvements where opportunities were identified in order that the venue could consider an application to extend their operating hours to 0100hrs.

2.3. On the night of 25<sup>th</sup> November 2022 Shield operatives undertook a Licensing risk assessment and environmental visual audit of the venue and the surrounding area.

## **3. Venue history, background and operation**

3.1. The premises at 374 North End Road has been operating for eight years. The venue was operating as licensed premises prior to becoming a Simmons Bar as The Lucky Pig.

3.2. The venue has a capacity for 220 patrons and staff. It operates seven days a week from 1600hrs to 0000hrs.

3.3. The venue is set out on one floor, access gained via a short descending staircase from the street level. The bar runs along the left wall as you enter in a kind of 'island bar' design protruding into the venue. The bar serves alcoholic, non-alcoholic drinks and cocktails. There is a DJ station for music to be played at the far end of the venue, gents and ladies' toilets are downstairs in the basement. There is a mix of seating and vertical drinking areas in the bar. There is seating along all exterior walls, from school desks, benches, chairs and bar stools and taller tables. The décor is best described as shabby chic, though is well resented, clean, and welcoming.

#### **4. The premises locality and environmental visual audit**

4.1. There are a number of late-night licensed venues within approximately 500m of the Simmons Bar:

- Abugida, 457 North End Road – Restaurant open until 2300hrs
- Cock Tavern, 360 North End Road – Traditional pub open until 0000hrs Fridays and Saturdays
- Amigos, 352 North End Road – Restaurant open until 2300hrs
- Nandos, 348 North End Road – Restaurant open until 2200hrs
- KFC, 326 North End Road – Fast Food Restaurant open until 2300hrs
- McDonalds, 314 North End Road – Fast Food Restaurant open until 0000hrs
- McGettigans, 1 Fulham Broadway – Irish themed pub/bar open until 0030hrs Fridays and Saturdays
- German Doner Kebab, 7 Fulham Broadway – Restaurant open until 2245hrs
- Taco Bell, 53 Fulham Broadway – Fast food Restaurant open until 2300hrs
- Pepe's Peri Peri, 607 Fulham Broadway – Restaurant and Fast-Food Outlet open until 0130hrs Fridays and Saturdays
- Broadway Bar and Grill, 474 Fulham Road – Bar/Restaurant open until 0100hrs Fridays and Saturdays
- Redback, 490 Fulham Road – Late night cocktail and craft beer bar open until 0130hrs Wednesdays and Thursdays, 0200hrs Fridays and Saturdays.
- Yucca, 496 Fulham Road – Mexican restaurant open until 2300hrs Fridays and Saturdays.

- Dominos, 613 Fulham Road – Fast Food restaurant open until 0100hrs Fridays and Saturdays
- Best Mangal, 617 Fulham Road – Restaurant open until 2300hrs
- Five Guys, 11 Bank Buildings – Fast Food restaurant open until 2330hrs Fridays and Saturdays.
- JRK Kitchen, 62 Walham Grove – Fast Food Restaurant open until 2300hrs
- Wolfpack, 17 Vanston Place – Pub and restaurant open until 0100hrs Fridays and Saturdays
- Vagabond, 18 Vanston Place – Wine Bar open until 2300hrs
- Al Santo, 23 Vanston Place – Restaurant open until 2200hrs

4.2. There are also several other off licences and licensed venues withing easy walking distance from the venue.

4.3. Vehicular traffic during our visit was moderately heavy, mostly private cars, delivery vans, minicabs, buses, and cycles. Pedestrian traffic was similarly constant and busy during our visit.

4.4 The nearest mainline rail station is Fulham Broadway (approx. 5-6 mins walk). There are also London Underground stations at West Brompton and Parsons Green within relatively easy reach. There are numerous bus routes that pass-through Fulham Broadway mini cab options for transport.

## **5. Observations**

5.1. Throughout the evening and night, we kept observations on the venue as well as the surrounding area. North End Road runs from Fulham Road and is in close proximity to Fulham Broadway. This is a busy and vibrant part of West London and, as set out above, is a popular area for licensed venues to operate. The pedestrian and vehicular traffic was busy throughout the night.

5.2. The entrance of the venue is managed by a SIA security team who were visible and pro-active throughout our observations. The smoking area for the venue is at the

front on the public pavement. We saw a maximum of six people using this area. It is supervised and controlled by the security team. There is a limit of twelve people able to use the smoking area at once. Throughout our observations the SIA door team were permanently present at the door and monitoring the paved area.

5.3. With the door to the venue closed, noise from inside was barely audible. The door team kept the door closed when it was not in use during our visit. The noise of the passing traffic and general hubbub of the area meant that no nuisance was noticed.

5.4. Towards the end of the night dispersal from Simmons bar was gradual and well ordered. Most people walked off towards Fulham Broadway. A few waited for minicabs, though no obstruction was witnessed. The SIA team were pro-active in talking to those leaving and encouraging them to vacate the area quietly. No public nuisance, disorder or crime were witnessed.

5.5. One member of the door team had a body worn camera as part of his deployment. This is seen as a positive and proactive step to try and tackle nuisance or disorder and will capture evidence of crime if possible.

5.6. According to Mr Brannan, there have been no crime issues, or any concerns raised by the local authority or police for the last 12 months. The venue has good casual surveillance throughout and the staff all seem to be supporting the venue and management team.

## **6. Recommendations/Considerations**

6.1. Overall, the venue is, in our opinion, well run and has several specific initiatives in place to minimise and mitigate any disturbance to local neighbours/community. The sound levels on the music system are such that hardly anything can be heard from the street. The SIA door team is expected to be pro-active, visible and robust in supporting the venue and licensing objectives.

6.2. The venue management are acutely aware of their responsibilities in relation to prevention noise nuisance and supporting the licensing objectives.

6.3. Although the measures introduced are comprehensive, there may be a couple of actions that might be considered to further enhance the package of interventions:

- Consider having metal detecting search wands available for the SIA door team to assist with searching if required.
- Consider closing the smoking area for patrons at 2330hrs, not allowing re-entry after this time to assist with dispersal (0030hrs if the venue is able to extend its operating hours).

These measures are only for consideration as we feel that the venue's management currently have plans in place that are effective and proportionate.

## **7. Conclusion**

7.1. In respect of the venue, it appears to be responsibly run with an attention to supporting the licensing objectives and a willingness to respond to reasonable concerns. We witnessed effective, well-managed and concentrated pro-activity from the SIA team and Simmons staff in respect of control of those using the bar.

7.2. As set out above, the area supports a number of late-night entertainment and refreshment venues, the latest opening are Wolfpack and Broadway Bars licensed until 0100hrs Fridays and Saturdays and Redback licensed until 0130hrs Wednesdays and Thursday and 0200hrs Fridays and Saturdays.

7.3. During our time in the area, we did not witness any crime, disorder, or anti-social behaviour by patrons of Simmons Bar or by anyone else in the vicinity. The surrounding roads were all relatively busy right through until midnight. As mentioned, this is a vibrant and busy part of West London.

7.4. In our opinion, if Simmons bar was able to extend its licensable activity/operating hours by one hour and fifteen minutes until 0100hrs, this would not have any negative impact on the locality and local community. The venue is well run and has a number

of proactive policies in place that support the licensing objectives. The dispersal was well managed and gradual, the door team are experienced and effective.

7.5. There are three other late night entertainment venues within close proximity that currently operate until 0100hrs, one that continues to 0200hrs. We feel that the hours being requested are proportionate and reasonable for the area and there will not be an impact on nuisance, disorder or crime.

**David Gair**

**Shield Associates**

**Member of the Institute of Licensing**

 Institute of Licensing