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Elysee Restaurant, 13 Percy Street, London W1T  
1DP

Scale = 1:1447.740  
3-July-2024

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**Application for full variations to a licensed premises - Ref no. 15947**

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**Are you able to return the existing premises licence or club certificate?** Yes

**What do you want to vary?** Premises licence : PREM-LIC\1603

**Who is making the variation?** An authorised agent

**Agent details**

**First name** [REDACTED]

**Last name** [REDACTED]

**Name of business (optional)** Keystone Law

**Address** [REDACTED]  
[REDACTED]  
[REDACTED]

**Email address** [REDACTED]

**Telephone number** [REDACTED]

**Correspondence details**

**Who should we correspond with in regards to this application?** Agent

**What type of variation are you applying for?** Full variation

**What is the non-domestic rateable value (NDRV) of the premises?** 82500

**Will the variations mean the premises is used exclusively or primarily to sell or supply alcohol?** No

**Application for full variations to a licensed premises - Ref no. 15947**


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**Will the variations change the expected attendance?** No

**When do you want the variations to take effect?** As soon as possible

**What changes do you want to make?**

- Amend premises information and premises business hours
- Amend activities

**Amend seasonal variations to business hours?** No

**Amend times the premises open to the public at times other than those listed?** No

**Make changes to your business hours below**

Day	Start time	End time
Monday	09:00	03:00
Tuesday	09:00	03:00
Wednesday	09:00	04:00
Thursday	09:00	04:00
Friday	09:00	04:00
Saturday	09:00	04:00
Sunday	09:00	00:30

**Activities on your licence**

- e. Live music
- f. Recorded music

**Application for full variations to a licensed premises - Ref no. 15947**


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- g. Performances of dance
- h. Similar to e, f, or g - For example karaoke
- i. Late night refreshments
- j. Supply of alcohol

**Live music**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	09:00	02:30
Tuesday	09:00	02:30
Wednesday	09:00	03:30
Thursday	09:00	03:30
Friday	09:00	03:30
Saturday	09:00	03:30
Sunday	09:00	00:00

**Revise the location (optional)**

Indoors

**Are there changes to seasonal variations of the activity?**

No

**Are there changes to the activity taking place at other times?**

No

**Application for full variations to a licensed premises - Ref no. 15947**


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**Recorded music**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	09:00	02:30
Tuesday	09:00	02:30
Wednesday	09:00	03:30
Thursday	09:00	03:30
Friday	09:00	03:30
Saturday	09:00	03:30
Sunday	09:00	00:00

**Revise the location (optional)**

Indoors

**Are there changes to seasonal variations of the activity?**

No

**Are there changes to the activity taking place at other times?**

No

**Performances of dance**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	09:00	02:30
Tuesday	09:00	02:30
Wednesday	09:00	03:30
Thursday	09:00	03:30
Friday	09:00	03:30
Saturday	09:00	03:30
Sunday	09:00	00:00

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**Application for full variations to a licensed premises - Ref no. 15947**


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**Revise the location (optional)** Indoors

**Are there changes to seasonal variations of the activity?** No

**Are there changes to the activity taking place at other times?** No

**Similar to e, f, or g - For example karaoke**

Day	Start time	End time
Monday	09:00	02:30
Tuesday	09:00	02:30
Wednesday	09:00	03:30
Thursday	09:00	03:30
Friday	09:00	03:30
Saturday	09:00	03:30
Sunday	09:00	00:00

**Revise the location (optional)** Indoors

**Are there changes to seasonal variations of the activity?** No

**Are there changes to the activity taking place at other times?** No

**Application for full variations to a licensed premises - Ref no. 15947**


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**Late night refreshments**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	23:00	02:00
Tuesday	23:00	02:00
Wednesday	23:00	03:00
Thursday	23:00	03:00
Friday	23:00	03:00
Saturday	23:00	03:00
Sunday	23:00	00:00

**Revise the location (optional)**

Both

**Amend the specifics of the activity changed (optional)**

N/A

**Are there changes to seasonal variations of the activity?**

No

**Are there changes to the activity taking place at other times?**

No

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**Application for full variations to a licensed premises - Ref no. 15947**


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**Supply of alcohol**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	10:00	02:00
Tuesday	10:00	02:00
Wednesday	10:00	03:00
Thursday	10:00	03:00
Friday	10:00	03:00
Saturday	10:00	03:00
Sunday	12:00	00:00

**Revise the location (optional)**

On the premises

**Are there changes to seasonal variations of the activity?**

No

**Are there changes to the activity taking place at other times?**

No

**Will any of the changes made give rise to concerns in respect of children?**

No

**The prevention of crime and disorder**

No

**Public safety**

No

**The prevention of public nuisance**

No

**The prevention of children from harm**

No

**About this form**



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<b>Issued by</b>	Camden Town Hall Judd Street London WC1H 9JE
<b>Contact phone</b>	020 7974 4444
<b>Form reference</b>	Ref. no. 15947

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**From:** Marcus Lavell  
**Sent:** Friday, May 31, 2024 1:01 PM  
**To:** Christopher Malone  
**Subject:** RE: Elysee Restaurant Variation REF: VARY/120905

Dear Chris

Well-enough this end. Hope the same is true for you and the team.

I and the Elysee management team are grateful for your time in considering this application and proposing a condition as set out below.

I hereby request that the Licensing Authority accept this email as a formal update of the Application to Vary the Premises Licence for Elysee, to include the following Condition:

- The consumption of alcohol on the Premises shall cease 30 after the permitted hours for the sale of alcohol, and such consumption shall not recommence until the permitted hours for the sale of alcohol recommence.

The above is proposed in draft form, and the Licence Holder is happy to consider any further comments from the Police or Licensing Authority as to wording.

Kind regards

Marcus Lavell

**From:** Christopher Malone  
**Sent:** Friday, May 31, 2024 12:34 PM  
**To:** Marcus Lavell  
**Cc:**  
**Subject:** Elysee Restaurant Variation REF: VARY/120905

Hi Marcus,

Hope you are well.

I have spoken to Alex and he said I should email you in relating to a condition they have accepted.

If it is agreed, could you please email the council adding the condition to the application. Could you please cc me into the email and then the MPS will not be submitting any representation.

Condition: -Consumption of alcohol on the premises shall cease 30mins after the permitted hours for the sale of alcohol.

Council email: [licensing@camden.gov.uk](mailto:licensing@camden.gov.uk)

Kind Regards Chris Malone Camden Police Licensing

SUPPLEMENTARY AGENDA - Submission from Elysee for 18 July 2024

ELYSEE RESTAURANT, 13 PERCY STREET, LONDON W1T 1DP

## **Elysee Restaurant, 13 Percy Street, London, W1T 1DP**

	Page
Witness Statement of Alex Karageorgis	1
Historic Photos	6
Historic Signatures	18
Bronze Zeus	30
Pictures of the Elysee	31
Elysee Food	49
Letters of Support	60
M Watson Elysee Statement from Committee Hearing	103
M Watson Elysee Statement & Exhibits 06.03.23 SIGNED	108
Deon van Niekerk Elysee Training Statement 30.09.2022	203
Adrian Studd Report 26 10 22	205
Adrian Studd Elysee Statement - For Appeal - 07-03 -2023	219
Elysee - Expert Witness Report	240
Kerry Giggs Karageorgis Statement	261
Stefano Fraquelli Witness Statement	265
Email Correspondence	270

**IN THE CAMDEN LICENSING SUB-COMMITTEE****GALES RESTAURANTS LTD****(t/a Elysee Restaurant, 13 Percy Street, London, W1T 1DP)**

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**WITNESS STATEMENT OF ALEXANDER KARAGEORGIS**

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I, Alexander Karageorgis, of Elysee Restaurant, 13 Percy Street, London, W1T 1DP, will say as follows:

**Personal Background**

1. I am 40 years old and live at 37 Cloncurry Street, London SW6 6DR.
2. I was educated at Westminster school and took a French and Spanish degree at UCL. I subsequently took up a career in shipping and oil trading in the City for 6 years.
3. After my father died in 2013 an opportunity arose to join the family business operating the Elysee Restaurant, which I decided to take. I started as Reservations manager and at the time of the Sub-Committee Hearing had worked my way up to General Manager. As General Manager my role involved:
  - a. dealing with ordering goods,
  - b. dealing with staff scheduling and management,
  - c. Booking events and reservations.
4. Primarily, up to the date of the incident that triggered the Summary Review, I had only been involved in daytime activity at the premises. I occasionally worked in the evening to cover other members of management when there was illness or absence through holiday. I probably worked in the evenings once or twice per month on that basis.
5. I am cousin to Kerry Karageorgis ("Giggs") who is one of my fellow directors (and a shareholder) of Gales Restaurants Limited.
6. I became Managing Director of Gales Restaurants Ltd on 15 September 2022.

**History of the Elysee**

7. The Elysee is the longest continuously trading premises in Camden.

8. Giggs has provided a detailed history of the Elysee in his statement, which explains who we are, what we do and why the Elysee is a vital part of Greek culture and lies at the centre of the Greek community in London.
9. As fellow directors and family members, Giggs, Kyriacos and I love these premises dearly. The Elysée not only acts as the epicentre of the Greek community, but also provides a “different” evening out for non-Greek guests who wish to take part in the Greek culture and customs, namely *bouzoukia* live music and of course plate-breaking. Eating is very much at the heart of our culture and the “dinner and a show” experience is what makes The Elysée so special and what differentiates the establishment from your average *taverna* and a far cry from the typical London nightclub. The Elysée is not just a continuance of a family tradition, but a legacy left by our fathers and their uncle before them.
10. I have exhibited photographs that we proudly display on the walls of the Elysee at Exhibit AKV01. Here you can see my uncle George – forever the showman – performing on the Dave Allen show, dancing with glasses on his head at the Elysee, together with actors Omar Sharif and Telly Savalas and the musician, Santana, amongst other photos such as Prince Philip at the Elysee in 1966 and a photos of the 3 brothers (my father and two uncles) who ran the Elysee for over 50 years. I have also exhibited photos from our treasured signature book (Exhibit AKV02), containing famous and honoured guests of Elysee such as Prince Philip, Max Bygraves, Ringo Starr and Tom Jones, among others.
11. We are also fortunate to have artwork by the great actor and sculptor Anthony Quinn (who played “Zorba the Greek” in the eponymous 1964 movie) on the walls and also a bronze sculpture by him of the Greek god, Zeus. Please see photo at Exhibit AKV03.
12. To give you just an idea of what life at the Elysee is all about, I have exhibited photographs at Exhibit AKV04. As for our food, please see our menu and a few photos of our food offerings at Exhibit AKV05.
13. The Elysee has always been a place where generations of the same family could come and feel safe and happy. I have produced various letters of support we have received both prior to our Review hearing and since, at Exhibit AKV06. It is right to say that alongside a hugely loyal following in the community, our customers are, almost without exception, people who come for a lovely evening, and behave impeccably.
14. Following the incident in 2022, I took steps to ensure that a safe, happy environment was once again, our key feature.

15. The responsibility for delivering safe, memorable experiences lies with us as licensees, our management team and our staff. We are deeply proud of the team we have built over the years, although as a result of the loss of hours and the unsustainable ongoing losses we have suffered, in order to protect ourselves from liquidation we had to reduce our staffing roster. These cutbacks were reduced in severity due to the compromise we reached with the Council in 2023, but still some job losses were not preventable.

#### **Response to the incident**

16. I was not present on the night of the incident, as I was a day-manager at the time, working 6 days a week from 11am until 7pm, dealing with food and drink orders, reservations staffing and generally getting the restaurant ready for the evening service.
17. I and the other owners acted swiftly to support the police in their investigation. We took a number of steps (that I detail below) but key to my management philosophy was our partnership with the police. I am proud that having worked as Managing Director, with the police since 2022, the police have not objected to this application to restore our hours. They did ask for a new Condition and I was very happy to agree it as it enshrines best practice on our Licence:
18. My first actions upon taking control of the Elysee operation, were as follows:
- a. Instructing Michael Watson, a senior, independent licensing consultant and trainer to develop and implement a licensing Compliance Plan – Please see his Report that was prepared for the Review hearing dated 29 September 2022 (Exhibit AKV07) and his Update Report (Exhibit AKV08) following the Review hearing.
  - b. To fully engage with the WAVE and Ask Angela initiatives, initiating a training regime and regular refresher training,
    - i. I have put in a regime to ensure all staff are appropriately trained, and the initial training was completed on 18<sup>th</sup> October 2022 by Deon Van Niekerk of Capital Safety Solutions. Please see his Report at Exhibit AKV09.
  - c. Following the Review Hearing, to instruct Adrian Studd to consider our Crime and Disorder history and advise on improving our promotion of the Prevention of Crime and Disorder Licensing Objective. Please see his initial Report dated 26<sup>th</sup> October 2022 at Exhibit AKV10. His updated Report is at Exhibit AKV11.
  - d. To bring our third party auditing right up to date, I have instructed Mr Richard Bunch (former Licensing Sergeant for City of Westminster Police Licensing Unit) to produce a report based on his research and observation of Elysee in June of this year (Exhibit AKV12).
19. In line with the recommendations of my expert advisors, I instigated the following

procedures that I was more than happy to enshrine on the Premises Licence as Conditions:

- a. A zero tolerance to illegal drugs shall be operated. Any person found in possession of illegal drugs, witnessed offering illegal drugs or asking others for illegal drugs, will be ejected (or refused entry) and permanently banned from future entry to the premises. This zero tolerance approach will be actively and prominently promoted on the restaurant website, in literature and signage at the venue and clearly communicated to all on the restaurant database.
  - b. At least one experienced member of the restaurant management team shall be stationed at the entrance at all times the venue is in operation under the licence, unless called away to deal with an emergency situation. He/she should ensure that door staff are operating as in accordance with the Operational Manual and Premises Licence, particularly with regard to actions to prevent drugs and crime and to identify persons who may benefit from welfare and/or medical services.
  - c. There shall be a dedicated member of staff whose sole responsibility shall be the welfare of customers with particular emphasis on drugs and alcohol.
  - d. All staff shall be trained in all aspects of licensing law, with particular emphasis on drugs and alcohol and the 4 licensing objectives (RASPFLOR responsible alcohol sales and promoting the four licensing objectives). Such training shall take place every year by an independent accredited trainer, with refresher training every 6 months and records retained for inspection by police and the local authority.
  - e. Unannounced monthly audits of the premises during trading hours shall be conducted by an independent accredited auditor, and records retained for inspection by the police and local authority.
20. Following discussions with the Police, we put in place Stefano Fraquelli, an experienced operator of licenced premises. Stefano has provided a statement setting out his experience and method for managing Elysee.
21. I have introduced a whistleblowing procedure, to encourage and support staff who might witness unacceptable behaviour.
22. I have also introduced a new security provider (European Security Services) that is certified under the Security Industry Authority (the "SIA") Approved Contractor Scheme (the "ACS"). I am advised that such a certification is prized by SIA security providers, and so is not something ESS would risk losing. Our new security team will have standing orders to report incidents to their own management team, and if appropriate the police. This is a substantial step forward in managing best practice, and I hope, demonstrates significant advantages over the "in house" style of security we used to use.

**Way Forward**

23. The financial effects of the reduction in our hours speak for themselves and up until our Appeal was compromised with the Council, the Elysee was heading for insolvency. The compromise hours saved the business, but have left us precariously close to closing none-the-less.
24. In the simplest terms, all I can say is that we have done everything we can, with what I feel is proven success, to ensure the circumstances that led to our loss of ours never happen again.
25. We do entirely accept that remedial steps were necessary, and we took them. We also had our licence suspended, to enable the premises to train its staff and appoint a new DPS. We have served that suspension, have trained our staff, appointed a new DPS and successfully worked with the Police to address their concerns.
26. I hope that the Members will see from the experts' reports that the steps we have taken have ensured a management culture pervades at the restaurant of best practice and the protection of our customers and neighbours.

## Statement of truth

27. I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

.....

Alexander Karageorgis

.....

Date

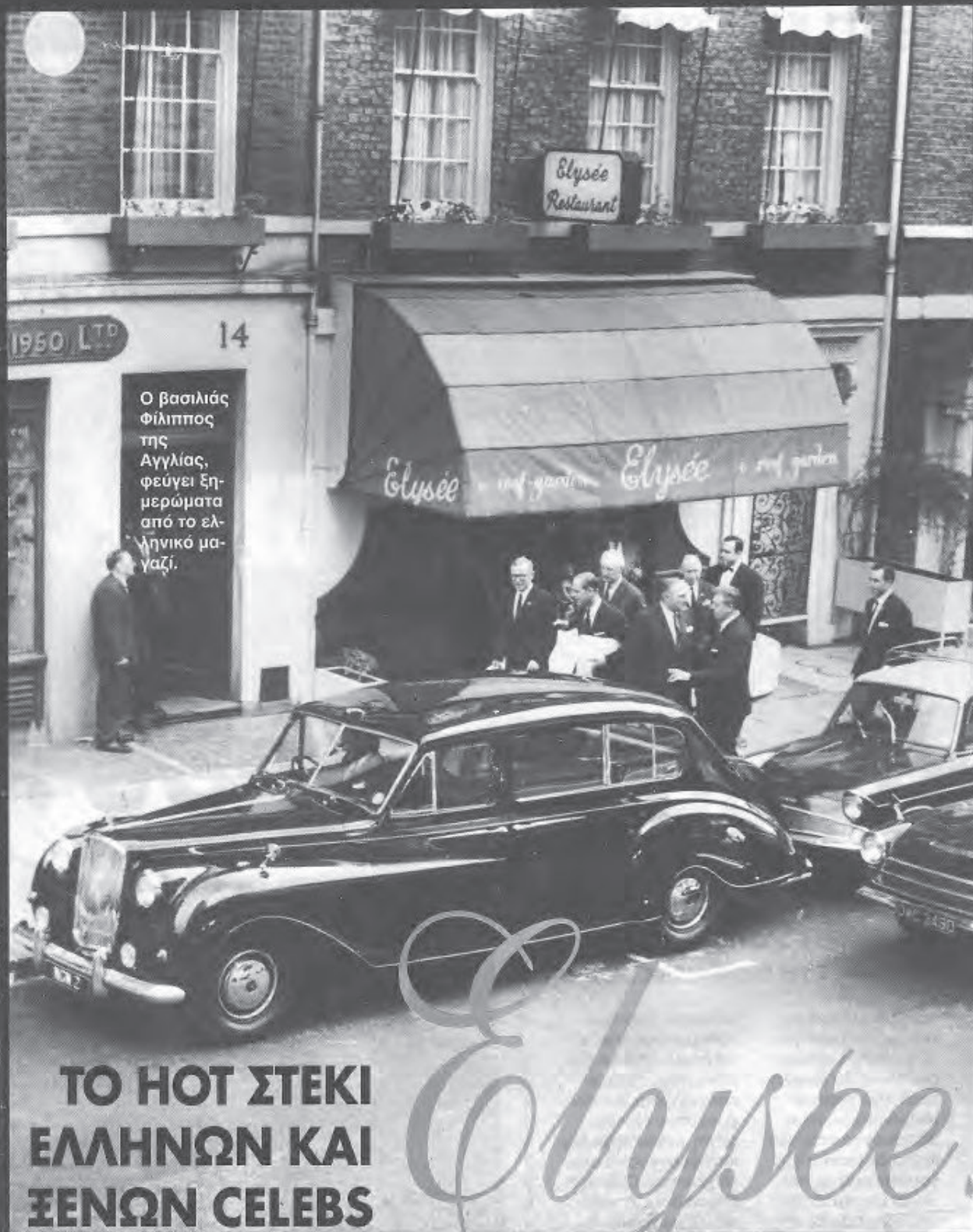




George.  
 With my sincerest  
 wishes thank you

for showing me the way to '90!  
 Joe Miller  
 April 1991





**ΤΟ ΗΟΤ ΣΤΕΚΙ  
ΕΛΛΗΝΩΝ ΚΑΙ  
ΞΕΝΩΝ CELEBS**

## Αμέτρητα ξενύχτια και δεκάδες περισι

Πού έκανε το bachelor πάρτι του λίγο πριν παντρευτεί τη Μαρί Σαντάη, ο Παύλος; Πού έχουν σπάσει εκατοντάδες πιάτα ο Τομ Τζόουνς, ο Μικ Τζάγκερ και παλαιότερα ο Ωνάσης και ο Νιάρκος; Στο κέντρο που κρατά ακόμα και σήμερα το έθιμο των πάηι ποτέ μπουζουκιών.

Ολα αυτά συμβαίνουν στην καρδιά της βρετανικής πρωτεύουσας, με τους θαμώνες του να μην κάθονται στην καρέκλα τους ούτε στιγμή από τα απαντά τσιφτετέλια και τις λαϊκές επιτυχίες που τους κάνουν να ξεφαντώνουν μέχρι το πρωί. Βλέπετε ούτε ένα, ούτε δύο, αλλά πέντε ελληνικότατα μπουζουκία υπάρχουν στο Λονδίνο για να προσφέ-

ρουν διασκέδαση μέχρι τελικής πτώσεως στους ομογενείς, αλλά και τους λάτρεις του είδους κάθε φυλής και χρώματος. Το πιο ιστορικό όμως, αυτό που στα πενήντα και χρόνια της λειτουργίας του έχει καταφέρει να γίνει πραγματικά ένα μαγαζί θρύλος, είναι το Elysée. Από την πίστα και τα τραπέζια του έχουν περάσει τα μεγαλύτερα ονόματα του κόσμου και το όνομά του έχει

φιλοξενηθεί στις πιο σημαντικές εφημερίδες της Αγγλίας. "Στην εσαυτορία είναι δύσκολο να βρεις στο Elysée είναι δύσκολο να έχει γράψει για το εν λόγω μαγαζί ο Observer και αυτή η φράση είναι όλα για την κατάσταση που είναι τότε κάθε βράδυ εκεί.

**And the story goes...**  
Η ιστορία του Elysée των αδι-



9





*UNCLE GEORGE X*  
*RINGO STAR*















18



BRIAN MOORE

19

What a lovely place!!!!

α  
his greatest admirer!

Brian Moore

19-10-19

W. Moore  
19-10-19

CHRIS EUBANK

*[Handwritten signature]*

Chris Eubank

*[Handwritten initials]*

Eubank

*[Handwritten initials]*

*[Handwritten signature]*

EARTHA KITT

21

Once  
 common - common - common - common -  
 that that that that  
 and all vented -  
 Love - Love - Love - Love -  
 with - with - with - with -



LES DAWSON

22

MP - House of Commons

8/3/73

20/4/67 Benic Water

Next TIME SCREEN?

12.1.68 Lesley Dawson

Thanks for a Crazy Evening

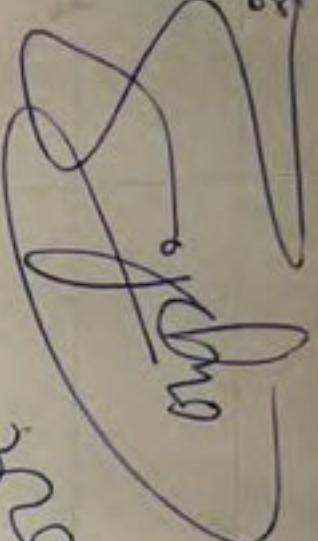
MAX BYGRAVES

best me at  
time to see  
wishes to see  
see

Thanks - you broke me up!

~~Max Bygraves~~ 1973

Us too!!  
Kestall

DATE	NAME	ADDRESS
<p> <del>To Mrs. J. H. Richards            10 West 11th St            New York 11</del> </p>	<p> <del>Such as the hosp. during my evening            Supper -</del> </p>	<p> <del>Ulster - the wine            - the wine            - the wine            - the wine</del> </p>
<p>           Supper -            all praise.         </p>	<p>           I enjoyed thank you.         </p>	<p>           - love -         </p>
<p>So</p>	<p>much</p>	<p>  </p>
<p>10-11-73</p>	<p>23/6/73</p>	

PRINCE PHILIP

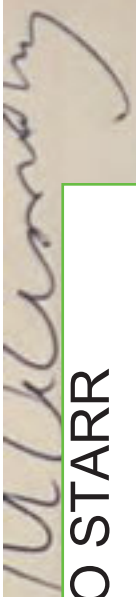
NAME

*Philip*

ADDRESS

*18 July 1966*

RINGO STARR

  
 PH & Barbara  
~~Starr~~  
 Cyprian High Commission,  
 20, Gainsborough Street  
~~London~~  
 ENGLAND 19

SPYROS KYPRIANOU

27

NAME

ADDRESS

Spyros Kyprianou

Foreign Minister

of Cyprus

Fayter & Belcher

U.S. Ambassador, Nicosia.

Chalkias

High Commissioner,  
Cyprus

F. Proby

M.P.

TELLY SAVALAS

DATE

NAME

ADDRESS

To my dear friends,  
George and Ulysses

Affectionately

Telly Savalas

TOM JONES

29

17th  
 17th Apr 1765  
 Dear Mother  
 I received your kind letter  
 of the 14th and was glad  
 to hear from you and  
 to hear that you were  
 all well. I am well at  
 present and hope these  
 few lines will find you  
 all the same. I have not  
 much news to write at  
 present. I am still at  
 school and have not  
 much time to write. I  
 must close for this time.  
 Write soon. I love you  
 all very much.  
 Your affectionate son  
 Tom Jones







MAIN  
RESTAURANT





MAIN RESTAURANT



MAIN RESTAURANT

34



35

PRIVATE DINING BANQUET



ROOF GARDEN



ROOF GARDEN



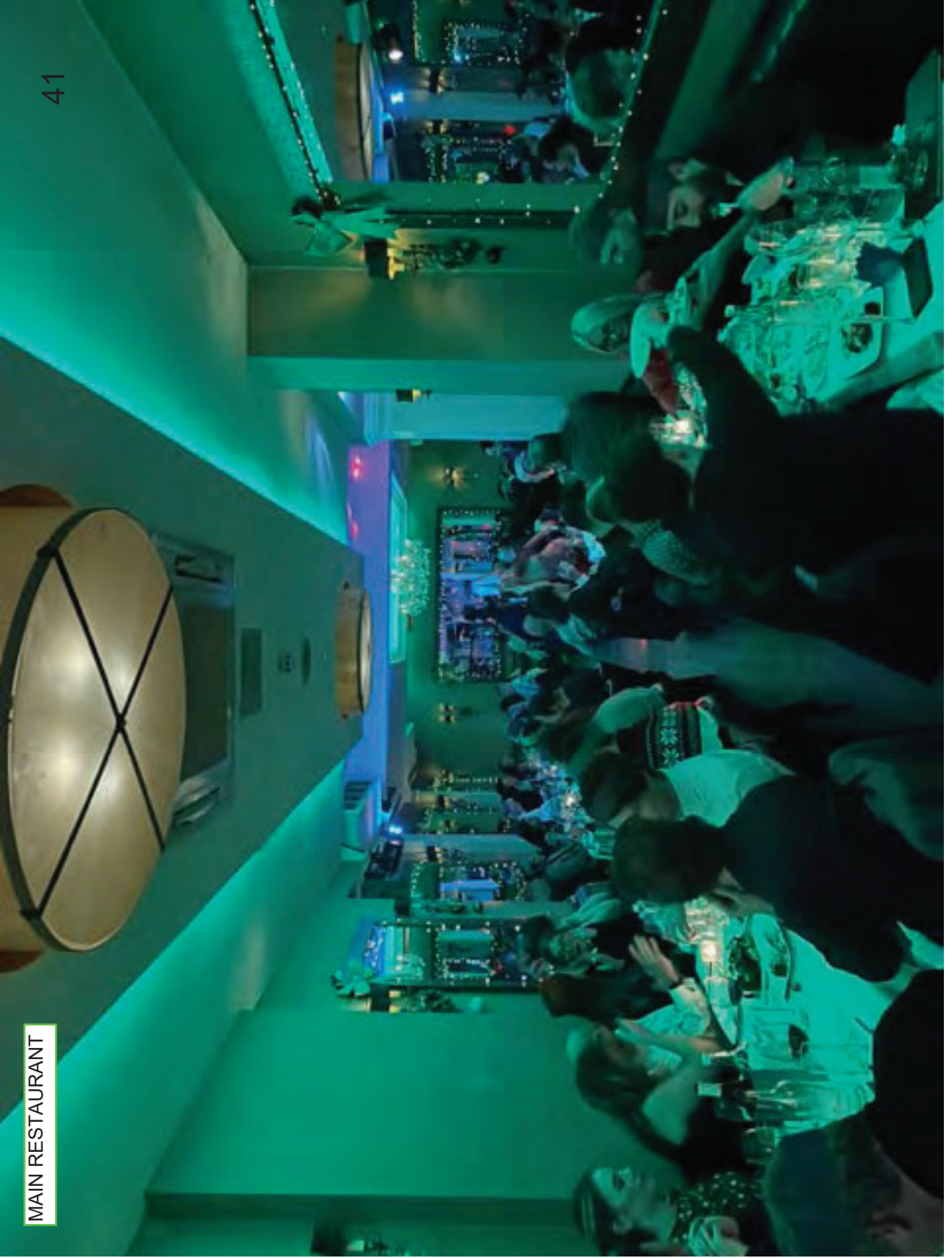


PERFORMANCE IN MAIN RESTAURANT



PERFORMANCE IN MAIN RESTAURANT





MAIN RESTAURANT

DANCING IN MAIN RESTAURANT





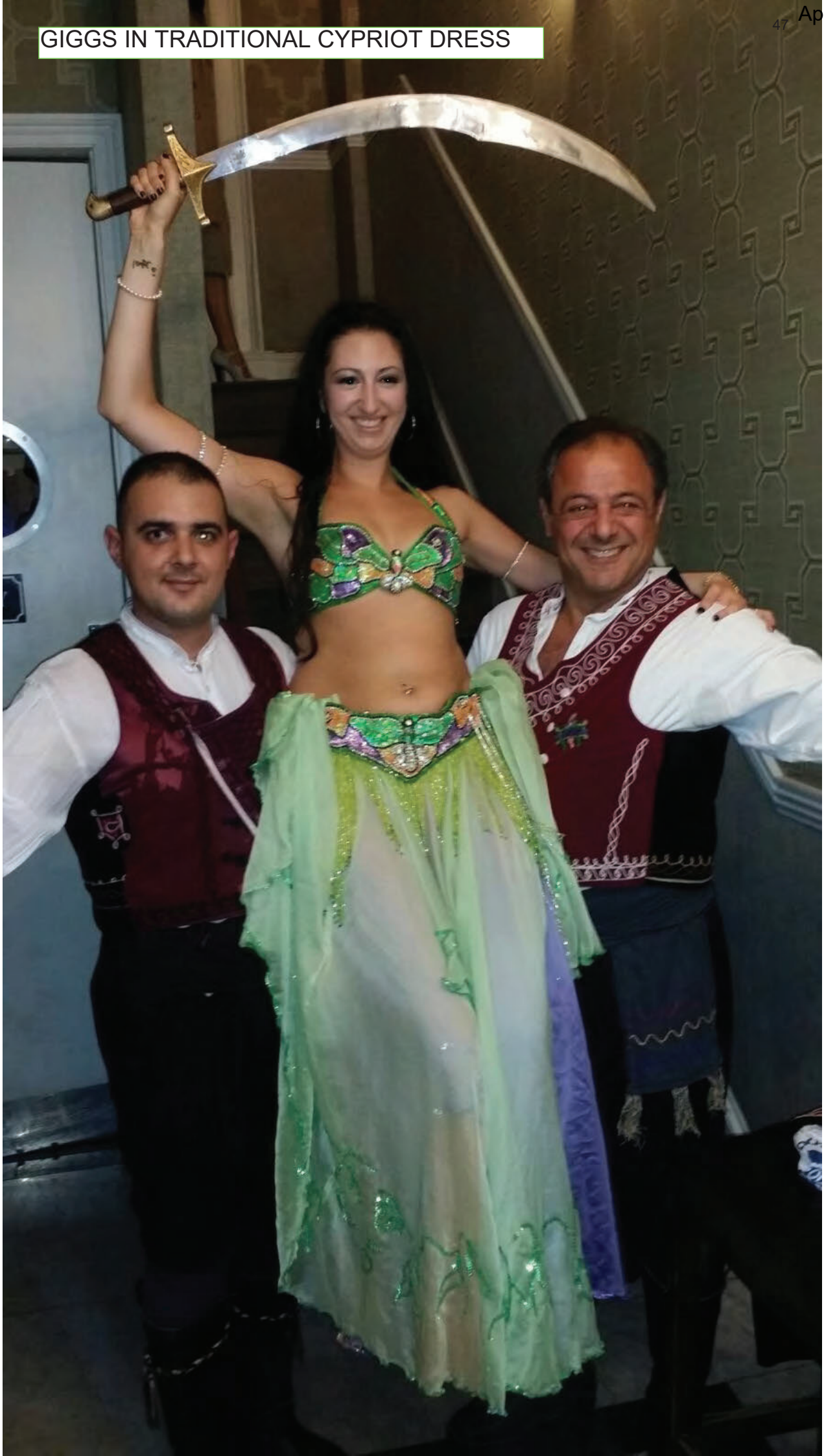








GIGGS IN TRADITIONAL CYPRIOT DRESS





*Elysée*  
À LA CARTE  
MENU

***London's Original  
Greek Restaurant  
est. 1936***

*Our Philosophy*

*All of our ingredients are sourced based on quality and local sustainability. We use only the finest Greek extra virgin olive oil and other Greek imported produce to enhance your experience. We always endeavour to select suppliers who share our values, our commitment to uncompromising quality and our passion.*

*Our philosophy and passion for cooking originates from both Greece and Cyprus, implementing traditional Mediterranean ingredients, renowned for their health benefits, encompassing centuries-old recipes and methods to produce an authentic Greek taste, merged with a modern eye for presentation.*

*Every dish our team presents is prepared with the same passion and dedication to the ingredients. With our fine selection of wines to accompany your meal we strive to provide a wonderful dining experience.*

*This is our ethos. Simplicity and Authenticity*

## ***Our History***

*In 1936, The Elysée opened on 13 Percy Street in Fitzrovia by George Varnava, a former Maître D' at The Savoy Hotel. Originally a French, silver service restaurant, it became an instant sensation attracting Londoners across the city and travellers worldwide. The venue built a strong reputation, successively establishing itself into the 1940s as a hot spot for artists, writers, big screen stars, celebrities and members of the British and Greek Royal families. This period marked the beginning of a family legacy that lives to the present day.*

*In 1962, The Elysée was bought by Varnava's nephews George, Michael and Ulysses Karageorgis. Under new direction, the brothers delved into family values, incorporating traditional live Greek music entertainment and delectable Mediterranean cuisine. The restaurant evolved into a leading Greek institution, one of Central London's most significant cultural contributors and late night scenes.*

*The Elysée's continued success in the 1960s saw visits from His Royal Highness Prince Philip and the 1966 England World Cup winning team to celebrate their victory, amongst many other high profile guests such as The Beatles, Rolling Stones and Mohammed Ali.*

*After a remarkable 50 years, the three brothers retired handing the baton to cousins Giggs Karageorgis, Kyriacos Pattihis, Kerry Karageorgis and Alex Karageorgis, who brought a new vision to life.*

*In 2010, The Elysée underwent an astonishing refurbishment inaugurating two interconnecting private dining areas, a vibrant Cocktail Bar & Lounge and an exquisite 1200 square foot Roof Garden with heating and retractable roofs, transforming the restaurant into an indisputable multi-faceted gem in Fitzrovia.*

*Today, The Elysée offers a rich variety of services, from social and corporate party events to intimate gatherings, from a vibrant setting with live entertainment (including its famous plate smashing), to relaxing atmospheres, al fresco dining and private function areas, all brought together by its ravishing fusion of classic and modern Greek and Mediterranean cuisine. The Elysée is unquestionably a leading figure in London's Catering & Hospitality Industry.*

*A venue second to none, this family-run establishment promises to continue entertaining and enchanting its guests for time to come whilst its discrete policies make it a retreat for those in the limelight.*

# Starters / Meze

<b>Houmous</b> (df, gf)	£7.00
Puréed chick peas dip with lemon, tahini and a hint of garlic	
<b>Taramosalata</b> (df) ☞	£8.50
Fresh cod roe dip beaten with olive oil and lemon	
<b>Tzatziki</b> (gf)	£7.00
Strained Greek yoghurt dip with cucumber, mint and garlic	
<b>Tirokafteri</b> (gf)	£7.00
Roasted hot peppers and feta cheese dip	
<b>Melitzanosalata</b> (gf)	£7.00
Char-grilled aubergine dip with olive oil and garlic	
<b>Crispy Calamari</b>	£14.00
Fresh squid, lightly fried, with chilli & spring onion	
<b>Aubergine Imam</b> (gf)	£12.00
Baked and filled with Mediterranean ragout & crumbled feta	
<b>Courgette Fries</b> with a dried mint & yoghurt dip	£9.00
<b>King Prawns</b> (gf, df)	£14.00/£28.00
With chilli, lemon & garlic	
<b>Char-grilled Octopus</b> (gf, df) ☞	£16.00
With 'fava' split yellow pea purée, mixed peppers & red onion	
<b>Grilled Cypriot Halloumi Cheese</b> (gf)	£10.50
With a sweet tomato chutney	
<b>Spanakopita</b>	£11.50
Spinach and feta-stuffed filo parcels	
<b>Keftedes</b>	£13.50
Lamb meatballs, tomato sauce, couscous & Greek yoghurt	
<b>Falafel</b> (s)	£9.00
Lightly fried chickpea fritters served with a tahini dip	
<b>Dolmades</b> (gf, df)	£11.50
Vine leaves filled with beef, rice and spices	
<b>Grilled Cypriot Loukanika</b> (gf, df)	£10.50
Beef Sausages with a red onion marmalade	
<b>Kolokythokeftedes</b>	£11.00
Courgette fritters with a mint yoghurt sauce	
<b>Bamies</b> (df, gf)	£10.00/18.00
Traditional dish of roasted baby okra in a rich tomato sauce	
<b>Heritage Beetroot Salad</b> (df) (n)	£9.50
With almond 'skordalia'	
<b>Mixed Bean Salad</b> , lemon dressing	£8.00
<b>Quinoa and Avocado Salad</b>	£12.00
Feta, tomato, celery, cucumber & mixed peppers	
<b>Traditional Greek "Avgolemono" Soup</b> (gf)	£14.00
Chicken, lemon and rice	

We pride ourselves on sourcing produce from local suppliers and use only the finest Greek extra virgin olive oil.

(☞) signature dish (gf) gluten free (df) dairy free (s) contains sesame (n) contains nuts.

If you suffer from any allergy, intolerance or medical condition please inform your waiter.

All prices are inclusive of VAT. A discretionary service charge of 13.5% will be added to your bill.

A live music cover charge of £10 per person is applicable when dining in the Main Restaurant.

A £20 live music cover charge per person is applicable after 10pm.

## Mains and Grills

<b>Lamb Cutlets</b> (gf)	£30.00
Char-grilled best end with aromatic rice and mixed leaves	
<b>Souvlaki</b> (gf) ☞	
Char-grilled skewers served with aromatic rice and mixed leaves	
Chicken	£23.00
Lamb	£25.00
<b>Grilled Breast of Chicken</b> (gf)	£26.00
Butterflied and marinated in yoghurt, lemon & black pepper, with a wild rocket salad and a side of houmous	
<b>Char-Grilled Mediterranean Vegetables</b> (gf, df)	£21.00
With a lemon & olive oil dressing	
<b>Grilled Whole Seabass</b> (served on or off the bone) (gf, df)	£30.00
Roasted cherry tomatoes and mixed leaves	
<b>King Prawns</b> (gf)	£28.00
Chilli, garlic, lemon & parsley served with mixed leaves	
<b>Grilled Fillet of Salmon</b> (gf, df)	£28.00
With 'spanakorizo' spinach rice	
<b>Vegan "Ospria" of the day</b> (gf, df)	£16.00
Traditional Greek vegan dish.	
<b>Char-grilled 14-day hung Jewkes &amp; Dalby Beef</b> (gf) ☞	
Grilled cherry tomatoes and grilled mushroom, with a peppercorn sauce	
Sirloin (300g)	£32.00
Fillet (250g)	£38.00
T-Bone (500g)	£42.00

## Greek Specialities

<b>Kleftiko</b> (df) ☞	£28.00
Slow-cooked lamb shoulder spiced with oregano & bay leaves, served with potatoes and braised onion	
<b>Moussaka</b> ☞	£26.00
Layers of minced beef, potato, aubergine and courgette, baked with a Greek graviera cheese sauce	
<b>Vegetarian Moussaka</b> ☞	£23.00
<b>Vegan Moussaka</b> ☞	£23.00
<b>Bamies</b> (df, gf)	£18.00
Traditional dish of roasted baby okra in a rich tomato sauce	
<b>Souvla</b> (gf) ☞	
Slow spit-roasted boned chicken leg or lamb neck fillet, with aromatic rice and salad (Fri & Sat evening and upon request)	
Chicken	£26.00
Lamb	£28.00
Mixed	£27.00

*We pride ourselves on sourcing produce from local suppliers and use only the finest Greek extra virgin olive oil.*

*(☞) signature dish (gf) gluten free (df) dairy free (s) contains sesame (n) contains nuts.*

*If you suffer from any allergy, intolerance or medical condition please inform your waiter.*

*All prices are inclusive of VAT. A discretionary service charge of 13.5% will be added to your bill.*

*A live music cover charge of £10 per person is applicable when dining in the Main Restaurant.*

*A £20 live music cover charge per person is applicable after 10pm.*

## *Sides*

Greek Salad	£10.50
Twice Cooked Fries	£6.00
Steamed Asparagus	£7.00
Steak-cut Chips with truffle oil and parmesan	£7.00
Steamed Spinach	£6.00
Courgette Fries	£7.00
Heritage Beetroot Salad with almond skordalia (n)	£9.50
Steamed Broccoli	£6.00
Aromatic Vegetable Rice	£5.50

## *Desserts*

<b>Trio of Greek Desserts</b> (n) <i>€</i>	£10.00
Baklava, Kataifi and Shamali with vanilla ice cream, pistachio crumble & mixed berries	
<b>Warm Chocolate and Almond Torte</b> (n)	£9.00
Served with vanilla ice cream	
<b>Apple Pie</b>	£9.00
Served with cinnamon ice cream	
<b>Strawberry cheesecake</b>	£9.00
With fresh strawberries	
<b>Warm Chocolate Fondant</b>	£9.00
Served with vanilla ice cream	
<b>Crème Brûlée</b>	£9.00
<b>Amygdalopita</b>	£8.00
Deep fried almond and coconut filled filo pastries, with mango sorbet and mixed berries	
<b>Selection of Ice-Creams and Sorbets</b>	£8.00
<b>Fresh Fruit Platter</b>	£10.00pp

## *Hot Drinks*

Espresso / Macchiato	£4.50
Double Espresso / Double Macchiato	£5.50
Americano	£5.50
Greek Coffee	£5.50
Teas	£6.00
Latte	£6.00
Cappuccino	£6.00
Hot Chocolate	£7.00



# *The Elysée Set Meze*

**2-courses £55.00 | 3-courses £60.00 per person**

*Min. 2 persons*

## **To Start**

***A Selection of Delectable Meze Sharing Dishes***

*(£25.00 pp if served as an à la carte starter)*

### **Grilled Pitta Bread**

**Houmous** - *Purèed chick peas with lemon, tabini & a hint of garlic (df, gf)*

**Taramosalata** - *Fresh cod roe beaten with olive oil and lemon (df)*

**Tzatziki** - *Strained Greek yoghurt with cucumber, mint and garlic (gf)*

**Cypriot Halloumi Cheese** *grilled, with tomato and basil chutney (gf)*

**Crispy Calamari**, *lightly fried (df)*

**Spanakopita** - *Spinach & feta-stuffed filo parcels*

**Keftedes** - *Lamb meatballs with couscous, tomato sauce & Greek yoghurt*

**Falafel** - *Lightly fried chickpea fritters served with a tabini dip (s, gf)*

**Dolmades** - *Vine leaves filled with beef, rice and spices (gf, df)*

**King Prawns** *with chilli, lemon and garlic (gf)*

**Heritage Beetroot Salad** *with almond skordalia (df, gf, n)*

## **Followed by Platters Of**

**Chicken and/or Lamb Souvla** *(gf)*

*4-hour spit-roasted boned chicken leg and/or lamb neck fillet  
(Friday & Saturday evenings and upon request only)*

*or*

**Chicken / Lamb Souvlaki Skewers** *(gf)*

*(Sunday through Thursday)*

*or*

**Vegetarian or Vegan Moussaka**

*All served with Greek salad, aromatic vegetable rice  
and twice-cooked chips*

## **To finish**

***The Elysée Greek Dessert Platter*** *(n)*

*A selection of home-made Greek sweets*

*We pride ourselves on sourcing produce from local suppliers and use only the finest Greek extra virgin olive oil.*

*(E) signature dish (gf) gluten free (df) dairy free (s) contains sesame (n) contains nuts.*

*If you suffer from any allergy, intolerance or medical condition please inform your waiter.*

*All prices are inclusive of VAT. A discretionary service charge of 13.5% will be added to your bill.*

*A live music cover charge of £10 per person is applicable when dining in the Main Restaurant.*

*A £20 live music cover charge per person is applicable after 10pm.*

Rouge

Rosé

Blanc



# CARTE DU JOUR

Couvert 1/6

- Melon 4/6    Grapefruit 2/6    Hors d'Œuvres Variés 5/6    Homard Cocktail 7/6
- Paté Maison 4/6    Potted Shrimps 4/6    Escargots de Bourgogne 12/6
- Foie Gras 16/6    Caviar 25/-    Jambon de Parme 10/6    Saumon Fumé 8/6

## LES POTAGES

- Crème Elysée 2/6    Consommé Madrilène 2/6    Consommé Pavese 3/6
- Tortue Claire au Sherry 5/6

## LES ŒUFS et FARINAGES

- Œufs Florentine—Bénédictine—Washington—Turke 4/6
- Œufs en Cocotte à la Crème 6/- (2 Persons)    Spaghetti Bolognese 5/6
- Omelette aux Fines-Herbes—aux Champignons—au Jambon 6/6
- Spaghetti Napolitaine 4/6    Canellonis 5/-    Risotto Italienne 5/-

## LES POISSONS

- Délice de Sole Bonne-Femme—Florentine—Waleska—Veronique—Mornay 8/6
- Dover Sole Colbert—Grillé—Meunière 9/6
- Homard Thermidor—Mornay 12/6    Homard Newbourg 15/6
- Scampis 8/6    Blanchailles 5/6    Truite Meunière 5/6

## ENTRÉES—GRILLADES—ROTIS

- Filet Steak Grillé 14/6    Rump—Entrecôte—10/6    Chateaubriand (2 persons) 30/-
- Escalope de Veau Viennoise—Chasseur—Holstein—Marsala 8/6
- Carrié d'Agneau Persillé (2 persons) 20/-    Chop d'Agneau Grillé 8/6



57





58



**From:** CRAIG BAYLIS [REDACTED]  
**Sent:** 29 September 2022 21:11  
**To:** Andrew Buck-Bourne [REDACTED]  
**Subject:** Fwd: FAO - CAMDEN LICENSING AUTHORITY

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Another support letter

Sent from my iPhone

Begin forwarded message:

**From:** Chris Lanitis <[REDACTED]>  
**Date:** 29 September 2022 at 21:07:42 BST  
**To:** [REDACTED]  
**Subject:** Fwd: FAO - CAMDEN LICENSING AUTHORITY

FYI

CHRIS LANITIS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** Chris Lanitis [REDACTED]  
**Date:** 29 September 2022 at 19:16:00 BST  
**To:** [REDACTED]  
**Subject:** FAO - CAMDEN LICENSING AUTHORITY

Dear Sirs,

**RE : ELYSEE RESTAURANT, 13 PERCY STREET, LONDON W1T 1DP**

I would like to express that I wholeheartedly support the licence of Elysee Restaurant.

I am a local businessman and have held many functions at this fine establishment and institution over the years.

In the countless of times that I have come to the restaurant I have always felt that the management were very diligent in looking after their customers together with their welfare and ensuring that the local community is never disturbed.

Elysee Restaurant is the place that you can have a civilised late meal or drink with entertainment in a setting which is not a nightclub or a bar and that created a much more mature and civilised atmosphere making it one of the most unique, few and cherished establishments in central London.

Yours Faithfully,

**Chris Lanitis**



[Redacted]  
[Redacted]  
[Redacted]

28/09/22

Dear Sir/ Madam,

I have been asked to speak as one of many patrons of Elysee restaurant (W1T 1DP) who have spent many years frequenting this long standing London establishment which has been sewn into the very fabric of our community.

The restaurant is more than just bricks and stone but an institution where the Greek community, and non-alike, have been able to congregate and come together in life's celebrations. Having come for lunches with my father as boy to celebrating my own daughter's christening, and holding various charity events, there has been no other place I can think that provides that familiar welcome of coming home. Whether uniting friends or sharing new memories with strangers, the Karageorgis family has forged an establishment that not only Londoners have come to know and love but even from foreign shores, students and holiday makers have come to embrace the name which has been affectionately regarded as the place where we find our common likes and passions.

In all my years I have never witnessed any public disorder or nuisance and the staff have always presented themselves with vigilance, dignity and respect.

Elysee has evolved over the decades, starting from a time when my father and his generation have commemorated many years of what we have come to know as "philadelphia" (brotherly/sisterly love) and passed this belief down to their sons and daughters to a time where not only a Greek may feel at home but all who pass through those doors, for the Karageorgis family are distinguished to walk and raise a glass with all men and women who have come to share time together.

Kindest regards,

Dimitris Lemos

[Redacted signature block]

[Redacted contact information]

<b>Representation</b>	
Premises name	Elysee Restaurant
Application reference number	APP\PREMISES-REV\111762
Last date for representation	29/09/2022

**Making a representation as**

As an individual

**Your details****First name**

Theodoros

**Last name**

Georgiou

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

54 JASMINE HOUSE JUNIPER DRIVE  
 LONDON  
 SW18 1GL

**Remain anonymous**

No

**Grounds of representation**

- ensuring public safety

**Details of representation**

The Elysee restaurant is one of the few remaining Greek restaurants that caters for the Greek community and makes all other nationalities feel welcome too. Be it the food, the ambiance, or the music, you are immersed in a Cypriot environment, entertained by musicians that play the latest hits and all our traditional songs. You are always made to feel welcome by at least one member of the family. Whenever I have been here, I have always had a good, safe time and have always left with many good memories. I have attended many family events here, christenings, birthdays,

engagements, weddings and wakes and the restaurant is a pillar in our community. If we lose such an iconic restaurant, that has been here for decades, it would be more than a Greek tragedy.

## About this form

### Issued by

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

### Contact phone

020 7974 4444

## Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.



Licensing Representation Team  
 London Borough of Camden  
 5 Pancras Square  
 c/o Town Hall, Judd Street  
 London  
 WC1H 9JE

26 September 2022

Dear Licensing Representation Team,

I write to you on behalf of NEPOMAK UK, the official representative organisation of the Cypriot youth in the United Kingdom. Our organisation is celebrating its 20<sup>th</sup> year running, and we owe a lot of what has been achieved to our key stakeholders, who have all helped us to fulfil our purpose – to connect young Cypriots. One of those stakeholders, has been The Elysee in Percy Street who has generously hosted us at its premises throughout the 20 years of our existence, enabling us to host countless events where our members have made friendships for life.

Our parents and indeed our grandparents have got the fondest memories to share about a venue that since the 1930's, has been a landmark venue for both the Greek and Cypriot community in London. Its reputation is not limited to Camden, London or the UK only, but globally the Greek and Cypriot diasporas know very well of the important role this venue has played in preserving and celebrating Greek culture, traditions, music, cuisine and even the Greek Orthodox Christian religion, hosting events for the youth of the Orthodox Church. Elysee has hosted historical figures at its premises, including members of the Royal Family, Aristotle Onassis, British, Cypriot and Greek politicians and diplomats, renowned singers, celebrities, football and basketball teams and many others.

On a personal note, Elysee has played a fundamental role in all the roles I have served since moving to London in 2012. Initially as the Coordinator of all London Hellenic and Cypriot Societies, Elysee was the hub for Greek and Cypriot students to meet and stay connected to their roots. Later on, through my involvement as an Officer of NEPOMAK UK, Elysee helped the Cypriot youth re-establish its social aspect, accommodating us by enabling affordable events in London's most prime location.

As a youth organisation, whilst we look ahead to the future, we have learnt to learn from and appreciate the past. The Elysee, has served our community for almost a century, and we would only hope that it will continue to do so for our current and future members, enabling them to engage with and experience a part of their culture that is vital to what it means to be a Hellene.

I hope you take everything mentioned above into consideration, while considering Elysee's licence. In the simplest terms – our community needs Elysee to continue doing what it does.

Yours sincerely,

Adrian Patsalos  
 President  
 NEPOMAK UK

**President:** Adrian Patsalos

**Vice President:** Christina Tsangaris **General Secretary:** Carolina Mantzalos **Treasurer:** Alex Mantzalos  
 Brotherhood, Britannia Road, North Finchley, London N12 9RU. Website: <https://nepomak.org/uk/> Email: [REDACTED]

26 September 2022

**BY EMAIL**

[licensingrepresentation@camden.gov.uk](mailto:licensingrepresentation@camden.gov.uk)

cc [REDACTED]

TO WHOM IT MAY CONCERN

**Re: The Elysée Restaurant – licensing review representation**

I have recently been informed of the council's pending review into the licensing of The Elysée Restaurant and I write to give representation as a customer for the past 40 years.

The Elysée has been an almost permanent fixture throughout my life, both in a personal and professional capacity. From being taken there as a young infant to regularly attending now as an adult and taking my own children, the restaurant has been in my family for three generations.

Be it birthdays, weddings, christenings, hosting of corporate functions or just a regular evening out, it is one of the last remaining truly authentic Greek venues to offer both quality cuisine and the late night 'bouzouki' experience. It would be a tragedy to lose this mainstay of the Greek community of London.

The live music and late license is exactly what makes the Elysée unique and different. Without this then I struggle to see what the restaurant would offer that countless others do not and I would fear for their future and existence. And I say this from experience, I am a partner in the largest insolvency practice in the country and at this moment in time, the hospitality industry is on it's knees with record numbers of restaurants closing their doors. It would be devastating if the Elysée was to follow this path.

I hope you take the above into consideration when coming to your decision, I may be a single voice but my views represent a significant

Yours sincerely,

[REDACTED]

**Yiannis Koumettou ACA MABRP**

Partner | Chartered Accountant | Licensed Insolvency Practitioner

[REDACTED]

Begbies Traynor (Central) LLP, a limited liability partnership, registered in England No. OC306540, registered office: 340 Deansgate, Manchester, M3 4LY

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Partners, Directors, and Consultants acting as administrators or administrative receivers contract as agents and without personal liability.

**From:** ben gordon [REDACTED]  
**Sent:** 26 September 2022 12:45  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Licence Review - Elysee Restaurant (Percy Street W1T 1DP)

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious. Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

To whom it may concern,

In respect of the impending review of its licence, I am writing this email as a representation in support of the Elysee Restaurant, its management and staff.

I have been a customer at the Elysee for over 25 years. During that time, I have celebrated my children's birthdays there as well as my mother's when she was still alive. Over the years, I have also dined at the Elysee with numerous colleagues and work associates.

On every occasion on which I have visited the Elysee, and there have been too many to count, I have found the management and the staff to be wholly responsible and conscientious. I have always found the restaurant to be a well-managed and a perfectly safe environment in which to enjoy a meal or a drink with friends or family. I have personally observed the vigilant manner in which the security of the customers is prioritised and safeguarded. I have witnessed the strict but polite fashion in which restaurant rules are observed and enforced. As a patron of over 25 years, I have never hesitated to recommend Elysee to friends and colleagues alike, and I have only ever received positive reports which are consistent with my own experiences.

I am aware of the pride with which the restaurant holds and maintains its place in the local community, and the diligence with which the management and the staff work to preserve its reputation.

I hope this representation will be considered in the restaurant's favour. Please do not hesitate to contact me if you require any further information.

Yours sincerely,

Ben Gordon

[REDACTED]

**From:** Rajendra Patel [REDACTED]  
**Sent:** 26 September 2022 15:22  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Subject:** Elysee Restaurant, 13 Percy Street London W1

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious. Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Sir/Madam,

**The Elysee, 13 Percy Street London W1**

I am writing regarding the Elysee Restaurant at 13 Percy Street London W1.

I have been residing on the corner of Percy Street and Rathbone Place since 1985 and the Elysee Restaurant has been part of our diverse community well before we moved in.

The Elysee is an important cultural restaurant within our community. The live Greek music, breaking of plates, traditional dancing all play a part in experiencing the diverseness the restaurant has to offer. We have always found this family owned restaurant passed down the generations to be both a highly professionally and morally run business. In fact, the management and staff could not be more pleasant to the needs of customers, neighbours and the local community.

Both my wife and I are 72 years old and have often visited the restaurant and we have even celebrated and hired the venue for important family parties such as my grandson's first birthday.

The restaurant is located 12 doors away from us and our bedroom windows are on the Percy Street elevation. In all the time we have been here, we have never had cause for complaint regarding any noise, nuisance, public safety or late-night disturbances in our 35+ years as neighbours to this business.

Yours faithfully,

Mr Raj and Mrs Praveena Patel

[REDACTED]

**From:** Gallery Main [REDACTED]  
**Sent:** 26 September 2022 16:03  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Subject:** The Elysee Restaurant, 13 Percy Street W1

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

To Whom it May Concern.

I am the Director of Gallery Different, a contemporary fine art gallery at 14 Percy Street. As a business, we have been fortunate to have been immediate neighbours of The Elysée Restaurant since we opened in 2011.

The Elysée has been part of the fabric of W1, particularly Fitzrovia, for three generations. They are known London wide and bring a regular and varied footfall into the area generally and Percy Street in particular, which is of great benefit to neighbouring businesses.

The management team has always been very kind and hospitable and I have enjoyed many an evening meal there with my family and guests. The restaurant has also catered dozens of events that we have hosted at the gallery over the years and I cannot fault the quality of their offering, or their professionalism and dedication to their business.

After the devastating pandemic, they, like us, have endeavoured to bounce back and we have been pleased to have had such cooperative and supportive neighbours. We wish them every success in the future endeavours.

Yours faithfully,

Karina Phillips

**Karina Phillips**  
**Director**  
**Gallery Different**  
**14 Percy Street**  
**London**  
**W1T 1DR**





**From:** Andy [REDACTED]  
**Sent:** 26 September 2022 17:37  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Subject:** Elysee restaurant

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Sirs

I am emailing you to confirm that I have been visiting this restaurant for many years now together with my family and friends. We have had had many memorable events there over the years and have been extremely happy with the service provided by the management and staff.

No matter how busy they are they have provided excellent service every time and I look forward to being able to continue to visit them.

I have also taken our office staff there on work socials that have helped to bond and motivate our team.

Long may that continue.

I would have no hesitation recommending them to anyone looking for a superb evening out.

Kind Regards

*Andy*

Andy Georgiades

**Nicholas Peters & Co**  
[REDACTED]

**From:** Charlie Phillips [REDACTED]  
**Sent:** 26 September 2022 17:49  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Subject:** Ref - Elysee Restaurant

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Camden Licensing,

I am writing to you as a neighbour of The Elysee Restaurant.

My company is called MindsEye and we are based at No.15 Percy St, London W1T 1DS and I overlook their wonderful restaurant from my meeting room at the back of my office.

We have been constant visitors to this establishment over the last 10+ years, since we have been next door neighbours.

We often book ourselves in for company drinks, dinners, birthdays and we often have our Christmas party there on the terrace, and when there is any type of global sporting event (e.g. World Cup) we'll be first in the queue to book our tables.

The management and staff are first class and I have never had an issue/disagreement with any of them in terms of disturbance, and we are often in the offices until late in the evening/early mornings as we work on various pitch documents.

What is so lovely is having a local restaurant that is family run which is wonderfully central, is culturally diverse and it helps serve the wider Greek community of London.

There is no better place for me than to leave my office and pop in there for a bite to eat, a glass of wine and see a host of friendly faces.

My company is also a family business, which I run with my brother, so I see similarities between us in the way we have a passion for our businesses to succeed and to thrive in these tricky times that we now face.

They have asked me to contribute to what I think of them as a neighbour, and I did not hesitate to help provide them with a reference for you.

Please feel free to get in touch if you have any questions.

Many thanks

Charlie Phillips

**From:** Bibi Lemos [REDACTED]  
**Sent:** 26 September 2022 21:49  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** re: The Elysee Restaurant, 13 Percy Street,

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious. Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

To Whom it May Concern

My extended family and I have been frequenting the Elysee Restaurant since the early 70's. It is far more than just a restaurant serving as a focal point for the Greek community, a space for multi-generational families to come together and celebrate. We have been to countless weddings, christenings and other family affairs as well as many charity events over the years.

The restaurant is also beloved by a wider community and has hosted many historic festivities such as the Wimbledon finals, the world cup and other key sporting events and has also had the honour of welcoming various members of the Royal Family to the establishment.

It also serves as an excellent spot for many local business to gather for luncheons, team meetings and annual Christmas parties. The proprietors appear to have an excellent security team and my family, friends and I feel secure and at home at this venue. Additionally the staff ensure that there is minimal disturbance to the local community and keep the outside areas clean, ensuring that guests do not loiter outside and get home safely.

It would be a travesty to allow an isolated one off incident to hamper an exceptionally unique establishment where the old and the young can congregate in a civilised environment that is truly the hub of the community.

The Elysee offers an exclusive experience for all that visit and a welcomed alternative to the average London setting. The live Greek folk music pays homage to Greek culture and tradition and provides a fascinating insight to the culture and root of Greek society for those who wish to participate or those who simply wish to revisit their heritage.

Yours Faithfully,

***Kalliopi Lemos***

For and on behalf of The Lemos Family

**From:** Young, Gaby [REDACTED]  
**Sent:** 27 September 2022 11:25  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Subject:** The Elysee Restaurant, 13 Percy Street, London W1

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

FAO: Camden Council Licensing Office:

**RE: With respect to the Licensing representation of Elysée Restaurant, at 13 Percy Street, London W1T 1DP.**

I work at Penguin Random House representing Stephen Fry. In 2017 and 2019 we hosted two events at the above premises to launch Mr Fry's new books, *Mythos* and *Heroes*.

Both events were very successful and we praise the professional staff and management, who we could not fault.

The fact that the venue has the cultural and historical links to Greece and the UK's Greek community meant that it was the perfect place for us to host these events.

We had planned to host the launch of the third book of the trilogy, *Troy* at The Elysée, however this was released at the start of the first Covid lockdown and, as such, was launched without a party.

I wish the team at The Elysée all the very best and continuing success

Kind regards,

Gaby Young



Gaby Young



From: GEORGE DIONISIOU [REDACTED]  
Sent: 27 September 2022 12:56  
To: Licensing Representation <licensing.representations@camden.gov.uk>  
Subject: Elysee restaurant

[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

To whom it may concern.

I am writing with reference to the upcoming review in relation to the Elysee restaurant. Myself and my firm have been patrons of this long established unique venue for too many years that I care to remember.

Indeed as a young entrepreneur during the late 80's and 90's I regularly entertained my clients at the Elysee who were outstanding in their customer service and extraordinary unique entertainment.

Time and time again clients would ask to visit The Elysee for dance and dining.

An Establishment rare in this day and age, there's a nostalgia, a warmth, a professionalism that must be kept alive, recognised and enhanced.

My team who work so hard every year vote to have their Christmas party at The Elysee, anniversaries, celebrations all are voted for to be held at this very special place.

I simply request and urge you to remember those who have worked tirelessly, dedicated themselves for decades, from generation to generation to uphold our values and not place them into the world of Meta, instagram, Tik To and so on.

For the sake of our heritage support The Elysee.

With very best wishes

George Dionisiou



ΠΑΓΚΟΣΜΙΑ ΟΜΟΣΠΟΝΔΙΑ ΑΠΟΔΗΜΩΝ ΚΥΠΡΙΩΝ  
WORLD FEDERATION OF OVERSEAS CYPRIOTS

178 Seven Sisters Road, London N7 7PX United Kingdom

Website: [www.pomakcyprus.com](http://www.pomakcyprus.com) Email: [REDACTED]

Licensing Representation TeamCamden

Dear Officers of the Licensing Representation Team

As president of the World Federation of Overseas Cypriots, representing the Cypriot Diaspora, the biggest part of which is residing in London, would like to comment about the Elysee Restaurant (Gales Restaurants Limited – Incorporated 5<sup>th</sup> August 1959)

The Elysee is without a doubt the most famous Greek Restaurant outside the borders of Greece and Cyprus.

For the almost half a million strong Greek and Greek Cypriot Community the Elysee is simply their shrine of entertainment. Many generations, for almost a century, had unforgettable memories and enjoyed the original and traditional entertainment and culture with superb food and Greek music and dancing. For our hard working Community it has been simply the place of joy.

The fame of the Elysee has reached every part of the world. Many personalities and celebrities from the UK including Royal and other countries had the pleasure of living such moments. Even the World Cup England Winning Team of 1966 have chosen the Elysee to celebrate that great achievement. TV Live appearances with the Directors performing in the studio traditional Greek Dancing and the list is endless.

In conclusion the Elysee is part of our Community's life and always a place of historic reference and culture, we therefore strongly support their application.

Andreas Papaevripides

27<sup>th</sup> September 2022

President

**From:** [REDACTED]  
**Sent:** 27 September 2022 14:58  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Subject:** Elysee Restaurant, 13 Percy St, London W1T 1DP : Noise Pollution

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

To whom it may concern,

We understand that the Elysee restaurant may be under special restrictions regarding noise pollution.

We have enjoyed many evenings and lunch meetings at the Elysee over several years and have never experienced any noise issues or otherwise including during late evenings.

The Elysee is an iconic venue for the Greek community and one that has been around for decades. The Elysee has a fantastic reputation amongst the Greek community as well as being enjoyed by all and is often used as a venue for celebrating cultural events, including weddings and birthdays. It would have a great impact to the Greek community should the Elysee have late night/noise restrictions. We do not believe the Elysee has a greater impact on its surrounding area than another bar/club in central London and would be disappointed if it were to be singled-out.

We would hope that any restrictions by the council can be resisted and that an amicable agreement can be reached.

Kind regards

George Kythreotis (Director)  
BArch (Hons) Dip Arch ARB

Email: [REDACTED]  
[REDACTED]

**From:** Laki Christoforou [REDACTED]  
**Sent:** 28 September 2022 09:34  
**To:** Licensing Representation <licensing.representations@camden.gov.uk>  
**Subject:** FW: Ref: Elesee restaurant, Percy St

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Sirs

The Elysee restaurant has been an ongoing Greek establishment going back 8 decades. The Elysee is a well-run establishment hosting events for the Greek community and in fact all communities for many years.

Myself and my family have been going there for over 40 years. I have had many staff and family parties there over the years with excellent memories.

Many Thanks

Laki Christoforou  
Chairman

[REDACTED]

VENUS



**From:** Elysee Restaurant <[REDACTED]>

**Date:** 28 September 2022 at 15:55:04 BST

**To:** [craig.baylis@\[REDACTED\]](mailto:craig.baylis@[REDACTED]) [james.rankin@\[REDACTED\]](mailto:james.rankin@[REDACTED])

**Subject:** FW: Elysee - Letter of Support

FAO Camden Council Licencing Team

Dear Sirs

I was sorry to hear that Elysee restaurant on Percy Street is subject to a licensing review, and I am writing to express my support for this very well established and popular venue.

Founded nearly ninety years ago, Elysee is a London institution having served countless satisfied patrons over the years across the UK and indeed the world.

It is a unique hub for the Greek and Cypriot community in London, but moreover for all Londoners, and it regularly attracts international customers too. I know numerous overseas individuals who, when visiting London, insist on adding Elysee to their list of must-visit places.

The venue offers a refined and immersive dining experience with live music, and a consistently high standard of entertainment, cuisine and service - which is why, after nearly nine decades, it remains so popular. As a frequent customer I believe that Elysee is very professionally managed, and I have not witnessed examples of antisocial behaviour or disturbance giving any rise for concern.

Elysee is a completely unique asset to our city's hospitality offering. Indeed the word "institution" is often misapplied - but with Elysee it certainly rings true. It's absence would be sorely felt by countless people, and I very much hope the licensing review will be considered favourably.

Kind regards

Jason Charalambous

Solicitor-Advocate

9 Staple Inn, London WC1V 7QH

**From:** CRAIG BAYLIS <[REDACTED]>  
**Sent:** 29 September 2022 09:40  
**To:** Andrew Buck-Bourne <[REDACTED]>  
**Subject:** Fwd: Witness statements

More letters from neighbours in support

Sent from my iPhone

Begin forwarded message:

**From:** Elysee Restaurant <[REDACTED]>  
**Date:** 28 September 2022 at 16:08:19 BST  
**To:** [craig.baylis](mailto:craig.baylis@[REDACTED]) <[REDACTED]>  
**Subject:** **Witness statements**



---

Hi Craig,  
Please find attached witness statements from the neighbours.

Kind regards,  
Virginia

**The Elysée**  
**13 Percy Street**  
**Fitzrovia, London**  
**W1T 1DP**  
**Tel: 020 7636 4804**  
**email:** [REDACTED]  
**Web:** [www.elyseerestaurant.com](http://www.elyseerestaurant.com)

Restaurant Guides - Winner Best Greek Restaurant London (West End & Mayfair) for 2019  
Lux Restaurant & Bar Awards - Winner Best Fine Dining Experience for Greek Cuisine in London for 2019

WITNESS STATEMENT

I am PJ Lawson

and I live at 31 GREGG ST

I have lived in the neighbourhood for 22 yrs

I walk past the Elysee Restaurant, 13 Percy Street W1 regularly, including late at night. My family and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 and has a late night licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.

  
SIGNATURE

28.9.22  
DATED

WITNESS STATEMENT OF MS SHREYA PATEL

1. I am Ms Shreya Patel of Flat 2, 3 Percy Mews W1 which is located behind Percy Street and the Elysee Restaurant.
2. I confirm that I have never been disturbed by the Elysee Restaurant or its customers at any time.

[REDACTED]

MS SHREYA PATEL

28/9/22

DATED

WITNESS STATEMENT OF MR FRED TSEUNG

1. I am Mr Fred Tseung of Flat 4, 28 Percy Street W1 which directly opposite the Elysee Restaurant.
2. I walk past the Elysee restaurant every day at all times of the day.
3. I have never had a reason to complain about the Elysee Restaurant and consider it to be a valuable member of the Percy Street Community.

   
MR FRED TSEUNG

28/9/22  
DATED

WITNESS STATEMENT OF MS RAFAELA NTISIOU

I am Ms Rafaella Ntisos and I live at Flat 1, 12 Percy Street, together with my husband and family, which is next door to the Elysee Restaurant, 13 Percy Street W1.

I have lived in the neighbourhood for 5 years, and I walk past the Elysee every day, including late at night. My family and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant including the roof terrace at the rear of the building or the front entrance on Percy Street.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 (long before I was born) and has a 3am licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.

  
MS RAFAELA NTISIOU

27/09/2022  
DATED

Re: Licensing Review for Elysee Restaurant

Christina Mastellou

3<sup>rd</sup> floor, 12 Percy Street, W1T 1DW

To whom it may concern,

This is a review about the Elysee restaurant, 13 Percy street.

I am writing this letter as a tenant of the

For all my time at No. 12 I have never been disturbed by noise from the Elysee or by the behaviour of its patrons. I consider the management team of the Elysee to be professional as well as being very nice and friendly people. It is not often you find a family run restaurant in this area that has been run by the same family from the same premises for the last 75 years. This is amazing and true testament to their professionalism, and as I have found out whilst at No. 12, a real desire from them to get on well with all their neighbours.

There is noise from the streets around the area from people passing by, but I never had issues with customer of the Elysee restaurant.

Kind Regards

Christina Mastellou



Re: Licensing Review for Elysee Restaurant

I am Dimitrios Psarompas, tenant of 12 Percy street, W1T 1DW.

I have lived in this address since 2018 and I walk past the Elysee every day, including late at night. I have never been disturbed in any way by music or noise from any part of the Elysee restaurant, including the roof garden, front entrance and the back of the restaurant.

In the years that I have lived in the neighbourhood, the only noise disturbance I have encountered late at night is from people talking loudly whilst walking past my flat, coming from High street and using Percy street as a short cut to go or come from Tottenham court road. I have never been disturbed by customers of the Elysee restaurant at any time.

I understand the Elysee restaurant has traded continuously since 1936 (long before I was born) and has a 3am license circa 1963 and I would like this to continue as long as possible as the Elysee is now cultural part of Fitzrovia.

Mr Dimitrios Psarompas

27 September 2022



WITNESS STATEMENT OF MS SALLY BADAS

1. I am Ms Sally Badas of 34 Percy Street which is on the opposite side of the road from Elysee Restaurant W1 in close proximity.
2. I currently live at this address for 1 year and together with my family we never been disturbed by noise of music or the patrons of the Elysee Restaurant, 13 Percy Street W1.



MS SALLY BADAS

27/09/22

DATED

WITNESS STATEMENT OF MS CARLA RADICE

1. I am ms Carla Rádice of Flat 1, 3 Percy Mews, which backs onto the rear of the Elysee Restaurant W1.
2. I currently live at this address since July 2022 and have never been disturbed by noise or music or the customers of the Elysee Restaurant, 13 Percy Street W1, from any part of the restaurant including the street entrance from Percy Street.



MS CARLA RADICE

27/09/2022  
DATED

WITNESS STATEMENT OF MR GHEORGHE GABRIEL GRIGORE

I am Mr Gheorghe Gabriel Grigore of the top floor flat at 16 Percy Street, W1.

My wife and I have lived in Percy Street for the last 10 years, previously lived on the top floor flat at 12 Percy Street until sometime 2018. We walk past the Elysee every day, including late at night. My wife and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant including the roof terrace at the rear of the building or the front entrance on Percy Street.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 and has a 3am licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.



MR Gheorghe Gabriel Grigore

28-09-2022

DATED

WITNESS STATEMENT

I am PRAVEENA PATIL

and I live at 1ST/2ND/3RD FLOOR 28 RATHBONE PLACE  
LONDON W1T 1JT

I have lived in the neighbourhood for 40 YRS

I walk past the Elysee Restaurant, 13 Percy Street W1 regularly, including late at night. My family and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 and has a late night licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.



SIGNATURE

27/09/2022

DATED

WITNESS STATEMENT

I am A COOKE

and I live at Fitzo, 25 Gresse St London W1T 1QW

I have lived in the neighbourhood of FITZROVIA SINCE 1983.

I walk past the Elysee Restaurant, 13 Percy Street W1 regularly, including late at night. My family and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 and has a late night licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.



SIGNATURE

28-9-22

DATED

WITNESS STATEMENT

I am BHAVIKA CHIRAG

and I live at 25, RATHBONE PLACE

I have lived in the neighbourhood for 17 year

I walk past the Elysee Restaurant, 13 Percy Street W1 regularly; including late at night. My family and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 and has a late night licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.



SIGNATURE

27/09/2022

DATED

WITNESS STATEMENT

I am JOHN FRENCH

and I live at FLAT 10 GRESSLE ST

I have lived in the neighbourhood for 43 YRS

I walk past the Elysee Restaurant, 13 Percy Street W1 regularly, including late at night. My family and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 and has a late night licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.

  
SIGNATURE

27/09/2022  
DATED

WITNESS STATEMENTI am SRETO ZORJEVICand I live at 37 RATHBONE ST.I have lived in the neighbourhood for 15 years

I walk past the Elysee Restaurant, 13 Percy Street W1 regularly, including late at night. My family and I have never been disturbed in any way by music or noise from any part of the Elysee Restaurant.

I understand that the Elysee Restaurant has traded continuously from 13 Percy Street since 1936 and has a late night licence circa 1963 and I would like this to continue as long as possible as the Elysee is now a cultural part of Fitzrovia.



SIGNATURE

27/09/2022

DATED



To Whom It May Concern.

I have been running the reservations and events for Bocca di Lupo in Soho for 13 years this year, and have been visiting Elysee for almost 20 years after being introduced via some of my closest friends who are London-born Greeks. I have attended birthday parties and dinners with many friends over the years and, on occasion, I have enjoyed the Greek music, dancing and plate smashing that takes place on the ground floor. These festivities are something that you would only be able to find in Elysee & are a real experience; enabling one to indulge most wonderfully in a different & fabulous culture and to give important and intriguing insight into Greek entertainment and culture.

Many a summer I have enjoyed sitting out on the terrace with girlfriends, a perfect respite from the frivolities of happy customers inside; a lovely Al-Fresco atmosphere to enjoy a happy-buzz of an evening in this vibrant city that we live in.

Working and almost living in Soho for most of my adult life, Elysee has been by most favoured haunt due to the ease of service, the helpful and friendly staff and the safe space that it is and always has been for me.

As a woman who has frequented Elysee countless times and always in a group of female friends, I was shocked to hear of the alleged accusations that were made. I can say with certainty that I have always been treated with the utmost respect by the staff at this establishment and have felt safe and secure whilst drinking at this venue. In addition to this I have always been assisted with finding registered taxis by the helpful security to ensure my safe return home.

The euphoric atmosphere at this family-run restaurant is second to none and for those who want to grab a bite to eat and a late-night drink it would be an absolute travesty if this was impinged on by any unnecessary changes to a perfectly well-run venue.

All the best,

ROSIE RICHARDSON

From: Emma Stewart [REDACTED]  
Sent: 28 February 2023 10:06  
To: [REDACTED]  
Subject: Statement

To Whom it May Concern,

My name is Emma Stewart and I am a 36 year old mother of 2 young girls based in Barnes Sw13. Over the years I have visited Elysee on several occasions for a number of different events, dinners, drinks and birthday parties.

It is one of the few venues I still frequent that I feel offers an all encompassing experience with a high standard of service, entertainment and familiarity that you would be hard pressed to find in London these days.

You will find yourself ensconced in a diverse crowd of all ages and can either enjoy sitting out on the terrace for a causal drink and some food or if you are keen to explore the Greek culture you are able to visit the lower level of the restaurant and participate in bouzouki which involves Greek music, dancing, singing and plate smashing which makes for a fun evening and a refreshing change of scene compared to other London venues.

As a woman, a mother and someone who has chosen this restaurant as a place to meet with my girlfriends socially I was stunned to hear that there had been accusations of any untoward behaviour at Elysee and myself have never felt unsafe on any occasion.

Not only are the staff particularly respectful and attentive, the door staff are always insistent that they must help find you a taxi home and make a point of focusing on your general well-being, something that is particularly reassuring if you are women heading home alone at a late hour.

This unique venue is unmatched if you are looking for an enjoyable, fun evening out in town with unique entertainment you can guarantee your experience at Elysee will be unparalleled.

Yours faithfully,

Emma Stewart



# National Federation of Cypriots in the UK

## Εθνική Κυπριακή Ομοσπονδία Ηνωμένου Βασιλείου

Working for a Free, United Cyprus

To Whom It May Concern

Re: Elysee Restaurant, 13 Percy Street, London W1T 1DP

My name is Christos Karaolis, President of the National Federation of Cypriots in the UK. Both as President of the Federation, and in a personal capacity, I often visit Elysee. The Elysee has a long-established history within the Cypriot community and is a reference point across generations – the atmosphere, culture, live entertainment and hospitality are unrivalled. Indeed, Elysee has a long history of giving aspiring and talented singers a unique platform to develop their talents. In January this year, the Federation hosted a Gala dinner with the then President of the Republic of Cyprus and our main singer, Angeliki Darra, started her career at Elysee.

The hospitality that we have enjoyed at Elysee has always been unquestionably professional. Over the years, the Federation has hosted dinners at the Elysee with visiting Ministers from Cyprus as well as other British dignitaries. Indeed, some of these dinners have often lasted late into the evening because people were enjoying themselves so much. It is precisely because we have always felt safe, warmly welcomed and well-treated that as a Federation we have continued to host events of this level at the Elysee. The staff and management team are always attentive, respectful and ensure that we have an enjoyable, and if required, private evening.

We have also always found the clientele at Elysee to be respectful, as they've enjoyed their evenings whether eating dinner or enjoying the live entertainment in the live hours of the morning. We have never experienced any raucous or disruptive behaviour from others that has made us, or our guests, feel unsafe, even when we have left Elysee in the early hours of the morning.

Moreover, the Elysee's brand within our Cypriot diaspora is not just synonymous with the venue, but also with philanthropy, as the Elysee generously supports a number of good causes within our community.

I am happy for this letter to be passed onto the Council

Yours sincerely,

Christos Karaolis  
President  
National Federation of Cypriots in the UK

**President: Christos Karaolis • Email: [christos.karaolis@cyprriotfederation.org.uk](mailto:christos.karaolis@cyprriotfederation.org.uk)**

Vice Presidents: Bambos Charalambous, Michael Ellinas, Andreas Papaevripides • General Secretary: Michael Kashis • Treasurer: Ninos Koumettou • Executive Secretary: Andreas Karaolis

Members of the Executive Committee: Susie Constantinides, Andreas Gregoriou, Menicos Kouvaros, Marios Minaides, Adrian Patsalos, Christos Tuton, Michael Yiakoumi

A complete list of member organisations and the names of all the current officers and members of the Secretariat of the Federation can be found on the Federation's website

National Federation of Cypriots in the UK, 1 Britannia Road, London, N12 9RU • Tel: 020 8445 9999

• [www.cyprriotfederation.org.uk](http://www.cyprriotfederation.org.uk) • [@UKCypriotFed](https://twitter.com/UKCypriotFed)

# Dupsy Abiola

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[Linkedin](#)

**06 February 2023**

**To Camden Council Licensing Department:**

I am writing in relation to Elysee Restaurant, 13 Percy Street London W1.

My name is Modupeola (Dupsy) Abiola. I have been a Central London resident for over twenty years and ran a business in Fitzrovia round the corner from the restaurant. I understand that the license at the premises is under review and I would like to offer a letter of support.

I have been a long standing patron of Elysee and have known the Karageorgos family for many years. They have created a truly unique and vibrant space for both the greek and broader London community. It is an inclusive place where I have always felt safe and exceptionally well taken care of. I, like many others, have chosen Elysee to host key milestone events in my life. It was the place where I hosted the celebration of my first company's successful appearance on BBC Dragons Den. Most recently, it is the venue where I celebrated a wonderfully successful 40th party.

I selected Elysee because the friendly and convivial atmosphere is underpinned by Elysee's long history and reputation of going above and beyond for their guests. The restaurant has been a local institution for over eighty years because it provides an excellent greek menu and a place where people can feel safe and at home. I have always found the staff to be attentive and helpful. It is one of few late night venues where young and old are truly welcome. Each time I have hosted an event at Elysee, I was particularly reassured by receiving a detailed run-through with one of the owners including strict safety and security measures to ensure the well-being of my guests. This is something rarely provided elsewhere.

Following the pandemic, I am acutely aware that the hospitality industry has been particularly impacted and as a Londoner (born and raised), I feel it is extremely important to support our local gems. I hope that you will allow Elysee to maintain their late license and continue to be a shining light within Fitzrovia!

**Sincerely,**

**Dupsy Abiola**

30 Hamilton Way  
London N3 1AN  
Email: [REDACTED]

1<sup>st</sup> March 2023

To Whom It May Concern

My parents migrated to England in the 1930s and I was born in London in the late 1940s. My parents, now sadly deceased, always looked forward to their night out at the Elysee Restaurant with its delicious Mediterranean food and its live Greek music entertainment; it reminded them of Cyprus, their birthplace.

I too have always enjoyed going to the Elysee, not only to remember my roots but also as a great place to go to with friends or with my family for a meal and live entertainment after going to the theatre in town. We have always felt welcome, safe and cared for by the staff and management of the Elysee. My London born children, who are third generation migrants, are as enthusiastic about the food and the music at the Elysee as my parents were and I and my husband still are. We have also attended philanthropic and cultural functions at the Elysee.

Elysee is family friendly and has, since it opened, been a highly respected restaurant of enormous cultural significance to the Greek and Cypriot community, many of whom enjoy the Greek tradition of going out late to dine and enjoy live entertainment. A night out at the Elysee is always an enjoyable experience.

Yours faithfully

Mrs Mary Helen Karaolis OBE BEd(Hons) MA NPQH FCoIT

**From:** nina pavicevic [REDACTED]  
**Sent:** 01 March 2023 15:57  
**To:** [REDACTED]  
**Subject:** Witness statement - Nina Pavicevic

Dear all,

I am writing this letter in capacity of a regular guest of Elysee, since 2012 - I was only 22 years old then. I was very surprised to learn that Elysee was temporarily closed and then opened only with reduced opening hours - which really do not enable Elysee to be the institution it once was, a happy joyous venue where people laughed, danced, sang and shared joyful moments together.

I was shocked that the allegations of sexual assault were made (although I now understand those were not taken further) and I could never in a million years imagine anything as such happening at Elysee, especially not involving their staff or management!

I first came to Elysee in June 2012 with a group of all-female friends. That is when I first met the owners, management and staff. Their friendly, warm, hospitable and protective approach to their customers, is what that kept me going to Elysee for over 10 years now. You were instantly made to feel comfortable, happy, at home. I have never seen any place in London or in the world for that matter, where owners and management get so personally involved and extend such warm and friendly manner to customers.

I mostly visited Elysee in that same group of all the female friends. It was the only place where we felt safe and comfortable late at night and till early hours of the morning. We became such frequent customers that we often wouldn't miss a week, and sometime regularly visited twice a week on both Friday and Saturday. So when I say how safe and enjoyable Elysee felt, I am referring to hundreds and hundreds of nights spent here over 10 years.

I have tons of examples to showcase this, but this would be a very lengthy letter if I listed all of them so here are a few:

1. When visiting Elysee I would stay at my friends place in Fitzrovia which is about 10 minute walk from the restaurant. Several times one of the owners (Gigs) wouldn't even let us walk home alone because he wanted to make sure we get there safely, so he would either ask one of the security team to walk us home or personally drive us down the road until he makes sure we are home and safe.

2. As I reflect back to various nights spent at Elysee, I remember moments were Kerry would personally check in on our table several times a night if there were all-male young groups around us, to ensure we are comfortable and happy with the surroundings. It felt like having an older brother with you on every night out. As I now think about other customers at Elysee I realise that everyone was always friendly and having fun in their own groups without bothering anyone. I have never witnessed a single, even minor, incident over those 10 years at Elysee.

3. We always liked having tables near the singing stage. If it ever got crowded on the dancefloor, Mo the security guard, would stand by our table and other tables, to ensure everyone is comfortable and having a nice time in their own personal space.

We have made so many friends among other Elysee other customers. The crowds were happy, joyous, like-minded people that enjoyed hospitality of Elysee and that same feeling of home that we did. We have formed lifelong friendships at Elysee with multiple, diverse groups of friends from across the world.

4. I remember many instances where I did not want to leave Elysee any earlier than its final closing time - because it was so enjoyable. When my friends had to leave early, I stayed behind. I stayed behind on my own, late night hours - that is how comfortable and safe I felt. My sister once went to Elysee on her own because she missed Elysee and the rest of the group was aboard. She didn't for once hesitate, when making that decision and had an equally happy, safe and comfortable night as if all of us were there. This is all thanks to the staff, Kerry, Gigs, rest of the Karageorgis family for creating such a friendly, home-like place for us.

As you review these letters, I kindly ask if you can think about a place where you would let your female child stay until 3 am. Or a place where you would let your female child go out on their own. Elysee was that place for us. A place where our strict, conservative, Eastern European parents allowed us to stay till early hours of the morning without ever worrying about our safety. (Our parents actually personally visited Elysee with us to ensure that it was a really such a friendly and safe place that we described - because there were in disbelief that such venue would exist in a large city like London.)

Elysee wasn't just a restaurant you go to, it became a place that felt like home, a place you go to on a bad day that instantly makes you feel happier, a place you go to to celebrate key moments in life. Every birthday, every graduation, every promotion, every success was celebrated at Elysee. Not being able to do this, has caused huge sadness amongst our group and we feel that something that brought us so much joy, had suddenly been taken away from us. I hope some of the Council's decisions will be reconsidered and to allow us and many others to have that joy back.

I am happy for this letter to be shared with Camden Council.

Sincerely,  
Nina Pavicevic

**ΕΛΛΗΝΟΡΘΟΔΟΞΗ ΚΟΙΝΟΤΗΤΑ ΑΠΟΣΤΟΛΟΥ ΒΑΡΝΑΒΑ**  
**GREEK ORTHODOX COMMUNITY OF SAINT BARNABAS**

ΣΑΛΗΔΘΙΘΟΣ ΜΑΟΣ ΣΟΙΑΓΣΕΨΣ ΤΤΣ ΗΕΤΟΣΘ  
 SAINT MARY'S GREEK CATHEDRAL  
 Trinity Road, London N22 8LB



ΙΕΡΟΣ ΜΑΟΣ ΑΠΟΣΤΟΚΟΥ ΒΑΘΜΑΒΑ  
 SAINT BARNABAS CHURCH  
 Finsbury Road, London N22 8PA

Charity Name: ST. BARNABAS GREEK ORTHODOX COMMUNITY FUND Charity No: 273104

**TO WHOM IT MAY CONCERN**

My name is Rev. Constantinos Garibaldinos. I am a 74 year old male Greek Orthodox priest, who has known the Elysee family since the early 1970s.

Indeed, I visited Elysee as a student in the early 70s and have fond memories of the place at the time. I felt at home as it endorsed my culture with its food, music and entertainment.

Over the years I came to know most of the family members running Elysee as parishioners and friends and visited their establishment with my family as well as with my bishop and fellow priests.

Again we all found the place to be comfortable, safe, welcoming, efficiently run and above all reminding us of home. We saw the friendly staff welcoming and treating all their customers with respect and joy and the management making sure the people there were safe.

In fact, I once happened to be present at one of the “plate-smashing” events and was impressed by the care taken by the management to make this exciting event safe: they made sure all customers were sitting out of reach. The plates were thrown by an experienced person in a way and direction that was safe for the people; and on enquiring, I was told that the plates used were specially selected to break easily (not hard glazed), so they didn’t need to be thrown with force. I was satisfied that they took all necessary precautions to make the event both safe and enjoyable.

I would describe it as a “Cultural Landmark”, not only for the Greeks and Greek Cypriots living in this hospitable country but for all nationalities who want to experience “the Greek atmosphere”. It would be a shame to lose this unique atmosphere, which has been retained in the centre of London for over half a century.

I saw families with children there as well as business men and women. I have never seen any trouble from customers but everything sorted out in a cordial and friendly way.

I am confident that the family running Elysee will carry on providing this culturally unique service in a professional, welcoming, safe and friendly atmosphere and I hope that they will be allowed to do so for their varied and numerous clientele.

I am happy for this personal statement/reference to be passed on to the local council.

Yours faithfully

The V. Revd Constantinos Garibaldinos

2<sup>nd</sup> March 2023



Alexandra Hamilton Young  
11 Chelmsford Square  
London  
NW10 3AP  
07770111707

28th February 2023

To whom it may concern,

I have been a customer of Elysee for such a long time I struggle to remember how old I was when I first ate, danced, smashed plates and celebrated there. My mother was also a patron of this establishment throughout the 80's and 90's while she was married to a Geek gentleman. It has been a family favourite for so long and we have always enjoyed such amazing service, food and cultural atmosphere there even though we are not Greek.

Since my early twenties and now well into my forties I often celebrate, birthdays, dinners and engagements with my girlfriends there. I have **never** experienced anything other than exceptional behaviour and decency from all the staff at Elysee. I was absolutely horrified to find out they had lost their licence over one isolated incident, in all the years I have been going to Elysee the staff have always welcomed me gracefully and seen me leave safely. The countless evenings spent drinking and dancing the night away I have always felt extremely safe, its a family event space where many different generations congregate to celebrate the Greek traditions in style in the centre of London.

Elysee offers so much to London, not just people from the Greek community but to all Londoners who want a wonderful evening out, to visitors from all over the world who want to see how diverse London really is. It is tragic that this has happened and I can't imagine the devastating impact this must be having on the venue straight after a huge lockdown.

Kind regards

Alexandra Hamilton Young



10. My instructions were to devise a plan for Elysee that would ensure compliance with licensing regulations and premises licence conditions, promotion of the Four Licensing Objectives and strive for current best practice in operational policies and procedures.
11. [REDACTED] on the 28<sup>th</sup> September 2002 to discuss in detail a compliance plan for the operation of the premises post hearing.
12. [REDACTED] were very helpful and enthusiastic about the compliance plan. They understood the need for a change of culture at the premises which would involve significant commitment and work.
13. I confirm that, notwithstanding that I have been engaged as a consultant by Gales Restaurants Limited, I have prepared this Witness Statement together with all opinions expressed herein, as an independent professional licensing consultant.

#### **Licensing Compliance Plan**

14. The proposal is in four parts; (1) set up the policies and procedures, (2) provide staff training, (3) conduct regular licensing audits to measure performance and provide due diligence evidence, (4) to provide ongoing advice, support and to review any incidents / issues that arise (5) install an online compliance system for recording due diligence.

#### **Policies and Procedures**

15. I would undertake a full review of the operation of the premises and produce a comprehensive licensing Operational Manual which would contain licensing policies and procedures. The manual would demonstrate best practice in all areas. It would also form part of induction for new members of staff and the ongoing training of existing staff.
16. The Operational Manual sets out the premises minimum operating standards and the policies and procedures to be followed by all staff.
17. The Operational Manual is a 'living' document and will be reviewed regularly to ensure current best practice and that any changes at the premises or to licensing laws are addressed.
18. The Operational Manual would include, but not be limited to, the following policies and procedures.
  - Customer Vetting and Terms of Entry
  - Young People
  - Searching and Seizure of Prohibited Items
  - Preventing and Dealing with Intoxication
  - Drugs
  - Crime Prevention and Intervention
  - Guest Welfare and Welfare and Vulnerability Engagement (WAVE)
  - Ejections
  - Security Roles, Responsibilities and Code of Conduct
  - Security Code of Conduct
  - Dealing with Serious Incidents
  - Sexual Assaults
  - Crime Scene Preservation
  - Theft Prevention
  - Staff Behaviour and Code of Conduct
  - Events & Private Hire
  - Management of Outside & Dispersal
  - Smoking

- Incident Reporting & Due Diligence Records
- CCTV, Body Worn Cameras and Identity Scanning Systems

### Staff Training

19. All serving staff will participate in the RASPFLO (Responsible Alcohol Sales and Promoting the Four Licensing Objectives – [www.raspflo.co.uk](http://www.raspflo.co.uk)) on-line training course. This is specifically aimed at serving staff, with a focus on the practicalities of their work role and responsibilities under the Licensing Act 2003.
20. Each member of staff will complete RASPFLO training every year with a six-month refresher session.
21. A written record will be kept of all staff training and be available for inspection by the statutory authorities.
22. The RASPFLO course covers the following areas.

#### An Introduction to the Licensing Act 2003

- Understanding the importance of compliance and protecting your Licence.
- The requirements for having a Licence
- The difference between a personal and a premises Licence
- Mandatory and venue specific conditions
- The penalties for breaching conditions

#### The Four Licensing Objectives

- The importance of promoting the objectives at all times
- The meaning and significance of each objective
- Learning methods to promote the objectives.

#### Intoxication

- The dangers intoxication poses, the requirements of the law and the tools to deal with the issue effectively.
- The effects of alcohol on the body
- How to identify and deal with intoxicated guests
- The best methods to prevent intoxication.

#### Age

- The law in relation to children
- How to check IDs
- Recognising valid forms of ID
- Identifying invalid IDs

#### Crime Scene Preservation

- When a crime scene should be preserved
- Actions to take following a serious incident
- How to ensure the preservation of a crime scene.

#### Factors that Affect Drinking Behaviour

- The factors that affect irresponsible alcohol consumption
- How to promote a safe and responsible environment
- How to positively influence a responsible and safe drinking culture

23. All managers, and staff involved in a supervisory role, will undergo RASPFLO managers training, and advanced version of the course.
24. The managers' version of RASPFLO also includes the six units in the staff course and also covers the following areas.

#### Closure Powers

- The most common forms of closure powers
- The process of when there is a Review of a Premises Licence
- The potential consequences of a Review or other remedial action

#### Preventing Drug Use / Dealing

- Ways to identify, prevent and understand the effects of drug use and dealing
- The components of a comprehensive drugs policy

#### Crime Prevention and Intervention

- Policies and procedures
- Human resources
- Physical measures

#### Guest Welfare

- Identifying vulnerable people
- Intervention and ways to provide for the welfare of your guests

#### Ejections

- The various risks when carrying out an ejection
- Ejecting a person safely in a professional manner

#### Conflict Management

- Ways to reduce aggression and prevent confrontations escalating
- Measures you can take to deal with aggressive and violent customers

#### Dealing with Serious Incidents

- The definition of a serious incident
- Procedures to follow in the event of a serious incident

#### Incident Reporting

- Types of incident that should be reported
- The details an incident report should contain

#### Daily Due Diligence Records

- The types of records that should be maintained on a daily basis
- Why keeping records is good due diligence evidence

25. There will also be supplementary bespoke training for staff and managers on the Operational Manual. This training will use the incident of 10<sup>th</sup> September 2022 as an example of the dangers that can arise as well as the lessons learnt, and procedures implemented to prevent further issues following that incident.

#### Licensing Audits

26. Comprehensive licensing audits of the premises would be conducted by a qualified consultant to ensure compliance with the Licensing Act 2003, the promotion of the Four Licensing Objectives and any specific conditions attached to the Premises Licence.
27. The audits would, of course, measure the success and effectiveness of operational procedures and aim to build a body of positive due diligence evidence for the premises. They also serve as a management tool; giving confidence that the premises is compliant and acts as an early warning system if issues are identified.
28. The audits would cover the following areas:
- Promotion of the Four Licensing Objectives
  - Licences and Signage
  - Compliance with Premises Licence conditions and Licensing Regulations

- Door Supervisors
- Outside Management
- Fire Safety
- Record Keeping
- Internal Management
- Toilets
- CCTV & ID Scanning Equipment

29. The audits would be conducted twice a month for the first 6 months after the premises re-opens and monthly thereafter.
30. The audits would be unannounced and be carried out whilst the venue was trading at peak times.

#### **Ongoing Support**

31. I would regularly re-evaluate the compliance regime at the premises, taking into account shifting circumstances, changes in legislation, best practice and current guidance from the authorities.
32. I would review all incident reports and provide an assessment of the incident, giving recommendations, advice and support as applicable. This may include reviewing CCTV, writing additional policies / action plans and providing additional staff training plans.

#### **Online Compliance System**

33. The premises would use the Better Compliance online licensing compliance system. The system provides a secure method for staff to record safety checks, capacity counts, toilet checks, refusals of entry and service of alcohol, ejections, guest welfare interventions and incident reports.
34. The system also provides the ability for managers to conduct compliance self-audits.
35. Staff are prompted to provide all the necessary information for each record, ensuring all the necessary data is captured consistently across the team.
36. Records are kept securely and can be easily produced for the statutory authorities to inspect.

#### **Conclusions**

37. The measures detailed in this statement have proven highly effective and successful at many busy late licensed clubs and bars across London.
38. The compliance plan requires a clear commitment from the leadership of the business. I have been assured that the business is fully committed to implementing and following the compliance plan.

This statement is to the best of my belief and understanding true and accurate.

Signed: ..... Dated: 29<sup>th</sup> September 2022

Michael Watson



**Elysee**  
**13 Percy Street London W1T 1DP**

**Introduction**

1. I, Michael Watson, of Better Compliance (formerly Licence Consultants Limited), make this statement to provide further additional and updated relevant information regarding an appeal of the decision of a Summary Review of the Premises Licence under section 53A Licensing Act 2003, for Elysee, following my earlier statement of 29<sup>th</sup> September 2022.
2. I have been a licensing consultant since 2004. My consultancy service has a respected reputation amongst the Police, local authorities, and our private clients.
3. Previously, I was:
  - a. a civilian licensing officer with the Metropolitan Police Clubs and Vice Unit (CO14) from 1994 to 2001; and
  - b. a licensing officer at the London Borough of Islington from February 2001 to June 2004.
4. I have attained the Certificate of Higher Education in Licensing Law from Birmingham University and I am a member of the Institute of Licensing (MIoL). I am also an Associate of the Chartered Institute of Environmental Health (ACIEH). My role as a consultant is to work in partnership with the statutory authorities. I have given evidence at Licensing Committees, planning appeals and licensing appeals before Magistrates and the Crown Court.

5. I have been an independent licensing consultant for over seventeen years. I have worked with a wide variety of premises including night clubs, bars, restaurants and hotels. My retainer clients include The London Park Lane Hilton (Westminster), the Truman Brewery complex (Tower Hamlets), The Outernet – HERE and The Lower Third (Camden), The Piano Works (Islington and Westminster), The Windmill Theatre Soho (Westminster), Tape London (Westminster), The Box Soho (Westminster) , Cirque Le Soir (Westminster), Reign (Westminster), Raffles (Royal Borough of Kensington and Chelsea), Tabu (Westminster) and Swingers Golf (City of London and Westminster).
6. I am the co-author of the book, *“Staying Open – An Essential Guide for Managers of Licensed Premises”*.
7. I have worked with many venues, in many different environments, to design successful management procedures to ensure the promotion of the Four Licensing Objectives.

#### **Instructions and Scope of Work**

8. I was originally instructed by Mr Craig Baylis for the Summary Review, under s.53A Licensing Act 2003 of a premises licence for Elysee, 13 Percy Street London W1T 1DP. I prepared a statement dated 29<sup>th</sup> September 2022 which I understand will also be placed before the Court.
9. I am now instructed by Mr Marcus Lavell, Keystone Law, regarding an appeal of the Review decision.
10. I have been provided with the application, police evidence and the decision of the Committee under appeal.
11. My instructions are to report on the compliance plan for Elysee, detailed in my earlier statement, that would ensure compliance with licensing regulations and premises licence conditions, promotion of the four Licensing Objectives and strive for current best practice in operational policies and procedures.



12. I confirm that, notwithstanding that I have been engaged as a consultant by Gales Restaurants Limited, I have prepared this Witness Statement together with all opinions expressed herein, as an independent professional licensing consultant.

### **Licensing Compliance Plan**

13. The plan was in four parts; (1) set up the policies and procedures, (2) provide staff training, (3) conduct regular licensing audits to measure performance and provide due diligence evidence, (4) to provide ongoing advice, support and to review any incidents / issues that arise.

### **Policies and Procedures**

14. I undertook a full review of the operation of the premises and produced a comprehensive licensing Operational Manual which contains licensing policies and procedures. The manual demonstrates best practice in all areas. It would also form part of induction for new members of staff and the ongoing training of existing staff. I attach a copy of the Operational Manual as MEW/1.

15. I worked with Alex Karageorgis (a Director of Gales Restaurant Ltd) and Stefano Fraquelli (the new designated Premises Supervisor (DPS)) to produce the Operational Manual and ensure it was robust and fit for purpose.

16. The Operational Manual sets out the premises minimum operating standards and the policies and procedures to be followed by all staff.

17. The Operational Manual is a 'living' document and will be reviewed regularly to ensure current best practice and that any changes at the premises or to licensing laws are addressed.

18. The Operational Manual comprises the following policies and procedures.

- Customer Vetting and Terms of Entry

- Young People
- Searching and Seizure of Prohibited Items
- Preventing and Dealing with Intoxication
- Drugs
- Crime Prevention and Intervention
- Guest Welfare and Welfare and Vulnerability Engagement (WAVE)
- Ejections
- Security Roles, Responsibilities and Code of Conduct
- Security Code of Conduct
- Dealing with Serious Incidents
- Sexual Assaults
- Crime Scene Preservation
- Theft Prevention
- Staff Behaviour and Code of Conduct
- Events & Private Hire
- Management of Outside & Dispersal
- Smoking
- Incident Reporting & Due Diligence Records
- CCTV and Body Worn Cameras

### **Staff Training**

19. As can be seen in the documents provided to the Committee, my associate, Deon van Niekerk provided staff training in RASPFLO (Responsible Alcohol Sales and Promoting the Four Licensing Objectives – [www.raspflo.co.uk](http://www.raspflo.co.uk)) and Welfare and Vulnerability Engagement (WAVE) training. RASPFLO has a specific focus on the practicalities of staff work roles and responsibilities under the Licensing Act 2003. Deon van Niekerk has developed an ongoing program of training that includes refresher training sessions.

20. Each member of staff will complete RASPFLO training every year with a six-month refresher session.

21. A written record will be kept of all staff training and be available for inspection by the statutory authorities.

22. The RASPFLO course covers the following areas.

#### An Introduction to the Licensing Act 2003

- Understanding the importance of compliance and protecting your Licence.
- The requirements for having a Licence
- The difference between a personal and a premises Licence
- Mandatory and venue specific conditions
- The penalties for breaching conditions

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- The dangers intoxication poses, the requirements of the law and the tools to deal with the issue effectively.
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#### Age

- The law in relation to children
- How to check IDs
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- Identifying invalid IDs

#### Crime Scene Preservation

- When a crime scene should be preserved
- Actions to take following a serious incident

- How to ensure the preservation of a crime scene.

#### Factors that Affect Drinking Behaviour

- The factors that affect irresponsible alcohol consumption
- How to promote a safe and responsible environment
- How to positively influence a responsible and safe drinking culture

23. All managers, and staff involved in a supervisory role, have undergone RASPFLO managers training, an advanced version of the course.

24. The managers' version of RASPFLO also includes the six units in the staff course and also covers the following areas.

#### Closure Powers

- The most common forms of closure powers
- The process of when there is a Review of a Premises Licence
- The potential consequences of a Review or other remedial action

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- Ways to identify, prevent and understand the effects of drug use and dealing
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#### Incident Reporting

- Types of incident that should be reported
- The details an incident report should contain

#### Daily Due Diligence Records

- The types of records that should be maintained on a daily basis
- Why keeping records is good due diligence evidence

25. There will also be ongoing supplementary bespoke training for staff and managers on the Operational Manual. This training will use the incident of 10<sup>th</sup> September 2022 as an example of the dangers that can arise as well as the lessons learnt, and procedures implemented to prevent further issues following that incident.

#### **Licensing Audits**

26. Comprehensive licensing audits of the premises have been conducted by a qualified consultant to ensure compliance with the Licensing Act 2003, the promotion of the Four Licensing Objectives and any specific conditions attached to the Premises Licence.

27. The audit procedure was prepared in partnership with the premises management, and this included tabletop exercises to ensure they understood the audit process.

28. I attach copies of the conducted audits as MEW/2.

29. The audits measure the success and effectiveness of operational procedures and aim to build a body of positive due diligence evidence for the premises. They also serve as a management tool; giving confidence that the premises is compliant and acts as an early warning system if issues are identified.

30. The audits cover the following areas:

- Promotion of the Four Licensing Objectives
- Licences and Signage
- Compliance with Premises Licence Conditions and Licensing Regulations
- Door Supervisors
- Outside Management
- Fire Safety
- Record Keeping
- Internal Management
- Toilets
- CCTV & Body Worn Cameras

31. The audits are conducted once a month.

32. The audits are unannounced and are carried out when the venue is trading at peak times.

### **Ongoing Support**

33. I have been engaged to regularly re-evaluate the compliance regime at the premises, taking into account shifting circumstances, changes in legislation, best practice and current guidance from the authorities.

34. I review all incident reports and provide an assessment of the incident, giving recommendations, advice and support as applicable. This may include reviewing CCTV, writing additional policies / action plans and providing additional staff training plans.

### Conclusions

35. The measures detailed in this statement have proven highly effective and successful at this premises, as they have at many other busy late licensed clubs and bars across London.
36. The compliance plan requires a clear commitment from the leadership of the business. I have seen that the business has been fully committed to implementing and enthusiastically maintaining the compliance plan.
37. In those circumstances, I have no reason to believe that there is any risk of a repetition of the events which triggered the summary review. Further, given the style of operation, I regard the risk the premises poses to the crime prevention objective as being very low.

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signe



Dated: 6<sup>th</sup> March 2023

Michael Watson



13 Percy Street  
London W1T 1DP

# Operational Manual

LICENSING POLICIES & PROCEDURES

[v2.0 02.03.2023]



<b>Contents</b>	<b>Page</b>
<b>1. Introduction</b>	<b>2</b>
<b>2. Management Structure</b>	<b>3</b>
<b>3. Terms of Entry</b>	<b>4</b>
<b>4. Young People</b>	<b>5</b>
<b>5. Search / Seizure</b>	<b>8</b>
<b>6. Preventing &amp; Dealing with Intoxication</b>	<b>10</b>
<b>7. Drugs</b>	<b>14</b>
<b>8. Prevention &amp; Intervention</b>	<b>22</b>
<b>9. Guest Welfare</b>	<b>23</b>
<b>10. Ejections</b>	<b>29</b>
<b>11. Security Roles &amp; Responsibilities</b>	<b>32</b>
<b>12. Security Code of Conduct</b>	<b>34</b>
<b>13. Dealing with Serious Incidents</b>	<b>36</b>
<b>14. Sexual Assaults</b>	<b>38</b>
<b>15. Crime Scene Preservation</b>	<b>44</b>
<b>16. Theft Prevention</b>	<b>46</b>
<b>17. Staff Behaviour</b>	<b>48</b>
<b>18. Events &amp; Private Hire</b>	<b>49</b>
<b>19. Management of Outside &amp; Dispersal</b>	<b>50</b>
<b>20. Smoking</b>	<b>54</b>
<b>21. Incident Reporting &amp; Due Diligence Records</b>	<b>55</b>
<b>22. CCTV and Body Worn Cameras</b>	<b>57</b>

## 1. Introduction

The aim and purpose of this manual is to promote the Four Licensing Objectives: -

- The Prevention of Crime & Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

The manual sets out Elysee's minimum operating standards and the policies and procedures to be followed by all staff.

The manual will be reviewed regularly to ensure any changes at Elysee or to licensing laws are addressed.

The policies and procedures contained within the manual will be incorporated into staff induction and training sessions.

## 2. Management Structure



### 3. Terms of Entry

**The aim of this policy is to prevent problems inside Elysee by ensuring that the highest standards are in place when vetting guests prior to them entering.**

It is very important that there is a consistent standard and approach to whom is allowed on the premises.

The following controls on entry will be implemented by managers, door hosts and security at the entrance.

The following persons will be refused entry: -

1. Any persons deemed by management or security to be under the influence of alcohol or illegal substances
2. Any persons carrying or thought to be carrying any form of offensive weapon
3. Any person who refuses to be searched when asked
4. Any person who refuses to provide ID when asked
5. Any persons not in keeping with the dress code, set out below
6. Any persons, who are known to have been involved in any criminal activities either within or in the areas surrounding Elysee
7. Any ex-employees of the business, whose employment was terminated by the company

#### Guest Dress Code

Smart casual dress

If customers are wearing caps, these are to be removed on entry.

Management reserve the right of entry. Having a table reservation does not guarantee entry.

## 4. Young People

**The aim of this policy is to protect children from harm, prevent breaches of premises licence conditions and to prevent underage entry to Elysee.**

All serving staff will receive regular training (a minimum of twice a year) on age identification and verification. It is imperative that staff understand the restrictions under the Licensing Act 2003 and ways to identify underage persons and prevent sales of alcohol to them.

### **Provisions of the Licensing Act 2003**

Children under 16; cannot be allowed on licensed premises that are solely or primarily for the sale of alcohol unless accompanied by someone over 18 years old (premises offering entertainment or food would not necessarily be considered in this category).

It is unlawful under the Act to allow unaccompanied children aged less than 16 years into the premises between midnight and 5 a.m. where alcohol is supplied for consumption on the premises

16 and 17 years olds; can have beer, wine or cider with a table meal as long as someone over 18 years old accompanies them & purchases the drink for them

### **Under 18 year olds**

- Cannot purchase alcohol
- Cannot knowingly consume alcohol (unaccompanied – see above)

### **Under 18 year olds**

- Cannot sell alcohol unsupervised

### **Over 18 year olds**

- Cannot send an under 18 to purchase alcohol
- Cannot purchase alcohol for an under 18 unless they are 16 or 17 and eating a meal at a table
- Cannot allow the unsupervised sale of alcohol by someone under 18

### **Offences under the Licensing Act 2003**

There are numerous offences involving the sale of alcohol to children:

A person commits an offence under section 146 if he sells alcohol to a child under 18. A club commits an offence under section 146(2) if alcohol is supplied by it or on its behalf to, or to the order of, a member of the club who is under 18.

A person charged with an offence by reason of his own conduct has the same defence as is available in respect of a section 145 charge, that the person charged had no reason to suspect that the individual was under 16; and a person charged because of the act or default of another has a due diligence defence available.

Under section 147 it is also an offence to knowingly allow the sale of alcohol, on relevant premises, to a child under 18. Here, the offence would not be committed if the child unwittingly consumed a spiked drink.

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 (£5,000) on the standard scale.

### **Mandatory Conditions**

Every Premises Licence that authorises sales of alcohol is subject to a mandatory condition requiring an age verification policy.

*(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.*

*(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.*

*(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either (a) a holographic mark, or (b) an ultraviolet feature.*

**The following procedures will be implemented by managers, door hosts and security at the entrance and by serving staff at the point of sale.**

1. The premises operate a strict 'Challenge 25' policy where any guest appearing under 25 will be required to provide proof of age.
2. Elysee does not allow under 18-year olds on the premises after midnight.
3. This policy is enforced at the entrance by security and managers.
4. Only international passports, UK driving licences or any PASS approved proof of age card will be accepted as proof of age.
5. When checking ID staff will:-
  - Check the 3D effect hologram is not stuck on
  - Check photo to ensure it is the correct person
  - Check date of birth
  - Check ID for any tampering
  - If unsure of the persons age refuse service / entry
6. **IF A GUEST CANNOT PROVIDE SATISFACTORY PROOF OF AGE, ENTRY WILL BE DENIED AND THEY WILL BE REMINDED TO BRING PROOF OF AGE IN FUTURE**
7. There will be clear and prominent signage displayed at the entrance advising guests of the age policy and that "if you look under 25 you will be asked to prove you are 18".
8. The age policy will be displayed on the premises' website and any promotional material.

9. The premises will keep a written record each night of guests who are refused entry or service at the bar.
10. Staff serving alcohol must also question a customer's age if they feel that they may not be 18 years of age using the 'challenge 25' policy.

## 5. Search and Seizure

**The aim of this policy is to prevent prohibited items being brought into Elysee. For the purposes of this policy, prohibited items are considered to be the following:**

- Weapons
- Non-prescription drugs
- Alcohol

**The following procedures will be implemented by managers and security at the entrance.**

1. All persons entering may be subject to a search at any time.
2. Signage will be prominently placed at the entrance and queuing area stating:  
*The premises operates a search policy. All persons entering Elysee may be subject to a search of outer clothing and personal belongings. This is a condition of entry. Those unwilling to be searched will be refused admittance. Any illegal drugs or weapons will be seized, and the police notified. By order of the management.*
3. Searching may consist of a physical pat down search and guests may be asked to empty their pockets.
4. Bags may be opened and searched.
5. All searches of customers will take place in a well-lit area clearly covered by CCTV.
6. Searches will take place prior to any entrance fee payment.
7. All searches will be same sex, i.e., male security to search male guests and female security to search female guests.
8. Guests may be searched on entry and re-entry.

**In addition please be aware that all Managers are instructed to call the Police in any case where a weapon or drug dealing is involved or suspected.**

**In the event of seizure of a weapon or drugs:**

- Ensure the process is witnessed.
- Confiscate the item found.
- Record and log details of drugs found in the drugs / weapons register.
- Place drugs in a sealed bag (provided by police) or sealed envelope signed across the seal.
- Place knives or sharp objects in a weapons tube or safe container
- Call police on the non-emergency number (101) and inform them of seizure.
- In the event of a large quantity of drugs or a weapon being found, call the police immediately on 999. Where possible the suspect should be detained (subject to the safety of staff).



**Drug Seizures**

An entry will be made in the drugs register for every seizure. The process will be witnessed. The register will contain the following information.

1. Date / time item found
2. Where found
3. Details of person finding and any witnesses
4. Description of item
5. Seal number of property bag or unique reference number
6. Any action taken (e.g., person detained, police called)
7. Signature of person seizing
8. Signature of manager
9. Details of person searched (if available)

## 6. Preventing & Dealing with Intoxication

**The aim of this policy is to prevent guests becoming intoxicated and, if so identified, dealing with them in an effective and appropriate manner.**

**All serving staff will receive regular training (a minimum of twice a year) on preventing, identifying and dealing with intoxication and their responsibilities under the Licensing Act 2003.**

It is an offence under the Licensing Act 2003 to knowingly sell to (or obtain alcohol for) a drunk person. It is also an offence for a drunk and disorderly person to fail to leave a licensed premises when asked by a police officer or the person in charge of the premises.

### Procedures

1. Security and management to regularly patrol venue, monitoring customer behaviour
2. Any member of staff who believes a customer is intoxicated will inform a member of management
3. Anyone appearing intoxicated must be escorted outside to get air
4. The person will be informed clearly why they have been approached
5. Bottled water will be provided to any person believed to be intoxicated
6. A manager must be present at all walkouts
7. The guest will be walked out through the main entrance unless there is a good reason to do otherwise; e.g. aggression with another group
8. Security and management on the door must be informed to ensure the person does not regain entry to the venue without the consent of the manager
9. Any person wanting to gain re-entry must see the manager who will make a decision whether the person is fit to re-enter the venue
10. If yes, this will be communicated to all security and managers that the person is now back in the venue
11. If the person is escorted out Elysee a second time, they will not be allowed to re-enter
12. All walk outs will be recorded in the ejections log
13. The guest's welfare will be considered at all times and the Guest Welfare Policy followed
14. Advice on local transport options will be given
15. If required, taxis should be arranged to ensure the person arrives home safely
16. Where necessary, the expense of the taxi will be met by premises
17. Staff will understand that some illnesses can have symptoms which may make a person appear intoxicated.

## **Staff Training**

### **Identification**

Servers are not expected to know a customer's blood alcohol content (BAC) but they are expected to recognise the signs of visible intoxication. Staff will be taught to identify four main areas using a system known as SAAB.

1. Speech
2. Appearance
3. Attitude
4. Behaviour

There are more than 50 indicators within these four areas. If a person shows one or two of these signs that does not necessarily mean the person is intoxicated. But a combination of some of these and a sudden change in behaviour could be a strong indication that a person is intoxicated.

If a member of staff is not sure they should not serve the person and consult a manager.

### **Intervention and Refusing Service**

Staff have the right to refuse alcohol service to anyone as long as they don't violate anti-discrimination laws. Management commitment is essential to create a supportive environment that encourages responsible employee practices.

Owners and managers have an obligation to support their servers' efforts to obey the law. The best way to do that is to establish policies that promote responsible alcohol service.

At some point all serving staff will be faced with a decision about refusing to serve alcohol to a patron. Whether this decision is based on legal or safety requirements, it is important we deliver a consistent message that all patrons understand.

Intervention is the plan of action for a server that:

- Prevents a customer from drinking to intoxication
- Prevents minors from drinking

It is the servers' plan for bringing together legal and professional duties. Staff will show a professional attitude and approach when refusing service and will be instructed to:

#### **Intervene early – don't let a problem develop**

If possible, obtain agreement from a supervisor and notify security, if available, before speaking to the patron.

**Be courteous & concerned** - People are cooperative when being treated respectfully

**Be tactful** – Try not to accuse a guest of being intoxicated. Simply say you cannot serve them alcohol at this time

**Be firm** – remain calm & don't back down. Don't allow the customer to talk you out of your decision. If necessary ask for assistance from a manager or another employee

**Be confident** - This convinces people you know what you are doing

**Be discreet** - Try not embarrass the customer in front of others.

All serving staff will:

- Smile, make eye contact, and take your time checking ID

- Chat with customers to determine their status.
- Watch for signs of visible intoxication (speech, attitude, appearance, behaviour)
- Wait until a customer finishes a drink before offering another.
- Check with co-workers if they have served the customer.
- Slow service to a customer who is drinking rapidly.
- Encourage customers to order food.
- Offer water, coffee, or other non-alcoholic spacers between drinks.
- When you refusing service, inform their manager and co-workers.
- Take a manager or security with you when you have to refuse service or pull a drink.
- Use peer pressure when appropriate by asking for support from the customer's friends.
- Replace a pulled drink with something else: coffee, water, food.
- Make a record of refusal of service, especially those involving threats or aggression.

#### **Staff will also be taught to use 'intervention Scripts'**

Avoiding "you" statements - Using "I" statements

Not to: bargain; debate; get defensive; or give lengthy explanations.

#### **To focus on the law and the consequences you face**

"I'm not able to bring you another drink tonight. I could get into trouble with the authorities and we could lose our Licence if I serve you more alcohol. How about I bring you a cup of coffee and get you something to eat."

"Our company policy doesn't allow me to serve you any more alcohol. We could get into trouble with licensing and lose our premises license. I'll bring you some water and how about a basket of French fries or a plate of Buffalo wings to go with it?"

"Listen, I could get fired if I serve you another drink. The police could fine the business and me, and I could lose my job. I'll bring you a water or a cup of coffee instead."

#### **To focus on the customer's well-being**

"Look, I'm concerned about your safety. I want to be sure you get home okay tonight. Why don't I bring you a glass of water while you look at our appetizer menu and choose something to eat?"

"Legally, I'm not allowed to serve you another drink. This glass of water will help you avoid getting a hangover tomorrow, and in the meantime, I'll bring you a snack."

#### **Don'ts of service refusal**

- Don't call your patron a 'drunk' - warn them politely that their behaviour is unacceptable.
- Don't be persuaded to give them 'one last drink' after you have stated that they have had enough.
- Don't agree to let the person finish their drinks (it is an offence under the Liquor Act to allow a minor or unduly intoxicated or disorderly person to consume liquor on licensed premises).
- Don't raise your voice. If they raise theirs, lower yours.
- Don't put off refusal hoping that the patron will leave after the next drink - act while the patron can still be reasoned with.

- Don't judge other people.
- Don't think the matter is over because you have verbally addressed it.
- Don't tell them what to do or how to behave.

**In addition, as part of your premises' due diligence regime, a record will be kept of all persons:**

- a) refused entry to the premises
- b) any person refused service of alcohol
- c) any person assessed for intoxication
- d) any person asked to leave because of intoxication

**Premises licence conditions:**

*The licensee shall ensure that staff are trained, as appropriate, in respect of relevant licensing law, the implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.*

*All staff shall be trained in all aspects of licensing law, with particular emphasis on drugs and alcohol and the 4 licensing objectives (RASPFL0-responsible alcohol sales and promoting the four licensing objectives). Such training shall take place every year by an independent accredited trainer, with refresher training every 6 months and records retained for inspection by police and the local authority.*

## 7. Drugs

**The aim of this policy is to prevent the use and/or supply of controlled (illegal) drugs.**

**The use of controlled drugs represents a health and safety risk to our guests and staff. We are committed to providing a drug free environment for the benefit of all our customers and employees.**

**This policy sets out how we intend to meet this commitment through the following three main aims:**

- **Prevention of drug use on the premises;**
- **Prevention of drug dealing on the premises;**
- **Safeguarding those that have taken drugs.**

### **Policy Awareness**

#### **Staff**

All new members of staff are required to read and sign this policy as part of their induction. A copy of this policy, endorsed with a manager's signature, is kept on each staff member's file.

Staff members have a responsibility to seek clarification on any points of this policy they do not understand.

Staff can expect to receive drug awareness training on a regular basis.

All staff will be made aware of any changes to this policy.

#### **Management**

In addition we will endeavour to ensure that all members of management attend formal drug awareness training, such as the BII Drug Awareness course.

Managers/supervisors have a role to ensure that all staff under their control are familiar with this policy and attend refresher training as appropriate.

#### **Guests**

Customers and other visitors to our premises shall be made aware of our expectations in regard to this policy in a number of ways:

- Appropriately sited zero tolerance notices.
- Implementation of a search policy on occasions where a drug related risk is identified (see separate search policy document).
- Staff adopting a zero tolerance to use of controlled drugs on the premises.

### **Policy Implementation**

#### **Staff**

The possession, supply, and distribution of controlled drugs is absolutely prohibited on this premises. This includes inside the building and surrounding land such as outside seating areas and smoking areas.

Staff will receive training on the following:

1. The relevant laws controlling the use and supply of drugs. Please refer to Appendix 1.
2. The types and effects of the common controlled drugs, including signs of misuse. Please refer to Appendix 2.

### 3. The measures taken to prevent the use and dealing of the common controlled drugs.

If a staff member suspects that controlled drugs are being taken or distributed by employees or customers, they must inform a manager immediately. Any information given will be treated in the strictest confidence.

In connection with the supply or consumption of controlled drugs, staff must:

- Remain vigilant at all times during the performance of their duties. This includes being mindful of individuals showing signs of drug use, evidence of drug paraphernalia, knowledge of high risk areas such as toilets, corridors and secluded areas, overheard conversations involving drug references and suspicious behaviour.
- Notify a manager if they suspect that any person is using, dealing or attempting to deal in drugs on the premises (whether such person is a customer or an employee of the company).
- Fully support the company in its drugs policy.
- Report to a manager any drugs or suspected drugs which the employee may find in the premises at any time. Ideally suspected drugs should only be handled with appropriate personal protective equipment. For example, puncture resistance gloves should be worn to handle needles to avoid needle stick injury and appropriate gloves worn to prevent any skin to drug contact.
- Any suspected drugs found on the premises should not be left unattended if at all possible.
- Staff shall not attempt to purchase any illegal substances as a means of trying to trap someone who they suspect is dealing – this is illegal

All staff are expected to fully cooperate with the authorities in any investigations arising from the use, or suspected use, of controlled drugs associated with this premises.

**Please note that anyone in breach of the above points will be disciplined as per guidelines in the employee policy.**

#### **Managers**

If you are concerned in the management of the premises and are made aware of the use or attempted use of controlled drugs, whether for personal consumption or supply to others, then you have a legal obligation to take action. If you do not take action to prevent the activity it is likely that you are committing an offence.

In the event of discovering the personal use of controlled drugs:

- The person(s) concerned should be informed that the premises operates a zero tolerance to the use of controlled drugs.
- If practical any controlled drugs should be seized.
- The person(s) concerned should either be warned or instructed to leave the premises depending on the circumstances.

- A written record made of the incident, including a description of the drugs involved and steps taken to prevent the drug use.

Managers are instructed to involve the Police in any case where drug dealing is involved or suspected.

In the event of seizure of drugs:

- Ensure the process is witnessed, ideally by security or another member of staff.
- Confiscate any drugs found, if safe to do so.
- Record and log details of drugs found in the drug register
- Place drugs in sealed bags (provided by police) or a sealed envelope (signed and dated across the seal).
- Call police on the non-emergency number (101) and inform them of seizure in accordance with local police procedure. Make sure a CAD number is taken and added to the entry in the drugs register
- In the event of a large quantity of drugs being found, call the police (999) immediately.
- If drug seizure captured on CCTV, secure backup of relevant footage.

In this context, only a police officer on duty is lawfully allowed to be in possession of controlled/illegal drugs. Staff and door supervisors are not authorised to possess controlled drugs.

**Therefore never:**

- ✗ Put drugs into your pockets
- ✗ Remove controlled substances from the premises
- ✗ Ignore drug taking
- ✗ Allow known or suspected dealers in your venue
- ✗ Act on your own, always have a witness
- ✗ Flush drugs down the toilet

Managers should ensure they are fully trained on the use of CCTV equipment (separate CCTV policy in place to ensure correct operation). They are required to familiarise themselves with locations of cameras, and any potential “dark” spots.

Managers should be familiar with local police protocols on the seizure and holding of controlled drugs.

In certain instances it may be necessary to implement the crime scene preservation policy, for example, if there is a suspected overdose or a large quantity of controlled drug is discovered.

**Spotting the Signs of Dealing in Your Venue**

- A person or group being very popular
- People taking regular trips to the toilets
- Customers staying for a short while and not buying drinks
- Secretive or sly conduct
- Known users/dealers using the venue



- Money changing hands
- Individuals with unusually large amounts of cash

#### **Drug-Related Litter to be Vigilant for**

- Syringes, pipes, tubes, scorched tinfoil, burnt spoons.
- Small paper wraps, self-seal bags, small bottles, or vials
- Razor blades or plastic cards used for chopping
- Cardboard filters on hand-rolled cigarettes
- Ripped cigarette packets
- Powder on surfaces

#### **Door Supervisors**

Well trained, professional, SIA (Security Industry Authority) registered door supervisors are employed at the venue. Their duties include monitoring those entering and using the premises, checking toilets, and monitoring those leaving who showing signs of drug misuse. Registered door supervisors must undergo drug awareness training as part of the registration process.

A door supervisor log is maintained and endorsed by management to ensure all security staff are appropriately registered.

#### **Toilet Attendants**

On occasions where toilet attendants are employed their duties include:

- Reporting instances of suspected drug use or dealing to a duty manager. This may include those who spend unusually long periods in a cubicle, overheard conversations and evidence of drugs paraphernalia such as needles, wraps, powder, etc.
- Being vigilant about those that may have taken drugs, particularly those that may be in distress, and report to management.

In addition managers and security are required to carry out regular toilet checks.

#### **Safe guarding those that have taken drugs**

We ensure that we have sufficient first aiders on duty who have been trained to recognise and respond to common drug induced problems.

Anyone suspected of suffering ill effects of drugs will be encouraged to stay on the premises where they can be closely monitored. The attending first aider will make an assessment whether to call an ambulance. In cases where no further medical intervention is considered necessary, management will ensure appropriate steps are taken to ensure the person is delivered to a safe environment.

Staff are made aware of the potential risk of drink spiking. In recent years there has been an increase in reports of "Drug Facilitated Sexual Assault". Typically, the victim has a drug, such as Rohypnol or GHB surreptitiously placed in their drink. Once the drug has taken effect the victim is often powerless to prevent assault. Staff should be vigilant about:

- Unattended drinks. Any unattended drinks should be kept behind the bar for safe keeping.
- Customers displaying signs of "accelerated" intoxication.

- Suspicious behaviour, associated with a DFSA scenario.

Staff should report any instances of suspected drink spiking to a manager.

### The Misuse of Drugs Act 1971

This is the main piece of legislation covering drugs and their categorisation.

Drugs are split into three classes (in accordance with their toxic effect), which determines the penalties for offences under the Act.

**The following table sets out a summary of the potential penalties for possession and dealing controlled drugs: This may change over time as drugs get reclassified from time to time.**

Class of Drug		Possession	Dealing
<b>Class A</b>	Ecstasy, LSD, heroin, cocaine, crack, magic mushrooms, amphetamines (if prepared for injection), Opium	Up to seven years in prison or an unlimited fine or both.	Up to life in prison or an unlimited fine or both.
<b>Class B</b>	Amphetamines, Cannabis, Methylphenidate (Ritalin), Pholcodine.	Up to five years in prison or an unlimited fine or both.	Up to 14 years in prison or an unlimited fine or both.
<b>Class C</b>	Tranquilisers, some painkillers, Gamma hydroxybutyrate (GHB), Ketamine, Rohypnol (Date rape drug)	Up to two years in prison or an unlimited fine or both.	Up to 14 years in prison or an unlimited

### Offences under the Misuse of Drugs Act 1971

Unlawful possession of a controlled drug

Unlawful possession with intent to supply

Supplying or offering to supply a controlled drug

Producing or being concerned in the production

Cultivating cannabis

Being the occupier or concerned in the management of premises who knowingly permits or suffers certain activities to take place on those premises

### Psychoactive Substances Act 2016

The Psychoactive Substances Act came into force on 26 May 2016. This act makes it illegal to produce, supply, import or export any psychoactive substance (such as nitrous oxide 'laughing gas') that is likely to be used to get high.

#### Legal high

The term 'legal high' is commonly used to describe new psychoactive substances (NPS) but it is misleading. Many 'legal highs' (e.g. types of synthetic cannabinoids) are already controlled

under the Misuse of Drugs Act, which now specifies particular drugs and groups of drugs (e.g. synthetic cannabinoids that impact on specific receptors in the brain). Many products sold as 'legal highs' contain multiple NPS and many contain illegal or banned substances.

**Preventing drug use within a venue will use a combination of the following:**

Staff	Environment
Trained staff	Customer signage
Use of SIA registered door supervisors	Visible monitoring of areas
Body and bag searches	Use of CCTV
Toilet attendants	Policies including search and seizure
	Design and layout considerations

**If you knowingly allow drug offences to take place in a licensed premises, you are breaking the law.**

**Elysee is subject to the following premises licence conditions:**

*An incident log shall be kept at the premises and made available on request to an authorised officer or the Police which will record the following*

- (a) *All crimes reported to the venue*
- (b) *All ejections of patrons*
- (c) *Any complaints received*
- (d) *Any incidents of disorder and violence*
- (e) *All seizures of drugs or offensive weapons*
- (f) *Any faults in the CCTV system or searching equipment or scanning equipment*
- (g) *Any refusal of the sale of alcohol to include date, time and staff member*
- (h) *Any visit by a relevant authority or emergency service*
- (i) *CAD reference numbers where Police are called*

*The licensee shall carry out a risk assessment in respect of the potential harm to customers of the use of illegal drugs, whether taken on the premises or taken by a customer prior to entering the premises, and shall put in place appropriate measures to mitigate any such harm.*

*The licensee shall ensure that staff are trained, as appropriate, in respect of relevant licensing law, the implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.*

*A zero tolerance to illegal drugs shall be operated. Any person found in possession of illegal drugs, witnessed offering illegal drugs or asking others for illegal drugs, will be ejected (or refused entry) and permanently banned from future entry to the premises. This zero tolerance will be actively and prominently promoted on the restaurant website, in literature and signage at the venue and clearly communicated to all on the restaurant's database.*

**Drugs Signage**

# **WARNING**

**Elysee Operates a  
Zero Tolerance  
Drugs Policy**

**Any Person Found in  
Possession of Drugs  
Will be Detained and  
the Police Called  
Immediately**

**By Order of the Management**

## 8. Prevention & Intervention

**The aim of this policy is to prevent or intervene in relation to serious incidents.**

*'Early Intervention is better than a cure'*

Police regularly scrutinise events leading up to a serious incident. If a venue has not got the appropriate procedures and measures in place and this was a direct (or even indirect) cause of the incident (or escalation of an incident) then it is likely the police will take some form of remedial action. This could range from requiring appropriate measure to be implemented, or conditions being added to the Licence, for less serious incidents to more robust action that can include Review of the Premises Licence and even closure of the venue.

Prevention and intervention measures fall into three groups – policies and procedures, human resources and physical measures.

### **Comprehensive & Effective Policies & Procedures**

The Operational Manual details the premises policies and procedures, including:

- Terms of Entry
- Search and Seizure
- Age Verification
- Responsible Alcohol Sales
- Drugs
- Ejections
- Security Positions – Specific Job Requirements
- Violence & Aggression
- Management of Outside / Dispersal
- Smoking
- Incident Reporting
- Major Incidents
- Crime Scene Preservation
- Bottle Service
- Events
- Smoking
- CCTV and Body Worn Cameras

### **Human Resources**

- Staff Training
- Proactive Managers and Staff
- Staff Awareness and Vigilance
- Door Supervisors
- Toilet Attendants

### **Physical Measures**

- Design of Premises – lines of sight etc.
- Access Controls
- CCTV and body worn cameras
- Good premises maintenance
- Signage

## 9. Guest Welfare

**The aim of this policy is to explain the importance of guest welfare and to present ways to provide for the welfare of our guests.**

**It is very important that the various risks that can affect the welfare of our guests is understood. You will also know the measures available to keep your guests safe. All staff will undergo WAVE (Welfare and Vulnerability Engagement) training.**

There is a clear responsibility for operators to have a duty of care for their customers. Aside from this, the vast majority of businesses want their guests to have a good time in a safe environment.

There are various policies and procedures – both from a licensing and a health & safety perspective that address the welfare of guests inside the premises, e.g., risk assessments, first aiders, a responsible alcohol sales policy, door supervisors etc.

It is also important to consider the welfare of guests as they leave your premises. Ask the following questions:-

- Are they intoxicated?
- Are they vulnerable?

Vulnerable people, particularly through intoxication, are far more likely to become the victim of crime:-

- They are less aware of their property, and can become the victim of theft
- They are less aware of their surroundings and can become victims of assault, e.g. knocking into people, sitting at the wrong table, spilling drinks and prompting an aggressive response from other people.
- They are less aware of their surroundings and can become a victim of sexual assault

Vulnerable people, particularly through intoxication, are also far more likely to become the victim of an accident:-

- From slips, trips or a fall
- Road traffic accidents

**Our guests' safety and welfare is of paramount importance and should be considered at all times and the appropriate action taken.**

**All staff will receive Welfare and Vulnerability Engagement (WAVE) training to: -**

- Provide a safer environment for the guests
- Reduced crime on the premises
- Reduce the chance of a sexual assault taking place
- Decrease the chances of a guest coming to harm either on or off the premises
- Increased guest satisfaction
- Improved working partnerships with statutory authorities
- Enhanced staff training
- Lower instances of ASB (Anti-Social Behaviour).
- Prevent/reduce sexual offences

- Reduce preventable injury linked to alcohol and drug use in the licensed economy
- Reduce opportunities for criminal activity and anti-social behaviour in licensed premises
- Promote partnerships and engagement with communities and key stakeholders in the licensed economy

**WAVE initiatives help to identify people before they become potentially vulnerable, as well as:**

- Victims of crime
- Victims of anti-social behaviour
- Those who have come to harm in any other way
- Those involved in crime/antisocial behaviour/harm

It also aims to ensure vulnerable people are properly supported with positive interventions. Ultimately, WAVE is a prevention and harm reduction initiative.

### **But what is Vulnerability?**

There are several ways of defining vulnerability but for the purpose of this book, we will use the following broad definition taken from the Oxford English Dictionary:

Anyone exposed to the possibility of being attacked or harmed, either physically or emotionally

### **Factors Making a Person Vulnerable**

#### **Age**

Younger people tend to be more vulnerable to risk of harm. But age not overriding factor. Is the individual vulnerable due to their age, young or old?

#### **Alone**

When separated from friends, appearing lost or isolated guest can be easily targeted.

- Where possible, attempts should be made to contact friends who may be able to assist.
- CCTV, BWCs, etc. may well assist in identifying friends.
- Is there an opportunity to make contact with family?
- When refusing entry, make sure someone stays with the vulnerable person.

### **Overconsumption of Drugs & Alcohol**

This will reduce inhibitions and decrease ability to make informed decisions. It changes perceptions of a person's own abilities and limitations but the signs vary from being overly gregarious or passive, through to aggressive or a lack of spatial awareness. Sometimes guests appear unwell and usually experience a loss of motor neuron skills.

If persons are ejected without their belongings, they may have no means to contact anyone, no money and/or appropriate clothing, which may render the person vulnerable.

### **Considerations:**

- How can you assist the person in getting home safely? Do you need to arrange a taxi?



- Is the individual/group so intoxicated that it is not reasonable to expect them to be able to take care of themselves?
- You have a responsibility to those refused entry, particularly if underage – do you have a child in front of you?
- Are they accompanied by others who may also be seeking entry - are they capable of taking responsibility for the individuals concerned?
- Seek assistance from a colleague where possible and obtain full details from emergency services, such as the call reference number.
- Ensure staff are aware of the location of the medical kit and ensure it is in date and the staff are trained to use it.

### **State of mind**

The emotional or mental state that the guest is in can be influenced by a range of factors – friends will usually notice a difference in behaviours first.

- Staff must be aware of guests showing excessive emotions.
- Enlist a guest's friend to calm the person and help them get home safely.

### **Wearing Expensive Jewellery**

A spate of watch thefts that occurred in London's West end and beyond has highlighted this issue. Many of the crimes occur after the guest has been followed home, thus making it difficult for the various local police forces to take effective action.

- Warn guests thieves operate in the area and to hide their valuables.
- Where possible, escort them to their taxis.
- Ensure staff outside are vigilant.

### **Presence of an Offender**

Ultimately, the one thing that puts guests at risk from harm is usually the presence of an offender. Risk of potential harm increases substantially when the above factors are combined with the presence of a criminal offender.

- It's important to remember that anyone from any background can commit an offence. Offenders can be predatory or opportunistic in nature. There is no one specific demographic relating to offenders.
- Offenders may be looking to target vulnerable people to commit crime or may be looking to take advantage of a situation for their own benefit.
- Almost 80% of sexual assaults are carried out by someone known to the victim.

**How to recognise vulnerability**

As always, early identification is key. Trust your instinct - if you have concerns then make an intervention.

Use the SAAB (speech, attitude, appearance, and behaviour) methodology which we covered in the section on preventing intoxication to assess the guest. As a reminder, here are some highlights:

Recognising Vulnerability	
Unsteady on their feet	Drowsy
Incoherent	Upset
Irrational	Being controlled by somebody
Glazed eyes	Injury
Dishevelled appearance	Quiet
Lost	Excitable
Alone	Missing clothing
Being plied with alcohol/drugs	Vommiting

**Where can we intervene to reduce vulnerability?**

- In the street
- In the premises
- Refusal of entry to premises
- Ejection from premises

**Ask for Angela**

Ask For Angela provides a useful additional tool for dealing with vulnerability.

- 'Ask for Angela' initiative aims to reduce sexual violence and vulnerability by providing customers with a non-descript phrase they can use to gain assistance from staff members in order to be separated from the company of someone with whom they feel unsafe due to that person's actions, words or behaviour.
- By "asking for Angela", an individual should be treated as a vulnerable person and the interventions you have in place should be applied.

Courtesy of Safer Communities Sexual Violence and Abuse Partnership, Lincolnshire. Organisers of the 'Ask for Angela' poster campaign, part of the #NoMore sexual violence and abuse in Lincolnshire awareness Campaign. [www.lincolnshire.gov.uk/home](http://www.lincolnshire.gov.uk/home)

# #ASK FOR ANGELA

“ HI I'M ANGELA,

ARE YOU ON A DATE THAT ISN'T WORKING OUT? DO YOU FEEL LIKE YOU'RE NOT IN A SAFE SITUATION?

IS YOUR TINDER OR POF DATE NOT WHO THEY SAID THEY WERE ON THEIR PROFILE? DOES IT ALL FEEL A BIT WEIRD?

IF YOU GO TO THE BAR AND ASK FOR 'ANGELA' THE BAR STAFF WILL KNOW YOU NEED SOME HELP GETTING OUT OF YOUR SITUATION AND WILL CALL YOU A TAXI OR HELP YOU OUT DISCREETLY - WITHOUT TOO MUCH FUSS ”

[www.met.police.uk/AskforAngela](http://www.met.police.uk/AskforAngela)  
 Call **101** for non-emergency enquiries, to report an incident or get help.  
 If you're deaf or hard of hearing, use our textphone service on **18001 101**.  
 Call **999** if it's an emergency or a crime is in progress.

 METROPOLITAN POLICE



DMITZ

### Safeguarding Departing Guests

1. Any information regarding thieves, or suspicious activity, in the vicinity of the premises will be reported to the police
2. Any information or intelligence received from police will be included in pre-opening briefings with security and staff.
3. Staff will receive Welfare and Vulnerability Engagement (WAVE) training.
4. Security and staff at the entrance will proactively monitor guests leaving. Any person who is considered to be at risk or vulnerable will be spoken to by a manager.
5. Any person considered vulnerable will engage the Guest Welfare Policy.
6. A taxi will be offered to any person who is considered to be at risk or vulnerable. If the person concerned has a car nearby security will escort them to their vehicle. A note of the vehicle description and registration number will be recorded and retained.

7. Any intervention, or proactive action, will be recorded including refused assistance.
8. Security will monitor the street and report any suspicious activity to the manager in charge.
9. Security equipped with Body Worn Cameras (BWC) will attempt to video any persons loitering or acting suspiciously in the immediate vicinity.
10. Any relevant information will be shared with neighbouring premises

### **Premises Licence Conditions**

The premises licence is subject to the following conditions:

*At least one experienced member of the restaurant management team shall be stationed at the entrance at all times the venue is in operation under the licence, unless called away to deal with an emergency situation. He/she should ensure that door staff are operating as in accordance with the Operational Manual and Premises Licence, particularly with regard to actions to prevent drugs and crime and to identify persons who may benefit from welfare and/or medical services.*

*The welfare of customers shall be the responsibility of all staff. One member of staff shall be appointed to co-ordinate this.*

*All staff be trained in Welfare and Vulnerability Engagement and the Ask Angela scheme.*

## 10. Ejections

**The aim of this policy is to ensure safe ejections / walk outs of guests who are required to leave Elysee.**

**It is very important that the various risks that can affect the welfare of our guests is understood. You will also know the measures available to keep your guests safe.**

There are occasions when you will have to ask a guest to leave your premises. This normally falls into three categories:

- For violent conduct (fighting or aggressive behaviour)
- For non-violent conduct (being intoxicated)
- Someone suspected of a crime that you will detain for the police.

Staff will be trained to identify when someone is intoxicated, causing trouble, or acting inappropriately. They always need to be vigilant and be confident about taking action by calling a manager or security.

Staff will be trained when to inform door supervisors and management of any concerns they have, and what to do if they have witnessed an incident. If they are approached by a guest in distress or if they need assistance, they must react immediately and call for help.

As far as possible, security should deal with any potentially violent situation, NOT bar staff. In all instances, the situation must be dealt with calmly and professionally. Staff should follow a strict procedure which is set out to ensure safe ejection for both the customer, door supervisors, and employees whilst causing minimum disruption to other guests.

For minor misdemeanours (for example, refusing to move away from a designated fire exit or standing on a chair), consider issuing a first warning. If there is a further instance of misbehaviour, the persons should be ejected using a hands-off policy. At any time, a Customer Code of Conduct may be quoted.

### **Process of Ejection**

The following is a summary of the process that should apply if an ejection is required. Please note that you need to consider the peculiarities of your venue and staffing situation and develop your own process that is most effective:

#### **Ensure you understand the situation and assess it first**

Always take account of the whole situation, for example, those involved may be with a large group of friends who may react violently.

#### **Ensure you have support**

Before taking any form of action, call a manager and security for assistance.

#### **Explain the reasons why a person is being ejected**

It is often better to inform their friends first of what is about to happen so they don't react badly. Remember, if you embarrass someone or cause them to lose face, the situation may quickly escalate.

The reasons for being asked to leave need to be clear; you may find it is easier to ask someone to get some fresh air for 10 minutes.

**All guests should voluntarily walk out**

This is often called a 'hands off ejection'. Wherever possible, persons being ejected should not be touched, although in law, reasonable force may be used. You always need to be careful when using any force if you think it is 'reasonable'.

**Use the front entrance where possible**

If there is a confrontation between guests that you fear could escalate or there is a situation that disrupts the business, both parties should be ejected. In this situation, use more than one exit or delay one party leaving to avoid further confrontation outside.

The senior manager on duty or the Designated Premises Supervisor will have the final say on who is ejected following any confrontation in the premises.

In all cases, a record should be kept of all ejections. Where any force has been used, a full incident report should be written. If the authorities require further statements and/or your attendance is required at a police station, this should be done immediately or at the police's request.

Always remember you are trying to de-escalate a situation; be discreet and try to avoid embarrassment. Be confident in your delivery but don't raise your voice. Clearly explain the reason for why they are being asked to leave or get some fresh air.

Below are some suggested scripts that can be used but each situation will be different so use your experience and best judgement:

If speaking to their friends first: *"Look, I can see you are all having a good time. Unfortunately, your friend there is acting inappropriately or is intoxicated, and we need to take them outside for some fresh air and water. We want you all to continue enjoying your night, but we need one of you to come with your friend to help look after them."*

Or to the person directly: *"We want you to have good time, but we need you to come outside for some fresh air and water for a few minutes – please can you come with us. One of your friends is going to come with you."*

Should the customer not understand the reason after two explanations or they refuse to cooperate, disengage and hand responsibility to security who will advise the customer that they will be shown the route off-site. The manager should always observe their removal.

Should a physical ejection be necessary, only reasonable force will be used. There is more detail on this subject further on, but any force should be a last resort.

- Offer to find the friends if they are not already with them and collect any coat or personal belongings they have left in the venue. Always remember GUEST WELFARE. The customer will remain with the manager and the member of security while these happen.
- Give advice on how to get home safely.
- Get their friends to look after them or, if appropriate, pay for a taxi home.
- If a customer is being collected and it is safe to allow them to wait to be picked up, an appropriate area will be available for them with security presence.
- The customer should be offered a bottle of water in the meantime.
- Take the details and description of any customer being ejected from the venue and make a written record.

**The Use of Reasonable Force**

Remember that you will always have to be able to explain and justify your actions, perhaps even in legal proceedings, so think before acting and remember your conflict management training.

These questions are not a definitive list but will give you a sense of what you need to assess a physical ejection.

- Is it absolutely NECESSARY to use force?
- What amount of force is REASONABLE to eject the person?
- Consider the size and build of the person to be ejected
- Are any weapons used or a threat from the person to be ejected?
- When is force no longer required?

For further clarity, let's look at the words NECESSARY and REASONABLE in more detail.

**NECESSARY**

The law is quite clear on the term 'necessary' with regards to the use of force. Necessary force is not what is deemed necessary by someone considering the facts from a safe and comfortable place well after the events, but what the person carrying out the acts in question considered necessary at the time. Only you can say why you thought it necessary to use the force at the time, whereas a court may have to ultimately decide whether the amount of force used was reasonable or not.

**REASONABLE**

The term 'reasonable' is more difficult to define and not always easy. It will depend on the circumstances and careful thought will need to be given when you assess the seriousness of the threat.

**Ask yourself the question!**

Would it be reasonable to punch or use physical force on someone who is verbally abusing you? The answer is no.

Physical force should only be considered when there is a real possibility of physical harm to you or someone else and even then, the amount of force used should be appropriate and reasonable to the situation.

A door supervisor or manager claiming self-defence as an excuse for the use of force must be able to show that:

- They did not want to fight
- Responded with no more force than was reasonable to repel the attack

If you can demonstrate those two things, force is not unlawful and no criminal offence is committed.

If, however, the force continues outside (having used reasonable force inside) to 'teach him a lesson' or to 'stop him coming back again', then that extra and unnecessary use of force would not be seen as 'reasonable' and would make you or the door supervisor liable to criminal proceedings for assault.

**Remember**

The test whether force is reasonable in any given circumstance is a subjective one and is assessed on the facts as the person concerned believed them to be at the time. As such, a full incident report should be written whenever force is used to eject a customer.

## 11. Security Roles & Responsibilities

This is an example of security positions and roles when Elysee is operating on peak nights or at capacity. Variations of this plan will be used on less busy nights after assessment by the DPS. All security will sign in the door supervisor log at the beginning of their shift. These positions will be allocated at the security briefing at the beginning of the shift.

### Security #1 - Head of Security

- Vet entry in line with entry policies
- Bring anything untoward to Managers attention
- Refusing entry will be conducted in a professional manner. Management always have the final say
- Control of clickers ensuring that we are never over capacity at any time. Smokers must be included in the clicker count
- Complete the clicker count sheet at 30-minute intervals.
- Vet guests and check identification and for intoxication
- Search guests in line with search policy.
- Monitor and supervise outside and any smokers
- Stop guests leaving with alcohol

### Security #2

- Static position – first floor landing entrance to bar area

### Security #3 Roaming

- Support front door at busy periods
- Monitor for unattended property
- Monitor both floors
- Monitor any customers who may be intoxicated
- Control congestion
- Monitor interaction between staff and customers
- Watch for pushing / aggressive behaviour
- Regularly check toilets

### Venue Specific Licence Conditions

Elysee is also subject to the following premises licence conditions:

*Security will endeavour to control a slow stream of customers and guests leaving Elysee.*

*Security will be proactive about dispersal of groups of people outside Elysee.*

*Security will encourage customers to leave the area quickly and quietly.*

*Security will patrol outside the premises to ensure customers and guests leave the area quietly. Any customers and guests causing noise or disturbance will be asked to be quiet. Those that do not will be refused entry Elysee in the future.*



*Security will discourage illegal taxis and touts from congregating outside Elysee.*

*Security will monitor activity in the vicinity of Elysee throughout each night to prevent crime and disorder, noise or disturbance arising from customers.*

*Door supervisors will vigilant and proactive in preventing crime and disorder They will assist police to the best of their ability/ powers/ authority.*

*Security outside the premises will wear high visibility clothing at all times.*

*As customers leave and the premises empties door supervisors from inside the premises will be posted outside to assist with dispersal.*

*Door supervisors will ensure customers do not block the pavement outside Elysee.*

*A SIA registered door supervisor be stationed in front of the stairway where the incident of 9 September 2022 occurred from 9pm until the premises closed.*

## 12. Security Code of Conduct

The following code of conduct will apply to all door supervisors at all times when employed at Elysee.

### Personal Appearance

Door supervisors should at all times:

1. Wear his/her Security Industry Authority licence on the outside of their clothing whilst on duty, displaying the photograph side.
2. Wear clothing which is smart, presentable, easily identifies the individual as a security operative, and is in accordance with Elysee's security uniform.

### Professional Attitude

Door supervisors should:

3. Greet visitors to Elysee in a friendly and courteous manner.
4. Act fairly and not discriminate on the grounds of gender, sexual orientation, marital status, race, nationality, ethnicity, religion or beliefs, disability, or any other difference in individuals which is not relevant to the security operatives' responsibility.
5. Not harass, victimise or bully others through actions, language or behaviour.
6. Carry out his/her duties in a professional and courteous manner with due regard and consideration to others.
7. Behave with personal integrity and understanding.
8. Use moderate language, which is not defamatory or abusive, when dealing with members of the public and colleagues.
9. Be fit for work and remain alert at all times.

### General Conduct

In carrying out his/her duty, a Door Supervisor should:

10. Never solicit or accept any bribe or other consideration from any person.
11. Never valet park or accept client's car keys for safe keeping.
12. Never abuse his/her position of authority.
13. Never carry any item which is or could be considered to be threatening.
14. Report all incidents to the management.
15. Co-operate fully with members of the police and partners, local authority, SIA, and other statutory agencies with an interest in the premises or the way they are run.

16. Not be alone in the company of a customer except in an area open to the public within the club.
17. Never participate in indecent or inappropriate contact with customers.
18. Never engage in any unlawful activity.
19. Never consume any alcohol whilst on duty.
20. Never consume, possess or be under the influence of any unlawful drug or substance, unless it is personally prescribed medication by a registered doctor.
21. Not invite or knowingly permit their spouses, girlfriends / boyfriends, or friends and acquaintances to enter the club without the express consent of the Designated Premises Supervisor (DPS). If a door supervisor should become aware that a spouse, girlfriend / boyfriend, or friend is in the venue they must notify the manager in charge immediately.
22. Report any person engaged in unlawful activities immediately to a manager.
23. Not encourage, incite or participate in antisocial behaviour.
24. Not encourage drunkenness in customers.
25. Promote the four licensing objectives in the course of their work - The Prevention of Crime & Disorder, Public Safety, The Prevention of Public Nuisance and The Protection of Children from Harm.
26. Be familiar with the Premises Licence and all of the conditions the Licence is subject to and ensure compliance at all times.
27. Attend the nightly pre-shift security briefing where positions, roles and responsibilities will be allocated. Any absence must be approved by the Designated Premises Supervisor (DPS).

### **Elysee's Values and Standards**

Door supervisors should:

28. Adhere to Elysee's company standards, policies and procedures.
29. Be perceptive of Elysee's values.
30. Contribute to the goals and objectives of Elysee.

**Any door supervisors found to be in breach of any of the above rules will be subject to disciplinary procedure.**

The premises will review the code of conduct periodically and any amendments may be incorporated into this document.

### 13. Dealing with Serious Incidents

**The aim of this policy is to ensure serious incidents are dealt with effectively and that staff understand the various measures to take following a serious incident and why they are necessary.**

For the purposes of this policy a serious incident is normally defined (by police) as the following:

- An injury has occurred due to some form of weapon, e.g.; knife, bottle, pole etc.
- A broken skin injury has occurred.
- An incident has occurred which has resulted in death or serious injury. (i.e.; heart failure, accident, serious assault, etc.).
- Any other crime committed where police may need to search and investigate for any evidence.

**In the event of a major incident the manager in charge will:**

1. Inform the police immediately or confirm that the police have been informed (and any other appropriate emergency service) The senior manager will always meet and brief the first Police Officer on scene to ensure clear communication and appropriate actions are carried out upon Police instructions.
2. Ensure that adequate victim welfare and any medical assistance required is provided
3. If safe to do so locate and detain offender(s). Suspects will be held by security pending arrival of police
4. Identify and secure crime scene(s). Evacuate area where incident occurred and preserve the scene – do not move any objects, furniture, bottles, glasses etc
5. Identify any witnesses and keep them on premises for police or, if this is not possible, obtain contact details
6. Burn relevant CCTV to media (e.g. USB stick) and supply all images required to police
7. Keep customers at premises if at all possible
8. Keep all till receipts and details of credit cards
9. Ensure all staff write comprehensive incident reports and give statements to police
10. Inform the duty manager and all security of the incident
11. All staff will remain at scene until no longer required by police.

**REMEMBER: PRESERVE CRIME SCENE** - All staff will be instructed in the Crime Scene Preservation Policy:-

- Do not attempt to clean or clear crime scene area
- Do not allow people to walk through crime scene area or move anything

**Investigate - Who? What? When? Where?**

As the manager of the premises, you need to quickly ascertain the nature of the incident. Do NOT make assumptions, find out the facts – speak to witnesses (customers and staff) especially any person WHO may have an injury.

- Look around you. WHAT do you see? – broken glass, wet floor, blood?
- WHERE do you see it? – in which areas of the venue?
- WHEN did it happen? – treat and speak to injured person(s),
- WHO was involved? – trace the offender (if there is one), view CCTV

**Incident Report**

A full incident report must be written following any serious incident. This may take the form of a composite report that includes various accounts from your staff. This may then need to be updated in the following days as you receive further information or there are events related to the incident (e.g., Opolice collecting CCTV, a witness coming forward, etc.). You may also want to add additional content to the report such as remedial action taken (e.g., staff training).

**Elysee is subject to the following premises licence conditions:**

*Police must be called to incidents of violence and/or disorder.*

*A detailed entry will be made in the incident book of any serious crime and disorder. The duty manager will make a decision as to whether to call police.*

## 14. Sexual Assaults

The aim of this policy is to prevent sexual assaults, ensure staff are informed and aware of the risks and to ensure that should anyone be sexually assaulted that adequate procedures are in place to provide for the welfare of the victim and detention of any suspects.

### 1. Offences - Definitions

#### Rape

Under the *Sexual Offences Act 2003*, it is an offence for any male to penetrate with his penis the vagina, anus or mouth of a female or male without their consent. A person found guilty of this offence could be sent to prison for life.

#### Assault by penetration

The Act makes it an offence for any male or female to penetrate the vagina or anus of another person without their consent. The offence is committed where the penetration is by a part of the body (for example, a finger) or anything else (for example, a bottle) for sexual intent.

#### Sexual Assault

Section 3 of the Act makes it an offence for any male or female to intentionally touch another person sexually without his or her consent. A person found guilty of this offence could be sent to prison for a maximum of ten years.

#### Causing sexual activity without consent

It is an offence to cause or encourage another person to engage in sexual activity without his or her consent. If penetration is involved then a person found guilty of this offence could be sent to prison for life. If no penetration is involved then a person found guilty of this offence could be sent to prison for up to ten years.

#### What does 'consent' mean?

The definition of a sexual offence often revolves around consent. In simple terms, it's all about permission (or agreement). This is something that must be clearly established between two people before any kind of sexual act or behaviour. If an individual is accused of a sex offence, they must show that they reasonably believed consent had been given by the other person.

### 2. Drink Spiking

Drink spiking is when mind-altering substances, such as drugs or alcohol, are added to your drink without you knowing. Mind-altering means that it may affect your actions, or how you behave with other people.

There are many reasons why someone might spike a drink, and it is not only females who could be targeted. The most common reasons are:

- for amusement,
- to be malicious (deliberately nasty),
- to carry out a sexual assault, or rape,
- to carry out a physical assault, or
- to carry out a theft.

The symptoms of drink spiking will depend on whether alcohol, or another drug, has been used, how much of the substance was used, and how much alcohol has already drunk. A person will need to have your blood or urine tested by the police to confirm that a drink has been spiked with drugs.

Drink spiking is illegal, even if an attack or assault has not been carried out. It can result in a maximum punishment of 10 years in prison for anyone who is found guilty of doing it. If an assault, rape, or robbery is also carried out, the sentence will be even higher.

If a person's drink has been spiked, the symptoms will depend on what drug has been used. The effect of any drug will depend on body shape and size, age, how much of the spiked drink has been consumed, and how much alcohol (if any) has already been drunk.

Any drug could be slipped into a person's drink without their knowledge. Drugs can come in powder, or liquid, form, and may not have a taste, or smell, that you can identify as unusual.

### **Date Rape Drugs**

The most common drugs that are used in drink spiking are often referred to as date rape drugs. This is because they make it harder for a person to resist an assault. The most common date rape drugs are:

- alcohol,
- gamma-hydroxybutyrate (GHB) and gamma-butyrolactone (GBL),
- tranquilizers, most often benzodiazepines, including valium and rohypnol, and
- ketamine.

These drugs are depressants which work by slowing down your nervous system, and dulling your responses and your instincts. In moderation, alcohol can help to relax you, and some date rape drugs are legally prescribed for anxiety and insomnia. However, when taken without knowing, these substances leave you vulnerable to danger.

Date rape drugs will affect your behaviour and the messages that you give out to other people. You will not be fully in control of yourself and someone could take advantage of you.

Date rape drugs can start to take effect within five minutes of being taken, or up to an hour after being taken. The symptoms for the above drugs, including alcohol, are quite similar, and will include some of the following:

- drowsiness or light headedness,
- difficulty concentrating,
- feeling confused or disorientated, particularly after waking up (if you have been asleep),
- difficulty speaking, or slurring your words,
- loss of balance and finding it hard to move,
- lowered inhibitions,
- paranoia (a feeling of fear or distrust of others),
- amnesia (memory loss) or a 'black-out' of events (when you cannot remember large sections of your evening),
- temporary loss of body sensation (feeling like you are floating above your body, or having an 'out of body' experience),
- visual problems, particularly blurred vision,
- hallucinations (seeing, hearing, or touching things that are not really there),
- nausea and vomiting, and
- unconsciousness.

All date rape drugs are particularly dangerous when they are mixed with alcohol because they combine to have a very powerful anaesthetic effect. This causes unconsciousness and, in more extreme cases, it can cause coma or even death.

How long the effects of the drugs last will depend on how much has been taken and how much alcohol, if any, has been drunk. The symptoms could last between 3-7 hours, but if a person passes out it will be hard to know the full effect. It is possible to still feel some of the symptoms of a date rape drug after a night's sleep, particularly confusion, amnesia or nausea.

The most common date rape drugs are described in more detail below.

### **Alcohol**

Alcohol is the most common date rape drug. It can be added to a soft (non-alcoholic) drink without a person's knowledge, or double measures can be used instead of singles. If a person has had a drink already, they may find it harder to tell how much alcohol they are consuming. The effects of alcohol will depend on how much they drink, and if they had been drinking already.

### **Gamma-hydroxybutyrate and gamma-butyrolactone**

Gamma-hydroxybutyrate (GHB) usually comes in the form of a slightly oily, colourless, liquid, and less often as a powder.

Gamma-butyrolactone (GBL) is a more basic form of GHB and another possible date rape drug. It comes in liquid form and is found in some household products. After entering the body, GBL changes into GHB.

Only a very small amount of GHB is needed in order to have an effect, and it can be dissolved easily into other liquids. GHB has an unpleasant taste, and a weak odour but, in very small doses, or if it is mixed with a strong flavoured drink, a person is unlikely to notice it.

### **Tranquilizers**

Tranquilizers come in hundreds of different forms, but the most common are called benzodiazepines. You may hear of these as valium, rohypnol, roofies, or benzos. They are sometimes legally prescribed to treat anxiety or insomnia. Tranquilizers work by slowing down a person's body, relieving tension, and making them feel very relaxed. They normally come as a tablet.

### **Ketamine**

Ketamine, sometimes just called K, is a powerful anaesthetic that is used for both animals and humans. In its legal form it is a liquid, but illegally, it is normally a grainy white powder or a tablet. Ketamine can cause hallucinations or it can create a feeling of your mind being separate from your body.

### **Preventing Drink Spiking**

- Clear away unattended drinks
- Advise customers not to leave drinks unattended
- Be aware of what customers are ordering
- Try to observe who drinks are for



- Watch out for suspicious behaviour

### 3. Customer Behaviour

All staff must be aware of any behaviour that could become a potential problem.

- Over amorous couples
- Males in female toilets
- Males giving females too much attention or unwanted attention
- Females that are displaying signs of intoxication and are vulnerable
- Upset females

### 4. Patrolling Premises

The premises needs to be patrolled effectively. This responsibility will lie with the GM / duty manager to ensure this happens. Certain areas, such as toilets, will require a record of checks.

Each premises should have a security plan (see below). The positions (and responsibilities) will be allocated in the security briefing before shift begins.

Every member of staff has a responsibility to report any suspicious behaviour in any part of the premises.

### 5. Vulnerable Areas

Vulnerable areas will vary from site to site, but areas that should be paid particular attention are listed below. Your security plan, pre-shift briefing and regular checks must take in account the following, as well as any venue specific areas.

- Toilets
- Dark areas with low lighting
- Private rooms / booths
- Back of house / cupboards
- Fire exits

You must carefully assess your site to identify any vulnerable areas and take the appropriate measures, e.g. allocate security, include in checklists, raise lighting etc.

As a minimum, vulnerable areas should be checked every 30 minutes.

### 6. Security

There is a security plan which includes job descriptions for all security. This sets out all static security positions and a job description for each member of the security team. The job description sets out their roles and responsibilities. This includes areas to patrol and will, in particular, specify vulnerable areas (see above) that require regular checks.

The plan numbers each position, e.g. "Security #1 – Head doorman" with a full description of his role and responsibilities.

At least one female door supervisor is employed where possible.

Security must immediately notify management of any potential issues relating to sexual offences.

## 7. CCTV

CCTV, as far as possible, covers all vulnerable areas. Where this is not possible additional appropriate measures are taken, e.g. patrolling the premises or positioning of security.

## 8. Training

All staff receive training on how to identify potential situations. Training will include:

- Danger signs
- Communication to other staff
- Victim care
- Crime scene preservation
- Report / statement writing

Training sessions will be held quarterly. All staff must have a signed record of attending the training.

## Reactive Measures

### 1. Victim Care

The victim of a sexual assault is to be considered an extremely vulnerable person and, as such, the appropriate level of care and consideration must be given.

A same sex member of staff should remain with the victim until police arrive.

The victim / witnesses to the incident are to be asked to remain inside the club and if possible, they are to be seated in an area away from other customers, free non-alcoholic refreshments (such as coffee, mineral water) should be offered to them to assist in their comfort.

Do not try and interview the victim (other than basic questions to ascertain if the suspect is on the premises).

Bear in mind that the victim is, in fact, a crime scene.

You must keep any suspect away from the victim.

### 2. Crime Scene Preservation

The scene of the assault must be preserved pending arrival of police as per the Crime Scene Preservation Policy. The suspect must not be allowed to destroy evidence, e.g. washing hands / body etc. and should not be left alone whilst waiting for police to arrive.

### 3. Suspects

If a suspect has been identified, they should be detained pending the arrival of the police in the same way you would deal with any other serious assault.

Bear in mind that the suspect could also be a crime scene.

You must keep any suspect away from the victim.

### 4. Police

If a sexual assault has been alleged, or even suspected, the police will be called immediately.

The victim of sexual assault will quite often not want to call police or even make an allegation. It is quite common for an allegation to be made at a later date.

Following an assault the victim will often just want to go home or get away from the scene of the crime. It is not for you or security to investigate the assault. The police are the only people that can ascertain if a crime has taken place. It is for that reason that police should always be called.

#### **5. CCTV**

Any relevant CCTV images will be burnt to DVD or CD as soon as possible following any serious incident. Four copies will be retained – one for police, one for the business' licensing solicitor, one for the directors and one placed in the safe at the premises.

Relevant images will include the area the assault took place, but also where the victim and suspect had been in the premises. It will also include the victim and suspect arriving and leaving the premises.

#### **6. Incident Reporting / Statements**

A full incident report will be written by the GM as per the premises' Incident Reporting Policy. Statements will be provided by any staff who witnessed the incident.

#### **7. Press**

The directors will prepare a brief press statement if appropriate.

All staff must be instructed not to speak with any press whatsoever. They should be warned that there may be calls or visits from press pretending to be concerned guests, relatives etc.

Any press enquiries received at the premises must be referred to the directors.

## 15. Crime Scene Preservation

**The aim of this policy is to ensure a crime scene is preserved, when necessary, and that staff understand the various measures to take following a serious incident and why they are necessary.**

### 1. What constitutes a serious incident which may require a crime scene to be preserved?

- An injury has occurred due to some form of weapon, e.g.; knife, bottle, pole etc.
- A broken skin injury has occurred.
- An incident has occurred which has resulted in death or serious injury. (i.e.; heart failure, accident, serious assault, etc.).
- Any other crime committed where police may need to search and investigate for any evidence.

### 2. Crime Scene Preservation

**A crime scene is to be preserved when there has been a serious incident where police may need to search and investigate for any evidence.**

#### Terminology

**Crime Scene:** Any physical location in which a crime has occurred or is suspected of having occurred.

**Primary Scene:** The original Location

**Secondary Scene:** An alternate location where additional evidence may be found

**Physical Evidence:** Any material items present at crime scene, on victims or found in suspects possession

**Suspect:** Person thought to have committed a crime

**Accomplice:** Person associated with suspect

**Testimonial Evidence:** Oral or written statements given to police or in court

#### Procedures

The authority to preserve a potential crime scene remains with the senior manager on duty.

Full responsibility for all events following an incident will be taken by the senior manager on duty. This includes incident reporting, removing tapes and liaison with Police on the night. Any co-operative witnesses are to be taken to a holding area and the senior manager is to inform the first attending officer.

Once an area has been declared as a crime scene by the senior manager on duty, then all access to the area must cease immediately.

There is to be no access to the preserved area which is to be marked off by barriers, ropes and security. Any evidence must be left where it falls (broken glass, bottle etc.) unless it is dangerous to leave it where it is. If it has to be moved – a manager must pick it up using gloves (avoiding finger prints) and place it inside a police evidence bag. It is to be signed and sealed and placed in the safe to hand over to police on their request.

**Individuals may be considered crime scenes and all precaution must be taken to prevent the transfer of evidence. E.g. A door supervisor who has restrained a suspect for assault should not then have contact with a victim. A suspect and victim should also be kept apart.**

A manager on duty must remain at the crime scene until the police arrive.

The senior manager on the door will then make first contact with the police and relay the information as to whether the crime scene remains preserved or is cleared.

***It is imperative that a preserved crime scene takes precedent over the financial needs of the business. Whenever possible, if a crime scene can be preserved without disruption to the general public, then Elysee should run as normal. If the crime scene disrupts the use of one of the fire exits, then the front door should be closed to the public immediately and a view will be taken as to whether trading will continue. If the crime scene will either greatly disrupt the public or jeopardise public safety, then the senior manager on duty will be responsible for the decision to close.***

Witnesses to the incident are to be asked to remain inside the premises and if possible they are to be seated in an area away from other customers, free non-alcoholic refreshments (such as coffee, mineral water) should be offered to them to assist in their comfort.

**Victim care must be considered when dealing with vulnerable people – see the Guest Welfare Policy.**

**Remember:**

- **Protect the crime scene to preserve its physical aspects.**
- **Steps need to be taken as soon possible after incident even while victims are being attended to.**
- **Cordon off if possible or station staff in relevant positions – Reroute traffic**
- **Prevent unneeded walking around and intrusions**
- **Prevent unneeded movement or touching of physical evidence**
- **Do not allow any items to be removed from scene without permission from authorities.**
- **Do not discuss the crime with witnesses and bystanders.**
- **Be alert to secondary scenes – e.g. weapon discarded in toilets or exit**
- **Follow the same procedures as primary scene**

**Remember people can also be crime scenes and avoid transfer of evidence**

## 16. Theft Prevention

The aim of this policy is to prevent property theft in (and around) Elysee.

Thefts can be prevented using four broad approaches:-

1. Staff awareness
2. Customer awareness
3. Property control
4. Security

The following measures are in place to prevent thefts at Elysee.

### Staff awareness

- Daily briefings (cascade information from incident reports / crime mapping etc.)
- Allocate responsibilities
- Training

### Customer awareness

- Signage (at entrance and in toilets)
- Direct guests to cloakroom on entry
- Verbal advice to look after property

### Property control

- As the weather deteriorates there will be more coats that may attract thieves and in particular pickpockets, all staff should be briefed to encourage the use of cloakrooms
- Encourage all guests to use cloakroom
- Bags to be placed in the cloakroom at no charge at managers' discretion
- Security & managers to be vigilant
- All staff have a part to play
- Log all found property
- Log and incident report any reported lost stolen property

### Security

- Include in staff briefings & training
- Entry controls – vetting at entrance
- Searching
- Patrol premises for unattended property
- Door Supervisor positions
- Crime mapping – allocate resources where appropriate
- CCTV – monitor from office / use to detect suspects following the report of lost property
- ID scan
- Lighting levels

### PIN Theft

- Known as 'shoulder surfing'
- Train staff on 'protect your PIN'
- Label credit card machines
- Instruct guests to cover their PIN
- Look for people watching machines
- Effective signage asking guests to cover their PIN

**Unattended Items**

- Inform guests of cloakroom facilities
- Unattended items to be placed in the cloakroom throughout the night as they are found
- All items to be recorded in the office as soon as they are found
- All items not claimed throughout the evening must be recorded

**Unclaimed Items**

- All phones, wallets, bags, passports and items of value MUST be left in the appropriate secure place in the office and recorded on the internal spreadsheet
- Each item must be tagged with a sticker indicating the date left
- All phones must be called to retrieve the owner. You must call 'home', 'last caller', 'mum' etc.
- Items with some form of identification must be contacted by the reservationist the following morning. All records of attempt should be updated on the internal spreadsheet

**Lost Cloakroom Tickets**

- Guests that lose their cloakroom ticket must wait until the end of the evening to claim their items unless it is authorised by the manager in charge.
- Only the senior manager on duty can authorise the release of property before the end of the evening. This is only to be done in the case that clearly identifiable items are in the pockets and these items are required for that person to get home. For example, purse, keys etc.

Guests that claim property without a ticket the following day must sign and print their contact details if future follow up is required.

**Venue Specific Licence Conditions**

Elysee is also subject to the following premises licence conditions:

*The attendant shall be on duty in the vicinity of the cloakroom during the whole time it is in use.*

## 17. Staff Behaviour

**The following code of conduct will apply to all staff employed at Elysee.**

1. Members of staff are not to be in the company of a customer except in an area open to the public within the club.
2. There shall be no indecent or inappropriate contact between members of staff and customers.
3. Members of staff must not engage in any unlawful activity inside the club.
4. Members will not discriminate against any individual or group.
5. Members of staff will not harass, victimise or bully others through actions, language or behaviour.
6. Members of staff will not consume any alcohol whilst on duty.
7. Members of staff may never consume, possess or be under the influence of any unlawful drug or substance, unless it is personally prescribed medication by a registered doctor.
8. Members of staff are not to invite or knowingly permit their spouses, girlfriends / boyfriends, or anyone else with whom they are romantically involved with to enter the club without the express consent of the Designated Premises Supervisor (DPS).
9. Members of staff will report any person engaged in unlawful activities immediately to a manager.
10. Members of staff will not encourage, incite or participate in antisocial behaviour.
11. Members of staff will not serve intoxicated guests and will not encourage drunkenness in customers.
12. All members of staff have a duty to comply with the Licensing Act 2003 and to promote the four licensing objectives in the course of their work - The Prevention of Crime & Disorder, Public Safety, The Prevention of Public Nuisance and The Protection of Children from Harm
13. All members of staff must become familiar with the Premises Licence and all of the conditions the Licence is subject to and ensure compliance at all times.
14. Any member of staff found to be in breach of any of the above rules will be subject to disciplinary procedure.
15. The premises will review the code of conduct periodically and an amendments may be incorporated into this document.



## 18. Events

**The aim of this policy is to reduce the risk of serious violent crime at events held at Elysee.**

**All events held at Elysee will be subject to rigorous vetting. Any booking will not be confirmed without the approval of the Designated Premises Supervisor.**

Anyone wishing to an private event will be required to attend Elysee in person to meet with management (unless they are already known to management).

Persons wishing to book a private party will be required to provide the following information:

1. The nature of the event.
2. The style of music to be played
3. The name, date of birth, home address, e-mail address and a telephone number of the organiser (photographic ID will be supplied)
4. The name, date of birth, home address and a telephone number of any DJ's playing at the event.
5. Whether tickets are being sold
6. A copy of the invitation prior to the event

If the event is promoted in some form by an outside promoter, further details may also be required in order to complete a risk assessment, including full personal details of any performers including DJs.

Each event will be risk assessed individually and the appropriate numbers of registered door supervisors employed.

Persons holding the event will be informed that:

- The event will be held subject to a risk assessment
- An invitation does not guarantee entry
- All guests may be subject to a search
- The premises operates a strict policy on drugs and weapons. Any person found in possession of either will be detained and reported to the police immediately

**The event will be monitored throughout and could, should the management feel appropriate, be stopped at any time.**

A risk assessment will be available to police licensing upon request. The assessment will include a start/end time, a description of the event, expected number of guests attending and number of security employed for the event.

## 19. Management of Outside Area & Dispersal

**The aim of the procedures laid out in this document is to ensure there is an absolute minimum of noise and to prevent any nuisance being caused to our neighbours and the general public.**

**All staff will be trained in the procedures and will receive regular refresher training.  
This document will be reviewed on an annual basis to ensure its effectiveness and relevance is not compromised.**

### 1. Roles and Responsibilities

- 1.1. The manager in charge will be responsible for ensuring the plan is fully implemented.
- 1.2. There will be a briefing each trading night where staff are assigned specific roles and responsibilities.
- 1.3. The briefing will be documented and will address any issues or complaints from the previous trading night.
- 1.4. Each briefing will consider any aspects of trading that could cause a nuisance to neighbours and put appropriate measures in place accordingly.
- 1.5. The briefing will also ensure that each member of staff has an effective means of communicating with the manager and other members of staff.

### 2. Entry Controls

- 2.1. Whenever there is a queue, it will be supervised at all times by at least one door supervisor to ensure guests do not congregate outside.
- 2.2. Guests in the queue will be advised on likely waiting times.
- 2.3. Guests will be advised that entry may be subject to a search.
- 2.4. If waiting times for entry are excessive customers will be asked to leave.
- 2.5. Any guests causing noise or disturbance or who appeared to be impaired / intoxicated through alcohol or drugs will be REFUSED ENTRY and asked to leave.
- 2.6. A manager will check the outside area regularly throughout the night.
- 2.7. A manager will be on duty at the entrance on busy nights.
- 2.8. The entrance must not be obstructed.

### 3. During Trading

- 3.1. Door supervisors outside Elysee will wear high visibility clothing.
- 3.2. Door supervisors will monitor activity in the vicinity of Elysee throughout each night to prevent crime and disorder, noise or disturbance arising from customers.
- 3.3. Door supervisors will discourage illegal taxi touts from congregating outside Elysee.
- 3.4. Door supervisors will ensure customers do not congregate outside. Any guests outside will either be directed to the smoking area or back inside Elysee.

#### **4. Guests Smoking**

- 4.1. Guests will only be permitted outside to smoke in line with Smoking Policy.
- 4.2. The smoking area for Elysee is on the roof terrace and to the front of the premises.
- 4.3. There will be a limit of 5 smokers permitted at the front of the premises after 22.00 hours and then a limit of 8 smokers on the rear roof terrace after midnight until closing time.
- 4.4. Staff and door supervisors will monitor guests smoking.

#### **5. Exit Controls**

- 5.1. Door supervisors will endeavour to control a slow stream of customers and guests leaving Elysee.
- 5.2. Door supervisors will be proactive about dispersal of groups of people outside Elysee.
- 5.3. Guests will be encouraged to leave the area quickly and quietly.
- 5.4. Door supervisors will patrol the street outside Elysee to ensure customers and guests leave the area quietly. Any customers and guests causing noise or disturbance will be asked to be quiet. Those that do not will be refused entry in the future.
- 5.5. A manager will be on duty and stationed at the exit 30 minutes from close to oversee dispersal. For this period at least two door supervisors will also be on duty to assist with the safe dispersal of guests.
- 5.6. At least 1 SIA registered supervisors shall remain on duty outside the premises for at least 30 minutes after the last customer has left the premises on Thursday, Friday and Saturday evenings. The SIA supervisors shall monitor the area outside the premises to ensure that customers leave the premises safely and to prevent serious crime and disorder from occurring.
- 5.7. As customers leave and Elysee empties, door supervisors from inside Elysee will be posted outside to assist with dispersal.
- 5.8. Guests will not be allowed to drinks with them as they leave.

#### **6. Other Measures**

- 6.1. The tempo of music will be slowed down and the volume will be lowered gradually at the end of the night to encourage guests exit in a calm manner.
- 6.2. The house lights will be raised gradually at the terminal hour for licensable activities.
- 6.3. Guests will be supplied with information on transport options available late at night.
- 6.4. Notices will be prominently displayed at exits requesting the guests to respect the needs of local residents and to leave Elysee and the area quietly in a considerate manner.

- 6.5. The Licensee will ensure that staff will conduct a litter and cleaning patrol of area immediately outside Elysee.
- 6.6. The Licensee will direct its security staff that if it observes people who have left its premises who are causing a public nuisance, threatening property or people or otherwise engaged in anti-social behaviour, to contact the police as necessary.

## 7. Complaints procedure and contacts

- 7.1. A telephone number will be available to local residents for them to call should they have an issue. The telephone number will be published on the website.
- 7.2. Any complaint will be dealt with promptly by the senior member of staff on duty. The complaint will also be reviewed and followed up by the DPS on the next working day.
- 7.3. A detailed record will be kept of any complaint received. This will include the nature of the complaint and action taken together with the details of the complainant.

## 8. Venue specific licence conditions

Elysee is also subject to the following premises licence conditions:

*The main entrance doors shall be kept shut whilst the premises are in use under this licence to lessen the noise nuisance.*

*The side exit doors must be kept locked back in the open position whilst the premises are in use under this licence.*

*The area at the front of the premises/Elysee Restaurant has been used by patrons who wish to smoke. A maximum of five patrons will be permitted to use this area after 22:00 hours. No drinks are to be taken into this area and a bin will also be provided for butts to be disposed of.*

*The roof terrace shall not be used for eating and drinking between 00:00 hours and 09:00 hours.*

*There will be a limit of 5 smokers permitted at the front of the premises until 22.00 and then a limit of 8 smokers on the rear roof terrace thereafter until closing time. [Wrong wording/times]*

*Security will endeavour to control a slow stream of customers and guests leaving Elysee.*

*Security will be proactive about dispersal of groups of people outside Elysee.*

*Security will encourage customers to leave the area quickly and quietly.*

*Security will patrol outside the premises to ensure customers and guests leave the area quietly. Any customers and guests causing noise or disturbance will be asked to be quiet. Those that do not will be refused entry Elysee in the future.*

*Security will discourage illegal taxis and touts from congregating outside Elysee.*

*Security will monitor activity in the vicinity of Elysee throughout each night to prevent crime and disorder, noise or disturbance arising from customers.*

*Door supervisors will vigilant and proactive in preventing crime and disorder They will assist police to the best of their ability/ powers/ authority.*

*As the premises empties security inside the venue will move outside to assist in dispersal.*

*A manager will be on duty and stationed at the exit 30 minutes from close to 30 minutes after to oversee dispersal. For this period at least two door supervisors will also be on duty to assist with the safe dispersal of guests.*

*Security outside the premises will wear high visibility clothing at all times.*

*As customers leave and the premises empties door supervisors from inside the premises will be posted outside to assist with dispersal.*

*Guests will not be allowed to take drinks with them as they leave. Security will be posted at the exit to prevent this happening.*

*Music volume will be lowered gradually at the end of the night to reduce shouting and boisterous behaviour when people exit Elysee.*

*The brightness of the lighting inside Elysee will be increased gradually as part of a 'cooling off period.*

*A dedicated taxi service will be available to Elysee guests.*

*Customers wishing to smoke outside will be directed to the smoking area at the rear of the premises in line with Elysee's smoking policy.*

*Door supervisors will ensure customers do not block the pavement outside Elysee.*

*Customers will be supplied with information on transport options available late at night.*

*Signage will be clearly displayed reminding guests to leave quietly and respect residents as they leave.*

## 20. Smoking

**Elysee operates a zero tolerance policy to smoking in the venue in line with the Smoke Free regulations and Health Act 2006.**

1. "No Smoking" signage will be displayed at Elysee that clearly states it is against the law to smoke anywhere inside the premises.
2. Staff will take immediate action if any customer attempts to smoke inside Elysee. Any customer who still attempts to smoke inside the premises will be asked to leave.
3. Staff will not smoke anywhere inside Elysee, including back of house areas.
4. All staff will receive training on dealing with smoking in smoke free premises including the penalties involved:-
  - Smoking in smoke free premises: a fixed penalty notice of £50 (reduced to £30 if paid in 15 days) imposed on the person smoking. Or a maximum fine of £200 if prosecuted and convicted by a court.
  - Failure to display no-smoking signs: a fixed penalty notice of £200 (reduced to £150 if paid in 15 days) imposed on whoever manages or occupies the smoke free premises. Or a maximum fine of £1000 if prosecuted and convicted by a court.
  - Failing to prevent smoking in a smoke free place: a maximum fine of £2500 imposed on whoever manages or controls the smoke free premises if prosecuted and convicted by a court. There is no fixed penalty notice for this offence.

**Elysee operates two smoking areas; one on Worship Street and another on the rooftop terrace. The following policy will be in operation:**

5. The smoking area for Elysee is on the roof terrace and to the front of the premises.
6. There will be a limit of 5 smokers permitted at the front of the premises after 22.00 hours and then a limit of 8 smokers on the rear roof terrace after midnight until closing time.
7. Staff and door supervisors will monitor smoking areas.
8. The smoking areas will be cleaned of litter at regular intervals.
9. Customers will be reminded to keep the noise down and to respect the residents in the area.
10. Any person causing a nuisance or disturbance in the smoking area will be asked to leave Elysee immediately.

**Elysee is subject to the following premises licence conditions**

*The area at the front of the premises/Elysee Restaurant has been used by patrons who wish to smoke. A maximum of five patrons will be permitted to use this area after 22:00 hours. No drinks are to be taken into this area and a bin will also be provided for butts to be disposed of.*

*There will be a limit of 5 smokers permitted at the front of the premises until 22.00 and then a limit of 8 smokers on the rear roof terrace thereafter until closing time. [Wrong wording/times]*

*Customers wishing to smoke outside will be directed to the smoking area at the rear of the premises in line with Elysee's smoking policy.*

## 21. Incident Reporting & Due Diligence Records

**The aim of this policy is to detail the records that will be kept to provide evidence of due diligence and the responsible operation of the premises in line with the Four Licensing Objectives.**

### 1. Incident Reports

It is important accurate details of any incident is recorded at the time should there be a requirement for investigation at a later date and to show that incidents were dealt with correctly.

The following incidents will be fully reported:

1. All crime reported to the premises that has occurred within it or which relates to a patron attending the premises or waiting to be admitted to the premises
2. All ejections of patrons where force was used
3. Any complaints received relating to the promotion of the licensing objectives
4. Any incidents of disorder occurring within the premises or outside the premises and where they relate to matters outside the premises they involve patrons of the premises or persons waiting to be admitted to the premises
5. All seizures of drugs or weapons
6. any faults in the CCTV system or body worn cameras
7. any visit by a relevant authority or emergency service
8. any emergency situation such a fire, flood, loss of power, or bomb threat
9. any accident or injury to employee, contactor or customer

**A separate record will also be kept of refusals (of entry and service) and ejections (where no force was used)**

**Each incident report will contain the following:**

- The full name and position of person reporting
- Their SIA registration if security
- Date, time and location of incident
- Whether the incident was captured by CCTV – which camera – have the images been burnt onto DVD?
- Was a crime scene preserved
- Full details of the incident
- Whether the police were called (and who called them)
- Police CAD number (if police were called)
- Whether police attended (if so provide shoulder numbers)
- Whether anyone was injured (give full details, including any medical assistance given and whether an ambulance attended)

- Describe all persons involved in the incident
- Give details of all witnesses to the incident

**STAFF WILL BE INSTRUCTED NOT TO:**

- Use slang
- Use acronyms, abbreviations or terminology that may not be understood
- Make assumptions or speculate – be factual

## 2. Due Diligence Records

The following daily records will be completed:

- Pre-opening safety checks – to show that emergency exits, lighting, signage and fire safety equipment is all maintained, working and in place.
- Clicker counts / accommodation numbers – to show that a safe capacity is managed and never exceeded.
- Refusals of entry – to show customers are vetted before allowed entry
- Refusal of service – to show that we do not serve intoxicated or underage persons
- Ejections – to show that unsuitable guests (e.g. through intoxication, behaviour etc.) are asked to leave Elysee.
- Door supervisor log – to show that properly SIA registered staff are employed at Elysee.
- Toilet checks – to show that toilets are regularly checked for criminal activity / antisocial behaviour.
- CCTV checks – to show our CCTV is working correctly and holds footage for the minimum required 31 days.

### Venue specific licence condition

Elysee is also subject to the following premises licence condition.

*An incident log shall be kept at the premises and made available on request to an authorised officer or the Police which will record the following*

- (a) *All crimes reported to the venue*
- (b) *All ejections of patrons*
- (c) *Any complaints received*
- (d) *Any incidents of disorder and violence*
- (e) *All seizures of drugs or offensive weapons*
- (f) *Any faults in the CCTV system or searching equipment or scanning equipment*
- (g) *Any refusal of the sale of alcohol to include date, time and staff member*
- (h) *Any visit by a relevant authority or emergency service*
- (i) *CAD reference numbers where Police are called*



## 22. CCTV & Body Worn Cameras (BWC)

**The aim of this policy is to ensure CCTV and BWC are operated effectively and that records are retained for due diligence purposes.**

Elysee operates a CCTV system that conforms to the Data Protection Act 2018. The Data Controller is Gales Restaurants Ltd.

It is very important to be able to demonstrate that the system is working, has been operational historically, and that any issues are resolved as soon as possible.

CCTV is operated for the purposes the prevention and detection of crime, public safety and employee security. The following procedures are in place:

1. One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering. The system will provide full coverage of the interior of the premises and any exterior part of the premises accessible to the public.
2. The system will record in real time and recordings will be date and timestamped.
3. Recordings shall be kept for a minimum of 31 days and shall be made available upon request by an authorised officer of the licensing authority or by a police officer within 24 hours.
4. The CCTV system shall continually record whilst Elysee is open for licensable activities and during all times when customers remain on the premises.
5. The CCTV system will capture a clear head and shoulders image of "identification standard" of every person entering the premises. Persons entering Elysee should be asked to remove any headwear which obscures the persons' face unless it is worn as part of religious observance.
6. The CCTV system will be kept secure at all times. Access will be limited to the DPS and managers.
7. A dedicated CCTV system log will be kept at Elysee. All usage, checks, faults and requests for images will be recorded in the log. Any person taking a copy of the CCTV such as the police, fire authority or local authority officer MUST sign in the relevant section of the log acknowledging receipt of the data. The signing officer must also enter their place of work and a contact telephone number.
8. A full incident report will be made of any faults with the system.
9. When reporting any faults with the CCTV system, anticipated times scales for repairs and who the issue has been escalated to if these time scales are not met will be included.
10. The DPS and all managers will all be trained in the use of the CCTV system. The training will include interrogation of the system and transfer of images to separate media (CD, DVD, flash drive, USB stick external hard drive etc.)
11. There will be at least one person who is suitably trained and conversant with the CCTV system on Elysee at all times it is open to the public.

12. The DPS will ensure as far as possible that the system is maintained and working correctly at all times. At minimum, a weekly, documented test will be carried out to ensure the system is working correctly. A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request.
13. Relevant CCTV images will be burnt to playable media as soon as possible following any serious incident. Two copies will be retained – one for police and a backup placed in the safe at the premises.
14. All searches of customers will take place in an area clearly covered by CCTV.
15. Signage will be placed prominently at the entrance to Elysee advising all persons entering that CCTV is in operation in accordance with the Data Protection Act 2018.

### **BODY WORN CAMERAS (BWC)**

In the event Elysee opted to use BWC, the following measures will be place. The use of BWC would be to promote the four licensing objectives; to protect staff, customers, members of the public and their property, and prevent and detect crime.

The use of BWC should be:

- Incident specific
- Proportionate
- Legitimate
- Necessary
- Justifiable

BWC are capable of capturing primary evidence in such a way that it is able to bring a compelling and an indisputable account of the circumstances at that time. This will not replace the needs to capture other types of evidence but will go a considerable way in reducing any ambiguities and should be considered as an additional security aid.

1. The premises shall ensure that the use of such BWC is dealt with within any training it provides to the security personnel team.
2. Door Supervisors based at Elysee will 'book out' their BWC from a pool of devices shared amongst a number of staff members.
3. Door Supervisors are required to ensure the device is charged, all previously captured images and audio is automatically removed prior to deployment. The device will then be fixed to the Door Supervisors outer clothing where the field of view is clear and not obscured.
4. BWC video footage will be held in compliance with the Data Protection Act requirements. Footage will be held for 31 days unless there is a need for it to be held longer – i.e. as evidence of a crime etc.
5. BWC footage will be provided to police upon request with the absolute minimum of delay.

6. Door supervisors with BWC will record, where possible, any physical ejections and any incidents of crime and/or disorder.



## Licensing Compliance Audit

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# Elysee

13 Jan 2023

Complete

Score	79.84%	Flagged items	1	Actions	0
<b>Conducted on</b>	13 Jan 2023 8:57 PM GMT				
<b>Name of auditor</b>	Nad Valaydon				
<b>Client / Site</b>	Gales Restaurants Ltd				
<b>Name of premises</b>	Elysee				
<b>Location</b>	13 Percy Street London W1T 1DP				

**Disclaimer**

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**Confidentiality Statement**

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Flagged items		1 flagged
Licence Compliance		
<b>Premises compliant with Licence conditions</b>	No	
General		
<b>Current Premises Licence number</b>	PREM-LIC\1603	
<b>Name of Designated Premises Supervisor (DPS)</b>	Shakir Mahmood	
<b>Number of customers inside premises</b>	40	
<b>Number of customers queuing</b>	0	
<b>Number of customers drinking/smoking outside</b>	0	
<b>Name of person in charge</b>	Alex Karageorgis & Giggs Karageorgis	
<b>Number of door supervisors employed at premises</b>	<b>2</b> From 0 to 50	
<b>What is the premises search policy</b>	Random searches	
<b>Number of IDs scanned</b>	N/A	
<b>Number of persons refused entry</b>	None	
<b>Number of persons ejected / refused re-entry / refused service</b>	None	
Licences & Signage		100%
<b>Premises Licence summary, Part B, correctly displayed</b>	Yes	
<b>Section 57, custody of Licence notice, correctly displayed</b>	Yes	
<b>CCTV warning signs displayed</b>	Yes	
<b>ID scanning equipment warning signs displayed</b>	N/A	
<b>Search policy notice displayed</b>	Yes	
<b>Anti-drug signage displayed</b>	Yes	
<b>Age verification policy displayed</b>	Yes	
<b>Please leave quietly, or similar, notices displayed</b>	Yes	

<b>Licence Compliance</b>	1 flagged, 18.03%
<b>Licensable activities being provided</b>	Sale by retail of alcohol Regulated entertainment
<b>Premises compliant with Licence conditions</b>	No

## Breach

### Breach 1

#### Give details of breach

Smoking to be prohibited on the roof terrace.  
Smoking was taking place on terrace. It is understood this condition was imposed as previously the terrace was assessed by council officers as being substantially enclosed for the purposes of the Health Act 2006. Alterations have been made to the area and it now complies with the provisions of that Act. The Licensee is in the process of having the condition clarified/amended by Camden Council.

<b>Premises Licensee / delegated person on the premises</b>	Yes
<b>Current Premises Licence available</b>	Yes
<b>Personal Licence Holder able to produce their original Licence</b>	N/A
DPS awaiting licence card from issuing authority.	
<b>Staff authorised to make alcohol sales by Personal Licence Holder</b>	Yes
<b>Premises does not have any irresponsible drinks promotions</b>	Yes
<b>Tap water available on request</b>	Yes
<b>Mandatory minimum prescribed measures available and advertised to customers</b>	Yes
<b>At least one Personal Licence Holder on duty</b>	Yes
<b>Door Supervisors</b>	100%
<b>Adequate number of door supervisors employed at the entrance</b>	Yes
<b>Door supervisors clearly identifiable</b>	Yes
<b>All door supervisors' SIA registration badges correctly displayed</b>	Yes



<b>Door supervisor log completed and correct</b>	Yes
<b>All door supervisor SIA registrations current</b>	Yes
<b>Adequate security provision within the premises</b>	Yes
<b>Door supervisors alert and vigilant</b>	Yes
<b>Door supervisor roles and responsibilities clearly defined</b>	Yes
<b>Outside Managment</b>	100%
<b>Outside areas clearly defined (queues, smoking area etc.)</b>	Yes
<b>Queue management sufficient</b>	Yes
<b>Queue adequately supervised</b>	Yes
<b>Smokers adequately supervised</b>	Yes
<b>Outside area clear of bottles and glasses</b>	Yes
<b>Outside area clear of cigarette butts and litter</b>	Yes
<b>Entrance adequately managed</b>	Yes
<b>Customers properly vetted prior to entry</b>	Yes
<b>Customers searched in line with premises' policy</b>	Yes
<b>Fire Safety</b>	100%
<b>Escape routes clearly signed</b>	Yes
<b>Escape routes adequately lit</b>	Yes
<b>Escape routes unobstructed</b>	Yes
<b>Escape doors available and open freely</b>	Yes
<b>Fire extinguishers / safety equipment properly positioned</b>	Yes
<b>Fire extinguishers / safety equipement within test date</b>	Yes
<b>All fire doors closed or fitted with automatic closers</b>	Yes
<b>Fire alarm panel free of faults</b>	Yes
<b>Fire marshal on duty</b>	Yes

<b>Fire action notices displayed</b>	Yes
Waiting on notice from printers	
<b>Emergency lighting working</b>	Yes
<b>Walls/floors/ceilings in good state of repair</b>	Yes
<b>Record Keeping</b>	100%
<b>Written record of daily safety checks</b>	Yes
<b>Written record of occupancy numbers</b>	Yes
<b>Written record of split capacity occupancy numbers</b>	Yes
<b>Reportable incidents recorded</b>	Yes
<b>Refusals of entry recorded</b>	Yes
<b>Customer ejections recorded</b>	Yes
<b>Record of staff on duty</b>	Yes
<b>Internal Management</b>	100%
<b>Premises is not overcrowded</b>	Yes
<b>Cloakroom available for customer use</b>	Yes
Cupboard next to reception desk	
<b>Premises clear of unattended property</b>	Yes
<b>Store cupboards locked and secure</b>	Yes
<b>Adequate lighting in customer areas</b>	Yes
<b>Empty drinking vessels and bottles being collected</b>	Yes
<b>Floor dry and any spillages being cleared</b>	Yes
<b>Floor clear of trip hazards</b>	Yes
<b>Intoxication levels adequately managed</b>	Yes
<b>No underage customers on premises</b>	Yes
<b>Sufficient number of first aiders on duty</b>	Yes

<b>Sufficient first aid facilities available</b>	Yes
<b>Polycarbonate / plastic bottles and drink vessels used</b>	N/A
No restrictions on licence for use of glass	
<b>Food available</b>	Yes
<b>Toilets</b>	100%
<b>Attendant employed in the toilets</b>	Yes
<b>Toilets clean and floor dry</b>	Yes
<b>Toilets free of any evidence of suspected drug use</b>	Yes
<b>Toilets checked regularly by staff</b>	Yes
<b>Written record of toilet checks</b>	Yes
<b>Store cupboards within toilets locked and/or secure</b>	Yes
<b>Toilets and wash basins available for use</b>	Yes
<b>Toilets free of uncollected drinking vessels and bottles</b>	Yes
<b>CCTV &amp; ID Scanning Equipment</b>	100%
<b>CCTV installed in the premises</b>	Yes
<b>CCTV system working correctly</b>	Yes
<b>CCTV date and time correct</b>	Yes
<b>Minimum of 31 days CCTV footage available</b>	N/A
No CCTV condition on licence. CCTV has a storage of 28 days, this has been extended to 31 days however unable to confirm if this has taken affect. Alex will investigate to confirm.	
<b>Adequate CCTV coverage of premises</b>	Yes
<b>Sufficient stock of CCTV recording media</b>	Yes
<b>At least one member of staff on duty able to fully operate CCTV system</b>	Yes
<b>Written record of routine CCTV checks</b>	N/A
CCTV viewed constantly at front desk	
<b>ID scanning equipment working correctly</b>	N/A

<b>Appropriate staff issued with operational radios</b>	N/A
<b>How many staff issued with Body Worn Cameras</b>	<b>0</b> From 0 to 20
<b>Are Body Worn Camera recordings retained for 31 days</b>	N/A



## Licensing Compliance Audit

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## Elysee

17 Feb 2023

**Complete**

Score	<b>100%</b>	Flagged items	<b>0</b>	Actions	<b>0</b>
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**Conducted on** 17 Feb 2023 10:02 PM GMT

**Name of auditor** Nad Valaydon

**Client / Site** Gales Restaurants Ltd

**Name of premises** Elysee

**Location** 13 Percy Street  
London  
W1T 1DP

**Disclaimer**

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**Confidentiality Statement**

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General	
Current Premises Licence number	PREM-LIC\1603
Name of Designated Premises Supervisor (DPS)	Shakir Mahmood
Number of customers inside premises	84 ground floor, 4 upstairs
Number of customers queuing	0
Number of customers drinking/smoking outside	0
Name of person in charge	Kyriakos M Karageorgis
Number of door supervisors employed at premises	<b>3</b> From 0 to 50
What is the premises search policy	All bags searched Random searches
Number of IDs scanned	N/A
Number of persons refused entry	0
Number of persons ejected / refused re-entry / refused service	0
Licences & Signage	100%
Premises Licence summary, Part B, correctly displayed	Yes
Section 57, custody of Licence notice, correctly displayed	Yes
CCTV warning signs displayed	Yes
ID scanning equipment warning signs displayed	N/A
Search policy notice displayed	Yes
Anti-drug signage displayed	Yes
Age verification policy displayed	Yes
Please leave quietly, or similar, notices displayed	Yes
Licence Compliance	100%



<b>Licensable activities being provided</b>	Sale by retail of alcohol Late night refreshment Regulated entertainment
<b>Premises compliant with Licence conditions</b>	Yes
<b>Premises Licensee / delegated person on the premises</b>	Yes
<b>Current Premises Licence available</b>	Yes
Awaiting updated licence from authority with new DPS	
<b>Personal Licence Holder able to produce their original Licence</b>	N/A
DPS has just left due to child being sick.	
<b>Staff authorised to make alcohol sales by Personal Licence Holder</b>	Yes
<b>Premises does not have any irresponsible drinks promotions</b>	Yes
<b>Tap water available on request</b>	Yes
<b>Mandatory minimum prescribed measures available and advertised to customers</b>	Yes
<b>At least one Personal Licence Holder on duty</b>	Yes
<b>Door Supervisors</b>	100%
<b>Adequate number of door supervisors employed at the entrance</b>	Yes
<b>Door supervisors clearly identifiable</b>	Yes
<b>All door supervisors' SIA registration badges correctly displayed</b>	Yes
<b>Door supervisor log completed and correct</b>	Yes
<b>All door supervisor SIA registrations current</b>	Yes
<b>Adequate security provision within the premises</b>	Yes
<b>Door supervisors alert and vigilant</b>	Yes
<b>Door supervisor roles and responsibilities clearly defined</b>	Yes
<b>Outside Management</b>	100%

<b>Outside areas clearly defined (queues, smoking area etc.)</b>	Yes
<b>Queue management sufficient</b>	Yes
<b>Queue adequately supervised</b>	Yes
<b>Smokers adequately supervised</b>	Yes
<b>Outside area clear of bottles and glasses</b>	Yes
<b>Outside area clear of cigarette butts and litter</b>	Yes
<b>Entrance adequately managed</b>	Yes
<b>Customers properly vetted prior to entry</b>	Yes
<b>Customers searched in line with premises' policy</b>	Yes
<b>Fire Safety</b>	100%
<b>Escape routes clearly signed</b>	Yes
<b>Escape routes adequately lit</b>	Yes
<b>Escape routes unobstructed</b>	Yes
<b>Escape doors available and open freely</b>	Yes
<b>Fire extinguishers / safety equipment properly positioned</b>	Yes
<b>Fire extinguishers / safety equipment within test date</b>	Yes
<b>All fire doors closed or fitted with automatic closers</b>	Yes
<b>Fire alarm panel free of faults</b>	Yes
<b>Fire marshal on duty</b>	Yes
<b>Fire action notices displayed</b>	Yes
<b>Emergency lighting working</b>	Yes
<b>Walls/floors/ceilings in good state of repair</b>	Yes
<b>Record Keeping</b>	100%
<b>Written record of daily safety checks</b>	Yes
<b>Written record of occupancy numbers</b>	Yes

<b>Written record of split capacity occupancy numbers</b>	Yes
<b>Reportable incidents recorded</b>	Yes
<b>Refusals of entry recorded</b>	Yes
<b>Customer ejections recorded</b>	Yes
<b>Record of staff on duty</b>	Yes
<b>Internal Management</b>	100%
<b>Premises is not overcrowded</b>	Yes
<b>Cloakroom available for customer use</b>	Yes
<b>Premises clear of unattended property</b>	Yes
<b>Store cupboards locked and secure</b>	Yes
<b>Adequate lighting in customer areas</b>	Yes
<b>Empty drinking vessels and bottles being collected</b>	Yes
<b>Floor dry and any spillages being cleared</b>	Yes
<b>Floor clear of trip hazards</b>	Yes
<b>Intoxication levels adequately managed</b>	Yes
<b>No underage customers on premises</b>	Yes
<b>Sufficient number of first aiders on duty</b>	Yes
<b>Sufficient first aid facilities available</b>	Yes
<b>Polycarbonate / plastic bottles and drink vessels used</b>	Yes
	Glass drinking vessels
<b>Food available</b>	Yes
<b>Toilets</b>	100%
<b>Attendant employed in the toilets</b>	Yes
<b>Toilets clean and floor dry</b>	Yes
<b>Toilets free of any evidence of suspected drug use</b>	Yes

<b>Toilets checked regularly by staff</b>	Yes
<b>Written record of toilet checks</b>	N/A
<b>Store cupboards within toilets locked and/or secure</b>	Yes
<b>Toilets and wash basins available for use</b>	Yes
<b>Toilets free of uncollected drinking vessels and bottles</b>	Yes
<b>CCTV &amp; ID Scanning Equipment</b>	100%
<b>CCTV installed in the premises</b>	Yes
<b>CCTV system working correctly</b>	Yes
<b>CCTV date and time correct</b>	Yes
<b>Minimum of 31 days CCTV footage available</b>	Yes
<b>Adequate CCTV coverage of premises</b>	Yes
<b>Sufficient stock of CCTV recording media</b>	Yes
<b>At least one member of staff on duty able to fully operate CCTV system</b>	Yes
<b>Written record of routine CCTV checks</b>	Yes
<b>ID scanning equipment working correctly</b>	N/A
<b>Appropriate staff issued with operational radios</b>	Yes
<b>How many staff issued with Body Worn Cameras</b>	<b>0</b> From 0 to 20
<b>Are Body Worn Camera recordings retained for 31 days</b>	N/A
Cameras not currently used by door staff. 2 cameras have been bought and ready to use.	



## Licensing Compliance Audit

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## Elysee

3 Mar 2023

**Complete**

Score	<b>100%</b>	Flagged items	<b>0</b>	Actions	<b>0</b>
<b>Conducted on</b>	3 Mar 2023 11:32 PM GMT				
<b>Name of auditor</b>	Nad Valaydon				
<b>Client / Site</b>	Gales Restaurants Ltd				
<b>Name of premises</b>	Elysee				
<b>Location</b>	13 Percy Street London W1T 1DP				

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General	
<b>Current Premises Licence number</b>	PREM-LIC\1603
<b>Name of Designated Premises Supervisor (DPS)</b>	Stephano Fraquelli
<b>Number of customers inside premises</b>	40
<b>Number of customers queuing</b>	2
2 people outside but being refused entry.	
<b>Number of customers drinking/smoking outside</b>	0
<b>Name of person in charge</b>	Kyri Karageorgis
<b>Number of door supervisors employed at premises</b>	<b>3</b> From 0 to 50
<b>What is the premises search policy</b>	All bags searched Random searches
<b>Number of IDs scanned</b>	N/A
<b>Number of persons refused entry</b>	2
<b>Number of persons ejected / refused re-entry / refused service</b>	1
1 person due to intoxication.	
<b>Licences &amp; Signage</b>	100%
<b>Premises Licence summary, Part B, correctly displayed</b>	Yes
<b>Section 57, custody of Licence notice, correctly displayed</b>	Yes
<b>CCTV warning signs displayed</b>	Yes
<b>ID scanning equipment warning signs displayed</b>	N/A
<b>Search policy notice displayed</b>	Yes
<b>Anti-drug signage displayed</b>	Yes
<b>Age verification policy displayed</b>	Yes
<b>Please leave quietly, or similar, notices displayed</b>	Yes
<b>Licence Compliance</b>	100%



<b>Licensable activities being provided</b>	Sale by retail of alcohol Late night refreshment Regulated entertainment
<b>Premises compliant with Licence conditions</b>	Yes
<b>Premises Licensee / delegated person on the premises</b>	Yes
<b>Current Premises Licence available</b>	Yes
<b>Personal Licence Holder able to produce their original Licence</b>	Yes
	
Photo 1	
<b>Staff authorised to make alcohol sales by Personal Licence Holder</b>	Yes
<b>Premises does not have any irresponsible drinks promotions</b>	Yes
<b>Tap water available on request</b>	Yes
<b>Mandatory minimum prescribed measures available and advertised to customers</b>	Yes
<b>At least one Personal Licence Holder on duty</b>	Yes
<b>Door Supervisors</b>	100%
<b>Adequate number of door supervisors employed at the entrance</b>	Yes
<b>Door supervisors clearly identifiable</b>	Yes
<b>All door supervisors' SIA registration badges correctly displayed</b>	Yes
<b>Door supervisor log completed and correct</b>	Yes
<b>All door supervisor SIA registrations current</b>	Yes
<b>Adequate security provision within the premises</b>	Yes
<b>Door supervisors alert and vigilant</b>	Yes

<b>Door supervisor roles and responsibilities clearly defined</b>	Yes
<b>Outside Management</b>	100%
<b>Outside areas clearly defined (queues, smoking area etc.)</b>	Yes
<b>Queue management sufficient</b>	Yes
<b>Queue adequately supervised</b>	Yes
<b>Smokers adequately supervised</b>	Yes
<b>Outside area clear of bottles and glasses</b>	Yes
<b>Outside area clear of cigarette butts and litter</b>	Yes
<b>Entrance adequately managed</b>	Yes
<b>Customers properly vetted prior to entry</b>	Yes
<b>Customers searched in line with premises' policy</b>	Yes
<b>Fire Safety</b>	100%
<b>Escape routes clearly signed</b>	Yes
<b>Escape routes adequately lit</b>	Yes
<b>Escape routes unobstructed</b>	Yes
<b>Escape doors available and open freely</b>	Yes
<b>Fire extinguishers / safety equipment properly positioned</b>	Yes
<b>Fire extinguishers / safety equipment within test date</b>	Yes
<b>All fire doors closed or fitted with automatic closers</b>	Yes
<b>Fire alarm panel free of faults</b>	Yes
<b>Fire marshal on duty</b>	Yes
<b>Fire action notices displayed</b>	Yes
<b>Emergency lighting working</b>	Yes
<b>Walls/floors/ceilings in good state of repair</b>	Yes
<b>Record Keeping</b>	100%

<b>Written record of daily safety checks</b>	Yes
<b>Written record of occupancy numbers</b>	Yes
<b>Written record of split capacity occupancy numbers</b>	Yes
<b>Reportable incidents recorded</b>	Yes
<b>Refusals of entry recorded</b>	Yes
<b>Customer ejections recorded</b>	Yes
<b>Record of staff on duty</b>	Yes
<b>Internal Management</b>	100%
<b>Premises is not overcrowded</b>	Yes
<b>Cloakroom available for customer use</b>	Yes
<b>Premises clear of unattended property</b>	Yes
<b>Store cupboards locked and secure</b>	Yes
<b>Adequate lighting in customer areas</b>	Yes
<b>Empty drinking vessels and bottles being collected</b>	Yes
<b>Floor dry and any spillages being cleared</b>	Yes
<b>Floor clear of trip hazards</b>	Yes
<b>Intoxication levels adequately managed</b>	Yes
<b>No underage customers on premises</b>	Yes
<b>Sufficient number of first aiders on duty</b>	Yes
<b>Sufficient first aid facilities available</b>	Yes
<b>Polycarbonate / plastic bottles and drink vessels used</b>	N/A
<b>Food available</b>	Yes
<b>Toilets</b>	100%
<b>Attendant employed in the toilets</b>	Yes
<b>Toilets clean and floor dry</b>	Yes

Toilets free of any evidence of suspected drug use	Yes
Toilets checked regularly by staff	Yes
Written record of toilet checks	Yes
Store cupboards within toilets locked and/or secure	Yes
Toilets and wash basins available for use	Yes
Toilets free of uncollected drinking vessels and bottles	Yes
<b>CCTV &amp; ID Scanning Equipment</b>	100%
CCTV installed in the premises	Yes
CCTV system working correctly	Yes
CCTV date and time correct	Yes
Minimum of 31 days CCTV footage available	Yes
Adequate CCTV coverage of premises	Yes
Sufficient stock of CCTV recording media	Yes
At least one member of staff on duty able to fully operate CCTV system	Yes
Written record of routine CCTV checks	Yes
ID scanning equipment working correctly	N/A
Appropriate staff issued with operational radios	N/A
How many staff issued with Body Worn Cameras	<b>0</b> From 0 to 20
Are Body Worn Camera recordings retained for 31 days	N/A

Appendix



Photo 1



### **Confirmation of Training at Elysee**

1. I, Deon van Niekerk, of Capital Safety Solutions, confirm that staff training has been undertaken at Elysee, 13 Percy Street London W1T 1DP as listed below.

#### **My Background**

2. I have worked in the hospitality sector for 30 years. I have been a Director of Capital Safety Solutions for some 6 years.
3. I work with a wide range of clients from The Venue Group Hospitality, The Box, IT Restaurant, Tape London, Aquum and many others.
4. I am the co-author of the book, "Staying Open – An Essential Guide for Managers of Licensed Premises"
5. I was a founding Director of Licence Consultants, a respected licensing consultancy.

#### **My Qualifications**

6. I hold a level 4 Food Safety and a NEBOSH Certificate for general safety and fire safety.
7. I am a personal license holder
8. I hold the BII accredited licensing practitioner's certificate.
9. I have a teaching qualification that allows me to train for accredited awarding bodies such as Highfield.

#### **Management training delivered on Friday 23<sup>rd</sup> September 2022:**

10. Responsible Alcohol Service and Promoting the Four Licensing Objectives (RASPFO) for Managers Training which includes the following topics:

The Licensing Act 2003, Four Licensing Objectives, Closure Powers, Age Verification, Preventing & dealing with intoxication, Drugs, Prevention & Intervention, Guest Welfare, Ejections, Conflict Management, Dealing with Serious Incidents, Crime Scene Preservation, Writing incident reports, Daily Record Keeping (Due Diligence), Factors affecting Drinking Behaviour

11. Welfare and Vulnerability Engagement (WAVE) Training which includes the following topics:

Introduction, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example; Dealing with sexual assaults; Ask for Angela, Support services

#### **Staff training delivered on Friday 30<sup>th</sup> September 2022:**

12. Responsible Alcohol Service and Promoting the Four Licensing Objectives (RASPFO) for Staff Training which includes the following topics:

The Licensing Act 2003, Promoting the Four Objectives, Identifying and Preventing intoxication, Age Verification, Crime Scene Preservation, Factors affecting drinking behaviour

13. Welfare and Vulnerability Engagement (WAVE) Training which includes the following topics:

Introduction, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example; Dealing with sexual assaults; Ask for Angela, .Support services

14. Drugs Awareness Training which includes the following topics:

The need for zero tolerance; Police powers where drug activity is taking place; How do you come to notice of the police; Drugs Policy; The Misuse of Drugs Act; Offences under the Act; Common drugs and their effects; Rights of Entry; Prevention of drugs usage and dealing on Licenced premises; Staff action on finding drugs in premises; Manager's action on finding drugs in premises or reports of dealing; Seizure of drugs; Disposal of drugs; Action on seizing drugs during a search; Recognition of drugs misuse; Recognition of drug dealing; Dealing with someone suffering the effects of drugs

15. Fire Warden Training which includes the following topics:

The Legislation; Relevant Articles of the Fire Safety Order; Behaviour in an Emergency; The Fire Triangle; How does fire spread; Main causes of fire; Spotting hazards; Hazard recording; Fire detection and warning; Means of escape; Fire doors; Escape routes; Systems for safe evacuation; People with disabilities; Fire-fighting equipment; Fire drills; Consider fire in the home

**Elysee Restaurant, 13 Percy Street, London, W1T 1DP**

**Report for Licence Review Hearing**

by

**Adrian Studd, Independent Licensing Consultant.**

**Introduction.**

1. Solicitor David Dadds has instructed me to consider the Licence Review of Elysee Restaurant, 13 Percy Street, W1. I have read the witness statement of PC Chris Malone, copies of the incident book from the premises, nine (9) Crime reports (CRIS reports) together with reports of alleged incidents together with the serious incident on 9<sup>th</sup> September 2022 and the submissions at the Review hearings that have taken place concerning the premises.
2. The premises licence for the Elysee was subject to a Summary Review on 15<sup>th</sup> of September 2022 and then Full Review on 4<sup>th</sup> October 2022 following an allegation of serious sexual assault by a male who, at the time, was a [REDACTED] at the premises. The incident took place in a stairwell that is part of the building that Elysee is in but does not form part of the licensed premises.
3. I have been instructed to consider the relevance and credibility of alleged incidents and the approach of police over an extended period to establish if a proportionate and appropriate stepped approach has been taken as required. This will help determine if the measures imposed by the Licensing Sub Committee are proportionate, appropriate and necessary, or if other measures could be imposed that would ensure that the premises operates in a manner that fully supports the Licensing Objectives while reducing the negative impact on the premises and maintaining the viability. My statement of expertise, together with the full analysis of the evidence and detailed conclusions, are set out in the following report. However, I summarise my conclusions



as follows.

Summary of Conclusions.

4. The incident that took place on the 9<sup>th</sup> of September 2022 was very serious, aggravated by the fact that two members of the [REDACTED] were involved. As soon as the then DPS and manager became aware of what had taken place, decisive action was taken by him to personally assist police to rapidly identify and arrest the suspects, greatly assisting the investigation. The premises welcomes the new conditions that the Sub Committee have imposed on the licence and there is now a robust management structure with strong policies in place, monitored by an independent expert, to ensure that the Licensing Objectives are supported to the highest standard moving forward.
5. Of the nine CRIS reports four relate to allegations of drink spiking and all of them result in no further action. These take place against the backdrop of increased allegations across the country. Reducing the hours at the premises will have no impact on the potential for these offences to take place or the number of allegations, however, there are measures that can be taken by all licensed premises to reduce the risk of such offences taking place. For example improved staff training, posters raising awareness in venues and extra vigilance by staff, all of which have been implemented by the premises. Further measures and advice is available from <https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention> and these could be conditioned onto the premises licence if appropriate.
6. There is no evidence that the later hours were responsible for the offence taking place, it was the action of individuals who were able to exploit weaknesses in the policies and practices in place at the premises. These individuals have now been arrested. The additional conditions, management and DPS changes, training and policy improvements and 6-week suspension have addressed the issues identified and their effectiveness will be managed by an independent expert.

7. **The premises has served the local community for a considerable time and during that time has largely been left to operate on its own with little support from the authorities. It has done so with few, if any, material problems. The reduction of hours will have a significant impact on the premises, potentially making it no longer viable. In my view this is disproportionate and unnecessary because the other changes will ensure that the premises operates to a high standard in the future and fully promotes the Licensing Objectives.**

**Statement of expertise.**

8. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic Park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice to ensure the safe and effective delivery of the Olympic Games.
9. In addition to leading my team, I visited and worked with both the Olympic Park management and many other venues, reviewing their policies and procedures, and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I was awarded an Assistant Commissioners Commendation for this work.
10. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a

London wide remit to support the Boroughs with licensing activity.

11. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, to address these problems using action plans in order to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which sought to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
12. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with industry, NGOs, and Government departments to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on several Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.
13. I was involved with Best Bar None for several years and successfully helped several boroughs to implement the initiative. I was a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years of my service, I was in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time, I contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I have attended many internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing

Practitioners, issued by the British Institute of Inn keeping (BII).

14. Following my retirement, I set up a licensing consultancy to improve standards and provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, noise and nuisance, cumulative impact, sexual entertainment, street drinking, rough sleepers, age related products, betting and gaming and planning. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late-night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

**Voluntary Action Plan 2017.**

15. In 2017 a voluntary action plan was agreed between the police and the premises management. This action plan included the use of an incident book to record incidents at the premises, calling police when required, management of SIA security and use of CCTV. It was agreed between police and the premises that the action plan would be reviewed after 3 months, but no review took place. There have been no interventions since 2017 which indicates there have been no further issues.

**Incident reports.**

16. As part of his witness statement PC Malone has included copies of Five (5) incidents recorded in the incident log between 03/07/2019 and 10/12/2021. Briefly these incidents were:

- 03/07/2019. A female who had fallen over and cut her hand. She was seen by a medical professional who was at the function, rendered first aid and then taken by staff to hospital. An ambulance had initially been called by the premises but was cancelled when it was decided the quickest way to get her to the hospital was by private car.

- 03/07/2019. At the same event, a female was apparently suffering the effects of too much alcohol. She was also rendered first aid at the premises and then taken by car to the hospital.
- 09/11/2019. An argument between two females over a male. One female evicted and police were called.
- 25/10/2021. An allegation of assault when a female was kissed by a male when leaving the premises. Police were called by her friend. It appears that police took no further action, and it was considered to be an innocent gesture by the male.
- 10/12/2021. Allegation of lost bag. CCTV subsequently confirmed that it was taken by a friend and returned to the person reporting.

17. The five incident reports over a number of years demonstrates that the premises was complying with the agreed action plan and were calling police when required. They were using CCTV to investigate incidents and taking appropriate care of customers by providing first aid and transporting customers to hospital when required. This demonstrates a responsible approach and use of the incident book in line with the 2017 action plan. The incidents recorded were the type that I would expect to occasionally take place at such a premises.

### **CRIS REPORTS**

18. PC Malone includes details of Nine (9) CRIS reports related to the premises that have taken place between July 2017 and November 2019 and I have added the time the alleged incident took place.
- I. CRIS 2320342/22. 20/07/2022. 03.40. This report relates to an allegation of a minor assault between a female who was at the premises and her boyfriend. It is the type of incident that could take place anywhere and it is just chance that it happened at Elysee and does not reflect negatively on the management of the premises.
  - II. CRIS2301509/22. 19/01/2022. 01.00. This CRIS relates to an allegation of drink

spiking that was subsequently withdrawn and then a suggestion by the informant that his shisha pipe had 'Hash' in it. There was no evidence to support this, and the CRIS was filed with No Further Action. There is no evidence that the premises management did anything wrong and this does not reflect negatively on them.

- III. CRIS 2328173/21. 26/11/2021. 22.00. An allegation of drink spiking. Two victims who consumed two bottles of wine and then apparently felt unwell. The informant did not follow the allegation up and police were unable to get a response from them. The CRIS was closed with No further action. No evidence of any offence and no evidence that the premises management did anything wrong. This CRIS does not reflect negatively on them.
- IV. CRIS 2324620/21. 25/10/2021. 02.26. An allegation from a female that she was kissed on the cheek by a male [REDACTED] at the premises. This then resulted in an argument between the two parties. Police attended and viewed CCTV showing the male kissing her on the cheek in the dining area and the CRIS created. The informant then failed to contact police or substantiate the allegation. Without further information it is not possible to determine what has taken place here. The kiss was on the cheek and appears unwanted. However, the informant has failed to follow up the initial allegation or respond to police and the CRIS was closed with no further action.
- V. CRIS 2323832/21. 15/10/2021. 02.00-03.00 An allegation of drink spiking made by two females against four males who had approached them when leaving a nightclub and invited them to the Elysee restaurant. From the CRIS it appears the males were familiar with the Elysee but not the owners or employees there. One of the females felt unwell after accepting a drink from the males and considered that it had been spiked.

The males left the premises and the females left separately, retaining the glass of wine, and then reported the incident to police. Police did not attend the premises until some Two (2) months later on 16/12/2021 with a view to seizing the CCTV. The CCTV was not available, and PC Malone is suggesting that this is because it had been tampered with and/or staff deliberately did not download the correct footage.

There is no result to the CRIS, no evidence that the wine supplied to police was

analysed, or if it was that it contained any drug. It does not appear the CCTV hard drive was seized or that any action was taken against the premises for what, if correct, would amount to disposing of evidence and impeding the investigation. With the delay in police going to the premises for CCTV it is likely the CCTV was simply no longer available. There is no evidence the males had any connection with the premises or that the premises did not fully co-operate with the investigation.

- VI. CRIS 2320470/21. 11/09/2021. 21.10. This CRIS relates to an allegation of assault that was initially recorded as amounting to Grievous Bodily Harm but subsequently downgraded to an actual bodily harm. A female called police, but she had not witnessed the assault. Those involved were said to be drunk and anti-police. There were no witnesses, and the alleged victim did not want to support any police action so the CRIS was closed with no further action. This is a more minor crime than initially suggested, there is no independent evidence of what took place or that any blame can be attached to the premises for it.
- VII. CRIS 2319967/21. 05/09/2021. 03.00. This CRIS relates to an allegation by a female that her behind was squeezed by a person unknown following argument with another table of people at the premises. Both groups were asked to leave the premises and the alleged offence took place on the way out. Police were not called at the time. The CRIS was closed with no further action. This alleged incident was unconnected to the management of the premises.
- VIII. CRIS 2338394/19. 30/11/2019. 03.00. An employee initially made an allegation against the premises alleging he had been assaulted by his boss. Police were called but he was unable to identify the alleged suspect. Subsequently he did not wish to proceed with the allegation or go to hospital. The CRIS states he quit his job however, the investigation revealed he was suffering mental health issues because he did not take his medication and he does still work at the premises. CRIS closed with no further action. The premises acted correctly.
- IX. CRIS 2320881/19. 05/07/2019. 00.00. An allegation of drink spiking by the mother of a female who had been at the premises. Even the reporting officer clearly doubts the authenticity of the account and the premises supplied CCTV as requested. The victim cut her hand after she sat on the corner of a table that tilted

up causing her to fall. No evidence of any shortcomings by the premises who assisted the investigation. CRIS closed with no further action.

19. There are Nine (9) reported allegations over the period, even taking account of closures due to Covid the premises would have been open for around Sixteen (16) months, so less than 2 alleged incidents per month, on average. This is not an excessive number for a busy central London premises and lower than many. The alleged incidents took place at various times through the night from 21.10 hours in the evening until 03.40 hours in the morning and there is no relevance or pattern to the times. Details of four of the alleged incidents were not even shared with the premises by police, which they would have been had there been concerns.
20. Some of the alleged incidents could have taken place anywhere, for example CRIS 2320342/22 relating to the domestic incident, for others such as CRIS 2320881/19 where a female sat on the corner of a table which then tipped up causing her to injure her hand, even the police were clearly doubtful about the credibility of the allegation. CCTV was provided by the premises where available for two of the alleged incidents. I found no evidence in the CRIS reports that the premises acted in any way other than appropriately and professionally when dealing with the alleged incidents.
21. The allegations of drink spiking are across a wide time frame between 22.00 and 03.00 hours and these allegations are in line with a general rise in such allegations in licensed premises across the country. All were closed with no further action. A reduction in hours will have no impact on this type of allegation, however, there are extensive measures recommended in <https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention> and other websites that recommend a raft of measures, such as improved training, posters raising awareness in venues and extra vigilance by staff, all of which have been implemented by the premises. If considered appropriate these and other measures could be conditioned on the licence.

#### **Intelligence Reports.**



22. PC Malone includes a number of intelligence reports in his statement, some dating back as far as 2014. Anonymous and unaccountable intelligence reports must be treated with extreme caution and are not evidence. Their purpose should be as a guide for police initial investigation, not of any evidential value. There is no evidence that this information was even shared with the premises or acted on in any way. If of any use they should only have been used as the start of the required step approach, working with the premises, not as evidence in a Review hearing.

**Incident on 9<sup>th</sup> September 2022.**

23. The incident that took place on 9<sup>th</sup> September 2022 was serious and causes considerable concern. Police are investigating the criminal matter and will determine what charges, if any, they are able to bring. That two members of the [REDACTED] [REDACTED] should behave in such a manner is completely unacceptable and demanded swift and decisive action from the remaining management team and owners to ensure that such an incident cannot happen again.

24. The current owners of the premises are Kerry (Giggs) Karageorgis, who is the General Manager and DPS, and his cousin Kyriacos Pattichis. They were not present when the incident took place on 9<sup>th</sup> September. On learning of the allegations the next day they immediately took decisive action to assist police:

- He summoned [REDACTED] to the restaurant so that he could be arrested.
- was able to identify the customer who was alleged to have been involved in the sexual assault and give those details to the police
- provided CCTV footage to the police
- Having viewed the footage himself, he summarily dismissed [REDACTED] [REDACTED] [REDACTED] who, though not implicated in the alleged sexual assault, was seen to be taking cocaine that night.
- further demanded the resignation of [REDACTED]

[REDACTED] This was affected on 20th September 2022.

- appointed his [REDACTED] to the role of joint general manager. [REDACTED] was also not there on the evening in question.

25. These swift actions were of great assistance to the police investigation and ensured that the investigation could proceed quickly and efficiently with the best available evidence and minimum additional trauma to the victims. They are not the actions of someone who is reluctant to help police or attempts to cover up incidents, even those involving his family.
26. Following this initial, decisive, action and to ensure that the premises operates to the highest possible standards moving forwards, the owners instructed the highly regarded licensing consultant Michael Watson to give the premises a full audit and install new practices and protocols. As a result of this audit extensive retraining of all the management and staff was conducted on 23<sup>rd</sup> and 30<sup>th</sup> September 2022 by highly regarded independent training company 'Capital Safety Solutions' on Responsible alcohol service, Welfare and Vulnerability, Drugs awareness and Fire Warden training.
27. Other 'Best Practice' measures moving forward include unannounced audits of the premises during peak trading hours, these will take place twice a month for the first 6 months and then monthly after that, the introduction of an Online Compliance System and the implementation of the Health and Safety team recommendations concerning the terrace area.

**Review Hearing on 4th October 2022.**

28. At the review hearing on the 4<sup>th</sup> of October 2022 the premises representative, Mr. Rankin, suggested a number of Conditions to address the issues identified. He

highlighted that the remedial action taken should be directed at addressing the causes and should be a proportionate and appropriate response to these and not punitive.

29. The Sub Committee largely accepted these and developed them into Eleven (11) additional conditions that were imposed on the premises licence. In addition the hours at the premises were brought back to core Camden hours and the licence was suspended for Six (6) weeks to allow the required changes to staff, training and Welfare policies.

**Stepped approach.**

30. I have carefully considered the documented approach of the Police to this premises over the years. The first recorded visit was over eight years ago on 30/05/2014. Advice on combatting drug misuse was given and this was adopted by the premises some 5 weeks later after a follow up visit.
31. The next recorded visit was on 04/07/2017 when police identified a number of areas for improvement and a Voluntary Action Plan was agreed with the premises. This was to be reviewed by police and the premises after 3 months. This review never took place and police did not contact the premises in connection with it. This indicates to me that police had no ongoing concerns, and no further action was required.
32. The next recorded visit was on 23/01/2022, over 5 years later. In the intervening period there had been no communication, no letters or telephone calls, nothing to suggest that the police weren't completely satisfied with how the premises was running and managed. At this visit breaches of the licence conditions were identified that have now been rectified. PC Malone comments in his report that the venue seems to be run OK and there was no negative atmosphere.
33. I have to conclude that there has not been a stepped approach from the police when dealing with Elysee. There have been only 3 visits to the premises over an 8-year period. The voluntary action plan was agreed and implemented by the premises but

not followed up by police. Other issues pointed out by police, for example advice on how to combat drug misuse, was acted on by the premises but again not followed up.

34. PC Malone describes what he *now* considers to be evidence of poor management at the premises going back over the 8-year period. However, there has been no real attempt by police to engage with the premises, no evidence provided that they have provided the support, advice and guidance that would demonstrate police have engaged with the premises in a meaningful way and taken a stepped approach.

### Conclusions.

35. The incident that took place on the 9<sup>th</sup> of September 2022 was very serious and aggravated by the fact that two members of the [REDACTED] were involved. To his credit, when the then DPS and manager became aware of what had taken place the next day, decisive action was taken by him to personally contact the suspect, a [REDACTED]. He was summoned to the premises to be arrested and another individual was also identified to police. This provided substantial assistance to the police investigation.
36. There is no doubt that an expedited review was appropriate, and the temporary suspension of the licence has allowed the required changes and training at the premises to take place. The premises welcomes the new conditions that the Sub Committee have imposed on the licence and there is now a robust management structure with strong policies in place, monitored by an independent expert, to ensure that the Licensing Objectives are supported to the highest standard moving forward.
37. When considering the reduction in hours I am less confident that this is a proportionate and appropriate response. There is no evidence that the later hours were responsible for the offence taking place, it was the action of individuals who were able to exploit weaknesses in the policies and practices in place at the premises. These individuals have now been arrested and the criminal matter will run its course. The DCMS guidance is clear that the action taken should be remedial and

not punitive, the additional conditions, management and DPS changes, training and policy improvements and 6-week suspension have addressed the issues identified.

38. The allegations of drink spiking are across a wide time frame between 22.00 and 03.00 hours and these allegations are in line with a general rise in such allegations in licensed premises across the country. All were closed with no further action. A reduction in hours will have no impact on this type of allegation, however, there are extensive measures recommended in <https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention> and other websites that recommend a raft of measures, such as improved training, posters raising awareness in venues and extra vigilance by staff, all of which have been implemented by the premises. If considered appropriate these and other measures could be conditioned on the licence.
39. The premises has served the local community for a considerable time and during that time has largely been left to operate on its own with little support and guidance from the authorities. For the most part it has done so with few problems. The reduction of hours will have a significant impact on the premises, potentially making it no longer viable. In my view this is disproportionate and unnecessary as the changes imposed will ensure that the premises operates to a high standard in the future, is regularly inspected by an independent expert, and will promote the Licensing Objectives to a high standard.

Adrian Studd,  
Independent Licensing Consultant.  
26/10/2022.

## **Elysee Restaurant, 13 Percy Street, London, W1T 1DP**

### **Report for appeal of licence review decision**

**by**

**Adrian Studd, Independent Licensing Consultant.**

#### **Contents.**

Introduction.....	Para 1.
Statement of Expertise-Adrian Studd.....	Para 3.
Analysis of Incident on 9 <sup>th</sup> September 2022.....	Para 10.
Conclusions from CCTV analysis.....	Para 36.
Incident report analysis.....	Para 44.
CRIS report analysis .....	Para 46.
Review Hearing on 4th October 2022.....	Para 50.
Stepped approach.....	Para 52.
New Licence Conditions.....	Para 57.
Conclusions.....	Para 65.

#### **Introduction.**

1. Keystone Law have instructed me in connection with the appeal of the licence review decision to reduce the hours at the above premises. The premises licence for Elysee was subject to a Summary Review on 15<sup>th</sup> of September 2022 and then Full Review on 4<sup>th</sup> October 2022 following an allegation that a male, who at the time was a manager at the premises, sexually assaulted a female in a stairwell on 9<sup>th</sup> September 2022.
2. The incident of 9<sup>th</sup> September 2022 has now been fully investigated by police who have concluded that no further action will be taken. I have been instructed to consider

the circumstances of the incident, review the extensive CCTV available, and to give my professional opinion on what has taken place. In addition, there have been considerable changes and improvements at the premises since the incident and I will also consider these improvements and the current operation of the premises to determine if the decision to reduce the hours is proportionate and necessary having regard to changes that have been implemented at the premises.

**Statement of expertise.**

3. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic Park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice to ensure the safe and effective delivery of the Olympic Games.
4. In addition to leading my team, I visited and worked with both the Olympic Park management and many other venues, reviewing their policies and procedures, and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I was awarded an Assistant Commissioners Commendation for this work.
5. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity.

6. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, to address these problems using action plans to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which sought to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
7. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with industry, NGOs, and Government departments to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on several Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.
8. I was involved with Best Bar None for several years and successfully helped several boroughs to implement the initiative. I was a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years of my service, I was in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time, I contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I have attended many internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).



9. Following my retirement, I set up a licensing consultancy to improve standards and provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, noise and nuisance, cumulative impact, sexual entertainment, street drinking, rough sleepers, age related products, betting and gaming and planning. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late-night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

#### **Analysis of Incident on 9<sup>th</sup> September 2022.**

10. I have been provided with Twelve (12) CCTV clips that follow the progress of the female who subsequently alleged sexual assault. The clips show her arriving at the premises, having drinks with friends, going to the stairs where the incident takes place, leaving the stairwell, sitting on a sofa with a girlfriend and then leaving the premises with the girl friend. The CCTV clips do not have a time or date stamp so I am unable to comment on the time or date the clips were recorded but they do have an elapsed time counter on them so I will refer to that when referring to specific points.
11. **Clip 1.** This shows a group of males and females arriving at the premises. There are a number of males in the group and two females. One of the females is dressed in a black dress and black shoes ("Female in Black Dress"), she is the female who subsequently alleges the sexual assault, the other female is dressed in a red dress ("Female in Red Dress"). I will refer to them as Female in Black Dress and Female in Red Dress for ease of reference. The group can be seen outside the premises waiting for admission. Female in Black Dress is animated, tactile and expressive, at one point she kisses the door supervisor before being admitted to the premises.
12. **Clip 2.** This clip shows the group and others as they enter through the hallway of the

premises.

13. **Clip 3.** This clip shows Female in Black Dress and Female in Red Dress with the males in what appears to be a reception room inside the premises. Female in Red Dress and Female in Black Dress make their way off screen together.
14. **Clip 4.** Shows the group moving from the reception room to the terrace.
15. **Clip 5.** Shows the group on the terrace, Female in Red Dress and Female in Black Dress speak to a member of staff and then make their way off screen again, perhaps to the toilet?
16. **Clip 6.** Shows the group of males (that Female in Red Dress and Female in Black Dress were with) sitting at a table on the terrace. Female in Red Dress and Female in Black Dress arrive at the table about 12 seconds into the clip and join the five males. In the background Michael KARAGEORGIS can be seen with another male sitting at a table chatting with two other females who are smoking shisha.
17. Female in Red Dress and Female in Black Dress sit down with the group of males and appear animated and tactile with each other. A short while later another male joins them and has an additional chair brought to the table. Female in Black Dress in particular appears relaxed and outgoing, sharing a bottle of drink with one of the males at the table and also drinking from a wine type glass.
18. At about 2.45 minutes Michael KARAGEORGIS can be seen in the background pouring the two females he is sitting with (Not Female in Red Dress/ Female in Black Dress) shots from a bottle on the table and he appears to join in drinking them (4.26 mins).
19. At 4.48 minutes Female in Black Dress swaps places with a male at their table and sits opposite where she had previously been sitting. Female in Red Dress is now sitting with a male on her right and he occasionally puts his arm around her. Female in Black

Dress is sitting next to a male opposite on the end of the bench of three males mainly talking to the male opposite her and to Female in Red Dress and the male she is sitting next to.

20. At 9.58 minutes Michael KARAGEORGIS appears to pour some more shots and then gets up and walks to the tables with Female in Red Dress and Female in Black Dress and speaks with them. He then passes a shot glass to Female in Red Dress and Female in Black Dress and keeps one for himself. The male he was sitting with also stands at the table chatting to the group. Michael KARAGEORGIS then walks off camera and returns at 11.16 minutes with a waiter with a tray of shot glasses that he puts on the table. There then appears to be some discussion about who is having a shot between Michael KARAGEORGIS and the group.
21. The male Michael KARAGEORGIS was sitting with then gets the shots bottle from the other table and Michael KARAGEORGIS fills the shot glasses, including one for himself. He and the other male stand at the table chatting to the group. Michael KARAGEORGIS hands the shots round the table to the males and females; they chink glasses and drink the shots at 12.34.
22. Michael KARAGEORGIS then moves along until he is behind Female in Black Dress and engages her in conversation (12.48). At 13.00 minutes she gets up and appears to whisper into his ear with her right arm around his head, pulling him close. They continue standing close and talking until 13.46 minutes when Michael KARAGEORGIS turns and walks away with Female in Black Dress following him. She is smiling and waving in an apparent 'goodbye' gesture to her friends and appears in high spirits. They walk out of sight through the doorway as the clip ends at 13.54 with Female in Black Dress holding onto Michael KARAGEORGIS arm.
23. **Clip 7.** Shows Female in Black Dress with Michael KARAGEORGIS walking through the terrace. Female in Black Dress stops to chat briefly with a male in a top hat and tries the hat on laughing and apparently joking with him. She drinks her shot she has been

carrying.

24. **Clip 8.** Shows Michael KARAGEORGIS and Female in Black Dress walking across the reception room, she is laughing and briefly embraces and dances with another female they encounter on the way.
25. **Clip 9.** Shows Michael KARAGEORGIS and Female in Black Dress and one other male, Kerry Ulysses KARAGEORGIS who I understand was employed at the premises, entering the stairwell via the door at the foot of the stairs. The three make their way up the stairs to a small midway landing. There are coats and bags at the bottom of the stairwell and on a hanger on the mid-way landing. It appears to be a staff area for bags and coats and some storage of drink/water and bottles. The three are laughing and chatting and appear happy and relaxed. Female in Black Dress is a little unsteady on her feet and tactile with the males. It appears she is happy and is there willingly.
26. Michael KARAGEORGIS lines up 3 lines of white powder, apparently cocaine, on a shelf by the side of the stairs. He and Female in Black Dress then kiss passionately. She then snorts a line of the white powder and Michael KARAGEORGIS then does the same. They then resume passionately kissing and fondling each other. Kerry Ulysses KARAGEORGIS then snorts a line of cocaine and immediately turns and heads down the stairs and through the door at the foot of the stair well.
27. Michael KARAGEORGIS and Female in Black Dress then start passionately kissing and fondling each other and engaging in sex acts together. The female is an active partner smiling and reacting passionately to the male and at times she takes the lead. The two engage in various sex acts, she performs oral sex on him, and they masturbate each other and themselves; both appear fully engaged and willing participants.
28. On a number of occasions the door at the foot of the stairs opens and a face appears, it then quickly disappears and the door closes. These appear to be members of staff who were going to access the 'cloakroom' or drinks stored there but then think better

of it when they see what is taking place. The couple continue to have sex for in excess of 15 minutes. The male then appears to finish and pulls his trousers and underpants up. He has removed his shirt and he wipes sweat from his head and body with a cloth. Female in Black Dress appears fully dressed and is sitting on the stairs and pulls him to her, and he again masturbates her.

29. At approximately 31 minutes Michael KARAGEORGIS puts on his shirt. Female in Black Dress appears to be asking him to stay and rubbing his crotch with her hand. She is sprawled on the stairs/landing area with her legs open and masturbates herself.
30. Michael KARAGEORGIS then goes down the stairs and leaves the stairwell at about 32.02 minutes. Female in Black Dress stays sitting on the stairs alone and continues to masturbate herself. She then gets unsteadily to her feet and makes her way up the second flight of stairs, that I understand lead to a private upstairs flat, and out of view of the camera.
31. Then four members of staff enter the stairwell. A couple get some bottles from the stairwell and then leave, and a male goes up both flights of stairs and disappears from view. Another male then enters the stairwell and appears to call up the second flight of stairs and indicate for the people there to come down, he then leaves.
32. At 36.15 minutes a female who appears to be a member of staff comes up the first flight of stairs and sprays some deodorant on herself and shortly after this the male who had gone up the second flight of stairs and Female in Black Dress appear coming down from the second flight of stairs. The male assists her down the stairs and she is given her bag by the female member of staff. Female in Black Dress female is unsteady on her feet but otherwise appears in good spirits and is assisted down the stairs and out of camera shot through the door at the foot of the stairs.
33. **Clip 10.** This clip shows Female in Black Dress and the male who helped her down the stairs returning to the reception area. Female in Black Dress sits on a sofa with Female

in Red Dress, her friend from earlier in the evening. Although it is not very clear what is being said or done due to lighting glare on the CCTV, the two appear to sit together on the sofa for 15 minutes or so as other customers and staff come and go through the reception area.

34. **Clip 11.** A short clip that shows Female in Black Dress and Female in Red Dress going down the stairs from reception into the entrance hallway to leave the premises.
35. **Clip 12.** This clip shows the outside of the premises with customers leaving and getting cabs. There is a door supervisor at the entrance/exit point. About 6 minutes into the clip Female in Black Dress and Female in Red Dress come into view with Female in Red Dress speaking on her phone. They go to the footway and appear to stand by two other females also waiting there. Other people continue coming and going past them. At approximately 9.40 minutes the two females walk across the road with what appears to be a member of staff apparently to get into a cab and leave.

#### **Conclusions from CCTV analysis.**

36. The CCTV clips show Female in Black Dress during the evening, including arriving at the premises, in various locations around the premises, and leaving the premises. However, without the date and time stamp on the CCTV clips it is not possible to see the time of day and if there are any missing periods of time.
37. All through the evening Female in Black Dress appears at ease and animated, chatting to other customers and staff. At times she is a little unsteady on her feet, but she always appears in control and able to stand and walk. The unsteadiness becomes more pronounced after she takes a snort of cocaine, after which she appears less steady on her feet, falling into the coat rack on the midway landing and requiring a hand down the stairs.
38. On the stairs Michael KARAGEORGIS lines up what appears to be cocaine and before

any of them have taken it Female in Black Dress engages him in passionate kissing and fondling. Female in Black Dress takes the first line of cocaine, quickly followed by Michael KARAGEORGIS. Kerry Ulysses KARAGEORGIS then takes a snort of cocaine and quickly leaves. Michael and Female in Black Dress then engage in various sex acts that appear jointly initiated and in which both appear active and willing partners.

39. I understand that at the original hearing redacted selections of CCTV were shown by police, I did not see those selections as I and others were excluded from the hearing while they were shown. I understand that those clips showed Kerry Ulysses KARAGEORGIS entering the stairwell with another female. They apparently snort a line of cocaine in a similar fashion to that I observed on the full CCTV footage. I understand that Kerry Ulysses KARAGEORGIS is also seen pointing out the CCTV camera to the female. Both then leave the stairwell, and no sexual conduct takes place. If this is the case, then it causes concern and is a breach of the licensing regulations in the same way that the later behaviour, I have observed on the full CCTV footage is a serious breach.

40. At no time is there any suggestion that Female in Black Dress has been coerced or is doing anything that she is unwilling to do. After Michael KARAGEORGIS has left, she continues to masturbate herself in the stairwell. This appears to be a consensual act in which Female in Black Dress was an active and willing partner. This view is supported by a lengthy police investigation that was only concluded recently, some 4 months after the incident, and I understand it has been decided No Further Action will be taken against Michael KARAGEORGIS or anyone else.

41. The incident nevertheless causes considerable concern and is a serious breach of the licensing regulations. That two members of the management team should behave in such a manner and betray the trust placed in them by the premises owners and by the Licensing Act is completely unacceptable.

42. While there is no excuse for the behaviour of Michael KARAGEORGIS and Kerry Ulysses

KARAGEORGIS it is to the credit of the senior managers that swift and decisive action was taken by Kerry (Giggs) KARAGEORGIS and Kyriacos PATTICHIS. They were not present when the incident took place on 9<sup>th</sup> September and, on learning of the allegations the next day, they acted immediately to assist police by:

- Kerry (Giggs) KARAGEORGIS contacted Michael KARAGEORGIS (his son) and told him to come to the restaurant immediately where the police were waiting and he was arrested.
- They provided CCTV footage to the police.
- Having viewed the footage himself Kerry (Giggs) KARAGEORGIS summarily dismissed his son Michael and Kerry Ulysses KARAGEORGIS (a cousin of Kerry Giggs KARAGEORGIS) who, though not implicated in the alleged sexual assault, was seen to be taking cocaine that night.
- Kerry Giggs KARAGEORGIS further demanded the resignation of Kerry Ulysses KARAGEORGIS as director of Gales Restaurants Ltd (the company that holds the premises licence). This was effected on 20th September 2022.
- Kerry Giggs KARAGEORGIS appointed his cousin Alex KARAGEORGIS to the role of joint general manager. Alex was also not there on the evening in question.

43. These swift actions were of great assistance to the police investigation and ensured that the investigation could proceed quickly and efficiently with the best available evidence. They do not appear to be the actions of someone who is reluctant to help police or who attempts to cover up incidents, even those involving his family.

#### **Incident report analysis.**

44. As part of his witness statement PC Malone has included copies of Five (5) incidents recorded in the incident log between 03/07/2019 and 10/12/2021. Briefly these incidents were:

- 03/07/2019. A female who had fallen over and cut her hand. She was seen by a medical professional who was at the function, rendered first aid and then taken by staff to hospital. An ambulance had initially been called by the



premises but was cancelled when it was decided the quickest way to get her to the hospital was by private car.

- 03/07/2019. At the same event, a female was apparently suffering the effects of too much alcohol. She was also rendered first aid at the premises and then taken by car to the hospital.
- 09/11/2019. An argument between two females over a male. One female evicted and police were called.
- 25/10/2021. An allegation of assault when a female was kissed by a male when leaving the premises. Police were called by her friend. It appears that police took no further action, and it was considered to be an innocent gesture by the male. This is supported by my observations of the CCTV.
- 10/12/2021. Allegation of lost bag. CCTV subsequently confirmed that it was taken by a friend and returned to the person reporting.

45. The five incident reports over a number of years demonstrates that the premises was complying with the agreed action plan and were calling police when required. They were using CCTV to investigate incidents and taking appropriate care of customers by providing first aid and transporting customers to hospital when required. This demonstrates a responsible approach and use of the incident book in line with the 2017 action plan. The incidents recorded were the type that I would expect to occasionally take place at such a premises.

#### **CRIS REPORT ANALYSIS.**

46. PC Malone includes details of Nine (9) CRIS reports related to the premises that have taken place between July 2017 and November 2019 and I have added the time the alleged incident took place.

- I. CRIS 2320342/22. 20/07/2022. 03.40. This report relates to an allegation of a minor assault between a female who was at the premises and her boyfriend. It is the type of incident that could take place anywhere and it is just chance that it happened at Elysee and does not reflect negatively on the management of the

premises.

- II. CRIS2301509/22. 19/01/2022. 01.00. This CRIS relates to an allegation of drink spiking that was subsequently withdrawn and then a suggestion by the informant that his shisha pipe had 'Hash' in it. There was no evidence to support this, and the CRIS was filed with No Further Action. There is no evidence that the premises management did anything wrong and this does not reflect negatively on them.
- III. CRIS 2328173/21. 26/11/2021. 22.00. An allegation of drink spiking. Two victims who consumed two bottles of wine and then apparently felt unwell. The informant did not follow the allegation up and police were unable to get a response from them. The CRIS was closed with No further action. No evidence of any offence and no evidence that the premises management did anything wrong. This CRIS does not reflect negatively on them.
- IV. CRIS 2324620/21. 25/10/2021. 02.26. An allegation from a female that she was kissed on the cheek by a male owner at the premises. This then resulted in an argument between the two parties. Police attended and viewed CCTV showing the male kissing her on the cheek in the dining area and the CRIS created. The informant then failed to contact police or substantiate the allegation. Without further information it is not possible to determine what has taken place here. The kiss was on the cheek and appears unwanted. However, the informant has failed to follow up the initial allegation or respond to police and the CRIS was closed with no further action.
- V. CRIS 2323832/21. 15/10/2021. 02.00-03.00 An allegation of drink spiking made by two females against four males who had approached them when leaving a nightclub and invited them to the Elysee restaurant. From the CRIS it appears the males were familiar with the Elysee but not the owners or employees there. One of the females felt unwell after accepting a drink from the males and considered that it had been spiked. The males left the premises and the females left separately, retaining the glass of wine, and then reported the incident to police.
- VI. The CRIS report record itself, and the investigation, is poor and it is unclear from the report, and apparently to the recording officer/s, when police first requested CCTV. It is recorded that an officer did contact the premises and request that they supply CCTV on 13/11/2021 (29 days after the incident) and again on 15/11/2021

(31 days after the incident) (CRIS page 36). I understand that Alex KARAGEORGIS supplied what he believed to be a copy of the relevant footage by way of a 'we transfer' link on 16/11/2021, however police were unable to access the CCTV via this link and requested that it is sent again. On 07/12/2021 (page 37) the officer records that he was again unable to access the CCTV via the 'we transfer' link and states he will go in person to the premises to retrieve it. The officer went to the premises on 16/12/2021, some two months after the incident, to collect the CCTV. The officer records (page 38) that prior to taking the memory stick from the premises he asked to view the contents and it then became evident that only five minutes CCTV from each camera was preserved on the memory stick, between 01.30 and 01.35 hours, which was before the alleged offence. The officer states that he then asked to review the CCTV on the 'we transfer' link at the premises and this showed only the same five-minute periods. It appears that Alex KARAGEORGIS had, in error, only downloaded five-minute clips from each camera. Both Alex KARAGEORGIS and the police were unaware of this until the police visit on 16/12/2021, some Two (2) months after the offence. By this time the CCTV from 15/10/2021 was no longer available as, after 31 days, the CCTV footage on the hard drive is automatically overwritten. This is in line with standard practice for licensed premises.

- VII. PC Malone is suggesting that it was no longer available because it had been tampered with and/or staff deliberately did not download the correct footage. However, Alex KARAGEORGIS maintains it was an error on his part and had the police attended the premises within the 31 days he would have been able to correct his error and provide the full footage.
- VIII. There is no result to the CRIS, no evidence that the wine supplied to police was analysed, or if it was that it contained any drug. It does not appear the CCTV hard drive was seized or that any action was taken against the premises for what, if correct, would amount to disposing of evidence and impeding the investigation. With the delay in police going to the premises for CCTV it is likely the CCTV was simply no longer available. There is no evidence the males had any connection with the premises or that the premises did not fully co-operate with the investigation.

- IX. CRIS 2320470/21. 11/09/2021. 21.10. This CRIS relates to an allegation of assault that was initially recorded as amounting to Grievous Bodily Harm but subsequently downgraded to an actual bodily harm. A female called police, but she had not witnessed the assault. Those involved were said to be drunk and anti-police. There were no witnesses, and the alleged victim did not want to support any police action so the CRIS was closed with no further action. This is a more minor crime than initially suggested, there is no independent evidence of what took place or that any blame can be attached to the premises for it.
- X. CRIS 2319967/21. 05/09/2021. 03.00. This CRIS relates to an allegation by a female that her behind was squeezed by a person unknown following argument with another table of people at the premises. Both groups were asked to leave the premises and the alleged offence took place on the way out. Police were not called at the time. The CRIS was closed with no further action. This alleged incident was unconnected to the management of the premises.
- XI. CRIS 2338394/19. 30/11/2019. 03.00. An employee initially made an allegation against the premises alleging he had been assaulted by his boss. Police were called but he was unable to identify the alleged suspect. Subsequently he did not wish to proceed with the allegation or go to hospital. The CRIS states he quit his Job however, the investigation revealed he was suffering mental health issues because he did not take his medication and he does still work at the premises. CRIS closed with no further action. The premises acted correctly.
- XII. CRIS 2320881/19. 05/07/2019. 00.00. An allegation of drink spiking by the mother of a female who had been at the premises. Even the reporting officer clearly doubts the authenticity of the account and the premises supplied CCTV as requested. The victim cut her hand after she sat on the corner of a table that tilted up causing her to fall. No evidence of any shortcomings by the premises who assisted the investigation. CRIS closed with no further action.
47. There are Nine (9) reported allegations over the period, even taking account of closures due to Covid the premises would have been open for around Sixteen (16) months, so less than 2 alleged incidents per month, on average. This is not an excessive number for a busy central London premises and lower than many. The

alleged incidents took place at various times through the night from 21.10 hours in the evening until 03.40 hours in the morning and there is no relevance or pattern to the times. Details of four of the alleged incidents were not even shared with the premises by police, which they would have been had there been concerns.

48. Some of the alleged incidents could have taken place anywhere, for example CRIS 2320342/22 relating to the domestic incident, for others such as CRIS 2320881/19 where a female sat on the corner of a table which then tipped up causing her to injure her hand, even the police were clearly doubtful about the credibility of the allegation. CCTV was provided by the premises where available for two of the alleged incidents. I found no evidence in the CRIS reports that the premises acted in any way other than appropriately and professionally when dealing with the alleged incidents.

49. The allegations of drink spiking are across a wide time frame between 22.00 and 03.00 hours and these allegations are in line with a general rise in such allegations in licensed premises across the country. All were closed with no further action. A reduction in hours will have no impact on this type of allegation, however, there are extensive measures recommended in <https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention> and other websites that recommend a raft of measures that represent best practice such as improved training, posters raising awareness in venues and extra vigilance by staff, all of which are contained in the operational manual and have been implemented at the premises. If considered appropriate these and other measures could be conditioned on the licence.

#### **Review Hearing on 4th October 2022.**

50. At the review hearing on the 4<sup>th</sup> of October 2022 the premises representative, Mr. Rankin, suggested a number of Conditions to address the issues identified. He highlighted that the remedial action taken should be directed at addressing the causes and should be a proportionate and appropriate response to these and not punitive.

51. The Sub Committee largely accepted these and developed them into Eleven (11) additional conditions that were imposed on the premises licence. In addition the hours at the premises were brought back to core Camden hours and the licence was suspended for Six (6) weeks to allow the required changes to staff, training and Welfare policies.

**Stepped approach.**

52. I have considered the documented approach of the Police to this premises over the years. The first recorded visit was over eight years ago on 30/05/2014. Advice on combatting drug misuse was given and this was adopted by the premises some 5 weeks later after a follow up visit.

53. The next recorded visit was on 04/07/2017 when police identified a number of areas for improvement and a Voluntary Action Plan was agreed with the premises. This was to be reviewed by police and the premises after 3 months. This review never took place and police did not contact the premises in connection with it. This indicates to me that police had no ongoing concerns, and no further action was required.

54. The next recorded visit was on 23/01/2022, over 5 years later. In the intervening period there had been no communication, no letters or telephone calls, nothing to suggest that the police weren't completely satisfied with how the premises was running and managed. At this visit breaches of the licence conditions were identified that have now been rectified. PC Malone comments in his report that the venue seems to be run OK and there was no negative atmosphere.

55. I have to conclude that there has not been a stepped approach from the police when dealing with Elysee. There have been only Three (3) visits to the premises over an 8-year period. The voluntary action plan was agreed and implemented by the premises but not followed up by police. Other issues pointed out by police, for example advice on how to combat drug misuse, was acted on by the premises but again not followed up.

56. PC Malone describes what he *now* considers to be evidence of poor management at the premises going back over the 8-year period. However, there has been no real attempt by police to engage with the premises, no evidence provided that they have provided the support, advice and guidance that would demonstrate police have engaged with the premises in a meaningful way and taken a stepped approach.

**New Licence Conditions.**

57. The premises welcomes the new conditions that the Sub Committee have imposed on the licence and there is now a new management structure in place, together with a Licensing Compliance plan developed and monitored by independent expert Michael Watson, to ensure that the Licensing Objectives are supported to the highest standard.

58. I have consulted with Mr. Watson and confirmed the new operating policies and practices that are in place at the premises. Mr. Watson has confirmed to me that monthly licensing audits are being conducted at the premises by a qualified consultant with unannounced inspections conducted at the premises at peak trading times including monitoring of the incident log and CCTV.

59. Full details of the licensing compliance plan, operational manual, new policies and procedures, staff training and the ongoing monthly audits are provided in the statement of Michael Watson. It is my professional opinion that taken together these measures provide ongoing robust and independent scrutiny of the premises.

60. As a result of the initial audit extensive retraining of all the management and staff was conducted on 23<sup>rd</sup> and 30<sup>th</sup> September 2022. This was conducted by an independent training company 'Capital Safety Solutions' on Responsible alcohol service, Welfare and Vulnerability, Drugs awareness and Fire Warden training.

61. Other best practice measures include the introduction of an Online Compliance

System and the implementation of the Health and Safety team recommendations concerning the terrace area that I understand has now been signed off as compliant by the licensing authority.

62. When considering further measures that may be beneficial to the running of the premises and provide reassurance to the police and local authority on the future operation of the premises Mr. Watson and I discussed the role of DPS. We agreed that a new DPS, unconnected to the family, would provide such reassurance. I understand that there is now a new DPS in place who is independent of the family and this is a positive step forward.
63. A further degree of independence in the day to day running of the premises could include ensuring there is a process in place that will support and encourage staff members to report unacceptable behaviour. It appears from the CCTV that a number of members of staff opened the door to the stairs, saw what was taking place and left without reporting it to anyone or taking any action. Staff should feel able to report such behaviour, confident of a supportive and safe environment.
64. Such processes are now common in many organisations where staff have been reluctant to come forward in the past, including private companies and public bodies such as the police service, and this encourages staff to come forward anonymously. This ensures that poor behaviour, even by senior managers, does not go unreported and unchallenged. Such a process is more difficult for small employers, however, there are commercial companies that offer such services, and this could be incorporated with the ongoing monthly audits.

### **Conclusions**

65. When considering the reduction in hours I do not consider that this is an appropriate or proportionate response. There is no evidence that the later hours were responsible for the offence taking place, it was the action of the individuals who breached the trust placed in them and who were able to exploit weaknesses in the policies and practices in place at the premises.



66. These individuals have now been arrested and a lengthy police investigation has taken place. The police have confirmed that no further action is to be taken against any of those involved in the incident. Nevertheless, both individuals have been dismissed from any involvement with the premises and are not permitted to be on the premises at any time.
67. The DCMS guidance is clear that the action taken should be remedial and not punitive. The initial six-week licence suspension, followed by the additional conditions, management and DPS changes, training and policy improvements and oversight of specialist, independent consultants have addressed the issues identified.
68. The premises has operated for a considerable length time and during that time has largely been left to operate on its own with little support or guidance from the authorities. For the most part it has done so with few problems. The reduction of hours has had a significant impact on the premises, which I understand makes it no longer viable. In my view this is not appropriate or proportionate. It is certainly not needed to address the issue which triggered this review, in my professional opinion.
69. The new conditions imposed on the licence, together with the improvements described above and proposed changes, will ensure that the premises currently promotes the Licensing Objectives to a high standard and will continue to do so with later hours in the future.
70. One final, although relatively minor, matter, is the requirement under the 10th imposed condition for a door supervisor to stand in front of the stairway where the trigger incident occurred. The doorway leads to a back of house area that is not open to the public. Clearly, this is no longer necessary since the cause of the incident has been thoroughly dealt with.

**I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own**

knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

**Adrian Studd,**

**Independent Licensing Consultant,**

**07/03/2023.**

# ELYSEE CAMDEN

## Consultants Expert Report



## RICHARD BUNCH

### Crime & Disorder Consultant

**“I’m really enjoying being involved in licensing from ‘the other side’. My years of experience mean I can prevent potential licensing issues with police and other authorities.”**

I retired from the police service in April 2016 after serving in both Sussex and Metropolitan Police Services. Upon retirement, I was issued a certificate of service recognising my exemplary career.

Throughout my three decades of service, I held various roles in both uniform and detective positions, including major crime branches and community policing. At the time of my retirement, I was a substantive sergeant responsible for the police licensing team in the City of Westminster. I also managed several departments as an acting Police Inspector.

I qualified as a divisional and major crime branch detective at the National Criminal Investigation Centre in Maidstone, Kent. Additionally, I became an Advanced Interviewer, Family Liaison Officer, Exhibits Officer, and Disclosure Officer. I have worked on Divisional Drug Squads, Sussex Police Corporate Development Department, Sussex Police Unsolved Crime Investigations, and the Metropolitan Police City of Westminster Homeless Unit. As a qualified Key Decision Maker on CPS Charging Standards, I worked for two years at the country’s busiest custody centre at Charing Cross Police Station. Following this, I served as the Crime Operations Manager for the Oxford Street, Regent Street, and Bond Street crime team at West End Central Police Station. During this period, I co-authored Operation Blizzard, a policing initiative for the busy autumn nights and Christmas period in London’s West End. This initiative, designed to support the West End Business Improvement Districts (BIDs), was successful in reducing crime and disorder and was embedded in the Mayor of London’s policing plan.

My final role was as 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, gaining extensive knowledge in licensing issues, crime and disorder within premises, reviews, and problem-solving through a partnership approach.

During my service in Sussex Police, I worked with licensed premises in rural towns, villages, and larger coastal towns and cities. I received two commendations for bravery and a merit for assisting the Metropolitan Police in recovering a kidnap victim while serving with the Major Crime Branch in Sussex Police.

» **Contact Richard:**



## REPORT



IMAGE 1 - ELYSEE RESTAURANT 13 PERCY STREET, LONDON, W1T 1DP

## INSTRUCTION

1. I have been instructed by the owners and operators of the licensed premises known as Elysee, 13 Percy Street, Fitzrovia, London, W1T 1DP to complete in-person observations and produce a full report (below). I understand my report is to be submitted as evidence for consideration by the Licensing Authority's Sub-Committee at 7.00pm on Thursday 18<sup>th</sup> July 2024.
2. The application is to vary the hours of the business to the following:

Opening hours for Alcohol

Monday: 10:00 - 02:00

Tuesday: 10:00 - 02:00

Wednesday: 10:00 - 03:00

Thursday: 10:00 - 03:00

Friday: 10:00 - 03:00

Saturday: 10:00 - 03:00

Sunday: 10:00 - 00:00



## Opening hours for Live Music

Monday: 09:00 – 02:30  
 Tuesday: 09:00 – 02:30  
 Wednesday: 09:00 – 03:30  
 Thursday: 09:00 – 03:30  
 Friday: 09:00 – 03:30  
 Saturday: 09:00 – 03:30  
 Sunday: 09:00 – 03:30

## Opening hours for Performance or Dance

Monday: 09:00 – 02:30  
 Tuesday: 09:00 – 02:30  
 Wednesday: 09:00 – 03:30  
 Thursday: 09:00 – 03:30  
 Friday: 09:00 – 03:30  
 Saturday: 09:00 – 03:30  
 Sunday: 09:00 – 00:00

## Opening hours for Recorded Music

Monday: 09:00 – 02:30  
 Tuesday: 09:00 – 02:30  
 Wednesday: 09:00 – 03:30  
 Thursday: 09:00 – 03:30  
 Friday: 09:00 – 03:30  
 Saturday: 09:00 – 03:30  
 Sunday: 09:00 – 03:30

## Opening hours for Opening

Monday: 00:00 – 03:00  
 Tuesday: 00:00 – 03:00  
 Wednesday: 00:00 – 04:00  
 Thursday: 00:00 – 04:00  
 Friday: 00:00 – 04:00  
 Saturday: 00:00 – 04:00  
 Sunday: 00:00 – 00:30

## Opening hours for Late Night Refreshment

Monday: 23:00 – 02:00  
 Tuesday: 23:00 – 02:00



Wednesday: 23:00 – 03:00

Thursday: 23:00 – 03:00

Friday: 23:00 – 03:00

Saturday: 23:00 – 03:00

Sunday: 23:00 – 00:00

3. The application to vary the licence is to return the operating hours to the times the venue operated, prior to an incident that took place at the venue on Saturday 10<sup>th</sup> September 2022. This was the only occasion in 87 years of trading the venue was subject to such a high-level investigation.
4. The Application amounts to a total of 6 additional hours each week to serve alcohol, provide live entertainment and dance and operate a historic, authentic Greek restaurant. I find it relevant to my observations and conclusions that the Premises is a family business of 87 years and an important social venue for the Capital's Greek community.

## BACKGROUND

5. My research indicates that the Elysee has been an iconic London restaurant for 87 years. The owners and operators of the business are the third generation to be responsible for running this establishment.
6. The current Directors are:
  1. Kyriacos Pattachi Company Secretary and Director – 59 years appointed April 2008.
  2. Alexander Karageorgis Company Director – 42 years appointed September 2022
  3. Kyriacos Karageorgis Company Directors – 61 years appointed April 2008.
7. They are all descendants of the original founders of the restaurant and have been involved with the venue in some form for their entire lives. To give an example, I understand Mr Pattachi started working at the venue aged 15 years and it has been his life. He appears to me to be extremely passionate about the business, as are the others. The directors and staff all appear to me to be consummate professionals within the hospitality industry.
8. I have considered the material from the Review proceedings in 2022, along with the Appeal that resulted in a compromise agreement between the Premises and the Council, in 2023.



9. Between the Review and the Appeal, the Police investigation identified that that the female had been consensual to the sexual activity within the venue. The CCTV obtained by the Police clearly identified this. The female appears to have withdrawn her allegation as a result of this evidence.
10. I am informed that it came to light that the female was due to be married two weeks after the incident and this may led to her making the allegation to avoid embarrassment/difficulties with her intended husband.
11. There were also allegations from the Police that narcotics were used in the same incident. No drugs were recovered from the venue, nor any offences disclosed or identified.
12. Prior to the resolution of the Police investigation, the only action the Police could take was to seek a summary review of the premises under Section 53A of the Licensing Act 2003. This resulted in the licence being suspended. I appreciate the Police had to take such a course of action. On 15<sup>th</sup> September 2022 the premises licence was suspended.
13. Below is a summary of the events that led to the venue receiving a reduction of hours:
  - **Prior to 15 September 2022 the Premises benefitted from a Premises Licence, and licensable activity as now applied for under the application ref: VARY/120905 to be heard on 18<sup>th</sup> July 2024.**
  - **15 September 2022 – Camden Council determines to suspend the Premises Licence with immediate effect. This prevents the restaurant from selling alcohol, selling hot food and drink between 11pm and 5am, and providing entertainment by way of recorded and live music.**
  - **15 October 2022 – Camden Council issue their decision in relation to the full Review hearing held on 4 October 2022. This decision was to impose a number of conditions on the Licence, but more importantly, it reduced the hours for Licensable Activities as set out at pages 4 and 5 of the attached Tab 1 Decision Notices document. In summary, the key hours were pulled back to 10.30pm on Sundays, 11.30pm on Mondays to Tuesdays, and Midnight on Fridays and Saturdays.**
  - **The Premises appealed the above decision (please see the attached Tab 2 Appeal Notices document), but the reduced hours had effect until the end of any appeal.**





- **On 19 April 2023, the appeal against the Council’s decision was settled by way of Consent Order (please see attached email from the Council to the Court), restoring some but not all of the hours.**
14. It appears to me that the actions of a few brought the venue to the attention of the Police and Local Authority.
  15. After the review process and subsequent appeal at the Magistrates Court the premises licence for the venue was issued and this is one in that it operates under today.
  16. I understand that the Police have not made a Representation against this application.
  17. In my experience, the demographic attracted by any premises, is relevant when what, if any, impact those customers will have on the locality. In these circumstances, it is relevant that this venue provides a destination for the Greek community of London to frequent and enjoy. Access to this Premises is important to that group.
  18. As a result of this incident, the subsequent Police involvement and review, the venue operates, with reduced hours, under a premises licence which now contains 91 conditions. The restaurant conditioning on the licence does not allow the supply of alcohol at any bar, with alcoholic drinks only to be provided with a meal. The premises does not attract your average “pub goer”.
  19. There are extensive conditions on this licence which are more than sufficient for this venue, given my observations and professional experience.



## RESTAURANT LOCATION AND VENUE

20. The restaurant itself is located on the Camden/City of Westminster borough border.



IMAGE 2 - ROOF TOP TERRACE GARDEN ELYSEE

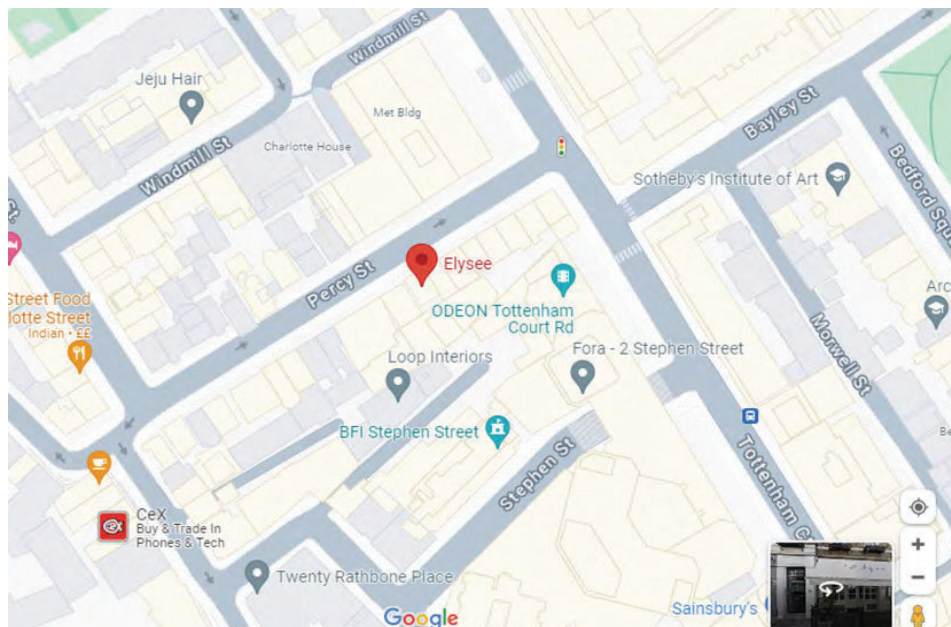
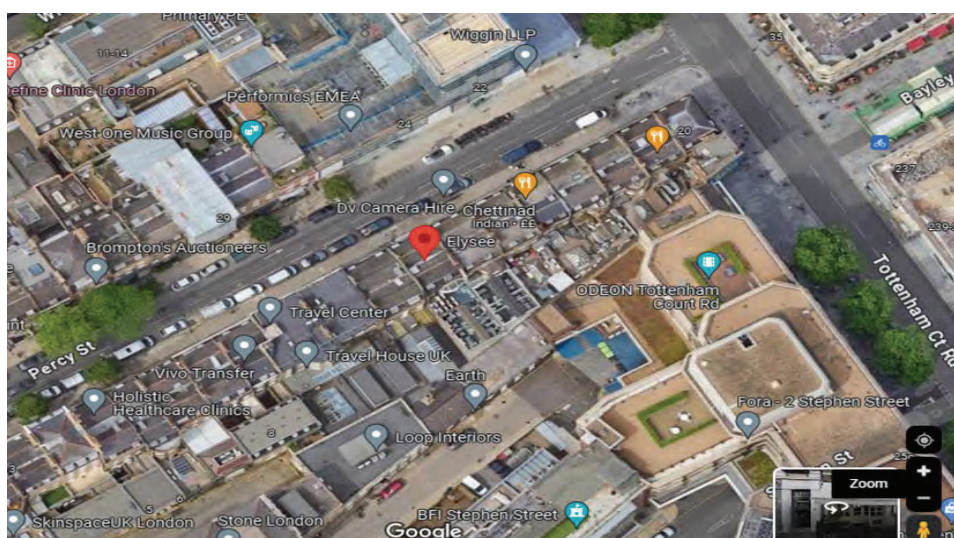


IMAGE 3 - MAP DETAILING LOCATION OF ELYSEE



21. It sits within a terrace of Victorian style buildings of a type typically seen in this area of London. Percy Street has your typical mix of offices, small business premises, a public house at one end and a small number of residents in flats and apartments on the upper levels. Tottenham Court Road is to the east with Oxford Street just to the south.
22. Directly opposite the venue at this time is a newly refurbished high-end office building which is currently unoccupied. Directly above the venue and on either side are flats occupied by staff members. The nearest residents are some distance away on the other side of the street.



**IMAGE 4 - SATELLITE MAP OF ELYSEE LOCATION**

23. The premises is leased from the property management company that owns it. To give an example of overheads for the venue, the lease for the restaurant alone is over £300,000 per year.
24. The venue employs 35 staff through its 7 days of trading. Chefs, waiters, waitresses, managers, cleaners, porters are all dependent on the success of this venue. The majority of staff are Greek or Greek origin and ancestry. I found the staff to be warm, friendly people who created a very welcoming atmosphere.
25. All the staff are treated as family, and many have worked at the venue for over 20 years such is the ethos they create there. This is testament to how the venue is operated and the current owners/directors. They all have a legacy to uphold and maintain, which they do each and every day. All those involved with the venue appear proud to be so.
26. The venue operates two main areas. On the upper floor is the roof-top terrace garden. Open air when the weather permits but does have a retractable roof. The full menu is served out in this



location as required by the Premises Licence, and due to the open-air location shisha can be smoked.

27. The outside area does attract a younger customer base (a mix of parents with children, along with couples – a primary demographic in the 25 to 35 age range in the evenings) as it is more relaxed; however, large family groups of all generations can be found sitting at large tables. It all creates a very amenable atmosphere.



**IMAGE 5 – COCKTAIL BAR 1<sup>ST</sup> FLOOR ELYSEE RESTAURANT**

28. There is a separate entrance to the upper level from the street. This leads into the First Floor dining area, then out to the roof terrace.
29. I do not consider that the design and operation of this venue would attract a young “nightclub” crowd. It provides an authentic wrap-around Greek experience of food, drink and entertainment. I found the venue to be well operated with very good management and staff delivering very good experience, promoting the licensing objectives as they do so.





**IMAGE 6 - ELYSEE STAFF AT SHISHA PREPARATION AREA ELYSEE.**

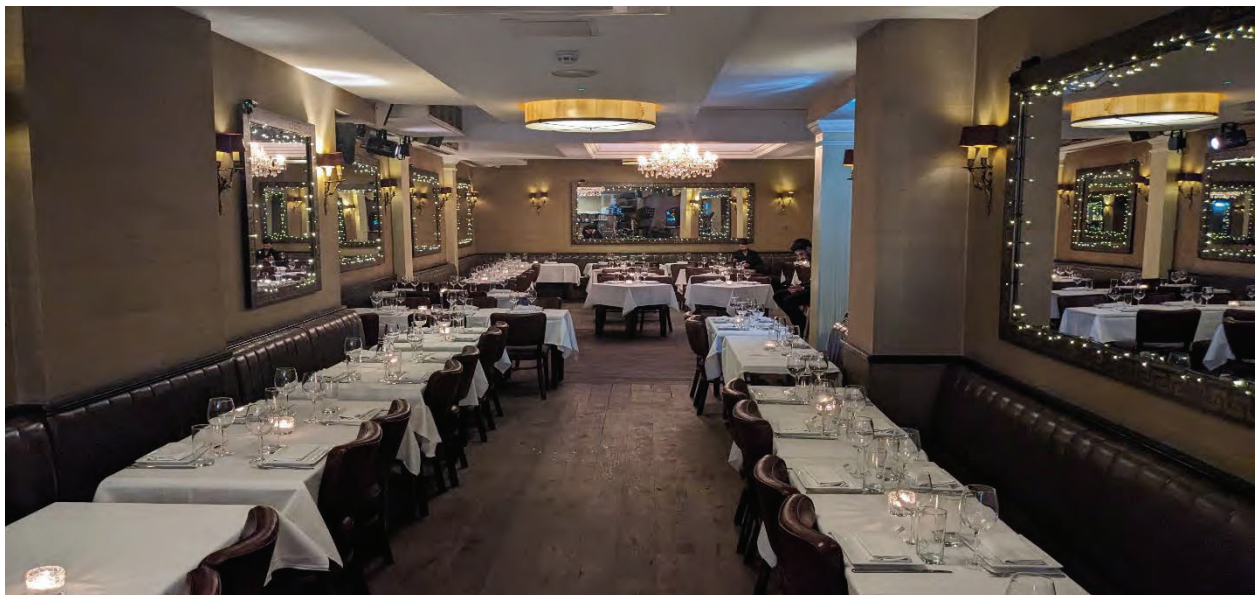
30. The menu at the venue appears extensive. The average spend per-customer is in the region of £110.00.





**IMAGE 7 - ROOFTOP AREA ELYSEE**

31. The images within this report give an effective example of the demographic of the clients frequenting Elysee.



**IMAGE 8 - GROUND FLOOR RESTAURANT ELYSEE**





IMAGE 9 - STAGE AREA LOWER FLOOR RESTAURANT AT ELYSEE.

## IN-PERSON OBSERVATIONS

32. I undertook my in-person observations at the venue between 8.00pm on Friday 18<sup>th</sup> June 2024 and 4.00am on Saturday 29<sup>th</sup> June 2024. Elysee was operating with a Temporary Event Notice (TEN) in place. This TEN gave the venue the opportunity to operate to the hours requested in the variation application.
33. The purpose of my visit was to view at first hand the venue and the operation within it. I have completed many observations of this nature in many differing venues. My observations consider not only the venue itself but the impact, if any, on and around the surrounding area.
34. My findings are presented to assist licensing committees and courts, considering my previous professional experience within the police and that of my role as a crime & disorder expert.
35. The focus of my inspections is to consider if the venue is operating to a standard where the Licensing Objectives are being promoted.
36. Should it be required I will highlight any shortcomings to the venue and identify and report on any steps taken to address said shortcomings.
37. I have already given a detailed overview of the business and venue, based on research completed by myself and my own first-hand experience.



I think it best if we start with the staff and the three directors themselves. The floor managers, waiters and bar staff are clearly well trained. They are polite and courteous. I found them to be immaculately turned out.. They appeared to complete their tasks with pride; something I have previously seen in premises that operate to a high standard.

38. The directors appeared hands-on, monitoring events throughout the evening. Alex Karageorgis took responsibility for the reception desk throughout the evening.



**IMAGE 10 - RESIDENT SINGER AT ELYSEE**

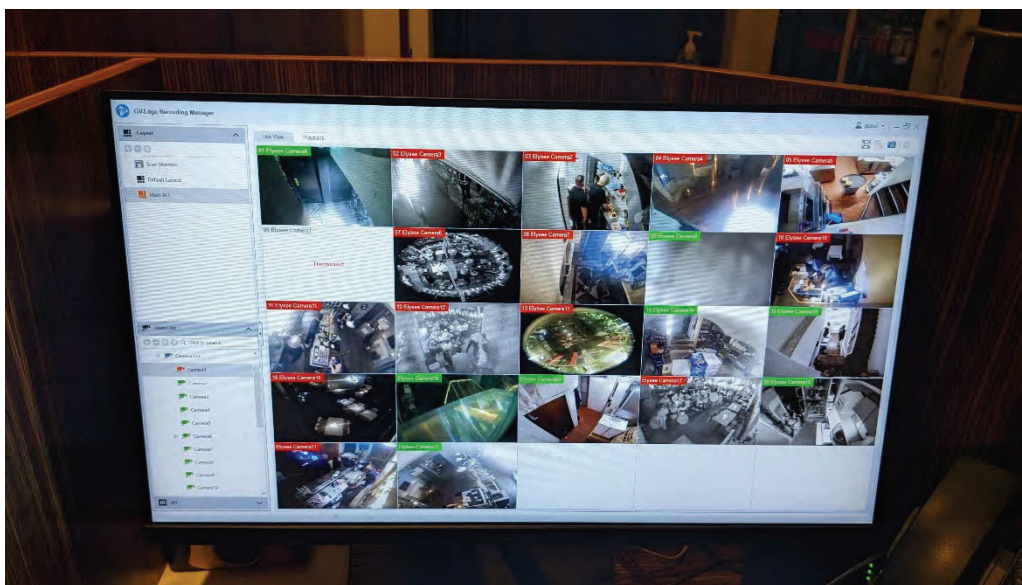
39. It was evident that many of the customers at the venue are regular visitors. The owners, management and staff knew many by name and the clients obviously have a great deal of respect for them. One such group was part of a 50<sup>th</sup> birthday party celebration and stayed until close.
40. The venue had two security team members working from 9.00pm until close and through dispersal. The head of security is Chris Ude who has been at the venue for a number of years. He demonstrated considerable experience of the venue, its customers and its procedures. This is to be expected as he is now a long serving team member, and he has worked in the Fitzrovia area for many years.
41. The security team was well turned out displaying their SIA badges as required. They were in possession of hi-visibility jackets, personal radios and body worn videos. Each customer was spoken to and directed to the upper or lower floors as booked or desired. There was no requirement for the





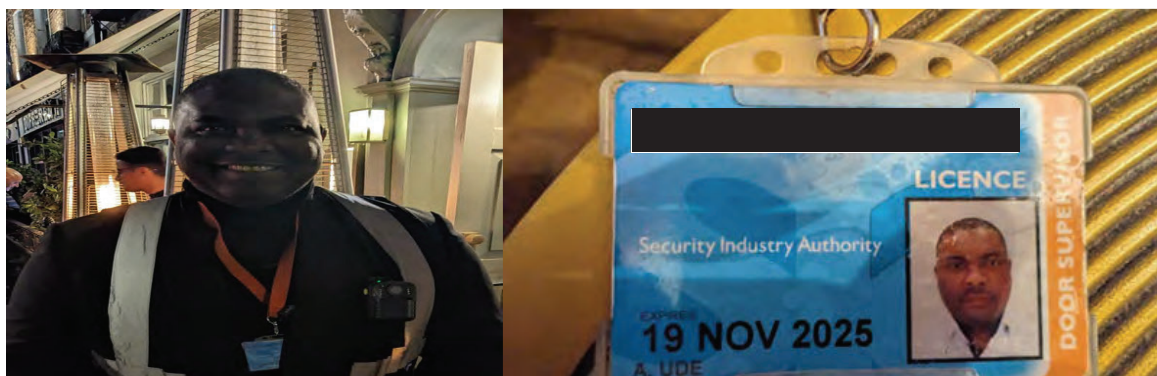
security team to intervene at any point through the evening. I would expect SIA intervention to be a rare occurrence at this venue given its customer profile and mode of operation.

42. All appropriate logbooks were in place and easily accessible. Staff are trained and audits for the business are completed on an online system.



**IMAGE 11 - CCTV SCREEN AT RECEPTION AREA ELYSEE**

43. The venue has an adequate CCTV system. One camera was faulty and had been logged as being so. A repair technician had already been organised. I had no issue with this as all systems generate technical faults at some point. What matters to me, is how quickly faults are identified and rectified. The CCTV is constantly monitored by the staff. At the time of my visit, this was performed by Alex Karageorgis. The security team members are supplied by European Security Services (an SIA Approved Contractor).

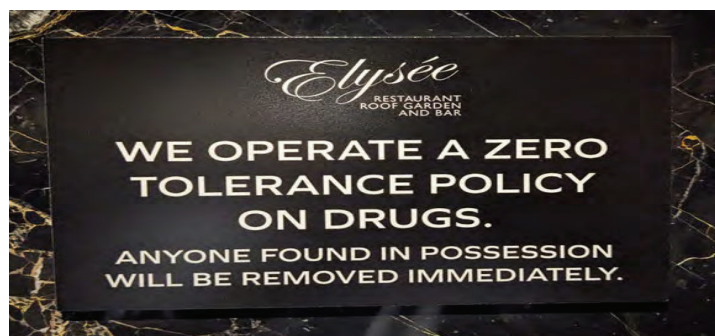


**IMAGE 12 - SECURITY AND SIA BADGE ELYSEE TEAM MEMBER.**



44. The atmosphere throughout the venue is was relaxed. The restaurant on the lower floor is much more formal to start, with the roof garden being slightly more casual with a slightly younger client base. There were groups of young professional Greeks and some other nationalities taking larger tables.
45. I monitored the outside of the venue through various periods of the evening. This included the entire length of Percy Street from Tottenham Court Road to Charlotte Street and Rathbone Place. All of these areas have busy nighttime economies in them.
46. Two venues were of particular interest to me. These were the Bourne and Hollingsworth Bar at the junction with Rathbone Place and the large public house on Tottenham Court Road called the Jack Horner. The Jack Horner sits opposite Percy Street and is a large venue attracting a younger noisier crowd. The same can be said for the Bourne & Hollingsworth bar which provides a cocktail bar and a louder dance themed genre of music. Both attracting a younger audience who were more boisterous than the Elysee clients I observed.
47. In addition to these you have a number of other licensed venues in nearby Rathbone Place, such as the Marquis of Granby, The Black Horse and The Wheatsheaf Public Houses. All were busy through the evening until they closed.
48. Being in central London there are a number of restaurants, bars and pubs in the vicinity all of which may contribute to a greater or lesser degree, to any noise and nuisance that may be attributed to the area. You have to observe any given premises to identify whether its management, customers or style of operation poses a risk.
49. I also monitored the outside of the venue for sound and other noise coming from the venue. I can confirm there is no noise emanating from the venue, at times you get a slight rise in noise as the front door is briefly opened and closed but this is at a more than acceptable level as the band and singers are located to the rear of the building. Passing members of the public and road traffic create more noise and nuisance.





**IMAGE 13 - EXAMPLE OF SIGNAGE AT ELYSEE**

50. The staff are all suitably trained as required by the Premises License. RASPFLO, Welfare and Vulnerability Engagement (WAVE) and Ask Angela, have all been covered. Also the venue displays appropriate signage in toilets and other areas of the venue. Drugs Policies, Challenge 25 and search policies are all visible at the point of entry.
51. I continued my observations throughout the dispersal period. There were no issues regarding dispersal. There was no unruly behaviour or noise generated by the customers from Elysee. Both the upper and lower areas were cleared in good time. Customers either made their way on foot or had arranged Ubers and taxis. There was no noise nuisance created outside.



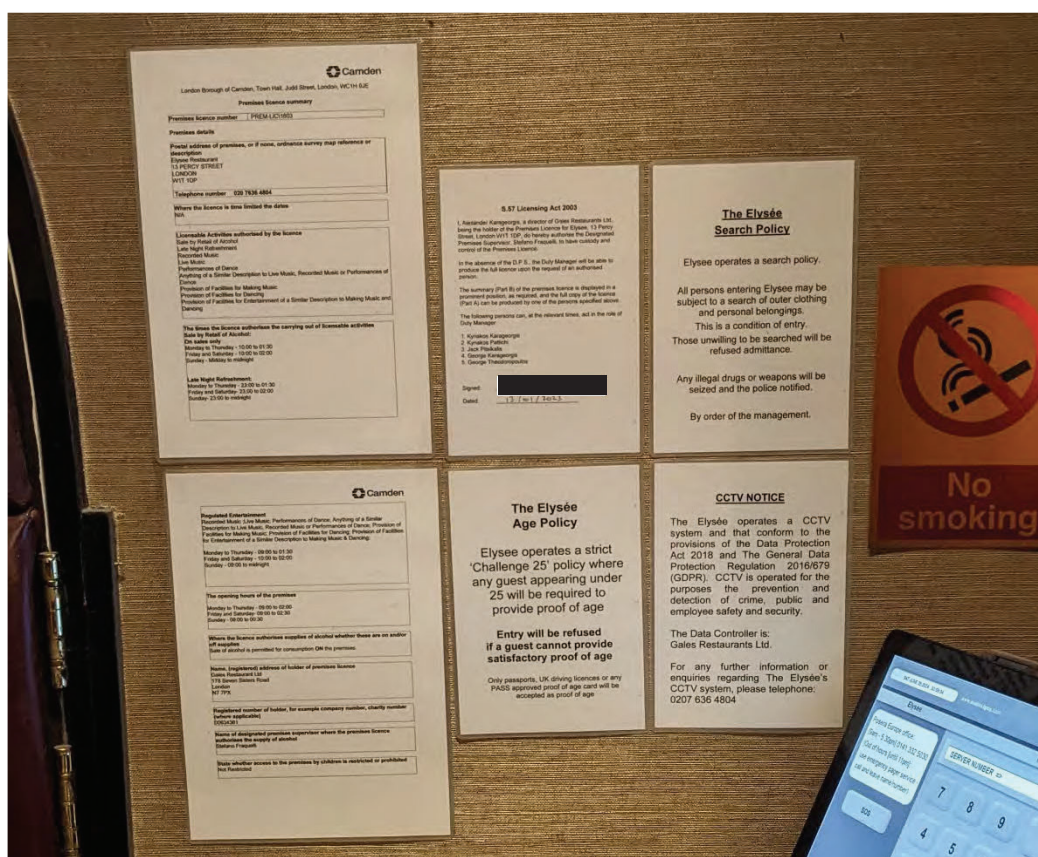


IMAGE 14 - SIGNAGE AT RECEPTION AREA ELYSEE

## REPRESENTATIONS

52. I am aware that there have been two representations with regard to the application to vary the permitted hours on this premises licence. These have come from the Local Authority who objected on the grounds of public nuisance, and from the Charlotte Street resident's association.
53. The Police have not made any representation but have requested an additional condition be placed on the licence. This is to read as follows:
  - Consumption of alcohol on the premises shall cease 30 minutes after the permitted hours for the sale of alcohol.
54. This has been agreed by the management of Elysee and confirmed by their legal representative.



55. I think it important to note the Police have not made any objection to the variation of the licence on the basis of crime and disorder or public nuisance (at least in so far as nuisance would be caused by anti-social behaviour). The Police are the public sector's experts in crime and anti-social behaviour, and they have a clear mandate to consider all licensing applications and make representations when, in their opinion, the grant of an application would negatively impact on the Licensing Objectives. That the Police have not made a Representation against this application, indicates to me that the incident in September 2022 was an unfortunate and regrettable one off occurrence.
56. There are no recent or long-term issues with this venue being a crime generator.
57. A representation has been made by the Charlotte Street Association who are opposed to the proposed hours. I have seen correspondence with the association identifying conditions on the licence that satisfy the group's request for additional conditions. They promote themselves as an organisation that supports the local Fitzrovia community and challenges building and licensing applications in the area. I think on this occasion there is no evidence to suggest the activity at Elysee will in anyway impact on local residents. I am of the opinion that the responsible authorities and Licensing Sub-Committee can be confident this will not be an issue and the Licensing Objectives will be met.

## CONCLUSION

58. The venue is looking to vary its premises licence to operate as it did prior to the current reduced hours.
59. There was no criminality identified as a result of the Police investigation and the matter has been dealt with appropriately by the Police and Local Authority.
60. The venue now has a heavily conditioned licence. In my opinion, the current conditioning on the Premises Licence is to some degree excessive given the style of operation and customer profile. This is not a nightclub that has been subject of crime and disorder leading to violent crime having taken place.
61. Having worked as a Police officer in this area of London for many years and carried out local observations in and around the area of Percy Street, I am satisfied that the operation of Elysee does not, and will not have an impact on the Licensing Objectives when trading to the hours requested in the Application.



## EXPERT'S DECLARATION (CIVIL CASES)

I Richard Bunch declare that:

1. I understand that my duty in providing written reports and giving evidence is to help the Court and/or Licensing Committee and 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 and will continue to comply with my duty.
2. I confirm that I have not entered into any arrangement where the amount or payment of my fees is in any way dependent on the outcome of the case.
3. I know of no conflict of interest of any kind, other than any which I have disclosed in my report.
4. I do not consider that any interest which I have disclosed affects my suitability as an expert witness on any issues on which I have given evidence.
5. I will advise the party by whom I am instructed if, between the date of my report and the trial, there is any change in circumstances which affect my answers to points 3 and 4 above.
6. I have shown the sources of all information I have used.
7. I have exercised reasonable care and skill in order to be accurate and complete in preparing this report.
8. I have endeavoured to include in my report those matters, of which I have knowledge or of which I have been made aware, that might adversely affect the validity of my opinion. I have clearly stated any qualifications to my opinion.
9. I have not, without forming an independent view, included or excluded anything which has been suggested to me by others, including my instructing lawyers.
10. I will notify those instructing me immediately and confirm in writing if, for any reason, my existing report requires any correction or qualification.
11. I understand that;
  - my report will form the evidence to be given under oath or affirmation;



- questions may be put to me in writing for the purposes of clarifying my report and that my answers shall be treated as part of my report and covered by my statement of truth;
  - the Court and/or Licensing Committee may at any stage direct a discussion to take place between experts for the purpose of identifying and discussing the expert issues in the proceedings, where possible reaching an agreed opinion on those issues and identifying what action, if any, may be taken to resolve any of the outstanding issues between the parties;
  - the Court and/or Licensing Committee may direct that following a discussion between the experts that a statement should be prepared showing those issues which are agreed, and those issues which are not agreed, together with a summary of the reasons for disagreeing;
  - I may be required to attend Court and/or Licensing Committee to be cross-examined on my report by a cross-examiner assisted by an expert;
  - I am likely to be the subject of public adverse criticism by the judge if the Court and/or Licensing Committee concludes that I have not taken reasonable care in trying to meet the standards set out above.
12. I have read Part 35 of the Civil Procedure Rules, the accompanying practice direction and the Guidance for the instruction of experts in civil claims and I have complied with their requirements.
13. I am aware of the practice direction on pre-action conduct. I have acted in accordance with the Code of Practice for Experts.

## STATEMENT OF TRUTH

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge, I confirm, are true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

## DISCLAIMER

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IN THE CAMDEN LICENSING SUB-COMMITTEE

GALES RESTAURANTS LTD

(t/a Elysee Restaurant, 13 Percy Street, London, W1T 1DP)

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WITNESS STATEMENT OF  
Kyriakos Michael Karageorgis (Giggs)

---

1. I, Kyriakos Michael Karageorgis (Giggs), of 50 Gloucester Square, London, W2, will say as follows:

**History of the Elysee**

2. The Elysee was established in 1936 by George Varnavas. He was my great uncle. He came to London from Cyprus in the 1930's to seek work. He got a job at the Savoy and eventually worked his way up to be Maitre D'hotel there.
3. In 1936 he decided to open his own restaurant and bought the premises at 13 Percy Street and called it the Elysee. He ran it very successfully throughout the 30's and 40's building up a celebrity clientele.
4. In 1949 my father Michael arrived in London from Cyprus and came to work at the restaurant with his uncle, George Varnavas. In 1950 my father's brother George came over in 1950 and in 1952 the third brother Ulysses joined them.
5. Michael and George Karageorgis opened a community space for the Greek community in Fitzrovia in 1956. Around the time of 1958 the Elysee got into financial difficulties and there was a meeting with all of the creditors when Gales Restaurant Ltd T/A The Elysee Restaurant bought out the creditors and continued the operation of the business with the family.
6. George Varnavas retired due to illness and the three Karageorgis brothers took over the ownership from their uncle. They ran it successfully until they became too old to do so and the restaurant needed a facelift and refurbishment. The three brothers handed over control



to us in 2009. Kyrikos Michael Karageorgis, Kyriakos Ulysses Karageorgis and Kyriacos Pattichis.

7. I had helped in the restaurant during school holidays since I was 13, helping out in the kitchen and washing up.
8. I went to catering college and returned to work in the Elysee kitchen, waiting tables and gradually working my way up through the family business.
9. The family also own a hotel in Gower Street and in 1998 I took over the management of the hotel and carried out a refurbishment there.
10. When the Elysee needed a facelift we (Kyriakos Michael Karageorgis, Kyriakos Ulysses Karageorgis and Kyriacos Pattichis) in 2009 took over from the 3 older brothers and we ran it as general managers. We carried out the facelift in 2009. We spent £1.5m on the refurbishment and reopened the restaurant with great success.
11. In 2011 there was an application for a review of the Premises Licence, by a neighbour who felt that departing patrons were making too much noise. We appealed the review and the decision and went to court where we were successful in resisting the reduction of the hours on our Premises Licence, although we did add conditions that we had proposed to control noise from customers departing and using the roof terrace.
12. I do not think that it is possible to operate in the night time economy literally without any incident. I also acknowledge that in 2017 we worked with the Police on a voluntary action plan.
13. However, I hope it is fair to say that in the almost 5 decades I have worked at the Elysee, we have never had a significant issue with crime and disorder. In the few incidents that we did have, we always assisted the Police with their enquiries. Once in about 2018 a police officer drove by the Elysee late at night and asked me what was going on, as I was stood outside. I explained that we were a late night venue and the officer said he didn't even know they were there. That is how little of an issue we had so far as the police were concerned.

#### **Management of the Elysee Since the Review Incident**

14. I was entirely unaware of matters that took place on the 10th September 2022 until I was called to attend at the premises. I had jointly run the premises with my cousin Kyriacos

Pattichi. He had worked as a manager of the premises for forty years. He, similarly, was not present on 10th September 2022.

15. After the Trigger Incident, my younger cousin Alex Karageorgis became a director and assumed the role of evening manager. He, together with myself and Mr Pattichi are now the management team and have been operating Elysee for almost 2 years, with Mr Stefano Fraquelli joining us as DPS in January of 2023. Mr Fraquelli has provided his own statement for this application, but I can confirm that he was appointed to bring strong oversight, independent of our family, to the operation at the Elysee, and has done so. Staff have been instructed to inform Mr Fraquelli of any and all concerns they may have with the operation.
16. At the time of the Review Hearing, I told the Sub-Committee that between the licence suspension and that hearing, we had lost approximately £400k of turnover. We had cancelled over 2000 bookings and had refunded all deposits for lost bookings. Since we reopened with our reduced hours, we have remained in a financially unsustainable position, even when we reached a compromise agreement with the Council. I have seen that Alex has explained this in his own statement and so won't repeat it the details here, other than to add that we had employed 60 staff in total, all of whom we kept on full pay throughout our suspension, with us now employing around 30 staff.
17. Of that wonderful group of staff, 13 of them live above the Elysee in the flats associated with the premises.
18. As I said to the Sub-Committee back in 2022, the wholly regrettable Review incident has impacted us all greatly. I am both ashamed and angry that these premises, of which I am so proud, have become associated with this incident; however, we have worked in partnership with the Police to turn things around, and it is with great pride that I am making this statement in the knowledge that the Police have not objected to our Application.
19. I can only say to the Members that it has my solemn word that we will continue to move forward and demonstrate compliance with our legal obligations. It is effectively my life's work and all my efforts have been directed to ensuring that we never find ourselves in the situation we faced in 2022, ever again.

#### **Statement of truth**

20. I believe that the facts stated in this witness statement are true. I understand that

proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

.....

Kyriakos Michael Karageorgis (Giggs)

.....

Date

**IN THE CAMDEN LICENSING SUB-COMMITTEE**

**GALES RESTAURANTS LTD**

**(t/a Elysee Restaurant, 13 Percy Street, London, W1T 1DP)**

---

**WITNESS STATEMENT OF STEFANO FRAQUELLI**

---

I, Stefano Fraquelli of 24 Neville Court, Abbey Road, London NW8 9DD will say as follows:

1. I was born on the 24<sup>th</sup> February 1954.
2. I am an experienced owner/ operator of well-known restaurant brands in London for the past 40 years. I was employed by the Appellant and became the Designated Premises Supervisor of Elysee on 12 January 2023. In order to become a DPS, the Police must not object on grounds of crime and disorder. I would not have expected them to object to me, given my experience, and I am pleased that they did not.
3. I have particular experience in creating efficient operating procedures and the hiring and managing of all types of restaurant staff.
4. During my career I have dealt with all types of economic cycles, business shocks, local authority governance including issues concerning business and residents.
5. I have a deep understanding of buying and selling various establishments, marketing and image management using offline and online campaigns, recession- and succession-management.
6. A brief timeline of my CV is as follows:

- a) **1977** – BSc in Business Administration at Bath University. Joined the family business, Spaghetti House Restaurants
  - b) **1978** – Joined the board as Executive Director
  - c) **1982** – Founded Cibitalia, a business selling and distributing Spaghetti House branded ready meals to UK multiples and achieved national distribution on Sainsburys, Tesco, Waitrose and ASDA
  - d) **1986** – Managing Director of Spaghetti House Holdings
  - e) **1989** – Sold Cibitalia
  - f) **1990** – Board member of London First, Chaired by Sir John Egan. Chairman of Fitzrovia Today. Was instrumental in getting Fitzrovia embossed on maps of London. Influential in the introduction of Business Improvement Districts in London and the UK
  - g) **1999** – De-merged Getti Restaurants out of Spaghetti House into a wholly owned business during which Sir Paul Girolami (Ex-Chairman of Glaxo PLC) was Chairman of the Board of Spaghetti House
  - h) **1999** – Opened first Getti restaurant in Istanbul, Turkey through Metropolitan Restaurants
  - i) **2000** – Opened second Getti Restaurant in Marylebone High Street
  - j) **2001** – Opened third and fourth Getti Restaurants in Jermyn Street and Wardour Street
  - k) **2005** – Opened Brera in Welbeck Street,
  - l) **2006** – Sold Brera to landlords
  - m) **2016** – Zia Teresa restaurant in Knightsbridge celebrated 60 years of continuous trading and ownership
  - n) **2021** – Sold to San Carlo Group
7. I was brought into the Elysee Restaurant in January 2023 as DPS following the Licensing Review. I am fully aware of my responsibility to ensure that staff members are upholding all

the licensing conditions which include any special conditions implemented during this process.

8. I took on the role as DPS on the sole understanding that I am responsible for ensuring that the licence is complied with and the licensing objectives promoted at the premises. I do not tolerate any deviation from the licence or any departure from what is necessary to promote the licensing objectives. It is fair to say that the owners of the premises agreed with my position and have supported me throughout.
9. In the event that any unacceptable behaviour by anyone on the premises should ever take place, I have made it very clear to all staff that I make no discrimination between customers, staff members, management or ownership and I will deal with any incident to the full force of the laws of this country.
10. As someone closely involved in the development of Fitzrovia as an area of gastronomic significance in London I passionately believe that the Elysee is an iconic establishment in the history of the neighbourhood which needs the support of the local community and the key stakeholders to ensure that it is operating in a way to give it the best possible chance of survival for many years to come.
11. Upon assuming my position, and on the instruction of Alex and Giggs Karageorgis, I engaged with Michael Watson of Licence Consultants to develop and implement a licensing Compliance Plan and Operational Manual for the Elysee – Please see Mr Watson’s Report at Exhibit AKV08. I am continuing to work to ensure through my management and our external auditing, that the Elysee is run in line with the Operational Manual.
12. I have made sure that there is a deep understanding among staff of the approach to promoting the licensing objectives and particularly customer safety, and engrained the behaviours required to ensure that we at the Elysee are not only confident that the events of September 2022 will never happen again, but also that a suitable framework is in place to deal with a number of challenging issues that may arise in the course of doing business.
13. We have set up a monthly refresher programme of the materials covered in the training, which involves some active role-playing activity and an open Q&A session where we foster a

sense of community spirit with a common goal and where staff can openly express their concerns and opinions to myself and each other.

14. I have also given all the staff my mobile phone number so that they can message me in confidence should they have any concerns. I have made it clear that I will not tolerate any inappropriate behaviour and any report to me will be taken in strict confidence. To make it even easier for staff to report any concerns they might have, the Elysee has taken on an external company to provide an anonymous on-line reporting system.
15. For me to satisfactorily carry out the role of DPS, I am in the restaurant every week from Thursday to Saturday and attend a staff/management meeting every Monday where we review the previous week's trading and to also form a plan for the week ahead.
16. In line with the recommendations of the expert advisors, I and the team ensured that the requirements of our Premises Licence have been followed.
17. I have taken the time to review and to familiarise myself with the Premises Licence (as all DPSs should do!) and all the Conditions. There is a copy of the Premises Licence in the reception area of the premises that the staff are able to refer to should they have any questions but my requirement is that all members of management are fluent in the requirements of the Premises Licence and these are to be strictly adhered to, and all members of staff work in line with the Operating Manual. I am proud that under my personal supervision, Elysee is a restaurant as well run as any in London.
18. I should say that not only have I found the owners co-operative, but I have also found the staff to be compliant and eager to learn. They make a good team and work together very well, being polite, efficient and customer-focussed. It is not very easy to convey this in words, but Elysee with a full house of happy customers is a joy to be in, as well as a workplace.
19. I do want to make it clear that if the venue is given back its hours and so can continue to trade as it had before the Review, my own commitment to ensure excellent standards will continue. We respect the authorities and will ensure that we work together with them to ensure that Elysee remains a safe space and a good neighbour.

#### **Statement of truth**

20. I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

.....

STEFANO FRAQUELLI

.....

DATE



On Thursday 27 June 2024 at 15:10:00 BST, Marcus Lavell <[marcus.lavell@...](mailto:marcus.lavell@...)> wrote:

Dear Mr Henderson

I represent the Applicant in the above application.

Thank you for providing the Charlotte Street Association's representation, by way of your letter dated 31 May 2024.

I note that you refer to conditions that the Association would like to see added to the Licence, these being a "restaurant" condition, and condition requiring the adoption of the "Ask for Angela" initiative.

### **Restaurant Condition**

The Premises Licence currently contains two "restaurant" conditions:

31. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

80. Alcoholic beverages shall only be sold to customers seated at tables and only when taking a substantial table meal. Orders for food and alcoholic beverages shall be taken and dispensed by waiter or waitress service only.

The effect of the above conditions, it to restrict sale of alcohol such that:

- Sales are made by waiting staff,
- To customers seated at tables, who are taking table meals,
- For consumption by the customer as an ancillary to their meal,

The above is on all-fours with the condition proposed by the Association.

### **Ask for Angela Condition**

The Premises Licence currently contains the following "Ask for Angela" condition:

72. All staff be trained in Welfare and Vulnerability Engagement and the Ask Angela scheme.

I note that the Association's proposed condition goes on to detail the "Women's Safety Principles" and the Applicant has no objection to these being included as part of the above condition.

### **Operating History**

The Review relating to noise nuisance issues, took place some 13 years ago, and ultimately resulted in appropriate conditions being agreed and placed on the Licence.

The Review in 2022, was (as noted by the Association) based on "*an alleged serious crime situation*"; however, following that Review, the allegations were thoroughly investigated by the Police and the matter was officially closed without any charges of criminal activity being made out.

The Applicant is a family friendly restaurant, and a cornerstone of the Greek community. The management team are keen to work with the community (both Greek and at large) and would welcome any suggested additional conditions that the Association may have.

I should be obliged if you could please address your comments to me at this address.

Kind regards

**Marcus Lavell** | Barrister

*Recognised by Chambers and Partners and The Legal 500 for Licensing 2024*

t: +44 [REDACTED] | m: +44 [REDACTED]

48 Chancery Lane, London WC2A 1JF, United Kingdom



KEYSTONE LAW



**From:** Charlotte Street Assoc. [REDACTED]  
**Sent:** Wednesday, July 3, 2024 12:25 PM  
**To:** Marcus Lavell [REDACTED]  
**Cc:** Charlotte Street Association [REDACTED]  
**Subject:** Re: ELYSEE RESTAURANT, 13 Percy Street, W1T 1DP - APP\PREMISES-VARY\120905

Marcus

Thank you very much for getting in touch with us about this application. My colleague has asked me to respond to your email and to offer our apologies for the late response. We are currently dealing with a number of licensing applications in the area at the moment and we have got behind with our work.

Thank you for pointing out that the premises licence already has "restaurant conditions" and also women's safety conditions. These are standard comments we make on usually all applications. We appreciate you clarifying this.

Your comments about the "operating history" are noted and we thank you for confirming the outcome of the police investigation.

We have no further conditions to suggest. Thank you for asking.

However we remain concerned about the later opening hours as sought in this application.

Regards

Linus Rees  
on behalf of Charlotte Street Association



London Borough of Camden, Town Hall, Judd Street, London, WC1H 9JE

**Premises Licence**  
London Borough of Camden Licensing Authority

**Premises licence number** PREM-LIC\1603

**Part 1 – Premises details**

**Postal address of premises, or if none, ordnance survey map reference or description**

Elysee Restaurant  
13 Percy Street  
London  
W1T 1DP

**Telephone number** 020 7636 4804

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

Sale by Retail of Alcohol  
Late Night Refreshment  
Recorded Music  
Live Music  
Performances of Dance  
Anything of a Similar Description to Live Music, Recorded Music or Performances of Dance  
Provision of Facilities for Making Music  
Provision of Facilities for Dancing  
Provision of Facilities for Entertainment of a Similar Description to Making Music and Dancing

**The times the licence authorises the carrying out of licensable activities**

**Sale by Retail of Alcohol:**

(on the premises only)

Monday to Thursday - 10:00 to 01:30

Friday and Saturday - 10:00 to 02:00

Sunday - midday to midnight



**Late Night Refreshment:**

Monday to Thursday - 23:00 to 01:30

Friday and Saturday- 23:00 to 02:00

Sunday: 23:00 - 00:00

**Regulated Entertainment**

Recorded Music ;Live Music; Performances of Dance; Anything of a Similar Description to Live Music, Recorded Music or Performances of Dance; Provision of Facilities for Making Music; Provision of Facilities for Dancing; Provision of Facilities for Entertainment of a Similar Description to Making Music & Dancing:

Monday to Thursday - 09:00 to 01:30

Friday and Saturday - 10:00 to 02:00

Sunday: 09.00-00.00

**The opening hours of the premises**

Monday to Thursday - 09:00 to 02:00

Friday and Saturday- 09:00 to 02:30

Sunday - 09:00 to 00:30

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Sale by retail of alcohol is permitted for consumption **ON** the premises.

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Gales Restaurants Ltd  
178 Seven Sisters Road  
London  
N7 7PX

**Registered number of holder, for example company number, charity number (where applicable)**

00634361



**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Stefano Fraquelli

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

[REDACTED]  
[REDACTED]

**For Supporting Communities Directorate on behalf of the Licensing Authority**

[REDACTED]

**Date Licence Amended: 24/04/2023 – APPEAL AT MAGISTRATES COURT**

**Date Licence Amended: 12/01/2023 - APP\PREMISES-VARYDPS113521**

**Date Licence Amended: 14/09/2022 -APP\PREMISES-REV\111762**

**Date Licence Amended: 28/07/2017 - APP\PREMISES-MVARY\00711**

**Date Licence Amended: 21/07/2017 - APP\PREMISES-VARYDPS\004645**

**Date Licence Amended: 18/04/2012 - APP\PREMISES-TRANS\000895**

**Date Licence Amended: 15/02/2012 - APPEAL AT MAGISTRATES COURT**

**Date Licence Amended: 25/08/2011 - APP\PREMISES-REV\000067**

**Date Licence Amended: 16/02/2011 - APP\PREMISES-MVARY\00231**

**Date Licence Granted: 04/08/2005 - APP\PREMISES-CONV\000451**



## Annex 1 - Mandatory conditions

1. The supply of alcohol is prohibited at a time when there is no designated premises supervisor in respect of the premises.
2. The supply of alcohol is prohibited at a time when the designated premises supervisor does not hold a personal licence or his/her licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
5. But nothing in subsection (4) requires such a condition to be imposed -
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
  - (b) in respect of premises in relation to -
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
6. For the purposes of this section
  - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies[ and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act)], and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.
7.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the



purpose of encouraging the sale or supply of alcohol for consumption on the premises

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
8. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  9.
    - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
    - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
    - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
      - (a) a holographic mark, or
      - (b) an ultraviolet feature.
  10. The responsible person must ensure that
    - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures





- (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
11. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
12. For the purposes of the condition set out in paragraph 11
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) “permitted price” is the price found by applying the formula
- $$P = D + (D \times V)$$
- where
- (i) P is the permitted price,
  - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
13. Where the permitted price given by Paragraph (b) of 12 above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
14. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the



permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 - Conditions consistent with the Operating Schedule**

15. The attendant shall be on duty in the vicinity of the cloakroom during the whole time it is in use.
16. The main entrance doors shall be kept shut whilst the premises are in use under this licence to lessen the noise nuisance.
17. The side exit doors must be kept locked back in the open position whilst the premises are in use under this licence.
18. The number of persons that may be accommodated at any one time shall not exceed 145:-

95 on the ground floor 50 on the first floor

19. The dispense bar on the first floor shall only be used by waiting staff to supply alcohol to those customers seated at No. 13 Percy Street.
20. Up to 2300hrs applicable to entertainment premises which adjoin or are adjacent to noise sensitive properties:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level ( $L_{Aeq}$ ) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and

the unweighted equivalent noise level ( $L_{eq}$ ) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place

21. Up to 2300hrs applicable to entertainment premises which do not adjoin and are not immediately adjacent to noise sensitive properties:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level ( $L_{Aeq}$ ) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over



any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and

the unweighted equivalent noise level ( $L_{eq}$ ) in the 63Hz Octave band, similarly measured, should not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

22. After 2300hrs applicable to all entertainment premises:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level ( $LA_{eq}$ ) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and

The unweighted equivalent noise level ( $L_{eq}$ ) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.

No sound emanating from the establishment should be audible within any noise sensitive premises between 23.00 and 07.00 hours.

23. The premises shall not be used for striptease or entertainment of a like kind to dancing which involves nudity without the prior consent of the Council

24. Police must be called to incidents of violence and/or disorder.

25. An incident log shall be kept at the premises and made available on request to an authorised officer or the Police which will record the following

- (a) All crimes reported to the venue
- (b) All ejections of patrons
- (c) Any complaints received
- (d) Any incidents of disorder and violence
- (e) All seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system or searching equipment or scanning equipment
- (g) Any refusal of the sale of alcohol to include date, time and staff member
- (h) Any visit by a relevant authority or emergency service
- (i) CAD reference numbers where Police are called

### **Additional Special Standard Conditions**

**26. Crime Prevention**



The licensee shall, in consultation with the Council and Metropolitan Police, develop a crime prevention strategy for the premises and in particular shall carry out a risk assessment in respect of the possibility of assaults to customers and staff.

#### **27. Litter/Waste Management**

Whilst the premises are being used under the licence the licensee shall ensure that all litter and waste outside the premises is removed and disposed of with other waste from the premises.

#### **28. Un-authorized Advertising**

The licensee shall take all reasonable steps to ensure that there is no unauthorised advertising of events to be held at the premises.

#### **29. Drug Risk Assessment**

The licensee shall carry out a risk assessment in respect of the potential harm to customers of the use of illegal drugs, whether taken on the premises or taken by a customer prior to entering the premises, and shall put in place appropriate measures to mitigate any such harm.

#### **30. Staff Training**

The licensee shall ensure that staff are trained, as appropriate, in respect of relevant licensing law, the implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.

**31.** Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

**32.** Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals served in the licensed premises.

#### **Annex 3 - Conditions attached after an appeal at the Magistrates' Court 15/02/2012**

**33.** A sound limiting device will be installed. The level will be set and sealed by the environmental health team.

**34.** No regulated entertainment shall be provided until an acoustic report has been submitted to the London Borough of Camden confirming that the



*“standard noise conditions”* could be met. The *“standard noise conditions”* to be complied with are:

- a. Before 2300 hours, the noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured one metre from any facade of any noise sensitive premises over any five minute period with entertainment taking place, shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and the unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any five minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.
  - b. After 2300 hours, the noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured one metre from any facade of any noise sensitive premises over any five minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and the unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any five minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.
35. The acoustic report shall be written by a competent person, and any works will be carried out to the satisfaction of the environmental health team.
  36. The area at the front of the premises/Elysee Restaurant has been used by patrons who wish to smoke. A maximum of five patrons will be permitted to use this area after 22:00 hours. No drinks are to be taken into this area and a bin will also be provided for butts to be disposed of.
  37. The roof terrace shall not be used for eating and drinking between 00:00 hours and 09:00 hours.
  38. During regulated entertainment all doors and windows on the premises/Elysee Restaurant will be kept shut (except as necessary for persons to enter or leave).
  39. No deliveries or collections shall take place between 22:00 hours and 08:00 hours Monday to Saturday and not before 09:00 on Sundays.



40. No tables and chairs are to be placed outside at the front between 22:00 hours and 09:00 hours.
41. The “*standard noise conditions*” are to be applied to one metre from the facade of 29 Percy Street to prevent public nuisance.
42. There will be a limit of 5 smokers permitted at the front of the premises until 22.00 and then a limit of 8 smokers on the rear roof terrace thereafter until closing time.
43. Smokers will be supervised by a member of staff at all times and will not be permitted to take drinks outside with them.
44. Security will endeavour to control a slow stream of customers and guests leaving Elysee.
45. Security will be proactive about dispersal of groups of people outside Elysee.
46. Security will encourage customers to leave the area quickly and quietly.
47. Security will patrol outside the premises to ensure customers and guests leave the area quietly. Any customers and guests causing noise or disturbance will be asked to be quiet. Those that do not will be refused entry Elysee in the future.
48. Security will discourage illegal taxis and touts from congregating outside Elysee.
49. Security will monitor activity in the vicinity of Elysee throughout each night to prevent crime and disorder, noise or disturbance arising from customers.
50. A detailed entry will be made in the incident book of any serious crime and disorder. The duty manager will make a decision as to whether to call police.
51. Door supervisors will vigilant and proactive in preventing crime and disorder They will assist police to the best of their ability / powers / authority.
52. As the premises empties security inside the venue will move outside to assist in dispersal.
53. A manager will be on duty and stationed at the exit 30 minutes from close to 30 minutes after to oversee dispersal. For this period at least two door supervisors will also be on duty to assist with the safe dispersal of guests.
54. Security outside the premises will wear high visibility clothing at all times.
55. As customers leave and the premises empties door supervisors from inside the premises will be posted outside to assist with dispersal.
56. Guests will not be allowed to take drinks with them as they leave. Security will be posted at the exit to prevent this happening.



57. Music volume will be lowered gradually at the end of the night to reduce shouting and boisterous behaviour when people exit Elysee.
58. The brightness of the lighting inside Elysee will be increased gradually as part of a 'cooling off' period.
59. A dedicated taxi service will be available to Elysee guests.
60. Customers wishing to smoke outside will be directed to the smoking area at the rear of the premises in line with Elysee's smoking policy.
61. Door supervisors will ensure customers do not block the pavement outside Elysee.
62. Customers will be supplied with information on transport options available late at night.
63. Signage will be clearly displayed reminding guests to leave quietly and respect residents as they leave.

#### **Conditions attached following appeal to the Magistrates Court 24/04/2023**

64. A zero tolerance to illegal drugs shall be operated. Any person found in possession of illegal drugs, witnessed offering illegal drugs or asking others for illegal drugs, will be ejected (or refused entry) and permanently banned from future entry to the premises. This zero tolerance will be actively and prominently promoted on the restaurant website, in literature and signage at the venue and clearly communicated to all on the restaurant's database.
65. All flat surfaces in toilet cubicles, including any curved toilet roll holder ellipses, are to be 'designed-out' - to the satisfaction of the MPS - in order to prevent drugs misuse.
66. At least one experienced member of the restaurant management team shall be stationed at the entrance at all times the venue is in operation under the licence, unless called away to deal with an emergency situation. He/she should ensure that door staff are operating as in accordance with the Operational Manual and Premises Licence, particularly with regard to actions to prevent drugs and crime and to identify persons who may benefit from welfare and/or medical services.
67. The welfare of customers shall be the responsibility of all staff. One member of staff shall be appointed to co-ordinate this.
68. All staff shall be trained in all aspects of licensing law, with particular emphasis on drugs and alcohol and the 4 licensing objectives (RASPFLOR responsible alcohol sales and promoting the four licensing objectives). Such training shall take place



every year by an independent accredited trainer, with refresher training every 6 months and records retained for inspection by police and the local authority.

69. Unannounced monthly audits of the premises during trading hours shall be conducted by an independent accredited auditor, and records retained for inspection by the police and local authority.
70. Michael Karageorgis and Kerry Ulysses Karageorgis shall be prevented from entering the premises and banned from any involvement with the premises whether paid or unpaid.
71. The Designated Premises Supervisor shall be a person who is unrelated to the family that owns and operates the premises.
72. All staff be trained in Welfare and Vulnerability Engagement and the Ask Angela scheme.
73. Only SIA door supervisors provided by an Approved Contractor Scheme certified Third Party provider are to be deployed at the Premises.
74. From 9pm daily, a minimum of 2 SIA licensed Door Supervisors will be deployed at the Premises until 30 minutes after close to ensure all patrons are dispersed from the area.
75. Door supervisors are to use body worn cameras. In the event of an incident, the footage must be made available to Police upon request. The venue will ensure that a suitable, expeditious playback/ downloading system is in place for Police to be able to obtain any evidential footage.
76. Recordings of body worn footage shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
77. Door supervisors and appropriate staff shall be provided with "two-way" radios or similar systems capable of ensuring continuous communication between each other at all times that the premises are open for a licensable activity.
78. The Premises Licence Holder shall produce and operate a comprehensive Dispersal Policy to ensure that no noise nuisance is caused to neighbouring residents, by customers leaving the Premises after 9pm daily. A copy of the Dispersal Policy (or any revisions) shall be served on the licensing authority and police.





79. The Premises shall produce and operate a Whistleblowing Policy to encourage and protect any staff who report unacceptable behaviour. A copy of the policy (or any revisions) shall be served on the licensing authority and police.
80. Alcoholic beverages shall only be sold to customers seated at tables and only when taking a substantial table meal. Orders for food and alcoholic beverages shall be taken and dispensed by waiter or waitress service only.
81. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
82. The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
83. The CCTV camera views are not to be obstructed.
84. CCTV recordings must be concurrent with accurate time.
85. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.
86. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
87. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer of the Licensing Authority in obtaining the CCTV footage.
88. Copies shall be made available within 48 hours to the Police or an authorised officer of the Licensing Authority, upon request.
89. The facility to transfer the images to a compatible, removable format, shall be held on the premises.
90. Signs must be displayed in the customer areas to advise that CCTV is in operation.
91. If the CCTV is inoperative or not installed and working to the satisfaction of the Police, then within 48 hours the Police shall be notified and an estimate given of the repair timescale. The premises shall comply with all reasonable requests from the Police.

#### **Annex 4 - Plans**



London Borough of Camden, Town Hall, Judd Street, London, WC1H 9JE

### Premises licence summary

<b>Premises licence number</b>	PREM-LIC\1603
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#### Premises details

##### Postal address of premises, or if none, ordnance survey map reference or description

Elysee Restaurant  
13 PERCY STREET  
LONDON  
W1T 1DP

##### Telephone number

[REDACTED]

##### Where the licence is time limited the dates

N/A

##### Licensable Activities authorised by the licence

Sale by Retail of Alcohol  
Late Night Refreshment  
Recorded Music  
Live Music  
Performances of Dance  
Anything of a Similar Description to Live Music, Recorded Music or Performances of Dance  
Provision of Facilities for Making Music  
Provision of Facilities for Dancing  
Provision of Facilities for Entertainment of a Similar Description to Making Music and Dancing

##### The times the licence authorises the carrying out of licensable activities

###### Sale by Retail of Alcohol:

###### On sales only

Monday to Thursday - 10:00 to 01:30

Friday and Saturday - 10:00 to 02:00

Sunday - Midday to midnight

###### Late Night Refreshment:

Monday to Thursday - 23:00 to 01:30

Friday and Saturday - 23:00 to 02:00

Sunday - 23:00 to midnight



**Regulated Entertainment**

Recorded Music ;Live Music; Performances of Dance; Anything of a Similar Description to Live Music, Recorded Music or Performances of Dance; Provision of Facilities for Making Music; Provision of Facilities for Dancing; Provision of Facilities for Entertainment of a Similar Description to Making Music & Dancing:

Monday to Thursday - 09:00 to 01:30

Friday and Saturday - 10:00 to 02:00

Sunday - 09:00 to midnight

**The opening hours of the premises**

Monday to Thursday - 09:00 to 02:00

Friday and Saturday- 09:00 to 02:30

Sunday - 09:00 to 00:30

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Sale of alcohol is permitted for consumption **ON** the premises.

**Name, (registered) address of holder of premises licence**

Gales Restaurant Ltd  
178 Seven Sisters Road  
London  
N7 7PX

**Registered number of holder, for example company number, charity number (where applicable)**

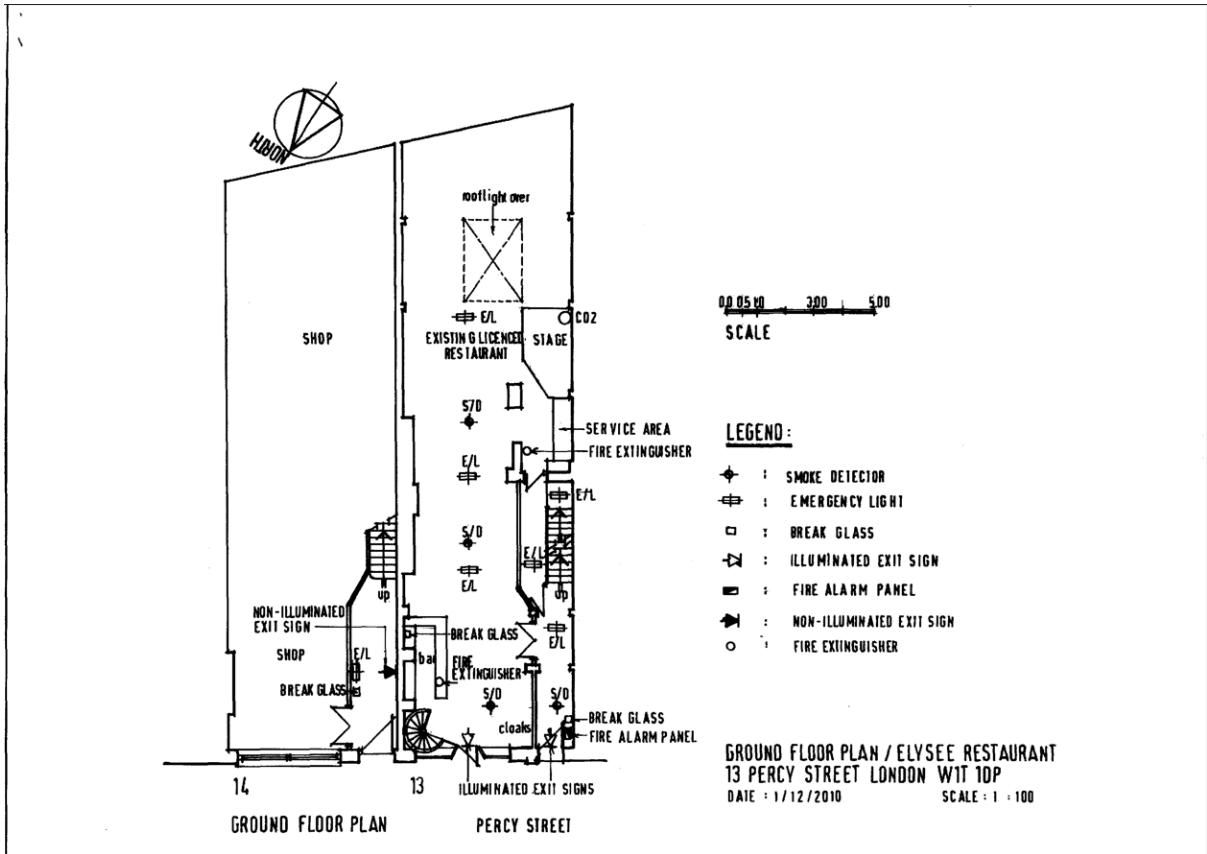
00634361

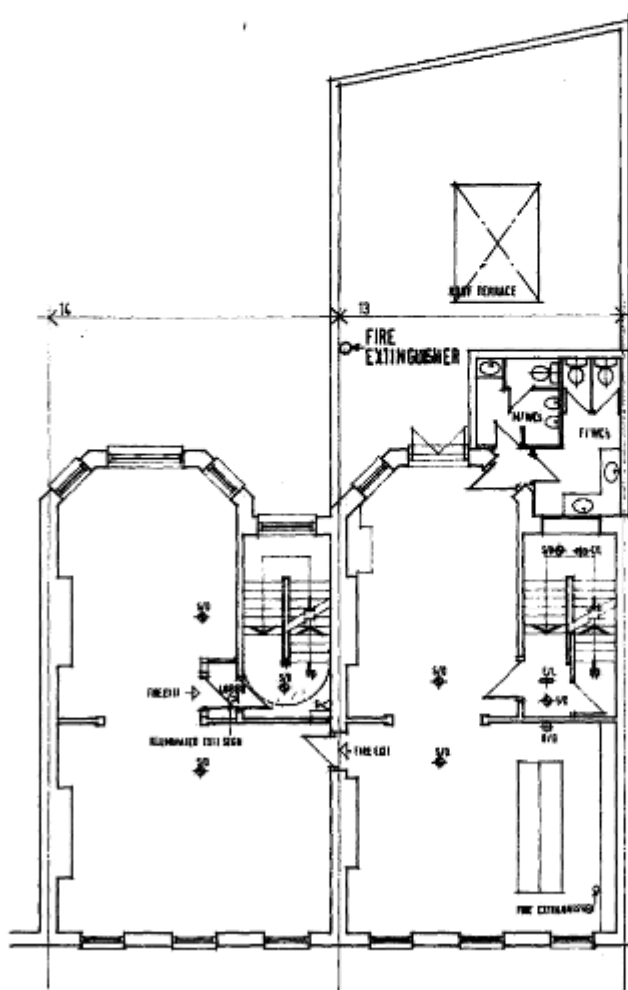
**Name of designated premises supervisor where the premises licence authorises the supply of alcohol**

Stefano Fraquelli

**State whether access to the premises by children is restricted or prohibited**

Not Restricted





FIRST FLOOR PLAN

0 10 20 30 40 50  
SCALE

**LEGEND:**

- ◆ SMOKE DETECTOR
- ◆ EMERGENCY LIGHT
- ◆ ILLUMINATED EXIT SIGN
- ◆ SEATBELT
- ◆ BREAK GLASS
- FIRE EXTINGUISHER

PROJECT NUMBER: 09100 2001 - 01100

**ELYSEE RESTAURANT**  
13, PERCY STREET, LONDON W1

SIMON L. KIPPERS ASSOCIATES  
CHARITRED ARCHITECTS  
55 BEAUFORT TOWER ROAD  
LONDON SW11 6HT  
Telephone 071-267-9824 Fax 071-485-6738

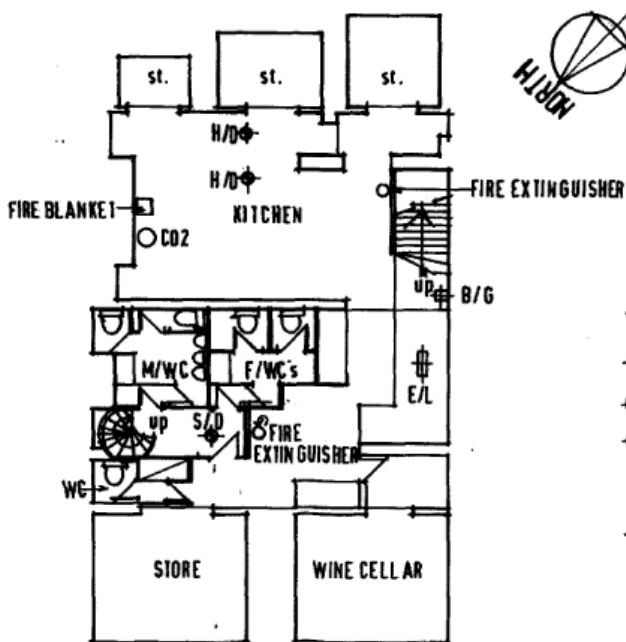
**EXISTING FIRST FLOOR PLAN**

SCALE 1:50 MARCH 95

912 912/95/1 A



SCALE :



**LEGEND:**

- ◆ H/D : HEAT DETECTOR
- ⊕ : EMERGENCY LIGHT
- ⊕ : BREAK GLASS
- : FIRE BLANKET
- ◆ S/D : SMOKE DETECTOR
- : CO2
- : FIRE EXTINGUISHER

**BASEMENT PLAN / ELYSEE RESTAURANT**  
**13 PERCY STREET LONDON W1T 1DP**  
 DATE : 30/11/2010      SCALE 1:100

**Date:** 15/04/2024  
**Application Reference:** APP\PREM-VARY/120905  
**Direct Phone Number:** [REDACTED]  
**Contact:** Steven Dormer  
**E-mail:** [REDACTED]



**Public Protection**  
Supporting Communities  
London Borough of Camden  
5 Pancras Square  
LONDON  
N1C 1AG

Tel: 020 7974 4444 (switchboard)

London Borough of Camden  
Fax: 020 7974 6955 / 6940  
Textphone: 020 7974 6866

DX: 2106 Euston

[www.camden.gov.uk](http://www.camden.gov.uk)

*Please quote our reference in any correspondence*

Licensing (Contact Camden)  
Crowndale Centre  
218 Eversholt Street  
London  
NW1 1BD

## **Licensing Act 2003 – SECTION 17**

**RE:** Elysee Restaurant, 13 Percy Street, London, W1T, 1DP

### **LICENSING AUTHORITY REPRESENTATION**

This representation is made by the Licensing Authority, and it relates to the following licensing objectives: -

- Prevention of public nuisance

### **The Premises and Summary of Application**

The application is to vary following licensable hours:-

**The operational times being applied for are as follows: -**

#### **Late Night Refreshment**

Monday to Tuesday	23:00 - 02:00
Wednesday to Saturday	23:00 - 03:00
Sunday	23:00 - 00:00

#### **Recorded Music**

Monday to Tuesday	09:00 - 02:30
Wednesday to Saturday	09:00 - 03:30
Sunday	09:00 - 00:00

#### **Live Music**

Monday to Tuesday	09:00 - 02:30
Wednesday to Saturday	09:00 - 03:30
Sunday	09:00 - 00:00

#### **Performance of Dance**

Monday to Tuesday	09:00 - 02:30
Wednesday to Saturday	09:00 - 03:30
Sunday	09:00 - 00:00

Supply of alcohol

Monday to Tuesday	10:00 – 02:00
Wednesday to Saturday	10:00 – 03:00
Sunday	10:00 – 00:00

Similar E,F or G

Monday to Tuesday	09:00 - 02:30
Wednesday to Saturday	09:00 - 03:30
Sunday	09:00 - 00:00

The opening hours of the premises

Monday to Tuesday	09:00 – 03:00
Wednesday to Saturday	09:00 – 04:00
Sunday	09:00 – 00:30

**Volunteered conditions in the operating schedule.**

No additional or amended conditions have been offered by the applicant.

Complaint History

I have checked the Council's records and dating back far as 2017 there has been intermittent complaints regards the conduct of the business. Officers have checked the premises for nuisance from patrons gathering on the pavement and potential Public Nuisance offences.

Background

2022 an expedited review was applied for by the Metropolitan Police Service for a serious crime that had taken place on the premises.

Current Application

This is an application that has been made by Keystone Law. The application is to increase the hours of licensable activities on everyday of the week.

Framework Hours

5.3: Our Framework Hours are:

For licences not including the sale or supply of alcohol:

Monday to Thursday 09:00 am until 11:30 pm  
 Friday and Saturday 09:00 am until midnight  
 Sunday 09:00 am until 10:30 pm

The premises already operates outside framework hours with the existing licence.



## Conclusion

This licence already has 91 conditions on the current licence. There is very little that can be added to the licence to uphold the licencing objectives. The premises is situated in a street that is a mix of small businesses and residential. There have been complaints about noise and general management from the premises. This is despite the various conditions that are designed to manage any nuisance experienced by the public.

There are other licenced premises along Percy Street. None appear to operate this late into the night.

The hours that already exist on the licence are reasonable for the business to operate and satisfy their clientele. To grant an increase in hours to 3am two days a week. And to allow an increase in hours for the premises to close at 4am four days a week could impact negatively on the residents.

Whilst it has already been acknowledged in this correspondence that the premises already has been granted permissions to operate outside the policies Framework Hours. It would be the committee's decision to depart from policy and allow the significant increase in operating hours.

Yours sincerely

A solid black rectangular box used to redact the signature of Steven Dormer.

Steven Dormer  
Licensing Officer

**From:** Steven Dormer  
**Sent:** Wednesday, May 22, 2024 4:41 PM  
**To:** Marcus Lavell  
**Cc:** Sarah Williams  
**Subject:** RE: Elysee Restaurant, 13 Percy Street - Application to Vary a Premises Licence

Dear Marcus,

I have attached a Spreadsheet of the complaints recorded on the system here at Camden.

The information available to me is scarce to say the least.

Happy to concede that the earlier complaints do not demonstrate noncompliance. However the review does which is mentioned in the representation from myself.

The smoke free I am interested to understand from your client if they do indeed operate shisha. If so is the location for this activity compliant.

I have yet to visit the premises. But I am keen to do so prior to any hearing.

Happy for this email and spreadsheet to be shared with your client. Also happy for members to be informed of this communication.

Steven Dormer  
Licensing Officer

Please consider the environment before printing this email.

**From:** Marcus Lavell <  
**Sent:** Wednesday, May 22, 2024 3:55 PM  
**To:** Sarah Williams <  
**Subject:** Re: Elysee Restaurant, 13 Percy Street - Application to Vary a Premises Licence

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious  
Please take extra care with any links, attachments, requests to take action or for you to verify your  
password etc.

Hi Sarah

I note that the LA Representation refers to historic noise nuisance issues. Would you be able to provide me with the details of the noise issues the Council has recorded?

Kind regards

Date	Nature of complaint	Outcome
06/01/2017	Noise Nuisance	No further action recorded
12/01/2018	Noise Nuisance	No further action recorded
Sep-22	Expedited Review	Sanctions imposed on the licence
Jul-23	Smoke Free complaint	No clear outcome recorded

# Charlotte Street Association

email: [REDACTED]

Licensing Authority,  
London Borough of Camden,  
5 Pancras Square,  
London N1G 4AG.

31<sup>st</sup> May 2024

By email to: [REDACTED]

Samina Khan, Licensing Officer

Dear Sir/Madam,

**Re: Licensing Act 2003: Application for Major Variation:  
ELYSEE RESTAURANT, 13 Percy Street, W1T 1DP.**

---

Reference: APP\PREMISES-VARY\120905

---

I am writing on behalf of the Charlotte Street Association.

The Charlotte Street Association was formed in 1970. Its area of interest is bounded by the Euston Road on the North, Gower Street on the East; Oxford Street on the South, and Wells Street/Cleveland Street on the West.

Percy Street comes within the Association's area of interest.

Among the objectives of the Association are to represent the interests of the residents of the area, with particular regard to its essential character, and scale; and to initiate and publicise positive proposals for the improvement and extension of the area's environment and amenity.

The Association is consulted by both Camden Borough Council and Westminster City Council on planning applications and other matters affecting the area, including licensing matters. It gives evidence in support of its objectives at planning and other inquiries. It took part in the consultation on, and commented upon, the original proposed Statements of Licensing Policy for both Camden and Westminster; and in later years commented on the subsequent Reviews to vary Camden's Statement of Licensing Policy.

The Association has been actively involved in the preparation of the recent Area Action Plan for Camden's part of Fitzrovia, for which the Public Examination has just taken place.

**Our Association wishes to strongly object to this application for a Major Variation, on the grounds of Public Nuisance because the changes are likely to lead to a detrimental affect on the residential amenity of those living nearby, for the reasons given below.**

Continued ..... 2.

**PROPOSED VARIATIONS TO THE EXISTING PREMISES LICENCE:**

We understand that the proposed variations consist of:

- (a). To Amend the Premises Information;
- (b). To Amend the Premises Business Hours;
- (c). To Amend Activities.

We are not quite clear about:

- (a). what is intended with regard to amending the Premises Information; also
- (b), what is intended with regard to amending Activities.

But, in the application, it would appear that the Proposal is:

- to Amend the Business Hours/Opening Hours;
- and also to Amend the Hours for:
  - the Supply of Alcohol;
  - for all the Regulated Entertainments; and
  - for Late Night Refreshment.

Thus, the **PROPOSED** hours and activities are as follows:

**For Monday & Tuesday:**

- (a). **Supply of Alcohol (ON the Premises):** 10.00am to 02.30am/early morning
- (b). **Recorded Music (indoors):** 9.00am to 02.30am/early morning
- (c). **Live Music (indoors):** 9.00am to 02.30am/early morning
- (d). **Performance of Dance (indoors):** 9.00am to 02.30am/early morning
- (e). **Similar to e, f, g (e.g. Karaoke): indoors:** 9.00am to 02.30am/early morning
- (f). **Late Night Refreshments (In & Out):** until 02.00am/early morning  
**and Open To The Public:** 9.00am to 03.00am/early morning

**For Wednesday to Saturday:**

- (a). **Supply of Alcohol (ON the Premises):** 10.00am to 03.00am/early morning
- (b). **Recorded Music (indoors):** 9.00am to 03.30am/early morning
- (c). **Live Music (indoors):** 9.00am to 03.30am/early morning
- (d). **Performance of Dance (indoors):** 9.00am to 03.30am/early morning
- (e). **Similar to e, f, g (e.g. Karaoke): indoors:** 9.00am to 03.30am/early morning
- (f). **Late Night Refreshments (In & Out):** until 03.00am/early morning  
**and Open To The Public:** 9.00am to 04.00am/early morning

**For Sunday:**

- (a). **Supply of Alcohol (ON the Premises):** 12pm/Midday to Midnight
- (b). **Recorded Music (indoors):** 9.00am to 02.30am/early morning
- (c). **Live Music (indoors):** 9.00am to 02.30am/early morning
- (d). **Performance of Dance (indoors):** 9.00am to 02.30am/early morning
- (e). **Similar to e, f, g (e.g. Karaoke): indoors:** 9.00am to 02.30am/early morning
- (f). **Late Night Refreshments (In & Out):** until 02.00am/early morning  
**and Open To The Public:** 9.00am to half-past Midnight

This compares with the **EXISTING** hours and activities, in the current Licence IN FORCE, as follows:

**For Monday to Thursday:**

- (a). **Supply of Alcohol (ON the Premises): 10.00am to 01.30am/early morning**
- (b). **\* Regulated Entertainment: 9.00am to 1.30am/early morning**  
 (\* includes: Recorded Music; Live Music; Performance of Dance; Making Music; Facilities for Dance, Entertainment of Similar Description, etc)
- (c). **Late Night Refreshments (In & Out): until 01.30am/early morning and Open To The Public: 9.00am to 02.00am/early morning**

**For Friday & Saturday:**

- (a). **Supply of Alcohol (ON the Premises): 10.00am to 02.00am/early morning**
- (b). **\* Regulated Entertainment: 10.00am to 02.00am/early morning**  
 (\* includes: Recorded Music; Live Music; Performance of Dance; Making Music; Facilities for Dance, Entertainment of Similar Description, etc)
- (c). **Late Night Refreshments (In & Out): until 02.00am/early morning and Open To The Public: 9.00am to 02.30am/early morning**

**For Sunday:**

- (a). **Supply of Alcohol (ON the Premises): 12pm/Midday to Midnight**
- (b). **\* Regulated Entertainment: 9.00am to Midnight**  
 (\* includes: Recorded Music; Live Music; Performance of Dance; Making Music; Facilities for Dance, Entertainment of Similar Description, etc)
- (c). **Late Night Refreshments (In & Out): until Midnight and Open To The Public: 9.00am to half-past Midnight**

**The Issues:**

There have been two Reviews of the Elysee Restaurant. The first Review took place in 2011, which had been requested by a local Percy Street resident on the grounds of Public Nuisance caused to nearby residents due to the operation of the premises and the behaviour of the patrons.

The second Review took place in 2022, and was requested by the Police, which we understood at the time, was due to an alleged serious crime situation.

A Review, let alone two Reviews, of a Premises Licence in Fitzrovia is very rare. Thus, we are very concerned at this current Variation application, to extend the hours even further, and even more so beyond Camden's Framework Hours

Although the Elysee refers to itself as a Restaurant, the Conditions attached to the Licence do not contain a "restaurant" Condition whereby Alcohol can only be supplied to customers having a table meal, and the alcohol is ancillary to the meal. Thus, the Elysee can in effect act as a Bar and have bar-type activities.

Percy Street contains much residential both on sides of the street, including opposite, above and next to the premises.

The Elysee has had a history of public nuisance and disruption. Thus, we are strongly opposed to the proposed extended Hours, in order to protect the residential amenity of those living in Percy Street.

The current hours are already well beyond Camden's Framework Hours, with the Supply of Alcohol to well beyond midnight (1.30am and 2.00am) for most days of the week, and closing at 2.00am and 2.30am, respectively. These hours are well beyond Camden's Framework Hours.

Thus, we are strongly opposed to the proposal to extend the Hours.

We would also ask that **the following Conditions** are considered:

- one with regard to a "restaurant" condition;
- and the other concerning Camden's initiative concerning the protection of women; and which Camden now expects all licensed premises to adopt.

(1). The supply of alcohol on the premises shall only be to customers seated taking a table meal there, and for consumption by such persons as ancillary to their meal. And the supply of alcohol and food shall be by waiter and/or waitress service only.

(2). Adopt Camden's "Ask for Angela" initiative:

The premises shall at all times adhere to the three "Women's Safety principles", which are:

- (a). Let's Communicate – Staff need to feel comfortable to speak up and approach colleagues and management about any form of harassment that they may witness or be subjected to themselves and know the processes available to them to express their views and concerns.
- (b). Supporting Each Other – Ensure that you and your staff are aware of the various support campaigns available such as Ask Angela and that these are clearly displayed around your venue.
- (c). Training for All – Staff training on how to report any issues, what to say and do should they witness or be subject to harassment and how to identify harassment and those who may be vulnerable, make them aware of your internal policies.

Yours sincerely,

Clive Henderson,  
On behalf of Charlotte Street Association.

Copy: CSA Committee.

**From:** Charlotte Street Assoc.  
**Sent:** Wednesday, July 3, 2024 12:25 PM  
**To:** Marcus Lavell  
**Cc:** Charlotte Street Association  
**Subject:** Re: ELYSEE RESTAURANT, 13 Percy Street, W1T 1DP - APP\PREMISES-VARY\120905

Marcus

Thank you very much for getting in touch with us about this application. My colleague has asked me to respond to your email and to offer our apologies for the late response. We are currently dealing with a number of licensing applications in the area at the moment and we have got behind with our work.

Thank you for pointing out that the premises licence already has "restaurant conditions" and also women's safety conditions. These are standard comments we make on usually all applications. We appreciate you clarifying this.

Your comments about the "operating history" are noted and we thank you for confirming the outcome of the police investigation.

We have no further conditions to suggest. Thank you for asking.

However we remain concerned about the later opening hours as sought in this application.

Regards

Linus Rees  
on behalf of Charlotte Street Association

On Thursday 27 June 2024 at 15:10:00 BST, Marcus Lavell wrote:

Dear Mr Henderson

I represent the Applicant in the above application.

Thank you for providing the Charlotte Street Association's representation, by way of your letter dated 31 May 2024.

I note that you refer to conditions that the Association would like to see added to the Licence, these being a "restaurant" condition, and condition requiring the adoption of the "Ask for Angela" initiative.

### **Restaurant Condition**

The Premises Licence currently contains two "restaurant" conditions:

31. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.



80. Alcoholic beverages shall only be sold to customers seated at tables and only when taking a substantial table meal. Orders for food and alcoholic beverages shall be taken and dispensed by waiter or waitress service only.

The effect of the above conditions, it to restrict sale of alcohol such that:

- Sales are made by waiting staff,
- To customers seated at tables, who are taking table meals,
- For consumption by the customer as an ancillary to their meal,

The above is on all-fours with the condition proposed by the Association.

### **Ask for Angela Condition**

The Premises Licence currently contains the following “Ask for Angela” condition:

72. All staff be trained in Welfare and Vulnerability Engagement and the Ask Angela scheme.

I note that the Association’s proposed condition goes on to detail the “Women’s Safety Principles” and the Applicant has no objection to these being included as part of the above condition.

### **Operating History**

The Review relating to noise nuisance issues, took place some 13 years ago, and ultimately resulted in appropriate conditions being agreed and placed on the Licence.

The Review in 2022, was (as noted by the Association) based on “*an alleged serious crime situation*”; however, following that Review, the allegations were thoroughly investigated by the Police and the matter was officially closed without any charges of criminal activity being made out.

The Applicant is a family friendly restaurant, and a cornerstone of the Greek community. The management team are keen to work with the community (both Greek and at large) and would welcome any suggested additional conditions that the Association may have.

I should be obliged if you could please address your comments to me at this address.

Kind regards

**Marcus Lavell** | Barrister



KEYSTONE LAW



**Conditions consistent with the operating schedule**

1. The consumption of alcohol on the Premises shall cease 30 after the permitted hours for the sale of alcohol, and such consumption shall not recommence until the permitted hours for the sale of alcohol recommence.

## **Section 1: Background comments of the Borough Solicitor**

- 1.1 The purpose of Camden's Statement of Licensing Policy is to make it clear to applicants that wider considerations will be taken into account when determining applications. It is intended to guide the Licensing Panel when considering licence applications. However, the Licensing Panel must always consider each application on its own merits and allow exceptions to the normal policy where the circumstances of the application justify allowing an exception. The burden is on the applicant to show that they comply with the policy.
- 1.2 Members should only address those matters that have formed the subject matter of relevant representations. Matters that arise that are not the subject of relevant representations fall outside the function that the Panel is exercising when it holds a hearing
- 1.3 Members must determine, having regard for the evidence, whether granting the application for a premises licence will impact adversely on the policy criteria listed in paragraph 4.1 of this report.
- 1.4 In accordance with the provisions of Part 1 of Schedule 5 of the Act, where a Licensing Authority rejects in whole or in part, an application for a new premises licence, the applicant may appeal against the decision, to a magistrate's court within 21 days of being notified of the decision.
- 1.5 Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted, or that different or additional conditions should have been imposed on the licence, he may appeal against the decision to a magistrates court within 21 days of being notified of the decision.
- 1.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. Decisions on licensing matters are actions of a public authority and must be compatible with Convention rights. Consequently Members of the Panel must be aware of the rights contained in the Convention (particularly those set out below) when making licensing decisions.
  - (a) Article 6: Right to a fair trial  
In the determination of his civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
  - (b) Article 8: Right to respect for private and family life  
Everyone has a right to respect for his or her private life, his home and correspondence.
  - (c) Article 1 of the First Protocol: Protection of property  
Every natural or legal person is entitled to the peaceful enjoyment of his possessions, including a licence. No one shall be deprived of his possessions

except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

(d) Article 10: Freedom of Expression

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

The exercise of these freedoms since it carries with it duties and responsibilities may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

(e) Article 14: Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

## **Section 2: Financial Comments**

- 2.1 Following consideration there are no financial implications concerning this application. The Executive Director Corporate Services has been consulted in the preparation of this report and has no further comments to add.