

IN THE MATTER OF A REVIEW OF A PREMISES LICENCE

PREMISES: 562 KINGS ROAD, LONDON, SW6 2DZ (CHELSEA LODGE)

PREMISES LICENCE HOLDER BUNDLE INDEX

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WITNESS STATEMENT OF MR CHASE MCGUINNESS

Introduction and summary of licence holder's response to the review

- 1 My name is Chase McGuinness, I am 35 years old and have been in the hospitality industry for 17 years. I am the current operator of Chelsea Lodge along with my business partner Gavin Wright, my sister Tehillah Fratti and my brother Liebe McGuinness. I am authorised to make this statement on behalf of the licence holder Chase Lodge Holdings Ltd. I have also been the Designated Premises Supervisor since July 2018.
- 2 This statement sets out the licence holder's response to the review application and representations. We take this review very seriously indeed. The future of our business, my personal life-savings and my home, my family members' livelihoods and the 20 jobs that rely on our late night business all depend on the outcome.
- 3 Our client base consists primarily of people who live and work in our local community. We are grateful that so many members of the local area have made representations in support of Chelsea Lodge. These representors include doctors, barristers, solicitors, surveyors, journalists, health care workers, psychologists, child care workers, business persons, company directors, local mums and dads and, perhaps most importantly, some of our nearest neighbours on Holmead Road: Ed and Rachel Bezzant (in Agenda Papers at p.78) and Lucy Kennett (in Agenda Papers at p.95). These representations make it clear that our venue is highly valued by many responsible people who live and work in the London Borough of Hammersmith and Fulham.

- 4 I also strongly believe, and with strong evidence to support this belief, that these supporting representations provide a fairer representation of Chelsea Lodge and its impact on the area than the more critical ones from certain residents and resident groups.
- 5 I do *not* claim that no customer of Chelsea Lodge has never, or will never, make a noise on departure. Nor do I assert there has never, or will never be any incidents associated with our customers. In the real world, any licensed venue, however well operated, will occasionally have some impact on an area. Sometimes customers will raise voices on arriving or departing. To expect otherwise would be to prevent any licensed premises opening at night in Hammersmith & Fulham. The question is one of fact and degree and how well incidents are dealt with. However, I believe we run Chelsea Lodge very professionally, that our clientele are overwhelmingly not problematic and our late night operation does not significantly impact on residents living in the local area. The substantial objective evidence we have gathered from independent experts strongly supports this contention. This evidence will be included in an evidence bundle supplied that my legal representatives will be submitting to the Council.
- 6 Despite making every possible effort to engage with all our local residents, including at several meetings facilitated by the licensing team, we are aware that there is a core group of residents, with significant influence in local resident groups and neighbourhood panels, who would prefer not to live next to a popular late night venue just off the King's Road. This core group have actively campaigned and made representations to Council officers in order to see us either closed down or to have our terminal hours reduced to 11pm or midnight. (One local resident, who lives next to us has described the actions of her fellow residents as "a witch hunt" and has recorded that when she objects to the unfair targeting of Chelsea Lodge she is effectively excluded from participating in local resident groups – see Agenda Papers, page 95-98).
- 7 I have also been forwarded a note sent to one of our neighbours by a resident organiser shortly before we opened that stated:

*“Hi Debora; hope this finds you well.
Residents tell me the launch of Chelsea Lodge Nightclub (next to
your home) is happening this weekend.*

*Feel free to pass me any video footage you or your family shoot
if you have an unpleasant experience with
drunks/Uber’s/crowds/music.*

*I have spoken to lawyers and there is a simple way of reducing
the late-night license to a more respectable 12am finish.*

Happy to chat on the phone whenever.

Hope helpful. Best wishes.

Nick”

- 8 It is clear to me that certain residents wished to see my licence heavily restricted or the premises closed even before we opened and regardless of the facts on the ground.
- 9 The reality is that given the economic realities of this site, and the huge debts we incurred during the Covid lockdowns, a reduction in hours of this sort will amount to the same as the revocation of our licence – the business simply cannot operate profitably and service our debts with reduced hours.
- 10 The Council may wish to consider that most of the critical residents have chosen to live next to a long-established late night entertainment venue just off the busy and vibrant King’s Road and its many late night establishments. Our premises has been licensed since at least 2005. It is becoming an increasingly encountered phenomenon in the hospitality trade, particularly since the quiet period during the Covid lockdowns which had a devastating impact on our sector, that residents who choose to live close to late night establishments in our capital city then seek to close down those premises even though the resident is newer to the area than the venue. The Noise Officer in his representation (at Agenda Papers, page 110)

acknowledges that *“It is true that residents in the immediate vicinity of a vibrant town centre location may periodically expect a degree of disturbance from licensed venues”*. I would hope the licensing sub-committee is prepared to take a more balanced and fair approach to our business and the wishes of our customers than that urged on the sub-committee by certain parties.

- 11 However, we are never complacent and wish to address the outstanding concerns of all residents but in a manner that enables our business to remain financially viable. We operate in the community we serve.
- 12 We are able to agree a majority, but not all, of the conditions proposed by the licensing authority in their review application and by the Noise and Nuisance Team in their representation. Our detailed response to these proposals is set out at Annex A to my statement.
- 13 Importantly, there are several other late night venues in the vicinity of Chelsea Lodge who attract a more problematic, younger, and louder client-base than ours. These venues include the nightclub Embargo at 533 King’s Road which closes at 03:00Hrs at weekends and 02:00Hrs through the week. There is Jaks bar at 533 King’s Road which operates as a restaurant and bar with a DJ and live music events until midnight. At 601 King’s Road there is a 24 hour Tesco Express which is popular with young people on a night out in the area. Customers from these, and other venues in the area, pass Chelsea Lodge in great numbers and turn down Holmead Road in order to access the transport hubs in Fulham Road and Fulham Broadway late at night and in the early hours. I believe the applicant for the review, Mr Adrian Overton, knows this to be the case and the Noise Officer has confirmed as much in his representation (at Agenda Papers, page 108). The overwhelming number of noise and anti-social behaviour incidents that residents mistakenly attribute to Chelsea Lodge customers are not, in fact connected to us at all. However, invariably, some residents blame us for every incident in our vicinity.
- 14 Despite officers of the Council’s licensing and noise teams making a number of extended inspections and observations of our premises, it appears that on no

occasion have they been able to verify any complaints as relating to our customers that amounted to a public nuisance.

15 We have made applications for disclosure of the details of all visits made by the noise team to our premises for several months, including by way of Freedom of Information requests. The Council's noise team finally responded to that requested at 04:20 on 30.9.22. I note however that the noise officer's representation (in Agenda Papers, p.106) lists four noise officer visits to our venue in response to resident complaints between 24.1.2021 and 17.4.2022. On none of these occasions has an officer found any evidence of a public nuisance created by our customers. At its highest, on one occasion on 13 March 2022 at 00:44 they momentarily heard "loud voices". That appears to be the sum of the Noise Team's evidence in this review relating to customer noise. We are aware of other night-time visits where the Noise Team were very complementary to our staff about our management of customers. For example, my brother Liebe evidences in his witness statement two lengthy Saturday night Noise Team observational visits on 26.6.2022 (between 00:09-00:55) and 2 July (00:26-01:55. I believe there was also a visit on 25.6.2022. For reasons that are unclear, those comments have not found their way in to the Noise Team's representations or disclosure in this review.

16 Our view, that Chelsea Lodge does not significantly adversely impact on the area, is supported by the expert evidence provided by two highly experienced former Metropolitan Police licensing officers, Mr Richard Bunch and Mr Jim Sollars, who have carried out 5 observational visits to Chelsea Lodge between July and September 2022. On each visit these former police officers confirmed that:

- (a) Groups of people, sometimes rowdy, passed Chelsea Lodge from other venues and/or congregated on the corner of King's Road and Holmead Road. These persons were not associated with Chelsea Lodge.
- (b) The late night presence of Chelsea Lodge's door security helped to reduce the levels of disturbance in the area from these people.

(c) Customers of Chelsea Lodge were overwhelmingly well behaved and were not the cause of the public nuisance and anti-social behaviour the critical residents complain of in their representations.

(d) Chelsea Lodge operates in a professional and compliant manner.

17 I would ask the licensing sub-committee to consider these reports in detail.

18 My brother Liebe McGuinness has also provided his own statement in this review which is in the evidence bundle. He confirms that he has met officers on several nights observing our venue. On no occasion have those officers indicated any concerns and have been praiseworthy in their assessment of our operation. Liebe also confirms that certain complaints have been made which cannot be connected to our premises because we were closed at the time. Liebe also sets out a period when we were closed on Fridays yet we were able to monitor the pedestrian traffic and disturbances around the Holmead Road. If anything, the issues were worse on nights we were closed.

19 Liebe also summarises the nightly observations he and staff members carry out outside our venue and the frequent noise measurements he takes and records in reports. His evidence further demonstrates that the issues with noise in the vicinity are demonstrably not associated with Chelsea Lodge customers.

20 The findings of independent expert witnesses and in Liebe's evidence are reflected in the instances where the noise team find no corroboration for noise complaints but also, simply by way of example, by this exchange with the Council's Licensing and Compliance Officer Ms Cristina Perez in August/September 2021. On 31 July 2021 a local resident, Margherita Scassa Anselmetti, emailed Mr Overton and noise officers complaining about a disturbance outside Chelsea Lodge that the resident videoed at between 01:00-01:45hrs. The resident suggested this was connected to customers of Chelsea Lodge. On 9 August 2021, Ms Perez asked my business partner Gavin to provide our footage of this incident. Gavin was away at the time, and Ms Perez then contacted me and I provided the requested footage to Ms Perez.

In email dated 20 September 2021 Ms Perez emailed me as follows (in so far as relevant, and with emphasis added):

On 20 Sep 2021, at 20:58, Perez-Trillo Cristina: H&F <Cristina.Perez-Trillo@lbhf.gov.uk> wrote:

Good Evening Chase,

31 July 2021 - Update:

Sincere apologies for my delay in sending you this update. I can confirm that the footage you provided (received 05 September 2021 via WhatsApp) does show the same group of individuals that were causing a noise disruption/climbing post in the recorded clips received via the resident.

***After reviewing this footage, it appears that this group were not customers from Chelsea Lodge.** We have noted this on records. I have also noted your full WhatsApp correspondence with respect to the discussions you had with your security and engagement with disruptive members of the public, and that the incident was successfully recorded on your side.*

I reviewed the resident clips again and it appears that 3 males of that same group were involved in an incident in which one of them climbed a lamp post. (It was the lamp post you identified in the recording you forwarded to me which is out of shot from CCTV at the premises). The resident has been advised that if someone is in immediate danger or a crime is in progress that should contact 999.

I would like to thank you for your time on this matter. If you have any questions please do not hesitate to contact me.

- 21 This is a concrete example of the Council's officers accepting that a residential complaint about customers of Chelsea Lodge was simply not borne out by the evidence and the evidence positively refuted the resident's no doubt honestly held, but mistaken, belief.
- 22 A noise expert, Mr Richard Vivian, provides a report in our evidence bundle confirming that the noise limiter through which music is played is set at a level that prevents music escape from our premises causing a nuisance.
- 23 The alleged "drink spiking" incident on 26 March 2022 that triggered the concerns of the authorities was not in fact a drink spiking incident at all. This was demonstrated by police forensic tests and has been accepted in the review application.
- 24 However, this incident did demonstrate that the "Bottomless Brunches" we held at Chelsea Lodge risked leading to severe intoxication of certain guests. We have acted accordingly. Despite this being a one-off incident with adverse consequences, we have permanently ended our "Bottomless Brunches" or other unlimited alcohol offerings at any time of the day. Therefore, this issue has been addressed. The police accept this is the case, and after a minor variation attaching certain conditions the police are satisfied that our venue promotes the licensing objectives. That is why the police have made no representation in this review.
- 25 Since we are prepared to accept a condition that there shall be no "Bottomless Brunches", or other promotions where unlimited alcohol is provided for a fixed price, it is not proportionate or appropriate to condition our licence so that it can only operate as a restaurant during the day and only open at 1pm.
- 26 It was of deep concern that one of the females who became intoxicated on 26 March 2022 was 17 years old. I was so furious that I summarily dismissed the manager who had let her in when I found out. Further investigations of our CCTV proved that this female had, in fact, provided what appeared to be valid identification verifying that she was over 18. Indeed, social media searches suggest she has gained entry to other licensed premises and purchased alcohol presumably using the same ID.

This is considered in detail in the report of Richard Bunch. Regrettably, we were duped by this female's false documentation but, as it now turns out, this was not down to our negligence. Nevertheless we have since tightened further our age-verification procedures and the training of staff.

27 Given the evidence, properly scrutinised, does not support the claims that our customers are the cause of the public nuisance complained of, I would invite the sub-committee to leave our terminal hours as they are and impose the conditions proposed in Annex A. The alternative courses, proposed in the review papers, would simply mean the end of our business and I believe that would be unjustified by the totality of the reliable evidence now available in these review proceedings.

28 I will now deal with the issues raised in this appeal in more detail, but first I will set out my personal history in so far as it is relevant to this review.

Personal history

29 In 2018 I acquired the site with investor backing and the last of my life savings. Approximately £150,000 was invested into the site to change the style demographic and introduce a more upmarket style of operation from what was previously there. Before completing on the site, extensive research was done into the history of the site and the previous operation. The premises previously operated as a fairly down-market nightclub and had done so for many years. Its clientele were problematic and were the subject of many residential complaints I understand. We invested heavily into the restaurant element of the premises and changed the purely vertical drinking nightclub in the basement into more of a club-style lounge area with tables, sofas and less vertical drinking. Although we still host DJ-led music and dancing in the basement, and it has a nightclub element, it is far less impactful than the previous operation.

30 The ground floor operates as a restaurant and bar. I attach sample menu for our restaurant.

- 31 We monitored the trade for the first few months and realised that we had a lot of issues with previous “members” from the previous operation, and an influx of heavily intoxicated youths descending on the door from other venues just before 2am, as historically the last entry was 2am. We made a licence application to reduce the last entry to 1am and remove the membership condition. From then onwards the operation smoothed out and the issues of before greatly diminished.
- 32 At the end of 2020, the investor pulled out and so my sister Tehillah invested all her savings along with my brother Liebe who also invested his entire savings, to help keep the venue going amidst Covid. I then sold my house to help the venue and make improvements to the outside as this was a brought up on a residents’ call.
- 33 I moved to the UK at the age of 18 following a tragedy in my family and me needing to step up to provide for my 5 sisters, brother, and mother in South Africa. I worked tirelessly in the hospitality industry on the south coast, becoming an area manager at a young age. 5 years after I moved to the UK I finally managed to move my family over as my dependants. I moved to London and worked in Westminster where I later took over a site in Leicester Square. This site I ran with Gavin, and my younger brother once he was of age. It was a 1,000 capacity venue. We took it from being one of the highest crime rate venues under the previous operation to the lowest in the area. I took on another group of venues in London, Watford and Guildford before exiting and starting the Chelsea Lodge.
- 34 I have always prided myself in reducing crime, giving people a safe environment to enjoy themselves, and upholding the licensing objectives. In each area I have worked there have always been issues prior to our involvement where we have ultimately, through engaging and a positive proactive approach, been able to fix.
- 35 To give two examples, we ran two sites in the Royal Borough of Kensington and Chelsea (“RBKC”). One had a resident who continuously complained about the site and management for years. There was a digital Dropbox which was shared with the authorities which would be inundated with complaints. I met the local authorities, and they explained the historic issues and the magnitude. I met with this resident, appeased her issues and was commended by the local authorities as they could

not believe how I had done it. I did this by directly engaging and working with the resident.

36 In relation to another site in RBKC, there was a resident who had previous issues. It took myself and Gavin one meeting with her where we went into her apartment, and worked with the local authorities to eradicate her concerns. We had Keith Mehaffy, an environmental health officer from RBKC, and our own acousticians all work together to set the noise limiter so that the resident complaints went away. I have always prided myself with meeting people, building a relationship with them and being on hand when they need. I have done the same with the Chelsea Lodge. Those residents that wish to engage directly can attest that we will always go above and beyond at any time of day whether it's attributed to the venue or not.

37 With Chelsea Lodge we have held frequent resident meetings and my phone number has been made available to local residents to call if there are any issues outside.

38 I believe I am a responsible individual who is community-spirited. To give one example, during the Covid lockdowns I was speaking to an NHS psychologist who told me about pressure healthcare workers were under. Myself, my brother Liebe, and another friend then started delivering pizzas we made for free to anyone who showed us they either worked for, or had donated to the NHS or Age UK. We had a pizza chef at the time living about Chelsea Lodge as he had nowhere to go, so we topped up his wages and he made these pizzas for us. We delivered them to worthy NHS staff and those who made charitable donations on a daily basis during a period of lockdown until we could no longer afford the wood to fire the ovens.

The intoxication incident on 26 March 2022

39 The Chelsea Lodge has been running brunches since opening. They have always been operated well, attracted a lovely group of individuals who wish to celebrate special occasions, birthdays, hen parties and even engagement parties. We have to date run over 150 brunches. The core demographic has always been primarily 90% female who feel safe in our environment (as attested to in the numerous

representations from women supporting our venue in this review). We have food with all the meals, and we have great live entertainment including drag queens, singers, musicians, and great hosts. The brunch starts with food and drinks in the first 90 minutes and then continues into entertainment and dancing.

40 They have been run with great care, management and have attracted guests from all over. We have never had an incident of a similar type to what occurred on 26 March 2022 which was the exception and not the rule.

41 “Bottomless” is not bottomless alcohol as the name suggests, it is merely a marketing ploy that hundreds of perfectly respectable London venues use to give the idea of value for money. It is loved by large groups because it is a “set menu” as it were, and they can budget easily without things getting out of control. It means a group of 10 can easily plan their occasion. The staff closely monitor, and risk assess each table on a case-by-case basis however as a policy, we slow the service down so that if a drink is finished it is not immediately filled up. The number of drinks per table are monitored and the sobriety of individuals are observed. We offer free soft drinks and water.

42 All staff are well trained and had been 2 weeks before the event with a training session the police had arranged in Hammersmith. Everyone’s alcohol threshold is different which is why we monitor it closely. Someone might have 3 drinks and someone might have 5 without feeling the effects so it is all dealt with on a case by case basis. The staff are trained to notify management if there is any concern and trained in refusals. We have been running these for so long, including at many other venues, that we know how to deal with patrons if they complain or feel they have not had enough. We have the right to refuse, we have a duty to protect them and others. We will often have tables complain they have not had anyone come round to offer them a new drink yet. It is how we time things. We include entertainment mid meal which stretches 10-15 minutes at time. During this time we don’t serve anyone as we “don’t want to disrupt the show”. There are also multiple courses, these courses pull the staff away from drinks orders and focus on food delivery.

- 43 This event, as like the others started off well. I was not at the premises at that time. I understand the security was not on time but in the interest of not holding them all outside, the event manager and the venue manager made the call to open the venue. At first appearance I was devastated, as they are all so experienced. However, upon further investigation and interviews, we learned that the event manager who has run hundreds of events operated a Challenge 25 on all the guests. Upon reviewing the CCTV I was comforted to know he had done just as he told me.
- 44 Security arrived and continued to search bags and ask all patrons for ID. Upon learning that one of the girls were 17, I was away with my family on our first family holiday in years, my heart sank. However, upon speaking with my investigators in the subsequent weeks, I had to trust the training and expertise of the event manager and venue staff in that Challenge 25 would have been exercised and that there was very little chance that a 17-year-old looked 25. I reviewed the CCTV for months, but in the absence of knowing which of the four girls was the minor, I was unable to know whether ID was requested as per our challenge 25 policy.
- 45 It was only following the subsequent police meetings that I found out that the minor had in fact produced (falsified) ID to the security. (A photograph of this female holding her ID as she arrives at Chelsea Lodge is exhibited in Richard Bunch's expert report). This was a great shame to learn as it meant I had made changes to the team when in fact they had followed their training and experience.
- 46 The manager on duty acted professionally and within the boundaries of his experience and his training.
- 47 One of the females said she felt "ill". Not "drunk". The CCTV which we viewed with the police show her dancing and having fun and 10 minutes later, a totally different version of what she was before, without having had another drink. Staff gave her soft drink immediately and notified the manager. Her friends said they thought something was wrong as they had not had much to drink. Her friends took her outside, and the manager followed. They said they were going to take her home however the manager having just had recent WAVE training was against this. The

friends had said she had recently just broken up with a boyfriend, and lost a lot of weight as a result, which flagged to the manager to take more care. The parents said that her friends could take her back to Essex by train, but the manager insisted on calling an ambulance. He was on the phone to the ambulance for quite a while. Normal Policy is to deal with issues in the safe zone of the venue, which is closed, until the ambulance arrives, or first aid is administered. However, a fire engine which was driving by, stopped to check if all was ok. At that point another lady said she felt poorly. At this point the venue manager thought something was not right as both females said they felt ill. The fire engine then called for another ambulance.

48 As stated above, the usual policy is for incidents like this to be dealt with in the safe zone inside but with the manager now dealing with a fire engine outside and the 2 girls, and as he wasn't sure why the females were poorly and was concerned there could be something more serious going on, he responsibly took the decision to close the venue. This would now require him to not only keep an eye on both girls, but also ensure the venue is closed correctly with dispersal, and if he was in the safe zone downstairs with both girls, he would not be able to do this. For the record I believe he made the right decision, and although it meant having all this outside, the safety of the individuals far exceeded what the outside might look like to others. If there was a more serious incident such as spiking, this took priority rather than whether we had females outside being tended to by staff and paramedics. The business "image" takes a back foot when it comes to public safety.

49 Gavin was contact to assist and upon his arrival he too thought that something more serious had happened as he then identified a further 2 females and as a precaution wanted ambulances for them as well.

50 These were the right decisions made by the people in charge at the time.

51 Not only were the right decisions made to leave the females where they were to manage the closing down of the venue, but also the decision was made immediately by Gavin to preserve the potential "crime scene". He retained drinks and cordoned off an area which was later commended.

- 52 An immediate decision to cancel all future brunches were made albeit it this being an isolated incident. We worked with the police and really pushed to get the toxicology reports done by the forensic laboratory as at the start this was not going to be done.
- 53 No responsible licensee or venue holder wishes to ever have an incident where a potential spiking or incident leading to vulnerable persons can occur, and certainly not to have a venue with girls outside in the street, but it's far more important to remember that they were being looked after and the decisions made were the right ones.
- 54 In the event, and as confirmed in the review application, none of the females had their drinks spiked. It appears at least two of the females were taking prescription or over the counter medicines and this may have caused the adverse reaction to the alcohol.
- 55 I was also later told by a resident that she had witnessed some of the females drinking alcohol (or "pre-loading") immediately before they arrived at Chelsea Lodge. There is a time-lag between a person drinking alcohol and the effects of intoxication becoming apparent. I believe it is likely that these females had pre-loaded with alcohol immediately before they arrived at our venue, and the additional alcohol they were served in our venue, combined with the medication they were on, led to the deeply regrettable consequences on that day.
- 56 Following the incident, Gavin and I liaised at length with the police to provide them with everything they requested in terms of evidence and information about the event and those involved. As the police concluded their investigation into the incident, they recommended several conditions that in their opinion would safeguard customers and promote the crime disorder and licensing objective. Gavin and I were more than happy to adopt these conditions as they reflected steps that we had already put in place. We therefore made a minor variation application to enshrine those conditions on the premises licence.
- 57 All staff have also had follow up training and retraining.

58 I note from the representation of a local resident and customer of our venue, Ms Amelia Strand (Agenda Papers, page 93), where she recounts an incident when at the age of 19 when she turned up to our venue without ID. Our staff did not let her in without ID but instead assisted her with a taxi to take her home so she could return with her ID. This evidences our strict age-verification policy at Chelsea Lodge.

Music noise break out

59 From my discussions with the Noise Team officers, when they have attended complaints about music break out the issue concerns music that escapes the building when the door opens and closes as customers come and go.

60 We have recently had our noise limiter re-calibrated by an experienced acoustician, Mr Richard Vivian of Big Sky Acoustics. His report is in the evidence Bundle and confirms that this resolves the previous music escape issues.

61 We also employ noise monitoring equipment outside and at the back of the premises to ensure no nuisance results from our operation.

62 I note from the Noise Team's representation that they have made comments on the operation of Chelsea Lodge. It is correct that we advertise ourselves as being open late with a capacity of 200 people in our basement and 120 people on our ground floor. In fact, the overall fire safety capacity of the whole building at any one time is 225 people. We abide by that.

63 The basement trades more as a nightclub with the ground floor trading as a restaurant and bar and the ground floor of the premises has a much lower music noise level than in the basement of the premises. When music is played in the basement it cannot be heard outside as there are no windows or doors leading directly from the basement to the outside, however music from our restaurant and bar can be heard when the front door of the premises opens and closes but it is at a low-level that does not create a nuisance. As our expert reports record the

predominant noise outside is the noise from vehicles on the busy King's Road with drowns out any noise that momentarily escapes our venue.

Drinks promotions and drinks packages

64 The noise officer has made reference in his representation to the menu provided on our website that we sell "dinner party packages" and this includes the ability for our customers to buy set quantities of spirits cocktails or sangria and "bottomless Prosecco". This webpage has not been updated as we stopped providing these packages in June 2022 while we launched a new menu. They are no longer being provided at our venue.

65 But for the sake of completeness, I can give further information about this package when it was available. It was not an irresponsible promotion. Even when spirits were bought as part of a dinner party package they still work out as between £5.70 and £6.60 per 25ml unit of alcohol. This is more expensive than most pubs in London and more expensive than spirits offered in most venues' "happy hours". As to the "bottomless" offers the price of £30 per person for Prosecco and £40 per person for spirits is controlled by our service policies that ensure:

- Slow service
- No drinks service while serving food
- No drinks service during the shows
- Drinks are served in carafes so that the mixing is done by us, and we can dilute it more allowing roughly 6 drinks maximum per person but the dilution of spirits is less than 25ml per drink.

Bottle emptying

66 Our policy on bottles is that they are placed besides the bins quietly all bagged up and the end of night manager would supervise them being placed in the bin.

67 We understand there have been some complaints about noise from these bottles.

68 We have therefore accepted the revised condition 30 proposed by the Noise Team which reads: *"No commercial refuse, bottles or other waste will be emptied into bins or waste storage in the rear yard or any open or partially open space outside of the hours of 08:00hrs – 21:00hrs."*

Rubbish

69 I have seen photographs in a resident's representation of rubbish bags outside our premises. There was a very brief period where our refuse contractor BIFFA were missing collections, resulting in a pile up of rubbish. These images were taken during that period.

70 Given our contracted waste collectors let us down I arranged for an external waste company to collect the bags. On the days the external waste company would collect we would have to take the bags out of the bins and move everything to the front in anticipation of their collection as they did not have the trucks to lift and empty the bins and would not remove the bin bags themselves due to health and safety stipulations for their drivers. On one occasion I notified the President of the residents' association of the issue and said I was resolving it but was giving him the heads up on the issue.

71 We since contracted our refuse collection out to LBHF's own waste collection service and have biweekly collections with no issues.

Ice-machine issues & Plant Noise

72 Some complaints have been made suggesting that our ice-machine has been making a noise amounting to a nuisance. I turned off the ice-machine, yet

subsequent to that we still received 3 complaints from residents about noise from our (then off) ice-machine.

73 The Noise Team accept that previous issues with noise from plant machinery has now been resolved following works we have undertaken to mitigate noise.

Patron noise and dispersal

74 This appears to be the main source of complaints. We have received many complaints from local residents. The Council's noise and licensing teams have forwarded on these complaints to us.

75 For as long as we have been running Chelsea Lodge we have always strived to be a good neighbour and when we received complaints about this sort of activity we began monitoring customers leaving our premises and identifying if they walked up one of these neighbouring residential roads.

76 As explained earlier in my statement, we also looked to identify if people were involved in noisy antisocial behaviour as they walked along these roads and throughout our time here, although we have seen a number of incidents of unacceptable noise nuisance on those roads, the offenders have not come out of Chelsea Lodge but rather were among the many people who walk through those roads to pass from King's Road to Fulham Road and Fulham Broadway.

77 It is true that some of our patrons also walk that way, although our investigations have demonstrated the average number of our patrons walking down Holmead are only about 15 customers per night. So our customers form a very small minority of the people who walk down Holmead Road.

78 However, despite keeping observations, we have not witnessed any noise nuisance caused by them and we have a policy of monitoring Holmead Road specifically by deploying a street marshal at weekend nights and our own staff also monitor the area.

79 I have given an example above of a noise complaint forwarded to us by the Council's noise officer Ms Perez in August 2021. We were able to disprove the suggestion these people causing the disturbances were our customers. Unfortunately, when we presented this information to the complaining residents in one of our remote residents' meetings with the Council, we were told by residents that "if we spent as much time controlling our patrons as we did trying to prove our innocence there wouldn't be these problems". I find this a completely impossible situation. Our investigation identified that these people did not come from Chelsea Lodge but the residents would simply wish we did not or were not able to prove our innocence and instead control customers who are not ours.

80 In that same meeting a representative of the Noise Team was in attendance and when asked by the residents if any noise nuisance had been witnessed, they explained that although they had attended on two previous occasions (with no notice given to us so it cannot be said that we had taken any specific steps that we would not otherwise take) they had "unfortunately" not witnessed any noise nuisance. I find this to be incredibly disheartening as the officer had witnessed us not causing a noise nuisance and felt it was unfortunate. I do not believe it should be the role of a Council noise officer to take sides, as appears to have happened here, but instead to objectively and dispassionately investigate issues and act in accordance with the evidence, rather than buckle to pressure from certain residents.

81 Since that meeting, we believe that there have been a number of further visits (unannounced to us) by the Noise Team and yet again no noise nuisance caused by our patrons has been witnessed as there is a complete absence of such information in their representation. I cannot see how given that the Council's own noise monitoring experts have made visits to our premises and Holmead Road (I anticipate for lengthy periods of time given the complaints that had been made by the residents) and have found little evidence of our customers causing noise nuisance that this crucial evidence in support of Chelsea Lodge has not been put forward in their representation. This does not seem like a fair approach.

82 In order to obtain a consistent record of the noise produced by the premises I had a noise level recording device installed at the rear of the premises that will be able

to identify any excessive plant noise or any music break out as a result of our operation of Chelsea Lodge. This recording device monitors noise levels (and the cause of the noise levels) on a continual basis. Its captured information has been considered by our Noise Consultant Mr Richard Vivian who has provided a report for consideration by the Committee.

83 We conduct DB readings every 15 – 30 minutes as well as occurrence logs where we log things such as people walking up or down Holmead Road, any urinations, loud cars, cars parked playing music and many other ASB occurrences.

84 As a result of this we have managed to document the sheer volume of people who use Holmead Rd as a through road who are wholly unconnected with Chelsea lodge.

85 Myself, Liebe, and my staff regularly walk up and down the street and ask people who are unrelated to us to keep the noise down. This includes vehicles playing music, people walking, and people loitering etc. We act like the road's private security.

86 We try to engage with residents directly. This has always been my preferred and suggested route. I have put letters through residential doors with my contact details, circulated my phone number through the council, circulated my number through the President of the Resident's Association, and offered it up on residents' calls many times.

87 Although a few residents do call me if there is an issue, which I can then investigate and do resolve, the vast majority of critical residents do not contact me and instead call the Council's noise line and ask them to log the incident. This is then only brought to my attention months later, on average, and so I cannot investigate it. On occasions when I am told sooner I am usually able to demonstrate the disturbance was not caused by my customers.

88 I recall a number of occasions when I have been contacted by residents on my phone about disturbances and assisted residents with everything from moving on

groups of loitering individuals unrelated to the venue, to occasions where I have gone to check on a road where voices can be heard and moved on vehicles parked playing loud music which are also not associated with my venue.

89 To give some examples from this year (2022) of my responsive to residential concerns raised with me:

June 19th – I received a text from a resident at 22:49 about something banging at the back of the Chelsea Lodge. We were closed, but I got out of bed and hopped on my bike and raced over. I thought it was our rear gate, but the resident felt it might be a door, so the following day, I installed a new self-closer to the door he thought it might be.

27th August - I received a message at 21.28 about loud voices and shouting. We were very quiet at the time but investigated it to find a house on Holmead Road playing loud music which we logged in entries timed at 21.35, 22.07, 22.27 and 1:09am.

11th September – a resident said he was being disturbed by shouting from intoxicated individuals. We identified them as extremely undesirable individuals, which we moved on, but they returned and the resident said he would notify police, but we would continue to monitor. They were not associated with Chelsea Lodge.

22nd of September – I received a message from a resident thinking that there was an issue at The Chelsea Lodge as there was noise outbreak they had not heard before and that they could not sleep. I advised we weren't open, but I would get someone to go down to check. It transpired it was a house party on Wandon Road which continued into the early hours of the following morning, however we went to check and identify regardless.

90 In addition to this we have been asked to move along and monitor people that were from another venue, Lost, and we did this.

91 We have moved vehicles along off Holmead Road on countless occasions. We keep an eye open for thieves and opportunists which has happened on numerous occasions.

92 Quite recently there was fly-tipping that occurred on Holmead Road which consisted of old used cooking oil and other items. A resident left a card at the Chelsea Lodge as thought it might be my rubbish. I called her immediately when my colleague passed it over and I then got onto the CCTV to assist and sent her all the details of the individual fly-tipper. I believe the residents found who was responsible, but I also understand some residents then thought I owned the other restaurant which was behind the fly-tip on Holmead Road and in front of my other business. I was saddened to learn that this was the response to me making such an effort to help the street.

93 There have been numerous thefts, car break ins and a moped theft, and without fail, I will always spend hours trawling through cameras to try and assist.

94 I strongly believe, from spending every night out on the streets and witnessing the sheer volume of people that walk around, use Holmead Road as a through road, cause ASB unrelated to the Chelsea Lodge, park vehicles playing loud music and so on, that us being there on that corner late at night is an asset to the area. An asset that all the residents who directly engage with us appreciate.

Temporary Event Notices

95 Between September 2021 and December 2021 I applied for 9 temporary event notices to permit us to operate to extended hours. All of these were permitted without objection from the Noise Team or Police. This strongly suggests these responsible authorities had little or no objectively justified cause to object to these extensions.

Policies

96 We have existing Policies in place on :

- (a) Search and Dispersal – which was approved by the police licensing officer
- (b) Outdoor Area Management Plan

Both are included in our evidence Bundle.

Conclusion

97 It is disheartening to work so hard and give up so much to face the real risk that my family and I will lose everything we have worked for (including my family home), and invested due to a core group of residents who have made unsubstantiated allegations of public nuisance. It is also disappointing that Council officers, seemingly pressurised by residents, appear to have taken the side of certain vocal residents despite not having independently verified the accuracy of the resident complaints. Indeed the Council officers first hand observations appear to support our venue that, save possibly for momentary raised voices on the rare occasion, our customers are not the cause of significant public nuisance in the area.

98 I want nothing more than to work closely with the Council, as we have done before. This review application appears to have driven a wedge between our venue and the partnership approach to licensing. Following this review I intend once again, to work with all residents and the Council in promoting the licensing objectives but also continue to provide the wider community with a venue they enjoy and appreciate very much.

I believe that the facts stated in this witness statement are true and accurate to the best of my knowledge and belief.

[Digitally signed]

CHASE McGUINNESS

Dated: 30.9.2022

**Before the London Borough of Hammersmith and Fulham's
Licensing Sub-Committee**

Review of Premises Licence for Chelsea Lodge

562 King's Road, SW6 2DZ

ANNEX A:

**LICENCE HOLDER'S RESPONSES TO CONDITIONS
PROPOSED BY RESPONSIBLE AUTHORITIES**

Key: "LA" - Licensing Authority in Review Application; "EH" – Noise Team in representation

<u>#</u>	<u>Condition proposed</u>	<u>PLH's Response/ Counter proposal(s)</u>	<u>Comment</u>
<u>LA</u>			
1.	Start time for licensable activities amended to 13:00hrs	Amended proposed: Start time for sale of alcohol is noon.	This permits opening for lunch with alcohol.
2.		Additional condition proposed: There shall be no "bottomless brunches" or similar offering or other alcohol promotions whereby an unlimited quantity of alcohol is supplied for a fixed price.	This condition directly addresses the daytime issues relating to alcohol intoxication.
3.	Terminal hours for all licensable activities restricted to 1am of Friday-Saturday	Not agreed	This will end the viability of the business and effectively close the venue. It is inappropriate and disproportionate given the totality of evidence.

4.	From 13:00 to 17:00 any sale of alcohol at the premises shall be subject to the following conditions: (a) Any sale or supply of alcohol on the premises shall be to customers seated at tables by waiter/waitress service. (b) Alcohol supplied for consumption on the premises shall only be supplied with and be ancillary to food to be consumed on the premises at the same time. (c) The sale and consumption of alcohol on the premises shall be to customers seated at tables. Vertical drinking shall not be permitted.	Not agreed	Given point 2 prohibiting bottomless brunches, which was the primary cause of daytime intoxication issues, this condition is unnecessary, inappropriate and disproportionate.
5.	No external speakers will be used outside the building.	Agreed	
6.	No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day.	Agreed	
7.	Whenever the premises is providing licensable activities there shall be a personal licence holder on duty at the premises.	Agreed	
8.	After 22:00 hours the terrace area hatched in grey on the plan shall not be used.	Agreed	
9.	After 22:00 hours there shall be no more than 30 people at any one time in the terrace area hatched in red on the plan.	Agreed	
10.	After 22:00 hours there shall be no consumption of alcohol in the	Agreed	

	terrace area hatched in red on the plan.		
11.	After 22:00 hours the terrace area hatched in red on the plan shall be constantly monitored and supervised to ensure that customers assist in the promotion of the licensing objectives.	Agreed	
12.	After 22:00 hours the terrace area hatched in red on the plan shall be inaccessible from the public highway.	Agreed	
13.	After 22:00 hours the front doors located on the east side of the terrace area hatched in red on the plan shall be closed.	Agreed	
14.	Remove this condition: An additional period after the normal hours permitted in the licence for the supply of alcohol shall be permitted on a maximum of twelve days in each calendar year (excluding applications made under TENs). The additional hours shall be permitted only if written notice has been served on the licensing authority and the police at least seven days beforehand. The police are to have an absolute veto in respect of these occasions.	Not agreed	There is no evidence these special events cause an issue and the police have a veto in any event.
15.	There shall be no admittance or re-admittance to the premises after 00:00.	Not agreed	There is no evidence the current last admission time of 1am causes any issues.

<u>EH</u>			
16.	<p>“The licensee shall install a tamper proof noise limiting device in each area where amplified entertainment is provided. The limiting device shall control the overall sound pressure level, as well as each 1/3 octave band and shall be set such that the following criteria is achieved when the main entrance/exit outer door is in the open position:</p> <p>The music noise level (MNL), measured as a 15 minute L(A)eq, 1 metre from the façade of noise sensitive properties, shall not exceed the representative background level L90 (without entertainment noise). And, the L10 of the entertainment noise measured over 15 minute period 1 metre from the façade of noise sensitive properties, shall not exceed the representative background noise level L90 (without entertainment noise), in any third octave band between 40 Hz and 160Hz.</p>	<p>Not agreed.</p> <p>Counter proposal in line with LBHF’s model sound condition:</p> <p>"A tamperproof sound limiting device for amplified equipment shall be installed and in operation on at the premises, with all amplified equipment played through the device. The device shall be set at a level agreed with the Noise and Nuisance Team"</p>	<p>The PLH’s expert acoustician (Richard Vivian) states that the EH proposal is unworkable.</p>
17.	<p>No commercial refuse, bottles or other waste will be emptied into bins or waste storage in the rear yard or any open or partially open space outside of the hours of 08:00hrs – 21:00hrs.</p>	<p>Agreed</p>	
18.	<p>Reduction in terminal hours to 01:00hrs on Friday-Saturday</p>	<p>Not agreed.</p>	<p>See above.</p>

TO START

SEARED TUNA Tuna pate, avocado cream (gf)	£11
32 DAYS AGED BEEF TARTARE With gherkins, chives, light mustard truffle dressing, burrata, heirloom tomatoes, basil oil (gf)	£9
ROSEMARY PIZZA BREAD (Vegan)	£7.5
ZUCCHINI FRITTI Chilli, basil mayo (Vegan if mayo removed)	£7
TRUFFLE ARANCINI Parsley cream, basil oil (Vegan)	£5.5
TRUFFLE POLENTA FRIES (Vegan)	£6
AUBERGINE White miso emulsion, caramelised walnuts (Vegan)	£8

FOR YOUR MAIN COURSE

POACHED HALIBUT In a white wine sauce, broccoli, chives, crispy samphire, and smoked almonds (gf if crispy samphire removed)	£19.5
GRILLED OCTOPUS Marinated salsa, roast pepper cream, sunblush tomato puree (gf)	£19
GRILLED TUNA Ginger sauce, watercress with sunblush tomato mash	£19.5
PAN FRIED CHICKEN Baby carrots, broccoli, jus	£17.5
SPRING LAMB TWO DAYS With confit baby carrots, onion cream, burnt onion, honey mustard and jus	£17.5
FILET STEAK With roasted onion shallot, truffle mash potato, bone marrow crust, jus	£25
TEMPURA COURGETTE FLOWER Quiona, vegetables mix, avocado, peppers (Vegan)	£17

YOUR BIT ON THE SIDE

TRUFFLE MASH POTATO (gf) (Vegan)	£5.5
CREAMY SPINACH Pine nuts (Vegan)	£5.5
TENDERSTEM BROCCOLI Chilli, roasted almonds (gf) (Vegan)	£5.5
FRIES Rosemary salt (Vegan)	£ 4.5

PIZZA

BUFALA CAMPANA Pesto (Vegan)	£12.5
GOATS CHEESE Caramelized onions, smoked aubergine, micro coriander, white base (Vegan)	£13.5
SMOKED AUBERGINE Vegan cheese, italian pepper, squash, tomatoes, pine nuts, pesto sauce, micro rocket (Vegan)	£13.5
PEPPERONI N'duja, fresh oregano, mozzarella	£14.5
PEPPERONI And chilli honey	£14.5
GORGONZOLA Italian sausage, mushroom, truffle oil	£14.5
PROSCIUTTO COTTO Button mushrooms, oregano, white base	£14.5
SAN DANIELE HAM Buratta, pesto	£16.5
QUATTRO FORMAGGI Taleggio, provolone, parmesan, Gorgonzola (Vegan)	£16.5
BRESAOLA Rocket, parmesan, truffle oil, pesto, white base	£16.5
TRUFFLE PIZZA Buffalo mozzarella, fresh truffle, white base (Vegan)	£19.5

DESSERT

STICKY TOFFEE PUDDING With ice cream	£7.5
SORBET SELECTION Lemon, or passion fruit	£3

FOLLOW US ON INSTAGRAM
@THECHELSEALODGE

Please always inform your server of any allergies or intolerances before placing your order.
A discretionary optional service charge of 12.5% will be added to your bill.

FOOD

MENU

THE CHELSEA LODGE

THE CHELSEA LODGE

Search and Dispersal Policy

Inclusive of Entry, ID scan and Outdoor Management

Our company recognises the importance of ensuring that our customers leave at the end of the night in a safe, controlled and efficient way; The *Dispersal and Outside Policy* has been created to ensure the following:

- Minimum of noise and nuisance caused to our neighbours and the general public.
- To reduce the risk of crime and disorder.
- The safety of patrons as they move towards taxis / routes home or to other venues.

This policy has been prepared with regard to the maximum capacity of the venue; should the venue trade with a lower capacity or for other specific events, the operation will be risk assessed and adapted when necessary.

The Chelsea Lodge ensures that entry and dispersal of customers is completed by taking the following steps:

Entry

- A queue system will be used to control the area immediately outside the main door, this will queue to the left across the terrace doors away from Holmead road. During peak trade there will be one extra queue bookings and guest list to the right which we will close at midnight.
- Door supervisors outside the premises will wear high visibility SIA security badges and smart black suit.
- Any queue will be supervised by a minimum of 1 SIA door supervisor.
- A minimum of 2 SIA door supervisors will be stationed outside the front of the venue from 10pm until the end of trade and customers have dispersed. 1 of these will be located on Holmead road at all times.
- ALL security and venue management and staff are to be extra vigilant and with any sighting of noise or ideally any situation which looks like it may create noise, they are to approach and engage to reduce or prevent by quietly speaking and making "be quiet" gestures to anyone involved in the situation. If walking with people to guide them away from residential areas is required, this is the procedure to follow.
- A manager will regularly monitor outside area regularly throughout the night.
- A manager will be on duty at the reception area on busy nights and at peak hours.
- A manager or dedicated staff member will carry out noise decibel readings at the rear, side and front of the venue at regular intervals.
- Queue management will ensure the pavement is not obstructed, to allow for free flow past the premises.
- Customers waiting in the queue will be advised on likely waiting times due to the ID scan; in the event of excessive waiting times customers will be encouraged to find alternative venues to avoid congestion.
- Customers causing noise or disturbance from any other venue will be refused entry.
- Customers who appeared to be impaired/intoxicated through alcohol or drugs will be refused entry.
- Customers trying to smoke outside will be directed to the smoking area in line with the Venue's smoking policy. A no re entry policy is in place.
- Customers are not permitted to leave with bottles or glassware. This policy is supported by a vigilant door team and supervised by the manager on the exit.
- To avoid allegations of drink spiking the venue will not encourage a public area for the retention of drinks for smokers; customers will be encouraged to consume their drink prior to leaving or to leave their drink with a trusted friend.
- Door supervisors will monitor activity outside throughout each night to ensure that there is no crime and disorder, noise or disturbance arising from customers of nearby venues.

- A detailed entry will be made in the incident book of any crime or disorder. The Duty manager will liaise with the Police as and when necessary.
- An entry will be made in our local analysis book for any noise problems in the area.
- Door supervisors will be vigilant and proactive in preventing crime and disorder and will assist police within their ability/powers/authority

ID Scan

After 21:00hrs all customers entering the premises shall have their ID scanned on entry. The details recorded shall include a live facial image capture of the customer and capture the photographic identification produced. The details recorded by the ID scanner system shall be made available to the Police and the local authority upon request. (b) The requirement in (a) above is subject to the following exceptions, namely that a maximum number of 20 guests per night may be admitted at the Managers discretion without necessarily photo ID being scanned and recorded. The admission of such guests however shall be in accordance with the following procedure:

- The DPS shall approve in writing the names of a maximum of three managers other than him/herself who are authorised to sign in such guests.
- A legible record (the signing in sheet) of those guest's name shall be retained on the premises for inspection by the licensing authority and Police for a minimum period of 31 days. The name of the DPS approved manager authorising the admission will also be recorded by that manager
- Where there are appropriate reasons for a guest not to be able to produce ID and be subject to ID scan, the Approved Manager may still permit entry. In such circumstance he shall also record the reasons for this in the signing in sheet.
- If the electronic ID scanner is not operational the police and the licensing authority will be informed of this fact within 24 hours and a repair timescale provided.
- All patrons who attend a pre-booked or private event at the premises shall have their ID Scanned on entry. The details recorded shall include a live facial image capture of the customer and capture the photographic identification produced. The details recorded by the ID scanner system shall be made available to the Police and the local authority upon request.

Search Policy

The Venue will operate a random search policy of patrons entering the club. This is to prevent any drugs, weapons, alcohol and any other illegal substances or anything that is not permitted on the premises

- Weapons will be seized, logged and police will be notified
- Drugs will be seized, logged and comply with our drugs policy
- Alcohol will be seized and thrown away, and it will be down to the discession of the management if the patron may still enter depending on the circumstances

The searches may include but are not limited to:

- Bag searches, pat downs, requesting patrons to empty pockets, checking inside phone cases etc.

Dispersal

- Door supervisors will be proactively dispersing customers outside via direct 121 communication and positive engagement to encourage quiet behavior.
- The venue MUST operate a staged dispersal. Bars must close 30 min before the end of the session. Room 2 will close 15 minutes before the end of the venue and then the final bars music will close last to allow staff to disperse people in smaller groups.
- A minimum of 4 SIA door supervisors will patrol outside the premises to ensure customers leave the area quietly. Customers causing noise or disturbance will be asked to be quiet; those that do not will be refused entry to the venue in future and banned on the ID scan system
- At close of business additional Door supervisors will move outside to assist in dispersal when on shift. We operate with 6 and sometimes 7 security on peak sessions.
- At close of business a manager will be in the reception area, to monitor any potential noise pollution, and proactively communicate with Door supervisors at the front door and on the external dispersal.
- All patrons will be asked to keep the noise down as they leave and ushered to dispersal zones. Especially at the top of Holmead road.
- Patrons will be encouraged to book taxis before leaving.
- Ropes and poles to the left hand side of the entry/exit doors will discourage people from congregating in front of the venue and to keep them away from the highway, on dispersal.
- A Door supervisor will be stationed at the end of the ropes by the front door to advise customers of the location of the taxi collection points.
- On busy nights, subject to an operational risk assessment, a door supervisor will patrol along the Street from 12am until the close of trade to manage the dispersal.
- Door supervisors will be proactive in asking drivers of vehicles to lower the volume of any loud music being played via communication and engagement.
- Door supervisors will request drivers of vehicles to park/idle away from residential accommodation.
- Door supervisors will discourage any guest from double parking/obstructing the street via communication and engagement; those that do not cooperate will be refused entry to the venue in future.
- To assist customer departure and reduce the potential for people carrying glassware out of the premises, towards the end of trading, service points at each bar will be reduced with staff reallocated to collect glasses or work in the cloakroom.
- Music volume will be lowered gradually during the last 15 minutes to reduce shouting and boisterous behaviour when people exit the Venue.
- Lighting levels will be gradually raised during the last 15 minutes to allow customers time to acclimatise to the brighter surroundings and the need to exit the venue.
- A member of Management and a Door supervisor will oversee the safe and orderly collection of coats and bags from the cloakroom to prevent flash points.
- Notices are positioned in the foyer, requesting customers to leave quietly and respect our neighbours.
- Litter patrols will be carried out 30 meters either side of the premises at close of business. Especially on Holmead road.
- Customers will be supplied with information on transport options available late at night from door staff or management.

- Any persons found to be in need of additional assistance when leaving the Venue will be escorted politely to the exit doors by the door supervisors or a member of the Management Team to ensure that they can safely leave - where necessary a Minicab will be arranged to take them to their ultimate destination.
- Security (4 minimum) will stay outside the venue until a minimum of 30 minutes after closing to prevent any noise from other venues customers.
- Any vulnerable persons shall be kept inside until resolved.

**Before the London Borough of Hammersmith and Fulham's
Licensing Sub-Committee**

Review of Premises Licence for Chelsea Lodge

562 King's Road, SW6 2DZ

WITNESS STATEMENT OF LIEBE McGUINNESS

Personal Background & Experience

1. My name is Liebe McGuinness. My brother Chase McGuinness moved me and the rest of my family over from South Africa when I was very young. I spent my young teenage years working in the family pub, and when I hit 18 years old, I moved to London to work with Chase and my sisters. My first London job was working in Leicester Square in a 1,000 capacity venue where I was trained in management. I spent the first 6 months on the front door understanding security management, searching and dispersal.
2. I then moved to running the inside of this venue where I trained in conflict management and the ensuring the licensing objectives were promoted at all times. When I completed that I then spent 3 months monitoring the CCTV continuously during trade across 4 floors, 2 entrances, 4 separate staircases spanning the 4 floors. Here I would monitor security, the front door, the bars, the dancefloor and be on the lookout for any ASB as well as anyone vulnerable.
3. After a year in Leicester Square, I moved into casino management before joining Chase, Gavin and my two sisters; Tehillah and Elphin at the Chelsea Lodge in 2020.
4. I make this statement in relation to the review application and representations relating to Chelsea Lodge.

My current role at Chelsea Lodge

5. I now work outside the Chelsea Lodge monitoring occurrences and conducting sound decibel (DB) readings to ensure sound levels do not disturb residents. I try where possible to record in

film and/or in writing the occurrences that happen on Holmead Road, King's Road and Wandon Road where I can.

6. I have made a large number of reports on all my observations as well as numerous videos. These are voluminous and can be inspected on request. For the purposes of this review hearing, and by way of example, I have attached two sample reports one from June 2022 and one from July 2022 to my statement.

7. Occurrences:

- a. I record in writing and/or film, the people walking up or down Holmead Road.
- b. I record in writing and/or film the people walking up or down King's Road.
- c. I record in writing and/or film the people in or around Wandon Road.

8. DB readings

- a. I take DB readings for 30 seconds outside different points on Holmead Road and Wandon Road
- b. I use a decibel reader, and then also film the decibel reader with a decibel app on my phone so that the two readings can be compared.

My findings and reports

9. House parties

10. House parties happen on a regular basis in residential premises on Holmead Road and Wandon Road. What people do within their own properties is up to them, but it is important to report as it can easily be mistaken, and has been mistaken by local residents, for noise associated with The Chelsea Lodge and its customers. To name a few examples:

- a. 27.08.2022 – received a complaint from a resident on Wandon Road about females' voices being loud on Holmead Road. No one was seen at the top of the road at the time, I completed a video and DB reading. We had very little customers at the time, so I monitored this more and could hear music and women's voices, but this was on Holmead Road, so as the area was so quiet, I presumed perhaps he had heard this. These women were not Chelsea Lodge customers. I am not sure if they had a back garden but windows

were closed. This music and loud voices continued until 01:09 when I made my final log on it. I went around the venue to also look at any other points where this resident could have heard loud voices, but it's the only thing I could hear. This house was on the opposite side of the street to the complainants' house but logged nonetheless in case anyone thought it was us or other people in the area.

- b. 22.09.2022 – from Thursday night into the early hours of Friday morning there was a very loud party at a property at the rear of Chelsea Lodge and backing onto the homes of Holmead Road residents. I was contacted as a resident felt it was unusual that they were disturbed by the Chelsea Lodge. I investigated and found it to be a house party which was playing very loud music into the early hours of the morning on Friday. We were closed at the time.

- 11. There have been many other instances of large groups of individuals in and out of houses with drinks, standing outside greeting guests, playing loud music etc. Again, it's their homes, their lives and they should enjoy themselves but the importance of mentioning this is to ensure that it is clear that it is not us as causing the disturbance experienced by some residents. There is often mention in the representations of audible music and bass stopping them from sleeping, where these residents live so far down Holmead Road. I cannot pick up any music, bass or beat when I stand at the back of the property with the recording device and so the music these residents are hearing is not coming from Chelsea Lodge.

12. People urinating

- 13. These instances are important to note as these are not our customers, and if they ever tried to enter, they would never be allowed. There were representations made in this review suggesting "customers of Chelsea lodge" urinate in their doorways and gardens but I can confirm they are not our customers. I have listed 3 occasions in September 2022 alone below, but there have been plenty others.

- a. 04.09.22 – 01.45 – 2 males urinating on the bridge on King' Road. This I spotted while doing my DB readings on Wandon Road. I managed to film this. These males were not customers of Chelsea Lodge.
- b. 16.09.22 - 23.42 – 4 males walking up Holmead Road were spotted being quite loud, 1 male urinated. When they got to the top we told them it had been reported and they can

get fined for that, and they quickly moved on. These males were not customers of Chelsea Lodge.

- c. 25.09.22 – 01:00 – 1 male urinating on Wandon Road, which I managed to film. I was doing a DB reading at the time when I witnessed this. He was not a customer of Chelsea Lodge.

14. People in vehicles parked / Loud vehicles driving down the road

- a. In the reports there are many references to cars playing loud music going down the road or whilst stationary.
 - b. There are references to people parking in vehicles doing balloons
15. These are not our customers. I log these incidents and, where we can, we go up to these vehicles and get them to turn it down and move on. It only takes a moment of loud beating music and loud voices from individuals loitering, for someone to be disturbed and if a local resident were to hear this beating music, it is very possible to mistake it for music emanating from our venue. Several residents appear to have done just that.

Noise Nuisance team visits

16. On a number of occasions I was present to meet officers from the Council's noise and nuisance team who were inspecting Chelsea Lodge. The officer did not only come for a few minutes in response to a complaint, they told me that they had been sent down to monitor the venue over long periods of time. Every time they attended, they confirmed they were happy with the way the venue was operating. On one occasion the officer even told me they were "very impressed". Another time the officers witnessed first-hand the sheer volume of people (not associated with Chelsea Lodge) that use Holmead Road as a through road. Officers witnessed first-hand our security and the staff ensuring that even non customers were told to respect the neighbours and keep quiet.
17. Examples of Noise Nuisance Team Visits (which are not mentioned in the noise officer's representation in this review):

- a. Saturday 26th June 2022 – arrived 00.09 and left 00:55

b. Saturday 2nd July 2022 – arrived at 00.26 and left 1.55.

18. Holmead Road is a through road which joins Fulham and Kings Road. Many people who attend other late night venues in King's Road and use this road to access the late night travel hubs on Fulham Road and Fulham Broadway. Some congregate on the corner of King's Road and Holmead Road as well as King's Road and Wandon Road but these are not our customers. Nevertheless our security do their best to move these people on and quieten down.
19. The reports show that less than 10% of the total number of people that walk down Holmead Road are Lodge customers. If I witness any anti-social behaviour from anyone who then tries to enter the Lodge, I would radio the door team and inform them of this. The door team would then reject them from entry. Most don't even try as going to the Chelsea Lodge was never their intention. We try and engage with everyone who walks along the road (including the 90% who are unrelated to the venue), if they make noise, to ask them to be quiet and respectful as they pass along the road.
20. It is important to note as there are well over 2,000 people in the reports over a very short period of time, where the amount of foot fall, loud cars, ASB and loitering is notable and where no attempt is made by them to enter the venue. It is important to realise the value of this venue, myself and the security on the street and what we do for the street and surrounding neighbours.
21. Our security team and I regularly walk up and down the street and ask people who are unrelated to us to keep the noise down. This includes vehicles playing music, people walking, people loitering etc. We act like the road's private security. I have given some recent examples below of the positive effect our late night presence has on people in the area unassociated with our venue.

a. Saturday 25th June 2022:

23:40 - People midway on Holmead Road talking quite loudly. Not our customers. Approached and asked to keep the volume down and they said they were residents. We explained we were sorry and were just keeping the road quiet. They went inside after a while.

00:52 - Cars having a standoff down Holmead Road with none of them prepared to reverse, multiple cars involved, security went over to help them and guide them reversing out.

01:31 – Group of rowdy drunk males walked passed the entrance to The Chelsea Lodge towards Holmead Road. One male shouted he needed to “pee” while walking towards Holmead. The security asked them to keep their noise down as we have neighbours on Holmead. Our door host, in a further attempt asked if he would like to use our toilet, in an attempt to engage with the males before entering Holmead Road. The males continued to walk down the road, shouting louder. In another attempt to quieten them down the males got aggressive and abusive shouting “f your mum” and “f you you bald c**t”. When we realised we were not going to be able to keep them quiet we had to leave them to prevent an altercation. They continued down the road very loud. This is just one example of many of how hard we try. These are not our customers.

b. Friday 1st July 2022

Random car parked in the middle of Holmead Road loud music. Asked to be quiet by security. Car left.

01:05 - Black SUV parked on Holmead Road, Not a customer. Very loud. Drove off when saw us come over with a torch.

c. Saturday 2nd July 2022

0:31 - we sent some staff down Holmead Road to clean, there was a lot of rubbish and bags which seemed like it had been dumped. This was all along the one side of Holmead Road.

d. Friday 8th July 2022

A moped was half way down Holmead Road with a passenger. It appeared in the distance that they were looking in the back window of a car looking for items to steal. A staff member shouted at them and they sped off, we didn't get any details and staff was also alone so didn't want to try to film them in case they had a hammer or something to steal

things, and then see our staff member as a threat. Our staff left shortly after. We were closed at the time of this incident.

e. Saturday 9th July 2022

01:48 – staff made this report: “there was a guy sat on the floor on Holmead Road, wasn’t our customer, but we moved him to where we felt he was safe, and we could keep an eye on him until his taxi arrived. He didn’t seem vulnerable, only drunk, and looked like he was falling asleep while on the floor.”

f. Saturday 13th August 2022

00:35 - Group of males playing loud music and doing balloons in their car on Holmead Road. Security asked them to move on due to residents, they left. They were not Chelsea Lodge customers.

g. Friday 26th August 2022

00:58 - Group of 6 people, unrelated to Chelsea Lodge, on Holmead Road, being loud. I sent security to move them on, and he asked them politely and they did move on.

22. We were closed for some Fridays in July 2022. We employed a member of security to work a few of these Fridays, even though we were closed, in order for us to get accurate reports of the situation when we were not operating. The reports’ findings were that there was more noise while people walked up or down Holmead Road than when we were open. We didn’t record everyone as the security member went home at midnight on occasions, but there were nearly 150 people recorded on one of the nights whilst we were closed. It is clear from these reports that The Chelsea Lodge is not responsible for most of the pedestrian traffic in the area. Below are only a few on the entries on the nights we were closed.

a. Friday 8th July 2022 – recorded by security

21:51 - Big group of students went pass by Holmead Road to King’s Road towards Chelsea. Approximately 50 kids together - quite loud and drunk.

21:53 – 3 very drunk girls, very loud, walking with beer cans and cigarettes on Holmead

23:26 – 4 guys walking down Holmead Road, loud and drunk

00:00 - Big group of guys and girls very loud, probably 10, walking off Holmead Road off Kings Road towards Embargo.

b. Friday 15th July 2022

22:46 – drunk man on Wandon Road

23.17 – very big party with loud music going on in the Rug company opposite Holmead Road

23. Should we not be there, there is no one to ask the cars to be quiet when they park up and play loud music. There is no one to ask the people walking up and down Holmead Road to keep their voices down. There is no one to move people along. There is no one keeping an eye out for any suspicious behaviour. Our staff and security's presence in the early hours helps to reduce the issues in the area.

Residents' videos

24. I have viewed a number of videos submitted by residents in this review. I can categorically state that none of the rowdy individuals in these videos are customers of Chelsea Lodge. I know this because of the following:

- a. We do not permit our customers to either enter or leave our venue with drinks – any people with drinks on the street are not ours;
- b. We have a dress code and some of the clothing worn by these individuals would not enable them to enter our venue;
- c. We have also, where available, scrutinised CCTV footage from inside our venue on where dates have been provided. We have been able to confirm that in some of the videos the persons filmed had not been into Chelsea Lodge.

25. I believe these videos submitted by residents actually support Chelsea Lodge's response to the review application – they are positive examples of where residents honestly but wrongly believe people who are making a disturbance in the area are associated with Chelsea Lodge when in fact they are nothing to do with our venue.

Residents who engage with us

26. Having myself and the team in the street, we are able to respond quicker than any noise team could. The neighbours who actually engage with myself or the team find that they can call on us for anything. One of the residents will text for anything he hears and asks on a regular basis for us to go and investigate or move people along. These are not our customers. They are often undesirables that have not been at any venue. If a resident had a disturbance, they would have to phone the noise team to make a report, phone the police if it was ASB – but we are there, a simple message and we can help all the residents as we help a few that do engage with us. It is unfortunate and upsetting that everything negative is automatically attributed to the venue and brought up once every 3 months in a resident's call. I feel we have always gone above and beyond and will continue to do so.

I believe that the facts stated in this witness statement are true and accurate to the best of my knowledge and belief.

[Digitally Signed]

LIEBE MCGUINNESS

Dated: 29.9.22

DATE :	1st July 2022		DAY	Friday		
TIME	DETAILS	Holmead Y/N	our customers? Y/N	How many people	video evidence Y/N	logged by?
	Customer from lodge leaving in his car at holmead road	Y	Y	1	Y	LIEBE
22:30	22:30 - first db read of the night at 48.8db midway down holmead road	Y	N/A	0	Y	LIEBE
22:33	Customer from lodge in white dress walking at holmead road few people cominh towards lodge	Y	Y	1	Y	LIEBE
22:34	High way maintenance at holemead road	Y	N	0	Y	LIEBE
22:37	Wandon road is quite and no noises	N	Y	0	Y	HAMI
22:45	Rumbold road, 57.1db, quiet on the street	N	N/A	0	Y	SAM
22:48	outside the venue on corner of holmead road @ 66.2db	Y	N/A	0	Y	SAM
22:50	2 Pedestrians, Holmead Road, Not from the chelsea Lodge	Y	N	2	Y	HAMI
22:54	a loud bike with 92 DB went pass kings road recorded	N	N	1	Y	HAMI
23:00	Customers arriving on Holmead road in a vehicle.	Y	Y	2	Y	HAMI
23:01	2 Non lodge customer on Holmead road.	Y	N	2	Y	HAMI
23:00	Walking up kings road towards wandon road and on corner of the road there to do DB reading. Max around 76db with cars coming past	N	N/A	0	Y	SAM
23:04	Random car parked in the middle of holmead road loud music. asked to be quiet. car left.	N	N	2	N	HAMI
23:04	Man running towards the Chelsea Lodge, came into the venue, he was running as he thought it was last entry	Y	Y	1	N	LIEBE
23:05	None lodge customer entering a taxi on holmead road	Y	N	3	Y	LIEBE
23:11	none lodge customer walking down holmead road holmead road	Y	N	1	Y	LIEBE
23:11	Bottom of Holmead Road all clear of people	Y	N/A	0	Y	LIEBE
23:13	3 drunk none lodge customer walking up holmead road towards kings road	Y	N	3	Y	HAMI
23:14	Outside of the chelsea lodge, on top corner of Holmead road, normal traffic flow, average DB reading of 70db	Y	N/A	0	Y	LIEBE
23:22	4 None Lodge customers being loud on kings road	N	N	4	Y	SAM
23:23	Two lodge customers walking down Holmead Road	Y	Y	2	Y	HAMI
22:36	3 None lodge guests with alcohol cans walking up holmead road towards kings road	Y	N	3	Y	SAM
23:37	DB reading middle of holmead 53.5db	Y	N/A	0	Y	SAM
23:38	Taxi dropped off 3 customers for the lodge on Wandon road	Y	Y	3	Y	HAMI
23:38	Holmead Road db reading of max 60db	Y	N/A	0	Y	SAM

22:39	non guests walking up holmead talking from butchers hook	Y	N	0	Y	SAM
23:43	6 People walking down kings road toward the chelsea lodge to enter	N	Y	6	Y	HAMI
23:45	4 People exited a taxi on Kings road near the lodge to enter the chelsea lodge	N	Y	4	Y	HAMI
23:50	4 Non lodge customers waling up holmead road towards kings road drunk.	Y	N	4	Y	HAMI
23:47	Two cars waiting on holmead road	Y	N	0	Y	SAM
23:53	DB Rreading outside of the chelsea lodge, max 75db due to cars.	Y	N/A	0	Y	SAM
23:53	5 non customers walked through holmead road, talking, and crossed over the opposite side of kings road	N	N	5	Y	SAM
23:58	Guests walking toward the lodge from oppsite side of kings road	N	Y	2	Y	SAM
0:01	Non guest standing on holmead road, asked to keep his phone conversation quiet	Y	N	1	Y	SAM
0:03	7 people walked down toward the lodge	Y	Y	7	Y	HAMI
0:05	Non lodge guests walking down holmead road	Y	N	2	Y	SAM
0:06	Non lodge guest waling down Holmead road	Y	N	1	Y	SAM
0:15	Fire truck going down Kings road, loud towards kensington	N	N	0	N	HAMI
0:16	Holmead Road completely cleared of all people	Y	N/A	0	Y	SAM
0:23	Non guest walking fown holmead road, asked to be quiet	Y	N	1	Y	SAM
0:24	db reading from outside of the lodge, max 83db due to cars driving past	N	N/A	0	Y	SAM
0:26	Council car arrives and monitoring	N/A	N/A	0	Y	HAMI
0:44	Taxis beeping horns on kings road in traffic, council there to witness	N/A	N/A	0	N	GAVIN
0:47	11 non customers walking on kings road, past holmead road	N	N	11	Y	HAMI
0:55	7 People, non customers, walking up holmead road towards kings road	Y	N	7	Y	SAM
1:01	3 non customers walking up holmead road towards kings road	Y	N	3	Y	SAM
1:01	2 People walking past lost hours, non customers	N	N	2	Y	HAMI
1:03	Holmead Road completely cleared of all people	Y	N/A	0	Y	SAM
1:05	Black SUV parked on holmead road, Not a customer. Very loud. drove off when saw us come over with a torch	Y	N	0	N	HAMI
1:08	Loud couple walking down kings road toward fulham Broadway	N	N	2	Y	SAM
1:12	Loud group of 5 girls outside imperial arms, jumping on benches outside megans	N	N	4	Y	HAMI
1:22	2 People walk up holmead road towards kings road	Y	N	2	Y	SAM
1:24	2 drunk Non lodge customer walking on Holmead road. asked to be quiet. they apologies	Y	N	2	Y	HAMI

1:28	2 girls running down holmead road, not from the lodge	Y	N	2	Y	HAMI
1:29	2 customers from the chelsea lodge crossed kings road to enter a taxi	N	Y	2	Y	SAM
1:49	2 People walking up holmead road towards kings road, not customers	Y	N	2	Y	SAM
1:55	Council car leaves through fulham road towards fulham road. Confirmed that there are no issues he has witnessed and explained how well run we seem to be. he discussed some other areas hes been to and how bad they are	Y	N	0	Y	CHASE
1:58	2 People walk down holmead road towards fulham road, non customers	Y	N	2	Y	LIEBE
2:06	Holmead road completely cleared of all people	Y	N	0	Y	LIEBE
2:09	3 Customers leaving through holmead road, asked to be quiet as they leave and were	Y	Y	3	Y	LIEBE
2:15	Non lodge guest walkIng down Holmead road	Y	N	1	Y	LIEBE
OCCURANCE TOTALS						
TOTAL PEOPLE		109				
CSUTOMERS THAT USED HOLMEAD		8				
NOT VENUE		101				
COMMENTS						
Tonight went well and security asked all walking down Holmead road to be quiet if they were making any noise. We had a council visit at 00:26 until 01:55, they were happy with the lack of noise and saw no issues with how we performed dealing with. We went over to a car playing loud music and they turned it down, anothe wr car the same, and they just left when seeing us.						

DATE :	25th June 2022		DAY	Saturday		
TIME	DETAILS	Holmead Y/N	our customers? Y/N	How many people	video evidence Y/N	logged by?
23:05	People walking down HOLMEAD. Not our customers. They were making noise at the top of the street. Asked to be quiet. They were quiet after	Y	N	2	Y	Liebe
23:12	people walking down HOLMEAD. Not our customers. They were making noise at the top of the street	Y	N	2	Y	Liebe
23:20	6 people walking up HOLMEAD. Not our customers. They were making noise at the top of the street. They were quiet after by door staff	Y	N	6	Y	sam
23:20	Group of 6 girls really loud. Not our customers. Walked on HOLMEAD then up towards jaks	Y	N	6	Y	Liebe
23:25	people driving down HOLMEAD. Not our customers. Revving down the road at the end, not customers	Y	N	N/A	Y	sam
23:26	people walking up HOLMEAD. Not our customers. They were making noise at the top of the street. Asked to be quiet	Y	N	2	Y	Liebe
23:27	people walking up HOLMEAD. Not our customers. They were making noise at the top of the street.	Y	N	3	Y	Liebe
23:30	person getting dropped by driver midway up holmead. Not our customers	Y	N	1	Y	Liebe
23:32	non guest driving down holmead road	Y	N	1	Y	Liebe
23:33	big group of people walking down HOLMEAD. Not our customers. They were making noise at the top of the street. asked to be quiet	Y	N	10	Y	Liebe
23:36	very noisy road, loud cars.Kings Road	Y	N	N/A	Y	Liebe
23:37	person walking up HOLMEAD. Not our customer but on the phone whilst walking	Y	N	1	Y	Liebe
23:39	people walking up HOLMEAD. Not our customers	Y	N	2	Y	Liebe
23:40	people midway on HOLMEAD. Not our customers. Approached and asked to keep the volume down and they were residents	Y	N	2	Y	Liebe
23:42	two people waiting at the top of HOLMEAD. Not our customers but asked to keep the noise down	Y	N	2	Y	Liebe
23:47	Group on corner of HOLMEAD. loud. Not our customers. Moved on by our security	Y	N	7	N	sam
23:47	Pair of people walking up HOLMEAD. Guests to start, followed by others who were not	Y	N	2	Y	Liebe

23:51	group of non guests having a full domestic over the road, not anything to do with lodge. female shouting. asked to keep down	N	N	4	Y	sam
0:01	non guest commotion at the top of the road	N	N	6	Y	Liebe
0:07	non guest cars driving down holmead road very fast with noisy exhausts	Y	N	N/A	Y	Liebe
0:09	law enforcement parked up on holmead observing	Y	N	2	Y	Liebe
0:16	non guests walking up the road being noisy, asked to keep the noise down	Y	N	2	Y	Liebe
0:18	law enforcement arrived at the venue monitoring	Y	N	2	Y	sam
0:20	car beeping trying to exit the junction with van waiting at the crossing before leaving	Y	N	N/A	Y	Liebe
0:25	non guests waiting at the top of holmead road for cab, security asked to keep noise down	Y	N	5	Y	Liebe
0:29	non guests walking up through holmead road	Y	N	3	Y	Liebe
0:30	Law enforcement from 00:09 - Emanuelle. spoke to us said he was sent to monitor in response to complaints. Said all ok and impressed with DB readings and monitoring. He witnessed a non lodge customer ,male, wanting to urinate on street and advised he would fine him	Y	N/A	N/A	PHOTO OF DB READING	Liebe
0:38	non guests making a lot of noise whilst walking up the road. Customers of embargo's	Y	N	2	Y	Liebe
0:44	non guests getting a taxi at top of holmead	N	N	4	Y	Liebe
0:52	Cars having a standoff down holmead road with none of them prepared to reverse, multiple cars involved, security went over to help them and guide them reverseing out.	Y	N	N/A	Y	Liebe
1:03	two non guests riding bikes shouting at each other	Y	N	2	Y	Liebe
1:15	non customers walking down middle of the road	Y	N	2	Y	Liebe
1:16	non lodge customers walking up the road being noisy	Y	N	2	Y	Liebe
1:25	a group of males were shouting and arguing walking down holmead. Security asked them to be quiet. 1 male wanted to pee so Sam offered him to come inside to try deescalate. Males were very abusive and carried on shouting	Y	N	3	Y	Liebe
1:31	security walked and asked the same group to be quiet, and they got really agitated and aggressive, security tried calming it down but in the end just walked away. Not our customers.	Y	N	3	Y	Liebe
1:45	non guest agitated after not being allowed in the venue	Y	N	4	Y	Liebe

OCCURANCE TOTALS

TOTAL PEOPLE

95

TOTAL THAT CAME FROM THE VENUE	0
NOT VENUE	95

COMMENTS

<p>tonight there was alot of loud people walking around, more so than usually. we also had a very loud occurance with vehicles all hooting and refusing to move for eachother half way down holmead. Security went down and he was firm with them to get them to reverse and he helped guid them through. there was also a group that had been walking up and down. They were angry and agresive so security decided to not engage any further</p>
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Date	TIME	DETAILS	Holmead Y/N	lodge patron? Y/N	How many people	video evidence Y/N
24-Jun-22	23:16	Customers outside imperial arms, very loud.	Y	N	3	Y
24-Jun-22	23:25	4 friends passing opposite side of lodge loud noise	N	N	5	Y
24-Jun-22	23:26	Same group as above, loud.	N	N	5	Y
24-Jun-22	23:34	22 people came from Jaks direction and went on holmead road. They were asked to keep it quiet twice.	Y	N	22	Y
24-Jun-22	23:37	Loud Group of 10 came from Fulham Broadway side opposite to lodge non customers	N	N	10	Y
24-Jun-22	23:42	3 drunk girls not from lodge are at holmead road been asked to move quietly	Y	N	3	Y
25-Jun-22	0:05	3 guys walked up holmead road, noisy, were asked to be quiet.	Y	n	3	y
25-Jun-22	0:18	3 guys went passed from lodge being loud, were a asked to keep quiet, not our customers	N	N	5	Y
25-Jun-22	0:21	3 guys went passed from lodge loud been asked to keep quiet not our customers	N	N	5	Y
25-Jun-22	0:54	Imperial arms (Pub just down from us) is packed outside people leaving and making noise, around 40 people	N	N	40	Y
25-Jun-22	1:12	4 people outside Italian drinking. Not our customers. Asked to keep quiet. Told us it's public road. But I've asked a few times	N	N	4	N
25-Jun-22	1:13	More of the same group. Not our customers. Asked to be quiet	N	N	12	Y
25-Jun-22	23:05	People walking down HOLMEAD. Not our customers. They were making noise at the top of the street. Asked to be quiet. They were quiet after	Y	N	2	Y
25-Jun-22	23:12	people walking down HOLMEAD. Not our customers. They were making noise at the top of the street	Y	N	2	Y
25-Jun-22	23:20	6 people walking up HOLMEAD. Not our customers. They were making noise at the top of the street. They were quiet after by door staff	Y	N	6	Y
25-Jun-22	23:20	Group of 6 girls really loud. Not our customers. Walked on HOLMEAD then up towards jaks	Y	N	6	Y
25-Jun-22	23:25	people driving down HOLMEAD. Not our customers. Revving down the road at the end, not customers	Y	N	N/A	Y
25-Jun-22	23:26	people walking up HOLMEAD. Not our customers. They were making noise at the top of the street. Asked to be quiet	Y	N	2	Y
25-Jun-22	23:27	people walking up HOLMEAD. Not our customers. They were making noise at the top of the street.	Y	N	3	Y
25-Jun-22	23:33	big group of people walking down HOLMEAD. Not our customers. They were making noise at the top of the street. asked to be quiet	Y	N	10	Y
25-Jun-22	23:40	people midway on HOLMEAD. Not our customers. Approached and asked to keep the volume down and they were residents. they went in after while	Y	N	2	Y
25-Jun-22	23:47	Group on corner of HOLMEAD. loud. Not our customers. Moved on by our security	Y	N	7	N
25-Jun-22	23:51	group of non guests having a full domestic over the road, not anything to do with lodge. female shouting. asked to keep down	N	N	4	Y
25-Jun-22	0:07	non guest cars driving down holmead road very fast with noisy exhausts	Y	N	N/A	Y
26-Jun-22	0:16	non guests walking up the road being noisy, asked to keep the noise down	Y	N	2	Y
27-Jun-22	0:38	non guests making a lot of noise whilst walking up the road. Customers of embargo's	Y	N	2	Y
26-Jun-22	0:52	Cars having a standoff down holmead road with none of them prepared to reverse, multiple cars involved, security went over to help them and guide them reverseing out.	Y	N	N/A	Y
26-Jun-22	1:16	non lodge customers walking up the road being noisy.	Y	N	2	Y
26-Jun-22	1:25	a group of males were shouting and arguing walking down holmead. Security asked them to be quiet. 1 male wanted to pee so Sam offered him to come inside to try deescalate. Males were very abusive and carried on shouting	Y	N	3	Y
26-Jun-22	1:31	security asked the same group to be quiet, and they got really agitated and aggressive, security tried calming it down but in the end just walked away. Not our customers.	Y	N	3	Y
26-Jun-22	23:04	Random car parked in the middle of holmead road loud music. asked to be quiet .car left	N	N	2	N
26-Jun-22	23:13	3 drunk none lodge customer walking up holmead road towards kings road	Y	N	3	Y
1-Jul-22	23:22	4 None Lodge customers being loud on kings road	N	N	4	Y
1-Jul-22	22:36	3 None lodge guests with alcohol cans walking up holmead road towards kings road	Y	N	3	Y
1-Jul-22	23:50	4 Non lodge customers waling up holmead road towards kings road drunk.	Y	N	4	Y
1-Jul-22	0:01	Non guest standing on holmead road, asked to keep his phone conversation quiet	Y	N	1	Y

1-Jul-22	0:23	Non guest walking fown holmead road, asked to be quiet	Y	N	1	Y
2-Jul-22	1:05	Black SUV parked on holmead road, Not a customer. Very loud. drove off when saw us come over with torch	Y	N	0	N
2-Jul-22	1:08	Loud couple walking down kings road toward fulham broadway	N	N	2	Y
2-Jul-22	1:12	Loud group of 5 girls outside imperial arms, jumping on benches outside megans	N	N	4	Y
2-Jul-22	1:24	2 drunk Non lodge customer walking on Holmead road. asked to be quiet. they apologies	Y	N	2	Y
2-Jul-22	22:39	2 PEOPLE SPEAKING OUTSIDE LOST HOURS, A LITTLE LOUD, NOT CUSTOMERS	N	N	2	N
2-Jul-22	23:29	LOUD CAR COMING DOWN KINGS ROAD AND DOWN HOLMEAD ROAD	Y	N	N/A	N
2-Jul-22	23:38	2 MALES WALKING DOWN HOLMEAD ROAD AFTER BEING REFUSED ENTRY, ASKED TO PLEASE BE QUIET WHEN HEADING DOWN THE ROAD	Y	N	2	N
2-Jul-22	0:31	OUR STAFF CLEANING UP RUBBISH THAT DOES NOT BELONG TO US OR OUR CUSTOMERS ON HOLMEAD ROAD, NOT NOISY.	Y	N	N/A	Y
2-Jul-22	0:55	2 PEOPLE WALKING UP HOLMEAD ROAD TOWARDS KINGS ROAD BEING LOUD, NOT CUSTOMERS	Y	N	2	Y
3-Jul-22	1:05	5 PEOPLE ON THE OPPOSITE SIDE OF KINGS ROAD CROSSED THE ROAD AND WERE ASKED TO BE QUIET, NOT CUSTOMERS	Y	N	5	Y
3-Jul-22	21:52	Big group of students went pass by holmead road to kings road towards Chelsea approx 50 kids together non customers quite loud and drunk	N	N	50	N
3-Jul-22	21:53	3 very drunk girls, very loud, walking with beer cans and cigarettes on Holmead	Y	N	3	Y
8-Jul-22	22:01	Group of 8 in total with 3 girls 5 guys walking pass by lost hours were laughing and loud on their way towards jacks	N	N	8	Y
8-Jul-22	22:05	Group of 6 on holmead road just walking pass by drinking	Y	N	6	Y
8-Jul-22	22:40	Council van coming on holmead road	Y	N	0	Y
8-Jul-22	22:43	Enforcement van went off outside imperial arms	N	N/A	0	Y
8-Jul-22	23:03	Two guys outside lost hours walking towards embago. VERY LOUD	N	N	2	N
8-Jul-22	23:16	4 guys walking towards Moore park road off holmead road loud and drunk probably students	Y	N	4	Y
8-Jul-22	23:45	Group of 8 girls walking off holmead road towards kings road. shouting and very intoxicated	Y	N	8	N
8-Jul-22	0:00	Big group of guys and girls very loud, but is still early, probably 10 walking off holmead road off kings road towards embargo's	N	N	10	N
8-Jul-22	0:14	4 guys getting off on holmead road walking towards embargo's. loud	Y	N	4	N
9-Jul-22	0:22	Hami reported a suspicious moped half way down holmead, lookd in the back of a car, saw me taking my phone out and sped off when i shouted. there was a passenger on the back.	Y	N	6	N
9-Jul-22	0:33	Loud group of 4 people on holmead road, not our customers. playing music in car. doing baloons. one was watching me so i didnt film them	Y	N	4	N
9-Jul-22	0:35	MULTIPLE RANDOM GROUPS OF PEOPLE ON HOLMEAD ROAD, DRINKING AND TALKING, NOT CUSTOMERS	Y	N	5	Y
9-Jul-22	23:03	8 members of public waiting for taxi on corner of road to go to another venue	Y	N	8	Y
9-Jul-22	23:08	same group of 8 asked to keep the noise down, have said that taxi is going to be arriving shortly	Y	N	8	Y
9-Jul-22	23:53	law enforcement coming up holmead road towards our venue, Did not stop at venue, sat at the top of the road and all quiet with two orderly queues	Y	N/A	0	Y
9-Jul-22	1:48	a non guest, male. sat on floor near our venue on holmead road, picked up and taken around the corner to sit safety on the wall while he waited for a taxi. offered water.	Y	N	1	Y
9-Jul-22	22:46	Drunk guy on wandon road walking	Y	N	1	Y
10-Jul-22	22:46	4 girls across Chelsea lodge loud and chatting	N	N	4	N
15-Jul-22	22:48	5 guys and one girl quite loud on kings road	N	N	6	Y
15-Jul-22	23:17	very big party with loud music going on in the Rug company opposite Holmead road	N	N	0	Y
15-Jul-22	23:41	Loud car driving passing up holmead road passed Chelsea lodge	N	N	0	N
15-Jul-22	0:15	10 girls walking towards Fulham off kings road by Chelsea lodge. screaming loudly and laughing.	N	N	10	N
15-Jul-22	0:36	5 males got out car parked on holmead rd, loud music in car. all quiet when they left	N	N	5	N
16-Jul-22	23:01	2 people entering their car parked on Holmead road, played very loud music and drove off non customers	Y	N	2	N
16-Jul-22	23:34	1 man singing into his phone loudly, not customer	Y	N	1	Y
16-Jul-22	1:16	3 people on Holmead road, talking and appearing to argue, not customers	Y	N	3	Y
16-Jul-22	23:28	3 PEOPLE WALKING ON THE OPPOSITE SIDE OF KINGS ROAD FROM THE CHELSEA LODGE, KICKING CANS AND BEING LOUD	Y	N	3	Y
17-Jul-22	23:43	CAR BEING PARKED ON HOLMEAD ROAD, LOUD MUSIC, NOT OUR CUSTOMERS	Y	N	1	Y

23-Jul-22	23:51	4 PEOPLE OPPOSITE THE CHELSEA LODGE, BEING QUITE LOUD, NOT CUSTOMERS	Y	N	4	Y
23-Jul-22	0:09	LOUD CAR DRIVING DOWN HOLMEAD ROAD, NOT CUSTOMER	Y	N	1	Y
23-Jul-22	0:15	3 PEOPLE WALKING ON KINGS ROAD SIDEWALK OPPOSITE THE LODGE, BEING LOUD AND SHOUTING, NOT CUSTOMERS	N	N	3	Y
24-Jul-22	0:24	3 PEOPLE WALKING DOWN HOLMEAD ROAD TOWARDS FULHAM ROAD, NOT CUSTOMERS, ASKED TO BE QUIET WHEN WALKING DOWN HOLMEAD	Y	N	3	Y
24-Jul-22	23:55	Loud car driving down Holmead road, 1 person, not customer	Y	N	1	Y
24-Jul-22	0:03	Top of Wandon road, light traffic, loud people walking down from Jaks	N	N	5	Y
30-Jul-22	0:12	Large group of people congregating outside of Megan's	N	N	10	Y
31-Jul-22	0:13	Large group of people approx 6 across from the Chelsea lodge, being loud, not customers	N	N	6	Y
31-Jul-22	0:23	13 people walking up kings road towards Jaks, being very loud, not customers	N	N	13	Y
31-Jul-22	0:55	7 people on the opposite side of kings road, not customers, being quite loud	N	N	7	Y
31-Jul-22	22:10	Loud sports car, 2 people inside driving down Holmead road, not customers	Y	N	2	Y
31-Jul-22	0:10	Blue BMW sitting on Holmead road outside black gate, not customers	Y	N	2	Y
6-Aug-22	0:30	2 females standing ON HOLMEAD ROAD for a prolonged period of time, asked not drink and stand there, very nice people, not customers. they gave us their empties to throw away	Y	N	2	Y
7-Aug-22	1:23	2 people walking down Holmead road, very drunk, not our customers	Y	N	2	Y
7-Aug-22	0:16	3 intoxicated people walking down Holmead road toward Fulham road, not customers	Y	N	3	Y
7-Aug-22	0:35	Venue security going to ask random group of non customers doing balloons and being loud, outside residents address, was polite and moved them on	Y	N	3	Y
14-Aug-22	1:01	Top of Wandon road, drunk people (not customers) being loud and driving up volume, medium traffic	N	N	4	Y
14-Aug-22	23:54	29 people walking down Holmead road towards Fulham road, not customers. not very loud.	Y	N	29	Y
14-Aug-22	0:14	33 people walking down Holmead road, not customers, asked to be quiet as they started going down, they were not very loud.	Y	N	33	Y
19-Aug-22	22:53	3 people walking down Holmead road, towards Fulham road, loud music playing out of their phone, not customers	Y	N	3	Y
20-Aug-22	0:33	Top of Wandon road, light traffic, a few loud people who are not customers	N	N	3	Y
20-Aug-22	0:41	Group of men outside a car on Holmead road, right at the end, loud music, not customers, too far from venue to send someone for people unrelated to the venue as were focusing on our customers.	Y	N	4	Y
21-Aug-22	0:45	Car with loud music on Holmead road, not customers	Y	N	2	Y
21-Aug-22	0:58	6 people on Holmead road, being loud, security asked them to move and be quiet politely, moved on, not customers	Y	N	6	Y
21-Aug-22	1:32	3 people sitting on kings road, security moved them on 3 times to not disturb neighbours, not customers	Y	N	2	Y
27-Aug-22	22:07	Closest point of the venue to the neighbour who mentioned noise, no noise from the venue but can hear cars in the background	N	N	0	Y
27-Aug-22	22:27	Can hear loud female chatter from this area, not sure if it is a back garden or due to a window open, can't pick it up due to traffic noise	Y	N	N/A	Y
27-Aug-22	1:09	One of the houses on Holmead road, close to the venue, still producing a lot of noise.	Y	N	0	Y
27-Aug-22	2:15	complaint from a resident about shouting on kings road, nothing observed by us. checked wandon road again where he lives and filmed. all quiet.	N	N	0	Y
28-Aug-22	22:48	12 people walking up Holmead road, Very loud, not customers	Y	N	12	Y
28-Aug-22	23:35	Not lodge customers being loud walking down kings road	N	N	6	Y
2-Sep-22	23:41	Imperial arms loud customers	N	N	10	Y
2-Sep-22	0:00	Loud people walking from imperial arms, being loud on the other side of the street	N	N	6	Y
2-Sep-22	1:02	Door is closed and has been for approx 30 mins, non customers being very loud	N	N	10	Y
3-Sep-22	1:04	Previously stated loud group plus other customers sitting outside of imperial arms with alcohol outside. very loud.	N	N	10	Y
3-Sep-22	0:56	3 people, very loud, security went over to ask them to be quiet, they were extremely rude and confrontational, security walked away to avoid further noise	Y	N	3	Y
3-Sep-22	1:31	Drunk loud people, not customers, waiting for taxis. kings road. asked to keep noise down which increased their volume so ignored them and they moved on. not customers	N	N	3	Y
4-Sep-22	1:42	Loud car from earlier who was aggressive to security, deliberately being loud with his car	Y	N	3	Y
4-Sep-22	1:45	Two people from the direction of Jaks urinating in the street ON WANDON ROAD.	N	N	2	Y

4-Sep-22	23:15	2 people walking up Holmead road towards kings, highly intoxicated not customers	Y	N	2	Y
4-Sep-22	23:22	2 people walking down Holmead road, speaking loud, not customers	Y	N	2	Y
9-Sep-22	1:18	Loud drunk people on e-scooters and bikes, not customers	N	N	3	Y
9-Sep-22	1:49	5 people very loud and intoxicated walking up Holmead road, not customers	Y	N	5	Y
10-Sep-22	22:29	Group of people at the bottom of Holmead road, close to Fulham road, bring loud, nothing to do with the Chelsea Lodge	Y	N	4	Y
10-Sep-22	23:32	Top of Wandon road, medium to heavy traffic, 2 men standing on the road with wine being quite loud, not customers	N	N	2	Y
10-Sep-22	22:40	5 guys walking towards Jaks direction. chanting veery loud, picked up Megan's Aboard, threw it and kicked it.	N	N	5	Y
10-Sep-22	23:42	4 people walking up Holmead road, 1 of them urinated on a residents gate. walked up towards the lodge and we told them that they could get a fine for it, and that it was reported. they moved on	Y	N	4	Y
16-Sep-22	1:04	Drunk people from Imperial arms standing on tables being loud, not customers	N	N	3	Y
16-Sep-22	0:10	Loud group of 3 heading down Holmead road, not our customers	Y	N	3	Y
17-Sep-22	2:14	Large loud group at Megan's NOT CUSTOMERS	N	N	6	Y
18-Sep-22	23:06	4 people walking down Holmead road, very loud, asked to be quiet, not customers	Y	N	4	Y
24-Sep-22	0:27	2 people on Wandon road, middle of the street, not customers, appearing highly intoxicated	N	N	2	Y
24-Sep-22	0:41	5 people exited a taxi on Holmead road, one appeared highly intoxicated and dry heaving, all were denied entry and water was offered	Y	N	5	Y
25-Sep-22	0:48	Same 2 people from the previous report, standing on Holmead and being loud	Y	N	2	Y



**COMPLETE
LICENSING**

THE CHELSEA LODGE

FULHAM

Expert Report

19.09.22

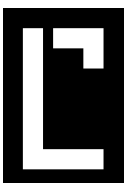
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COMPLETE
LICENSING

THE CHELSEA LODGE FULHAM

Expert Report 1

1.1. LICENSING EXPERTISE AND BACKGROUND

- 1.1.1 I retired from the Metropolitan Police in 2019, having joined in 1980. During my police service, I worked in several uniform and non-uniform roles, including a long spell as the 'village policeman' for Soho in the City of Westminster and then as office manager for Westminster Police Licensing Team, based in Westminster City Hall. Whilst working in Soho I was frequently called upon to observe and report on disputes between licensed premises and local residents. I also liaised with licensed premises to promote best practice.
- 1.1.2 During my time at West End Central, I was commended twice, once for professionalism, initiative and dedication leading to the arrest of a gang of prolific burglars and a second time for sensitivity and detective ability when uncovering and dealing with vulnerable women, trafficked for prostitution.
- 1.1.3 Whilst managing the Westminster police Licensing Team, I was responsible for dealing with all aspects of licensing, including processing and dealing with hundreds of licence applications, thousands of TEN notices and many Expedited Reviews, including:
- Amika, South Molton Street;
 - Madam Jo Jo's, Brewer Street;
 - Studio Valbonne, Kingly Street;
 - Avalon, Shaftesbury Avenue;
 - along with other premises in Dean Street and Piccadilly.
- 1.1.4 All of the above were closed as a result of serious crime and disorder, often coupled with management teams that failed to engage with us in the police service. In addition to these late-night bars and nightclubs, which were formally closed, I was responsible for closing the Embassy Club in Old Burlington Street and Jalouse in Hanover Square on behalf of the police, supported by the evidence-based cases I was able to build, based on serious crime and disorder. In both cases the premises management realised that Reviews would follow, so they surrendered their licences and closed voluntarily and permanently. I have also liaised with well-known nightclubs to prevent the need for Review, including:
- Novikov, Berkeley Street;
 - Whisky Mist in the Hilton, Park Lane; and
 - Dstrkt, in Soho,
- 1.1.5 From my experience, I have seen first-hand the need for the police to work with business operators to identify problems and resolve issues through a collaborative approach whenever possible.



- 1.1.6 I represented the Metropolitan Police at weekly licensing hearings in front of Westminster Licensing Committee. I have extensive experience in licensing applications, compliance, and Reviews. I worked with premises that caused the Metropolitan Police concern, suggesting action plans or Minor Variations to promote the licensing objectives. I was responsible for training new staff in Westminster and provided training in licensing across the Metropolitan Police area. Frequently officers from other licensing teams would come and spend time with me to gain knowledge and experience. Whilst working in the Westminster Police Licensing Team, for several years, I sat on Gold Advisory Groups at both Scotland Yard and at the Mayor's Office at London City Hall, for both Gay Pride and Notting Hill Carnival. I later acted as licensing advisor to Sector Commanders at both events for a number of years.
- 1.1.7 I understand that my duty is to help the licensing authority and court to promote the licensing objectives in an appropriate and proportionate way by giving independent assistance by way of objective, unbiased opinion on matters within my expertise, both in preparing reports and giving oral evidence. I understand that this duty overrides any obligation to the party by whom I am engaged or the person who has paid or is liable to pay me. I confirm that I have complied with and will continue to comply with that duty.

1.2. BACKGROUND TO REPORT

- 1.2.1 I have been asked to attend Chelsea Lodge in my role as a Compliance Specialist for Complete Licensing. I made two night-time visits to the premises on Saturday, 30 July 2022 and Saturday, 20 August 2022.
- 1.2.2 The reason for my attendance was to gain first-hand knowledge of the premises, observe customer behaviour on arrival and departure, to ensure compliance with the requirements of the Premises Licence, and to assist staff in understanding their obligations under the conditions on the Licence.



1.3. VISIT ON SATURDAY 30 JULY 2022

- 1.3.1 I arrived at Chelsea Lodge, Kings Road at 22.50 on Saturday 30th July 2022.
- 1.3.2 Outside were five male SIA doormen, all wearing dark or black smart, but casual clothing. All were conspicuously wearing their SIA badges in holders on their arms.
- 1.3.3 On the pavement, with the doormen, was a tall, slim lady, with a radio attached to the back of her waist. She explained that she was the VIP host.
- 1.3.4 There were posts holding expanding tape, describing queuing areas either side of the short outdoor entrance to the premises. To the left of the entrance was a covered area that was full with stacks of chairs. In this area was a man who was working an ID scan device. He was very happy with the brand new device as it scanned very quickly, so should help manage queues outside.
- 1.3.5 I introduced myself and was told that Chase Hunter wasn't yet at the premises, but his brother was. I'd previously met his brother and recognised him. He was taking noise levels, using a mobile phone, in the adjacent streets. At this time, there were no customers in the premises. Also at this time, low level music could be heard outside the Premises on King's Road when I was stood directly outside. There was a doorway to the area where the ID scan was, with a partially open door. As soon as it was closed the music outside became barely audible. Even with the door open, I would say the music was quieter than the passing traffic.
- 1.3.6 To the side of the premises, is Holmead Road. A residential, terraced street, with on street parking. At about 22.50, a minicab pulled up at the junction with King's Road and two white females, aged in their mid 20's got out. One of them had an empty bottle, which she secreted behind the wall of L'Antico restaurant, currently closed for holidays. The women then walked north in Holmead Road but did not enter Chelsea Lodge.
- 1.3.7 I then walked around the area, east in King's Road and soon came to Jaks and Embargo. Both premises had door staff with branded jackets, outside the door and patrolling the local streets. I saw an obviously intoxicated man and woman leave Jaks by cab. Music could be heard at low levels, from both premises. I returned to the Chelsea Lodge. There were a small number of people forming a queue behind the cordoned area.
- 1.3.8 At 23.35, Chase Hunter called me from his office. I joined him. He explained he was sorting out some CCTV footage. We had a brief conversation and I went back outside where I watched the premises and surrounding area.



- 1.3.9 King's Road had plenty of traffic, including men driving "souped up" sports cars with extremely loud exhausts (far louder than the average traffic noise in the area). These cars were cruising up and down King's Road. Some of the drivers were sucking on balloons of what I suspect (from my experience in the police) was nitrous oxide.
- 1.3.10 At about 00.10, 4 men walked along King's Road, from the East; they turned into Holmead Road, where 1 of them urinated against a car in the side street. The men then hung out, outside the closed Italian restaurant, apparently watching people pass. They were not customers of Chelsea Lodge.
- 1.3.11 Not long after, a group of 8 women walked on the far pavement, from the West. They too were sucking on balloons and shouting to each other in high spirits. They walked on East. They were not customers of Chelsea Lodge.
- 1.3.12 By about 00.30, there was a steady flow of taxis and mini cabs bringing guests to the premises.
- 1.3.13 At about 00.35, both cordoned queuing areas were being used as there were about 25 people waiting to be processed by the ID scan. The queues were orderly and well managed by the doorstaff and hostess, but these staff would have been more visible and safer on the pavement edge if they were wearing high visibility jackets. I have made a formal recommendation relating to this effect.
- 1.3.14 The outdoor noise monitoring continued all night.
- 1.3.15 At about 01.00, a group of 8 men in their mid twenties appeared on the far pavement, from the west. They hung around opposite the premises for approximately 20 minutes. They were boisterously teasing each other, but remained on the opposite side of the road. They were not customers of Chelsea Lodge.
- 1.3.16 As part of my patrol, at about 01.10 I saw 5 women appear from the west, they were clearly intoxicated and 1 sat down on the pavement at the edge of the kerb, with her back to the traffic. I watched the women for a couple of minutes, they were deep in conversation but did not appear vulnerable, save for being sat on the kerb in close proximity to the road. I approached the doormen outside the premises who were managing the external area queue, about twenty metres away and asked 1 of them to move the ladies along. I watched him professionally request the ladies to move and although they did not want to leave the area, they did move to the building edge the pavement. They were not customers of Chelsea Lodge.
- 1.3.17 At about 01.50, Chase Hunter (the DPS) came outside to supervise the customers who were starting to disperse.



- 1.3.18 Inside the premises, the music had been turned down on the ground floor. The door staff had arranged a cordon, so that people leaving the premises went west, away from Holmead Road. As customers left, several attempted to take their drinks with them, were stopped, and required to leave those drinks behind. This was done in a good natured and professional way, with no disputes arising. In my opinion, an SIA doorman just inside the premises would have made this even easier as customers with drinks could have been intercepted before crossing the threshold.
- 1.3.19 A little while later, I went inside the premises. When I came out, a young man was arguing with a minicab driver, immediately outside the premises. Apparently, the young man was a cyclist who had started to turn into Holmead Road as the minicab pulled off west, knocking the man off his bike. The cyclist was very angry and noisy, but eventually got on his bike and cycled away. He was wearing dark clothing and had no lights on his bike. He was not a customer of Chelsea Lodge.
- 1.3.20 As more people started to leave, at times the security ended up walking in the road, with their backs to the traffic, while they kept the customers on the pavement and moving along. Although one had a high visibility jacket on, he was situated in the entrance to the premises. I have recommended that all doormen stationed outside the premises wear hi visibility clothing after 9pm, and avoid standing in the road whenever possible. This will involve maintaining a narrower line of disbursing customers.
- 1.3.21 At about 02.15, the external doormen responded to an incident inside the premises. Within approximately 30 seconds, the doormen came out with a group of 5 or 6 men. The men were led away, about 50 yards west, on the pavement. 2 doorstaff were posted to the junction of Holmead Road to observe them. After about twenty minutes, the men left the area by cab. At that point, the other party involved in the altercation was then escorted out of the premises. This form of ejection and dispersal is best practice and resulted in no disruption being caused to the neighbourhood. The promptness of the door team's response also prevented the incident escalating to the point where anyone was injured.
- 1.3.22 By 02:44, the premises were empty. Soon after this two large cars with tinted windows, turned into Holmead Road and parked about 100 yards away near 7, Holmead. They were playing music very loud and inhaling from balloons. Their music was audible from the premises. These people had not been in Chelsea Lodge. Indeed, very few people from Chelsea Lodge, walked down Holmead Road while I was there and I did not witness any of them commit any acts of disorder or nuisance. The overwhelming number of people I saw walk down Holmead Road were not customers of Chelsea Lodge.



- 1.3.23 Through the night, staff from the premises took sound and video recordings from the immediate vicinity. I didn't experience any excessive noise, except from the "souped up" cars and boisterous people unconnected with the premises.
- 1.3.24 Before I left, I asked Chase Hunter to send me copies of the incidents.
- 1.3.25 I feel that all of the staff outside should be wearing high-visibility clothing for their safety and to assist with dealing with people close to traffic. I further advise that a 'holding queue' be established just east of the premises where the pavement is much wider. People naturally congregated at this location whilst awaiting cabs.
- 1.3.26 Chase Hunter was hands-on with dispersal and demonstrated effective management, but I believe the premises would benefit from having him or another senior member of the management team present at the start of the evening.
- 1.3.27 Following the visit I have seen the incident book for the evening.
- 1.3.28 On 5th August 2022, I emailed Kristen Cardwell from the local police licensing team, asking if police had any concerns with the premises. In response, I've received confirmation that Chase Hunter has worked well with police to rectify concerns raised by their historic incident relating to an alleged spiking at the premises. She further confirms that police have no concerns or issues at this time.



1.4. VISIT SATURDAY 20 AUGUST 2022

- 1.4.1 I arrived at Chelsea Lodge at just before 11.15 pm. Parking in Holmead Road, there were fewer spaces on the residents parking than on my previous visits and more lights on in the houses.
- 1.4.2 I walked to the front of the club where I could see an SIA doorman at the junction with King's Rd, on the west side of the junction.
- 1.4.3 On the other side of the road, I saw Leibe, Chase Hunter's brother who appeared to be filming the street.
- 1.4.4 There were 3 other doormen outside and expanding barriers outside. There were 3 men queuing to go in, waiting at the ID scan.
- 1.4.5 I went into the premises. There were about 30 people upstairs, most standing, but some sitting. Music was playing and some people were dancing.
- 1.4.6 I went back outside. The music was not audible outside the premises, unless the door was open. Even then it was only audible immediately outside if no traffic was passing.
- 1.4.7 At 11.50pm, a marked Hammersmith and Fulham Street Enforcement Team vehicle came up Holmead Rd and stopped at the junction with Kings Rd. The car stopped there for a couple of minutes. The driver waved, in a friendly way, to staff from the Lodge, then drove off. No adverse comments were made.
- 1.4.8 I continued to observe the Lodge and adjacent streets for the rest of the night. Which passed without incident. There was a brief period soon after 1.00 am when the queue reached about 15 people. The queues were well managed and the doorstaff could be seen communicating with the customers in a relaxed way. It was a very good natured, fairly young crowd, probably between 20 and 30 for the main part.
- 1.4.9 At 2.00am, people were starting to leave, most in pre booked cabs. At 2.05 am, a marked Hammersmith and Fulham Street Enforcement Team vehicle pulled up and stopped in Holmead Rd near Kings Rd.
- 1.4.10 Two men, in smart uniform, including dark trousers and white shirts, smart black boots and Hi Viz yellow stab vests with "LAW ENFORCEMENT OFFICER" emblazoned on the back, got out of the vehicle and stood at the junction with King's Rd.



- 1.4.11 After a few moments, Chase and his brother walked over and spoke to the men. I was standing close by and could hear the conversation.
- 1.4.12 The men explained that they'd been sent to investigate a complaint of noise, apparently made at 11.00pm. They agreed that there was no noise or other nuisance that they could hear or see.
- 1.4.13 Chase asked the men if they would walk down Holmead Road with him to see if they could see or hear any nuisance. Both men agreed that there was no nuisance and that the music could not be heard. Chase had asked the men for their ID numbers, to complete his incident book. The men happily gave him their ID numbers.
- 1.4.14 I saw another marked vehicle appear in the Kings Road at 02.24. It was a marked cctv van, it stopped in the King's Rd at the junction with Holmead Rd. The male passenger shouted down Holmead Rd, 'are you ok?' This man shouted by far the loudest of any person I'd heard during the night. I said, 'please don't shout, the residents have been complaining about noise' the van drove off East.
- 1.4.15 Customers continued to leave the venue in small groups. Most left in Ubers. A small number went West, a couple via Holmead Rd. None caused any nuisance. By 02.45 the premises was empty.
- 1.4.16 In summary, the evening went without any incident or nuisance.
- 1.4.17 My only negative comment is that I feel the SIA doorstaff working outside should be wearing Hi Viz clothing, with an additional recommendation that having Chase Hunter or another Director level member of the team on site early in the evening would assist the rest of the team.



1.5. CONCLUSIONS

- 1.5.1 Based on my two observation visits, and my previous experience in regulating licensed premises, my conclusions may be summarised as follows:
- a. Chelsea Lodge is a well-managed premises in the local late night economy.
 - b. It is situated in a busy and vibrant area on King's Road.
 - c. There are other late night licensed premises in the vicinity which operate at least as late as Chelsea Lodge.
 - d. On the nights I visited, customers of Chelsea Lodge do not create a public nuisance when arriving or departing from the premises.
 - e. Dispersal of customers is managed well by the door security and management team.
 - f. The overwhelming number of people who walk down Holmead Road in the early hours are not customers of Chelsea Lodge.
 - g. Holmead Road appears to be used as a cut-through by people, who are not customers of Chelsea Lodge, but in the vicinity and wish to head to the late night transport hubs on Fulham Broadway and Fulham Road
 - h. The presence of Chelsea Lodge's door security helps to quieten down people unconnected to Chelsea Lodge who are walking past the premises on King's Road and/or down Holmead Road.
 - i. I have made certain relatively minor recommendations to the management as detailed in my report.





**COMPLETE
LICENSING**

THE CHELSEA LODGE FULHAM

Expert Report 2

2.1. LICENSING EXPERTISE AND BACKGROUND

- 2.1.1 I retired from the police service in April 2016 having served in both Sussex and Metropolitan Police Services. On retirement I was issued with a certificate of service detailing that my career had been exemplary.
- 2.1.2 Throughout my three decades of service, I served in many differing roles in both uniform and detective roles including major crime branches, community policing and on retirement as a substantive sergeant I was responsible for the police licensing team in the City of Westminster. I have also managed several departments as an acting Police Inspector.
- 2.1.3 I qualified as a divisional and major crime branch detective at the National Criminal Investigation Centre in Maidstone, Kent. Following on from this I qualified as an Advanced Interviewer, Family Liaison Officer, Exhibits Officer, and Disclosure Officer. I have also worked on Divisional Drug Squads, Sussex Police Corporate Development Department, Sussex Police Unsolved Crime Investigations, Metropolitan Police City of Westminster Homeless Unit. I am a qualified Key Decision maker on CPS Charging Standards and worked for two years within the country's busiest custody at Charing Cross Police Station fulfilling this role. Following this I was the Crime Operations Manager for the Oxford Street, Regent Street and Bond Street crime team working from West End Central Police Station. Through this period, I was the co-author of Operation Blizzard which is a Policing initiative used through the busy autumn nights and Christmas period in the West End of London. The initiative was designed to support West End Business Improvement Districts (BIDS) responsible for both night – time and day-time economies within this high-profile area of the City of Westminster. Such was its success with its policing to demand methodology and the subsequent success in driving down crime and disorder, the Mayor of London firmly embedded the operation within the Capitals Policing plan.
- 2.1.4 My final role within the police was the Licensing Sergeant for the City of Westminster working in partnership with the City of Westminster Licensing Authority. I was responsible for over 6,500 licensed premises across Westminster. This gave me a great deal of knowledge in dealing with and advising on Licensing issues, Crime & Disorder within premises, reviews, and problem solving in with a partnership approach.
- 2.1.5 Finally, my service within Sussex Police gave me the opportunity to work with Licensed Premises in rural towns, villages and bigger coastline towns and cities.
- 2.1.6 I have been awarded two commendations for bravery, and a merit for my direct involvement in assisting the Metropolitan Police in recovering a kidnap victim whilst a member of the Major Crime Branch in Sussex Police.



- 2.1.7 I understand that my duty is to help the licensing authority and court to promote the licensing objectives in an appropriate and proportionate way by giving independent assistance by way of objective, unbiased opinion on matters within my expertise, both in preparing reports and giving oral evidence. I understand that this duty overrides any obligation to the party by whom I am engaged or the person who has paid or is liable to pay me. I confirm that I have complied with and will continue to comply with that duty.



2.2. BACKGROUND TO REPROT

- 2.2.1 I have been instructed by the owners of The Chelsea Lodge, 562 King's Road, London, SW6 2DZ, to complete a crime and disorder review on the premises following a review being brought by the Licensing Authority for Hammersmith & Fulham Council under Section 51 of the Licensing Act 2003.
- 2.2.2 The premises has held a licence since September 2005. It was transferred to Chelsea Lodge Holdings in February 2020.
- 2.2.3 A shadow licence was applied for in May 2022 by the Landlords of the premises (Ei Group Ltd) in May 2022. The application was made to replicate the current licence.
- 2.2.4 The review has come about following the venue holding a Bottomless Brunch event on 26th March 2020, between the hours of 1200 to 1600.
- 2.2.5 The event hosted 96 attendees with the majority being female (90).
- 2.2.6 Four females were taken ill at the event.
- 2.2.7 The first was at 13:35Hrs, where she was taken outside, and the ambulance service called. At 1440Hrs a further female was taken ill, taken outside and treated.
- 2.2.8 The bar was closed at 14:45Hrs and a further two females have fallen ill between these times.
- 2.2.9 During conversations with staff and paramedics the females who fell ill said that they felt that their drinks had been spiked. Three females were taken to Chelsea and Westminster Hospital for blood and urine samples. One female refused to be taken.
- 2.2.10 A police investigation was subsequently launched into this incident. Out of the three samples tested one returned a negative result and two showed traces of prescribed, or over the counter, medicines. Given these results a crime report was closed for potential drink spiking as the drugs found in the toxicology tests were not a cause for concern.
- 2.2.11 However, during the Police investigation it became evident that one of the victims was 17 years old when she entered the venue. It was established that when the manager of the premises arrived at the venue at approximately 11:30. There was already a group of customers outside. As the door supervisors on duty that day had not yet arrived, the manager decided to let in the group of customers without checking for ID. It is assumed that the 17-year-old who gained access to the



premises was part of this group. The manager responsible has subsequently been dismissed by the venue. After recently concluding their investigation the Police licensing team suggested that several conditions should be added to the licence by way of a minor variation to try and reduce the chances of such an incident happening again. These conditions concerned the use of an ID scanner and improved training amongst others.

- 2.2.12 Following on from this some local residents have now also made representations with regard to crime and disorder and public nuisance which they state is brought about from the operation of Chelsea Lodge. Other residents have made contrary representations in support of Chelsea Lodge.
- 2.2.13 I have now completed three personal visits and observations at Chelsea Lodge and the surrounding areas. These visits were to gain a perspective on the general operation of the business, the effects of the business on the surrounding area and to ascertain if there was any merit in the representations made by residents, local authority department, the local Community Policing Team or the Police Licensing Team. These visits were undertaken on Saturday 23rd July into Sunday 24th July 2022, Saturday 27th August 2022 into Sunday 28th August 2022 and lastly, Saturday 3rd September 2022 into Sunday 4th September 2022.
- 2.2.14 My colleague Mr Jim Sollars, also formerly a Metropolitan Police licensing officer in Westminster, has also separately completed observation visits at the premises on other weekend periods.

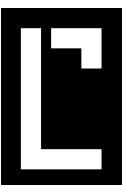


2.3. VISIT ON SATURDAY 23RD JULY 2022

- 2.3.1 I my first personal visit to the venue between the hours of 21:25Hrs Saturday 23rd July 2022 and 03:20Hrs Sunday 24th July 2022. The visit was to view the operational practices of the Chelsea Lodge Team, the impact of the venue on the residents that feel they are being impacted by the venue's activities.
- 2.3.2 I met with Chase McGuiness the owner and operator. This is a family run business, and his brother Liebe was at his side throughout the night. His two other sisters are actively involved. One is a director and the other runs the floor within the premises.
- 2.3.3 The entire family both very focused on the potential for further complaints from residents and focus heavily on keeping the streets monitored. The internal operation is well run and managed with good managers and bar staff on both levels.
- 2.3.4 Both Chase and his brother Liebe are very hands on. They deliver good strong leadership to the hospitality staff and the security inside and outside of the premises.
- 2.3.5 Liebe McGuiness is essentially outside the venue for the entire evening. He records all movements of pedestrian and vehicles in Holmead Road, which is an area of complaint from residents. All activity is recorded on video and decibel readings taken every 15 minutes for 30 seconds up and down the road. All this activity is recorded on a spreadsheet for the consideration of the Licensing Committee.
- 2.3.6 The security teams are directed and patrol the surrounding streets throughout. They are pro-active in requesting patrons and other members of the public to be mindful of residents and to keep noise levels to a minimum. security team to ensure any form of noise is kept to the minimum and the dispersal of clients from the are done so effectively and speedily.
- 2.3.7 Chase McGuiness is also very much responsible for the running of the business internally. He is the DPS for the business and extremely focused on matters internally and externally.

VENUE & BUSINESS PROFILE

- 2.3.8 The venue itself is located on the main King's Road with the junction of Holmead Road. The venue is a substantial building with accommodation on the upper floors and an office area.
- 2.3.9 The hospitality areas are on two floors. A ground floor which operates as a restaurant area and bar and on the weekends is transformed into a late night bar with dancing. There is a basement which



operates as a club. This is a set up with a bar, seating and table areas and a DJ booth. Typical of what you would expect to find in a venue of this nature. From the top bar you access an enclosed smoking area which has seating within it. The smoking area is enclosed from the King's Road by double glazing system. No noise emanates from the smoking area.



Image 1 - Frontage of Chelsea Lodge





Image 2 - View Chelsea Lodge from Holmead Rd junction

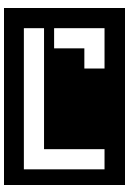




Image 3 - Map showing location of Chelsea Lodge



Image 4 - Satellite Image of Chelsea Lodge



SECURITY & ENTRY

2.3.10 The venue was operating with 5 SIA security team members from Cadogan Security.

2.3.11 They were well turned out and pro-active. Each security team member had the SIA badges prominently displayed on their arms. One male and one female operated within the property. Three other male team members operated at the entrance and the junction of Holmead Road. Constantly in attendance at the front of the premises were Liebe & Chase McGuiness together with another male who operated the new ID scanner system.



Image 5 - ID Scanner in operation at Chelsea Lodge





Image 6 - SIA Security team member at Chelsea Lodge

- 2.3.12 On my arrival the venue was very low on capacity. This improved as time passed through the evening. The busy period from approximately midnight and the last entry time of 0100Hrs. Clients come from nearby pubs and restaurants and many by taxi. Very few walked directly to the venue from the Holmead Road residential area and the nearby Chelsea Football Ground.
- 2.3.13 I witnessed several refusals being made by Chase and the security team. These were recorded in the logbook which was kept nearby to the ID scanner. This was prominently placed on the boundary of the terrace area. It is in a raised position giving good vision and protection to the staff member operating the ID scanner. The process with this machine was exceptionally slow which did cause problems with the queues in that the barrier areas became busy. The security team did try to ease



the numbers by placing barriers to the left of the entrance towards Holmead Road. Such is the care the owners take in avoiding disturbance to the neighbours, the ideal area to hold queuing customers is not used.

- 2.3.14 There is a large area in the junction of Holmead Road and the premises itself where customers could be corralled safely on a large, paved area against the boundary of the building and be fed around to the entrance. (See image 2) The queues to the venue are currently on the King's Road. This is not ideal as the area at the junction as described above is preferable but the concern is that residents in Holmead Road might raise concerns. Security are wearing high visibility jackets or bibs as per the conditions on the licence which assists with health and safety.



Image 7 - Queues at Chelsea Lodge



NEARBY HOSPITALITY VENUES

- 2.3.15 The Chelsea Lodge is located on the King's Road. There are many hospitality venues within the area both East and West. These include pubs, clubs and restaurants. These generate their own footfall in the area. Particularly the nearby DJ-led nightclub called Embargo Republica at 533 King's Road with its own rooftop terrace. This is a large premises providing a Cuban style music venue. This is a very popular venue and closes at 03:00Hrs at weekends and 02:00Hrs through the week.
- 2.3.16 There is also another nearby venue Jaks also at 533 King's Road which operates as a restaurant and bar with DJ events and live music. This operates until midnight Thursday-Saturday and 11.30hrs midweek.
- 2.3.17 Both these venues have a far younger client base than Chelsea Lodge with observable higher levels of intoxication. Both generate considerable pedestrian footfall through Holmead Road from Fulham Road to Kings Road and vice versa. Pedestrians use Holmead Road to access the late night tube and buses.
- 2.3.18 The pedestrian and vehicular traffic in Holmead Road is not, in any significant way, generated by the Chelsea Lodge's customers. The evidence gathered from the video recordings indicates that Chelsea Lodge's customers generate no more than 10% of the pedestrian traffic through Holmead Road with average nightly numbers at the venue reaching 150. This equates to about 15 people on a Friday or Saturday evening leaving Chelsea Lodge and going down Holmead Road.
- 2.3.19 Based on my observations, the other nearby venues, and in particular Embargo nightclub, generate footfall long after the Chelsea Lodge has closed and completed dispersal.
- 2.3.20 There was little footfall into Holmead Road through this evening. If there was any pedestrian traffic they would be politely requested to be quiet by security as they passed through the area.
- 2.3.21 I would suggest that much of the perceived nuisance comes from other venues' footfall at their respective closing time. The noise levels generated in the area is nothing more than you would expect in an area such as this. The road traffic noise on the King's Road generates the highest levels.



DISPERSAL

- 2.3.22 The venue has a very structured wind down period. Firstly, the ground floor level had the lights lifted and music changed at about 01:30. People started to leave this area and make their way home. They were sent in an Easterly direction from the venue. At 02:00Hrs the same process takes place in the basement club. This process ensures there is no large gathering of people outside of the venue and with the area being well managed there are no issues.
- 2.3.23 Taxis and Ubers were in a constant flow to the venue. Few customers walked via Holmead Road. By 02:00 the upper area was almost clear. The same process then starts in the basement at 02:00 and is closed at 02:30. Clients are then cleared from the venue. This was slightly busier outside, but the pro-activity of the staff cleared people speedily. Again, there was a constant flow of Taxis and Ubers to the venue. Few people walked into Holmead Road. If they, did it was a short distance to a vehicle.
- 2.3.24 The King's Road was very busy at this time of the morning. High performance cars with clattering exhausts cruised up and down, together with a general traffic flow. This activity generates tremendous noise in the area. None of these vehicles attended the venue.



2.4. VISIT SATURDAY 27TH AUGUST 2022

- 2.4.1 I completed my second personal visit to the venue between the hours of 2230Hrs Saturday 27th August 2022 and 0300Hrs Sunday 28th August 2022. The visit was to view the operational practices of the Chelsea Lodge Team. I understand that some residents feel that the venue and its clientele are having a negative impact on their quality of life and not meeting the requirements of the licensing objectives.
- 2.4.2 I spent the entire period of my observations with Liebe McGuinness the brother of the owner Chase McGuinness. Again, both the brothers Chase and Liebe McGuinness were fully focused on running the business effectively and professionally throughout the evening. As I had witnessed before the entire team were fully focused. They are very focused on ensuring the residents in the area are in no way impacted by the Chelsea Lodge venue and ensuring their clients have a fantastic evening.
- 2.4.3 Through the daytime period there had been a Premier League Football match played at the very adjacent home of Chelsea Football Club, Stamford Bridge. The visiting team had been Leicester City. The venue had opened through the day without issue. Dinner had been served in the restaurant. This service had again gone without issue.

STAFFING

- 2.4.4 Six fully trained SIA staff were on duty. All were supplied from Cadogan Security. All were smart and well turned out. All displayed their SIA badges on their arms and were dressed in Hi-visibility tops which bore the Cadogan Security branding.
- 2.4.5 The venue had eleven hospitality staff on duty. This included two managers, backroom bar staff and a glass washer.
- 2.4.6 Both Chase and Liebe McGuinness were in attendance and fiercely monitoring the overall operation. Liebe McGuinness monitored the outside of the venue again for the entire evening. He recorded all movements in Holmead Road and surrounding areas. Decibel checks were also completed throughout. All have been recorded and entered onto a spreadsheet

OBSERVATIONS

- 2.4.7 The entire King's Road area seemed far less busy than I had experienced before. There appeared to be less traffic, and footfall throughout the area at the start of my observation period. The area became busier as the evening went on with footfall from other venues such as embargos and Jaks making an impact on the immediate area of Chelsea Lodge. Vehicular traffic increases through the



evening too with high powered sports vehicles being given the opportunity to show their full potential. None of this noise and traffic has been brought about by the Chelsea Lodge.

- 2.4.8 At 01.00am 162 customers have entered the venue and 42 have left. The doors are now closed to last entrants, so the club are now operating for the final hour with almost half capacity. This is now a venue that can only be considered as low risk.
- 2.4.9 At 01.07am I take a video in Holmead road. This identifies the fact that a noisy garden party is taking place in 25 Holmead road. The noise and nuisance in the area is only being generated by individuals at this party. It is unrelated to Chelsea Lodge.
- 2.4.10 At about 02.00am I take a further video in the centre of Holmead road. Chelsea lodge is in full swing currently. No noise can be heard emanating from the venue and there is certainly no impact on residents. This has now been the case on my second visit.
- 2.4.11 The wind down period again starts at 01:30hrs with the ground floor of the premises. Currently there is a steady footfall from the east of kings road. I can only presume these are coming from other licensed premises. Some are intoxicated and noisy. Again, nothing to do with the chelsea lodge venue. Security teams usher clients on leaving the venue towards wendron road. Those that wish to cross the road are escorted by sia in high visibility jackets.
- 2.4.12 There is a constant flow of uber and taxi's collecting clients from the venue. This ensures no large groups of people are left standing outside of the venue. The dispersal is effective well managed and speedy.
- 2.4.13 I take a further video at about 02.20am which clearly shows the effectiveness of the dispersal plans and the fact the clientele from chelsea lodge is having little impact on residents based on my observations. The dispersal of the basement is now taking place. Such is the steady progress of the wind down period and managed dispersal there is no impact on the residents in the area.
- 2.4.14 This perhaps cannot be said for other nearby venues that have a younger demographic and open later. These premises may well be having an impact on the area. But not chelsea lodge. Patrons from the other nearby venues are attracted to the bench and walls opposite chelsea lodge and they tend to congregate in this location for a period. Some obtain ubers or taxis and other wander home.





**Image 21 - SIA security teams monitoring dispersal towards
Wendron Road.
(Please note lack of patrons)**





**Image 22 - Frontage of Chelsea Lodge at about 0100Hrs and door
close
(Please note lack of patrons)**



2.5.VISIT SATURDAY 3RD SEPTEMBER 2022

- 2.5.1 I completed my third evening of observations and the fifth from Complete Licensing consultants between the hours of 2250Hrs on Saturday 3rd September 2022 and 0300Hrs Sunday 4th September 2022. I again spent the evening observing the venue and surrounding area. I worked the entire evening with the external Cadogan Security team and Liebe McGuinness the brother and staff member to the owner Chase McGuinness.
- 2.5.2 Liebe McGuinness again spent the entire evening outside of the venue with the security teams. He engaged with clients and continually requested compliance and respect around noise and nuisance. Again, he spent the evening recording any footfall and decibel levels in and around Holmead Road and surrounds. Again, he delivered good leadership and maintained a focus all evening on the task in hand.
- 2.5.3 The venue had operated through the day. There had been a Premier League match at nearby Stamford Bridge. This had gone without issue and the Chelsea Lodge enjoying a successful business afternoon. I would expect nothing else from this from this well managed environment.
- 2.5.4 The venue was far busier this evening than the previous week. There was a large smart wedding party and on my third visit I was able to recognise a continual flow of regular customers. The majority of the wedding party were in the 30 to 45 age brackets, and all appeared to be professional people. Most of this party arrived at the venue in Ubers and Taxis. Men were dressed in morning suits or lounge suits and the ladies were well dressed in their wedding best. A few small groups walked to the venue along Holmead Road but were well behaved.
- 2.5.5 The area of the King's Road was extremely busy this evening. By far busier than the previous week. A continued flow of vehicles in both directions. Again, a high volume of performance vehicles which were very loud. Also, several high-powered motorcycles tearing up and down the Kings Road.
- 2.5.6 The venues of Embargo, Raffles and Jaks were very busy creating footfall through the King's Road. There was an increased footfall in both directions on the King's Road from the previous week. Some of the younger element from these venues walked into Holmead Road but were monitored and spoken to by security staff.



STAFFING

- 2.5.7 Seven fully trained SIA staff were on duty. Four outside the venue and three inside. All were supplied from Cadogan Security. All were smart and well turned out. All displayed their SIA badges on their arms and were dressed in Hi-visibility tops which bore the Cadogan Security branding.
- 2.5.8 The venue had eleven hospitality staff on duty. This included two managers, backroom bar staff and a glass washer.

OBSERVATIONS

- 2.5.9 The entire area of the King's Road was far busier than the previous week. All the nearby venues were much livelier as was the footfall and vehicular traffic.
- 2.5.10 Chelsea Lodge recorded 220 people entering the venue to the point when the doors closed at 01:00Hrs on Sunday 4th September 2022. Many had already left by this time. There was a large high class wedding party that attended the venue. Many were dressed in morning suits and the women were in their finest. Equally there was an equal mix of regular club goers
- 2.5.11 There were more traffic movements in Holmead Road through the evening until about 00:20Hrs. This was nothing to do with Chelsea Lodge as the majority arrived on foot or by taxi or Uber.
- 2.5.12 There was a flow of younger people coming from an easterly, Wendron Road direction. They were loud and noisy on occasions but again nothing to attach them to Chelsea Lodge. They were hastily spoken to by Chelsea Lodge security and Liebe McGuinness and sent on their way quietly.
- 2.5.13 All the SIA door staff along with Liebe McGuinness were very speedy in addressing any potential noise or traffic situations keeping the area around Chelsea Lodge peaceful throughout my visit.
- 2.5.14 Again, at the time of closing the dispersal went without issue and was speedily managed. There was a constant flow of Uber and taxi vehicles which were managed at the front of the property. SIA security managed the exit directing people in an easterly direction making good use of the barriers. Again, the dispersal with its managed wind down period on both the ground floors and club areas negated large groups being left waiting outside of the venue.
- 2.5.15 There were again no issues at the venue. Individuals were refused entry where required through lack of ID or SIA believed they were intoxicated. No ejections had to be made and clients were in respectful good spirits. There were again no issues within the venue.





**Image 19 - Younger crowd outside Embargo 00:30Hrs 4/9/22
(Please note large groups on pavement area)**



2.6 INCIDENT 26TH MARCH 2022 – INTOXICATED AND UNDERAGE FEMALES

- 2.6.1 I have taken the opportunity to review the incident where four females became intoxicated at the venue on 26 March 2022.
- 2.6.2 This premises is up for review for the incident involving an event being held at the venue on 26th March 2022. The event was a “Bottomless Brunch”. During the afternoon four female customers fell ill through the effects of excess alcohol. It was found that one was a 17-year-old female. There was suspicion that the females had been spiked. Toxicology results from the medical care have proved otherwise. It was alcohol and prescription or over the counter drugs that were identified.
- 2.6.3 The Licensing Authority is critical of the lack of use of the premises’ ID scanner. The premises can now provide clear CCTV footage of the 17-year-old female having her ID clearly checked by a member of staff. This identification document has been accepted in good faith and she has been granted entry.
- 2.6.4 I have completed our own investigations on the female in question and found several images of her in venues which clearly hold a premises licence. These are clearly displayed on her social media pages. This would suggest that she is in possession of false documentation to secure entry to licensed premises and events.
- 2.6.5 I have produced three images below of the 17-year-old female who we have identified by name but will be referred to by initials “BS” (her full name can be supplied if requested). These are identified on images 19 – 20 & 21. The first image (19) has been lifted from the venues CCTV footage shortly after she presented a form of ID to the duty manager.
- 2.6.6 You can clearly see that she is holding a credit card sized document which would have indicated she was over the age of 18 years. This document satisfied the manager. If the document has been presented to gain entry to a venue to obtain alcohol there are potential offences for the police to investigate. (Section 2 Fraud Act 2006 – Fraud by false representation and Section 6 Fraud Act 2006 – Possession of an article for use in connection with fraud)
- 2.6.7 I doubt that the Police will have the will to do so, or it would satisfy the public interest test. However, if she is in possession of an article for use in the act of fraud that is an offence and then presenting such a document is a further offence of fraud by false representation. That is not the fault of the venue, that makes the venue a victim of crime and perhaps they should be considered as such.



- 2.6.8 With regards to the other three women, they were clearly older and of an age where the challenge 25 policy was adopted and was sufficient for them to be admitted. They were spoken to by staff prior to entry who made an informed decision to grant entry to the premises.
- 2.6.9 The bar was closed, and the appropriate action taken by the management and staff to secure their welfare and safety. The ambulance service was called, and the females obtained the required medical care. There was no evidence of criminal wrongdoing or intent through the administering of noxious substances (Spiking).
- 2.6.10 The manager has subsequently been dismissed from the venue and no further Bottomless Brunches have taken place at Chelsea Lodge, therefore negating any repeat of a similar incident.



**Image 19 - BS entering Chelsea Lodge - 26th March 2022
(In possession of ID)**





Image 20 – BS pictured in licensed premises



Image 21 – BS in possession of alcohol



2.7 RESIDENTS REPRESENTATIONS

- 2.7.1 I have spent three evenings in and around the Chelsea Lodge venue. The owners and staff are experienced managers and hosts. There are several small issues that need to be addressed, but I am of the professional opinion that this premises is meeting the licensing objectives and clearly those of crime and disorder and the public nuisance.
- 2.7.2 Despite resident concerns, independent observations suggest this venue is having little significant impact on residents. The security through the evenings that I was present on were very pro-active in and outside the venue and driven by the management to ensure no anti-social behaviour, public nuisance or crime offences are committed. They cover a large area outside the venue and ensure that people do not loiter or behave inappropriately.
- 2.7.3 The residents need to be mindful of the fact that there are numerous premises in and around the area of Chelsea Lodge that cause footfall in the area late at night and have a younger clientele that are more likely to cause noise and nuisance. It is inaccurate to single out this venue from the evidence I have witnessed on my observations.
- 2.7.4 There is a lot of late night vehicular and pedestrian movements in the King's Road area generated from many sources. The Licensing Committee, Licensing Authority, Police Licensing Team, and local Policing teams must be fully aware of this fact.



2.8 CONCLUSIONS

- 2.8.1 Between my colleague Jim Sollars and myself we have now completed five night-time personal observations at the venue. We are both of the opinion that the venue meets all the requirements of the Licensing Objectives and is not responsible for creating a public nuisance or crime and disorder in the area. I would suggest that match day afternoons and evenings are more impactful than the evenings Chelsea Lodge opens.
- 2.8.2 I have significant experience of policing venues across the capital and elsewhere. If all of them operated to the level of Chelsea Lodge then police officers' lives would have been far less busy. Chelsea Lodge is not the problem venue in the King's Road area. I invite the Local MPS Police teams, the Police Licensing Team, the Local Authorities responsible for the local area and all other responsible authorities to look at venues such as Embargo's, Jak's and Raffles (at 287 King's Road) as the primary crime and disorder and public nuisance generators in the area.
- 2.8.3 When fairly viewed, Chelsea Lodge is not causing any significant or disproportionate impact on the local community who have chosen to live in a busy and vibrant area of London. Based on my observations it is a well-run, well organised and popular venue that serves people living and working in the area.
- 2.8.4 The venue did have an issue with the intoxicated women in March 2022. However, the venue acted swiftly at the time and managed the situation. They removed the management responsible for allowing access to an underage female and no longer run such events. There is mitigation in that the underage female had clearly presented false identification and was able to present herself as someone aged 18 or over. Her own social media indicates she has continually gained entry to licensed premises.
- 2.8.5 The venue's owners, management, security teams and staff work effectively to deliver the licensing objectives. They are focused on the task in hand. Effective and well managed dispersals ensure the minimum impact on the local area. Constant monitoring of nearby streets by management and security teams ensures there is little impact on local residents. Other nearby venues do not operate anywhere near this level and their patrons have a far greater impact to residents in this area.
- 2.8.6 I have had to deal with many venues that operate poorly and have an adverse effect on the local community. Chelsea Lodge in no way can be considered a problem venue. It does not appear to be the cause of the public nuisance or crime and disorder complained of.



- 2.8.7 Significant numbers of pedestrians – unconnected to Chelsea Lodge – use Holmead Road late at night and in the early hours of the morning to access the transport facilities on Fulham Road and Fulham Broadway.
- 2.8.8 The Licensing–Sub Committee and any other responsible authority can be confident this venue does and will continue to operate to the highest standards and professional levels and, even at its current hours of operation, is not in my profession opinion undermining the licensing objectives.



15th August 2022

Mr James Hoffelner
Complete Licensing Limited
11 Forest Drive
Woodford Green
Essex
IG8 9NG

Our ref: 22081082

Dear James

Re: Chelsea Lodge calibration of sound system maximum operating level

Further to my visit to Chelsea Lodge last week please find attached the limiter calibration certificate for the premises.

The main sound system in the basement is controlled by an industry standard Formula Sound AVC2-D limiter. The system on the ground floor, which is much smaller, is powered with an amplifier that has built-in DSP providing limiting functions which are set and locked by a password. The setting of both systems was carried out by the sound installer (Intense Entertainment Technology) and supervised by me.

Neither sound system is large or features very powerful bass bins. The configuration, and signal processing, are typical for this type of premises. The building envelope is effective in containing noise from the sound system when operating at maximum level, and there are three sets of doors between the basement and rear façade of the premises.

Continuous noise monitoring has also been carried out at the site by RBA Acoustics Ltd and Mr Chase Hunter has confirmed that noise from amplified music does not have any impact on the noise monitoring system.

In conclusion, amplified music at the premises is effectively controlled by the sound insulation of the building envelope and the setting of a limiter on the music systems. The licensing objective of the prevention of public nuisance is therefore effectively promoted by these methods for the control of noise from amplified music.

If you have any questions please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Richard Vivian', followed by a horizontal line.

Richard Vivian BEng(Hons) MIET MIOA MIOL
Director, Big Sky Acoustics Ltd

Enc.: Limiter Calibration Certificate

This is a certificate for the calibration of music noise limiter device installed on the premises as described below.

Name of premises: Chelsea Lodge
Address of premises: 562 King's Road, London SW6 2DZ
Management details: Chase Hunter

Limiter device: 1. Formula Sound AVC2-D dedicated limiter (basement)
2. Yamaha PX5 amplifier with built-in limiter function (ground floor)

Location of device: 1. Equipment rack in DJ booth in basement
2. Cupboard under bar on ground floor

Anti-tamper measures: All amplifiers are set at max gain
Both limiters are locked and password protected

Description of music system: Basement - Martin Audio Blackline 1 x CSX118 compact sub; 2 x X10 2-way; 2 x X12 2-way; 2 x Citronic CS-810B 2-way.
Ground floor - Martin Audio Blackline 5 x X12 2-way, 1 x EV SX200.

The above equipment has been measured at maximum operating level as shown below:

Location	L _{Aeq,1min}	L _{Zeq,1min}	L _{eq,1min} 63Hz	L _{eq,1min} 125Hz
Basement	95	106	105	100
Ground floor	88	93	88	88

Measurements are spatial averages in the areas indicated

This calibration certificate is valid only for the equipment as specified above.



Date: 10th August 2022

Richard Vivian BEng(Hons) MIET MIOA MIOL
Big Sky Acoustics Ltd
Institute of Acoustics Membership Number: 43620

Instrumentation record: Measurements were carried out using a Cirrus type CR:171B integrating-averaging sound level meter #G056799 with real-time 1:1 & 1:3 Octave band filters and audio recording conforming to the following standards: IEC 61672-1:2002 Class 1, IEC 60651:2001 Type 1 I, IEC 60804:2000 Type 1, IEC 61252:1993 Personal Sound Exposure Meters, ANSI S1.4-1983 (R2006), ANSI S1.43-1997 (R2007), ANSI S1.25:1991, 1:1 & 1:3 Octave Band Filters to IEC 61260 & ANSI S1.11-2004.

Description

Cirrus sound level meter
Cirrus pre-polarized microphone
Cirrus microphone pre-amplifier
Cirrus class 1 acoustic calibrator

type CR:171B
type MK:224
type MV:200E
type CR:515

The calibration of the measuring equipment was checked prior to and following the tests and no signal variation occurred. Calibration of equipment is traceable to national standards.

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type CR:171B
type MK:224
type MV:200E
type CR:515

The calibration of the measuring equipment was checked prior to and following the tests and no signal variation occurred. Calibration of equipment is traceable to national standards.

Subject: S Boniface Report
From: Richard Vivian <richard@bigskyacoustics.co.uk>
Date: 27/09/2022, 16:49
To: Marcus Lavell <marcus@completelicensing.uk>
CC: James Hoffelner <james@completelicensing.uk>

Dear Marcus

Further to your request for technical analysis of the document by S Boniface dated 09/08/22 I am pleased to provide the following comments:

Pages 1 and 2 of the document deal with the location of the premises and pages 3 to 5 show various marketing screenshots. Page 6 lists the complaint history from 13th September 2020 to May 2022 and consists of one complaint of *raised voices and music*, one of *raised voices and bottles*, and the remainder of *raised voices or music*. Of the complaints recorded a total of five are marked as having the outcome "**visit**". No further details are given. Page 7 states that complaints have largely been in relation to: 1. Plant noise (not recorded in the table on page 6); 2. Bottles (one incident recorded on 21/08/21); 3. Loud amplified music; and 4. Noise from patrons as they leave.

Plant noise has been satisfactorily addressed by mitigation works and this is confirmed in the report.

Noise from amplified music has been addressed by setting of the limiter. There is a dedicated sound system limiter at the premises and this was checked, by me, during a site inspection at the beginning of August (details are provided in a separate limiter calibration certificate). The sound system at the premises is not substantial, it consists of some fairly modest semi-professional equipment with limited bass response. Setting a limiter is a common procedure at premises such as this and ensures that the sound system is controlled to such a level that the public nuisance objective is upheld with regard to noise from amplified music.

Glass recycling noise has been addressed through management controls and one incident has been recorded since September 2020. I note that there are a number of licenced premises in the vicinity and so a positive identification of the source of glass recycling noise is important before attributing it to one premises. Breaking glass sounds will also be made by refuse and recycling services.

That leaves the issue of noise from dispersal. Mr Boniface is correct that Holmead Road is a popular pedestrian route for those heading to Fulham Broadway from this section of the Kings Road. It is the logical pedestrian route for anyone frequenting the various premises in the area, including those around the bridge, and on Lots Road, that need to head towards Fulham Broadway. It is a straight, short road that is lit, has licensed premises at either end, and features no social housing: in that respect people will consider it a safer route between the Kings Road and Fulham Road. It is a road I have used many times myself.

Patron dispersal is managed through good operational procedures which can be observed at any time the premises is trading, and so I do disagree with Mr Boniface that it is difficult to witness: if the bulk of complaints are about patron dispersal then observations at the time of dispersal will identify the noise source, allowing the assessment of noise levels (ideally from within the complainant's property), and therefore he would be able to quantify any impact from the noise of dispersal, noting the importance of correctly attributing where members of the public are dispersing from as there are a number of late night licensed premises in the vicinity.

It is not possible to give any detailed technical analysis of the report because there is no technical evidence advanced. Of the five complaints that result in a visit being recorded there are no reports of what was carried out on the visits, what observations were made, if residential properties were visited,

and if any noise levels were witnessed and recorded/measured within those properties.

Comments on suggested conditions:

Amplified music: I certainly support a limiter condition but there are more robust, and eminently more practical, ways of wording a condition than that proposed by Mr Boniface. LBHF has its own local pool of licence conditions (last revised February 2021), and the limiter condition is sensibly worded: *"A tamper-proof sound limiting device for amplified equipment shall be installed and in operation at the premises, with all amplified equipment played through the device. The device shall be set at a level agreed with the Noise and Nuisance Team"*. I suggest that wording is used.

Bottle emptying: there is no dispute that late night glass recycling can cause noise and it makes sense to reinforce the need for good practice with this condition from the local pool of conditions: *"Empty bottles / other glass and non-degradable refuse shall remain in the premises at the end of trading hours and shall not be taken out to the refuse point between the hours of [insert times] and [insert times]"*.

Reduction in hours: there is no evidence given in the report to support a reduction in hours. In fact it is, in my opinion, quite a leap for an officer to go from a position of having no quantified evidence of noise after 01:00hrs to suggesting such a significant curtailment of the business. Even if Mr Boniface has been unable to witness noise himself from within a resident's property during his multiple visits then he had the the option to install a noise nuisance recorder so that the resident can gather evidence for him. As there is no substantiated noise evidence provided in this report then rather than make an unjustified reduction in hours I suggest that the following condition, from the local pool, is applied: *"The Premises shall operate a dispersal policy and all staff shall be trained in its implementation."*

I will be available on the hearing date, but if you have any questions before then please do not hesitate to contact me.

Best regards
Richard

Richard Vivian BEng(Hons) MIET MIOA MIOL
Big Sky Acoustics Ltd
office: 020 7617 7069
mobile: 07973 283369