



AGENDA

LICENSING COMMITTEE

Date: TUESDAY, 12 FEBRUARY 2019 at 7.15 pm

**Committee Room 3
Civic Suite
Laurence House
London SE6 4RU**

**Enquiries to: Clare Weaser
Telephone: 0208 314 7369 (direct line)
Email: clare.weaser@lewisham.gov.uk**

MEMBERS

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

Councillors:

Councillor Eva Stamirowski (Chair)
Councillor Colin Elliott (Vice-Chair)
Councillor Patrick Codd
Councillor Alex Feis-Bryce
Councillor Alan Hall
Councillor Sue Hordijkenko
Councillor Coral Howard
Councillor Caroline Kalu
Councillor Joan Millbank
Councillor Susan Wise

Members are summoned to attend this meeting

**Janet Senior
Acting Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 30 January 2019**



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1
2.	Declaration of interests	2 - 5
3.	88 Springbank Road SE13	6 - 33



INVESTOR IN PEOPLE

The public are welcome to attend our Committee meetings, however, occasionally, committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

Agenda Item 1

LICENSING COMMITTEE			
Report Title	Minutes		
Key Decision			Item No. 1
Ward			
Contributors	Chief Executive		
Class	Part 1	Date: 12 February 2019	

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 30 January 2019 be confirmed and signed.

Agenda Item 2

LICENSING COMMITTEE		
Report Title	Declarations of Interest	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 12 February 2019

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a

partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.

- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any

event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3

LICENSING COMMITTEE		
Report Title	88 Springbank Road, SE13 6SX	
Key Decision	No	Item No. 3
Ward	Lewisham Central	
Contributors	Community Services – Licensing Authority Head of Law	
Class	Part 1	Date: 12 February 2019

Proposal: **New application for a Premises Licence**

Legislation: **Licensing Act 2003**

Premises: **88 Springbank Road, SE13 6SX**

Applicants: **Matthew Morrison & Emma Cole**

This is an application for a new premises licence

1. Current Licence Status

The premises are currently not licensed.

2. Application

2.1 The application for a new premises licence was sent to all the Responsible Authorities.

The application is for the supply of alcohol for the following hours:

Monday 12:00 – 21:00

Tuesday – Thursday 12:00-22:00

Friday – Saturday 12:00-23:00

Sunday 12:00 – 22:00

2.2 5 Representations were received from residents within close proximity to the premises primarily on the grounds of prevention of public nuisance.

2.3 The representations received have been examined by Officers and are not considered to be vexatious or frivolous. These representation was received within the specified time.

2.4 The application for the new premises licence has been advertised in accordance with regulation 25, an advert in a local newspaper and a notice prominently displayed at the premises for a period of 28 consecutive days. The last date for receiving representations was the 18 January 2019.

3. Outline of objections received

- 3.1 The residents have objected primarily on the grounds of public nuisance. They are mainly concerned that the proximity of the premises to their homes may cause them nuisance in the form of noise from either music from the premises or activity of patrons at the premises. They are concerned for the hours applied for and the potential negative impact this may have on nearby residents.

4. Legal & Human Rights Implications

- 4.1 The Licensing authority is a public authority under the Human Rights Act 1998. Therefore the licensing authority is required to act compatibly with the convention rights in the exercise of their functions. Article 6 (1) of the Convention provides that everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial hearing established by law.
- 4.2 A Premises Licence is a possession for the purpose of the Human Rights Act 1998. The right to hold a licence is a qualified rather than an absolute right. Therefore the right to hold a licence may be interfered with if it affects the interests of local residents or others. Such interference may be justified if it is necessary and proportionate to promote the licensing objectives.

5. Equalities Legislation

- 5.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 5.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 5.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 12.2 above.
- 5.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 5.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 5.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
 - [Meeting the equality duty in policy and decision-making](#)
 - [Engagement and the equality duty: A guide for public authorities](#)
 - [Objectives and the equality duty. A guide for public authorities](#)
 - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)
- 5.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

6. Application for the New Premises Licence

- 6.1 After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. The licensing committee may:
- 1.) Grant the new premises licence as applied for,
 - 2.) Grant the licence subject to conditions modified to such extent as the authority considers appropriate for the promotion of the licensing objectives
 - 3.) Exclude from the scope of the licence any of the licensable activities to which the application relates;
 - 4.) Refuse to specify a person in the licence as the designated premises supervisor;
 - 5.) Refuse to grant the application.
- 6.2 An appeal may be made against the decision to the Magistrates Court within 21 days.

Background Papers

Short Title of
Document

Date

Application
Evidence / documents

18 December 2018
5 Objection letters / emails as served

Should you require any further information on this report please contact Lisa Hooper at Licensing Services on 020 8314 6324.



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. Your right to work in the UK will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with the below guidance. (See page 14)

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mathew Morrison

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Name and Postal address of premises or, if none, ordnance survey map reference or description 88 Springbank Rd Hither Green			
Post town	LONDON	Postcode	SE13 6SX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0 7,400 (B)

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:
Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

f) a health service body please complete section (B)

g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)

g.1 a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)

the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname Morrison			First names Mathew		
Date of birth 19/11/1978 old or over		I am 18 years		Please tick yes	
Nationality British					
Current residential address if different from premises address		65 Lyme Farm Rd Lee			
Post town	London			Postcode	SE12 8JQ
Daytime contact telephone number			07979 156246		
E-mail address (Required)		mathmorrison@hotmail.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname Cole			First names Emma		
Date of birth 23/11/1978 old or over		I am 18 years		Please tick yes	
Nationality British					
Current postal address if different from premises address		65 Lyme Farm Rd Lee			
Post town	London			Postcode	SE12 8JQ
Daytime contact telephone number					
E-mail address (Required)		emmacole78@hotmail.com			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)

E-mail address (Required)

PART 3 – OPERATING SCHEDULE

When do you want the premises licence to start?

DD	MM	YYYY
01	02	2019

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Small micropub within a parade of shops not far from Hither Green Station. The area area mas a mix of commercial and residential properties. To the rear there are houses, and above there is rented flat. The premises consists of a basement, a front bar area and a back room snug. The micropub will be focused towards customers who are 30+ and families. We will be selling a variety of premium/quality ales as well as wine, prosecco and a limited range of premium spirits. There will be two toilets, including facilities that are wheel chair assessable. Children will be allowed access until 1800. Customers will not be allowed to take drinks outside of premises. There will also be off sale facilitates were customers will be able to buy beer to take away

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoor s	
Da y	Start	Finish		Both	
Mo n			Please give further details here (please read guidance note 4)		
Tu e					
We d			State any seasonal variations for performing plays (please read guidance note 5)		
Th ur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Su n					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoor s	
Da y	Start	Finish		Both	
Mo n			Please give further details here (please read guidance note 4)		
			Page 14		

Tu e			
We d			State any seasonal variations for the exhibition of films (please read guidance note 5)
Th ur			
Fri			
Sat			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)
Su n			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Da y	Start	Finish	
Mo n			
Tu e			State any seasonal variations for indoor sporting events (please read guidance note 5)
We d			
Th ur			
Fri			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat			
Su n			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Da y	Start	Finish		Outdoors	
			Both		

Mon			Please give further details here (please read guidance note 4)
Tue			
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat			
Sun			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoor s	
Da y	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoor s	

Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	
			Outdoor s	
			Both	
Mon			Please give further details here (please read guidance note 4)	
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)	
Thur				
Fri			Non- standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		
Day	Start	Finish		Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					

Su n		
---------	--	--

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) Non- standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Mon	1200	2100			
Tue	1200	2200			
Wed	1200	2200			
Thu	1200	2200			
Fri	1200	2300			
Sat	1200	2300			
Sun	1200	2200			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mathew Morrision	
Date of birth 19/11/1978	
Address 65 Lyme Farm Road Lee	
Postcode	SE12 8JQ
Personal licence number (if known) LN/000008671	
Issuing licensing authority (if known) London Borough of Greenwich	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1200	2115	
Tue	1200	2215	
Wed	1200	2215	
Thur	1200	2215	
Fri	1200	2315	
Sat	1200	2315	
Sun	1200	2200	

Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Operating Schedule providing the hours of operation and licensable activities during those hours. - Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale. Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers. CCTV system installed with recording option available. Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times.

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. Not selling of alcohol to drunk or intoxicated customers. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area. Staff will be well trained in asking customers to use premises in an orderly and respectful manner.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out respectable times as to prevent nuisance and disturbance to nearby residents. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. There will be no movement of bins or rubbish outside the premises in the evening. This will help to reduce the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time.

Checklist:

Please tick to indicate agreement

I have provided a daytime telephone number in order to make payment over the phone by debit or credit card.

I have enclosed the plan of the premises.

I have sent copies of this application and the plan to responsible authorities and others where applicable.

I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.

I understand that I must now advertise my application.

I understand that if I do not comply with the above requirements my application will be rejected.

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature & Print Name	 M. MORRISON
Date	11.12.18
Capacity	LICENSEE

Signature & Print Name	 EMMA COLE
Date	12.12.18
Capacity	

Signature & Print Name	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
Your e-mail address (Required)			

Notes for Guidance – New Premises Licence Applications

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Weaser, Clare

Subject: FW: Licensing application for Micropub 88 Springbank Road SE13

From: Mark
Sent: 15 January 2019 23:16
To: Mullin-Murrell, Angela; Licensing
Subject: Re: Licensing application for Micropub 88 Springbank Road SE13

Dear Angela

I am writing to register my objection to the application for a premises license by Mathew Morrison and Emma Cole for 88 Springbank Road.

I live at Wellmeadow Road and believe the granting of a licence for these premises will not promote the licensing objectives, particularly:

- the prevention of public nuisance

In relation to the comings and goings of customers to the front of the premises (talking and smoking) this will undoubtedly result in “the reduction of the living...amenity and environment of other persons living ... in the area of the licensed premises”.

On this point, it strikes me as ludicrous that there is a proposal for a drinking establishment in a location which is more residential than commercial (based on floor area). I would like to highlight that the applicants own acoustics report states that due to the age and style of construction it is not possible to meet the ‘normal’ design criteria for sound proofing in the snug which is directly below a bedroom, with a lower design standard being proposed with the responsibility for controlling its use being down to a licencing condition? As such, it is not unreasonable to limit opening hours to 10pm closure to ‘prevent’ statutory nuisance.

- the protection of children from harm

Please understand that the planning process has failed to address the issue of over-looking into our garden, which due to the height difference (our terrace is 1.2m above ground) allows for direct line of sight onto our terrace where my children play. I am highly concerned by the potential for individuals to observe my children playing and for my children to observe people drinking in the property.

I also feel strongly that there is wider community impact as the approval for an alcohol license would be sanctioning an activity which contravenes one of the founding principles of the Corbett estate and which is enshrined in the restrictive covenant of which we are beneficiaries.

“will not use or permit or suffer any part of the said Lands Hereditaments and premises to be used as an Inn Hotel Alehouse Public House or Beershop or as a place for the sale of Wine Spirits or ale by retail.”

This has a direct impact on our amenity of our property and we would certainly not have purchased the property with such a drinking establishment being at the end of the garden, as such would argue it needs to be considered in the context of “greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them”

It is our expectation for the correct legal process to be followed and for this to be a pre-cursor to the licensing decision. To date we have yet to be informed that an application has been made under Section 84 of the Law of Property Act 1925 and in the absence of such an application we are minded to progress enforcement action. It would be helpful, and reasonable, for the licensing committee to remind the applicant of their moral duty and as such I would urge the Licensing Authority to refuse the application.

Kind regards

Mark

Wellmeadow Road
London SE13

9 January 2018

Crime, Enforcement and Regulation Service (Licensing authority)

London Borough of Lewisham

9 Holbeach Road

London SE6 4TW

Dear Sir/Madam

Objection to the application for a premises licence by Mathew Morrison and Emma Cole for 88 Springbank Road, London SE13

I am the joint owner of Wellmeadow Road, SE13 6SY. The rear garden of our property backs onto the rear of 88 Springbank Road. I have been made aware of the notice regarding a license application made to Lewisham Council with regard to this property, which recently received planning permission for change of use to a Micropub. There is no mention of this application on the list of current licensing applications for consideration on the Lewisham Council website. The only information I have found is fixed to the window of the property concerned, and seems to have been issued on or around 16 December 2018. Why has this not been advertised properly in local newspapers or on the Council Website?

I wish to object to the granting of a licence for these premises on the grounds that there will be a negative impact both on the objectives of Prevention of Public Nuisance and of Ensuring Public Safety. My reasons are as follows:

“Potential source of nuisance to the local community” – in particular the residents who live above, adjoining and nearby 88 Springbank Road and the properties backing on to 88 Springbank Road from Wellmeadow Road – due to the noise emanating both from the air conditioning unit, and a large refrigeration unit, both of which are proposed to be situated at the rear of the property. Local residents have had no opportunity to find out how intrusive these will be. In particular it is presumed that the refrigeration unit will be in operation for 24 hours a day.

I am also very concerned at the potential for noise escaping the property during the summer months, when doors and windows are highly likely to be left open at the back (although I understand that the requirement to keep these closed during hours of public operation would be part of any licence granted).

With regard to the negative impact on "Ensuring Public Safety", I am concerned at the prospect of encountering those under the influence of alcohol, who may congregate on the street outside the premises at 88 Springbank Road, either to smoke, or to linger well after closing hours. As a regular late night user of the Springbank Road exit of Hither Green station, and an occasional evening user of the 225 bus service which terminates opposite No 88, I would find it intimidating to have to negotiate groups of anti-social, late night drinkers on my way home. I am sure this would impact many other women, young people, and elderly people who at the moment have a mostly safe and quiet route home from the station and bus stop. If the licence is granted, I would urge the authority to impose reasonable and early closing times for the premises, bearing in mind its situation within a residential area.

The above are the concerns which I am most personally involved with, and therefore are my main objections to the granting of a licence by the Licensing Authority. However, I stand wholly in support of the residents of Springbank Road who would also have to suffer the consequences of loud noise and anti-social behaviour from drinkers and smokers standing on the pavement, elevated sound levels from inside the building (which is ill-equipped for modern acoustic requirements), increased noise and congestion from traffic, and greater amounts of litter in the surrounding areas.

Yours faithfully

Margaret

96 Springbank Road
London SE13 6SX

08 January 2019

Crime, Enforcement and Regulation Service (Licensing Authority)
9 Holbeach Road
LONDON SE6 4TW

Dear Sir/Madam

Objection to the application for a premises licence by Mathew Morrison and Emma Cole for 88 Springbank Road, London SE13

We are the owners of 96 Springbank Road, London SE13 6SX. Our property is a house and is located 3 doors away from 88 Springbank Road. We have noted that a notice of this license application has been fixed to the window of 88 Springbank Road on or around 16 December 2018. We have checked all the newspapers circulating in the vicinity of the premises since 16 December 2018 and can find no advertisement of this application. Furthermore, we can find no reference to this application or any information about it on Lewisham Council's website. We therefore do not believe that the application has been made in the correct and valid manner in accordance with the Council's requirements.

Nevertheless, we wish to register that the basis for our opposition is that granting a licence for these premises will not promote the licensing objectives, specifically the prevention of public nuisance, ensuring public safety and the prevention of crime & disorder.

Prevention of Public Nuisance

Springbank Road is primarily a residential road with 3 small parades in close proximity to an entrance to Hither Green Railway Station. These parades consist of a mix of mostly residential on ground, first and second floor levels, with some small businesses and small shops in some of the ground floor units. The parade in which no.88 is located consists of 10 units, most of which are either residential or small businesses on the ground floors, with all upper floors being residential. The parade immediately adjoins the start point of the remainder of properties stretching the entire western side of Springbank Road, all of which are residential. All units behind the parade on Wellmeadow Road are residential. The unit directly opposite this parade is a residential block of 32 flats. None of the ground floor units in this parade are shops or restaurants and as such the presence of a micro pub will bring a level of noise and disturbance that is not currently present which will adversely impact the many residents close by.

Additional noise will be generated by the presence of up to 40 people in the micro pub at any given time. Additional noise and nuisance will also be generated by patrons' coming/goings for significant periods of the day and night and from patrons smoking and drinking on the pavement outside. Additional noise will also be generated by the playing of music. It is clear from the information obtained during the planning application process that the Council's own requirements for sound-proofing/insulation cannot be met in this type of older property. The building was not designed to contain modern levels of sound and vibration, and the noise will inevitably escape from the premises and affect near neighbours.

We understand that it is proposed for air-conditioning to be installed within the premises so that windows will not be opened. There is no information about where the plant for air-conditioning

would be located nor its associated noise impact. In any event, it is not realistic or practical to expect that the windows will not be opened on a hot day or evening in the summer.

A micro pub will necessarily generate additional litter on Springbank Road – already a serious problem for this road. The litter will migrate onto neighbouring residents' properties and will add to existing nuisance and vermin problems.

The presence of up to 40 people in the micro pub will impact parking and traffic in Springbank Road as patrons will come by car from outside of the immediate locality. This will further increase the existing nuisance arising from traffic congestion on Springbank Road, particularly during morning and evening peak hours and from the already stressed and limited local parking.

Ensuring Public Safety

The potential for additional cars also increases the existing risks to pedestrians and specifically the safety of pedestrians crossing Springbank Road in this location which is close both to the 225 bus stop and the entrance to Hither Green railway station.

There will be little practical control over customers on the public highway arising from comings & goings and smoking and drinking outside the front of the premises.

Prevention of Crime & Disorder

If granted, this license application will create an ever-present potential for public drunkenness and anti-social behaviour in an area that is primarily residential in nature.

In view of the above we urge the Licensing Authority to refuse the application.

Yours faithfully

 
Claire ~~Smith~~ and Gary ~~Smith~~

From: Brian]

Sent: 11 January 2019 23:32

To: Licensing

Subject: Objection to Application for Licence for Micro Pub 88 Springbank Road.

Dear Sir/ Madam

Objection to the application for licence for proposed Micro Pub 88 Springbank Road.

As owners of Springbank Road we live doors from No.88; please note there is no number 92.

We wish to object in strongest terms to granting of a licence for the sale of alcohol at the Micro Pub at 88 Springbank Road.

We live in what is now a largely residential area and consider provision of a micro pub totally and completely unsuitable. There are already two licenced premises in the immediate vicinity, and there are within ten to fifteen minutes walk a considerable number of other premises for the sale and consumption of alcohol. We consider no other is required.

The proposed opening hours are excessive and offer no respite for residents. Closing hours should be cut back by at least an hour, and full closure for at least one day as brief respite for local residents from the extra noise, traffic and potential unsocial behaviour the development will bring.

Yours,

Brian and Patricia ~~Start~~

From: Roy ~~Green~~ [redacted]

Sent: 22 December 2018 22:42

To: Licensing

Cc: ~~roy.green@bt.com~~ [redacted]

Subject: 88 Springbank Road SE13

Hello

As a near neighbour to 88 Springbank Road, I am objecting to the licence application - recently put on the door of the premises (I was not able to find the application online).

There were a large number of objections to the planning application recently - let us know if you need us to copy these or those elements you would feel relevant. Clearly one of main concerns is noise and anti-social behaviour, particularly late at night, in what is a residential area, with many family homes and young children living close.

I particularly object to the requested opening hours, in particular the end time of 11pm on Fridays and Saturdays. Indeed these times are later than those that are contain in your licencing policy on the website which states.

- The hours of operation of any licensed external area, requiring patrons to return back into the premises at a specific time. In residential areas it is suggested that a closing time of 22.00 is appropriate. Any music relayed into the external area should cease earlier

There is also the issues of windows being potentially open at the rear during the summer, which would increase the noise considerably.

I note that other premises such as Park Fever on Staplehurst Road which is in a busier street have more restricted hours than requested.

Roy

Roy ~~Green~~

~~47~~, Wellmeadow Road, SE13 ~~6B~~

15

16

17

18

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000