



AGENDA

LICENSING COMMITTEE

Date: TUESDAY, 30 JULY 2019 at 7.15 pm

**Committee Room 3
Civic Suite
Catford
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 be audio recorded and/or filmed except for item numbered 4 on the Agenda. For legal reasons, those items will be considered in private with the press and public excluded.

Councillors:

Councillor Eva Stamirowski (Chair)
Councillor Colin Elliott (Vice-Chair)
Councillor Tauseef Anwar
Councillor Juliet Campbell
Councillor Carl Handley
Councillor Sue Hordijkeno
Councillor Coral Howard
Councillor Susan Wise

Members are summoned to attend this meeting

**Janet Senior
Acting Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 22 July 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

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Agenda Item 1

LICENSING COMMITTEE			
Report Title	Minutes		
Key Decision			Item No. 1
Ward			
Contributors	Chief Executive		
Class	Part 1	Date: 30 July 2019	

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 16 July 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: 30 July 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	Kick and Munch	
Key Decision	No	Item No. 3
Ward	New Cross	
Contributors	Community Services – Licensing Authority Head of Law	
Class	Part 1	Date: 30 July 2019

Proposal: **New Application**

Legislation: **Licensing Act 2003**

Premises: **Kick & Munch 189 Deptford High Street SE8 3NT**

Applicants: **Michaela Glenn**

1. Current Licence Status

- 1.1 The premises are currently not licensed.
- 1.2 The application for a new premises licence was sent to all the Responsible Authorities. There were no representations from any responsible authorities but six representations were received from residents within relative close proximity to the premises.
- 1.3 The representation received from interested parties, have been examined by Officers and are considered not to be vexatious or frivolous. These representations were all received within the specified time.
- 1.4 The application for the new premises licence has been advertised in accordance with regulation 39, displayed prominently a notice at the premises, and at the Council's main offices for a period of 28 consecutive days. The last date for receiving representations was the 19th June 2019.

2. Outline of Application

- 2.1 The premises are applying for:

Sale of alcohol for consumption ON the premises 08:00 – 02:00 Monday – Sunday.

3. Outline of objections received

Residents are objecting to the premises opening until from 8am until 2am every day due to perceived noise and associated anti-social behaviour. The objection has been sought on the grounds of prevention of a public nuisance.

4. Legal and 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. 3.2 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 Implications

5.1 The Equality Act 2010 includes a new public sector equality duty (the equality duty or duties). The duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race or 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 those who share a protected characteristic and those who do not.

5.3 As with the case with the original separate duties, the new duty continues to be a “have regard duty” and the weight to attach to it is a matter for the committee bearing in mind the relevance and proportionality. It is not an absolute requirement to eliminate discrimination, advance equality of opportunity or foster good relations.

6. Application for the New Premises Licence

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:

(a) grant the licence subject to—

(i) the conditions which must under section 19, 20 or 21 [of the Licensing Act 2003, as amended] be included in the licence;

(b) exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application.

An appeal may be made against the decision to the Magistrates Court within 21 days.

Background Papers

Evidence / documents as served

Application received : 22/5/19

Should you require any further information on this please contact Lisa Spall, Crime, Enforcement & Regulation Manager on 02083148390

Application for a premises licence to be granted under the Licensing Act 2003



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 Michaela Glenn
(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 Michaela Glenn, 189, High Street, Deptford, SE8 3NT			
Post town	deptford	Postcode	SE8 3NT
Telephone number at premises (if any)		07932942311	
Non-domestic rateable value of premises		£14,000	

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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
Surname Glenn			First names Michaela		
Date of birth or over		I am 18 years old		<input checked="" type="checkbox"/> Please tick yes	
Nationality British					
Current residential address if different from premises address					
Post town	Greenwich			Postcode	
Daytime contact telephone number					
E-mail address (Required)					

Sun	0800	0200	

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 Michaela Glenn	
Date of birth	
Address	
Postcode	
Personal licence number (if known) not known	
Issuing licensing authority (if known) Lewisham	

K

<p>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). N/A</p>
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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) n/a <i>Any day preceding a B1H & NYD.</i>
Day	Start	Finish	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) n/a
Mon	0800	0200	
Tue	0800	0200	
Wed	0800	0200	
Thur	0800	0200	
Fri	0800	0200	
Sat	0800	0200	

Sun			the left, please list (please read guidance note 6)

I

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)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon	23:00	02:00						
Tue	23:00	02:00						
Wed	23:00	02:00				State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	02:00						
Fri	23:00	02:00				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 (please read guidance note 6)		
Sat	23:00	02:00						
Sun	23:00	02:00						

03.00 Any day proceeding a B/H & NY Day.

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	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	0800	0200						
Tue	0800	0200				03.00 Any day proceeding a B/H & NY Day.		
Wed	0800	0200						
Thur	0800	0200				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)		
Fri	0800	0200						
Sat	0800	0200						

n/a

Sun	23:00	02:00	

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)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri					
Sat			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)		
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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur					
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat					
			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		

Sun			
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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	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
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	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon	23:00	02:00						
Tue	23:00	02:00						
Wed	23:00	02:00				State any seasonal variations for the playing of recorded music (please read guidance note 5) 03.00 Any day preceding a B/H & NY DAY.		
Thur	23:00	02:00						
Fri	23:00	02:00				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	23:00	02:00						

Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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)
Fri			
Sat			
Sun			

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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
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				

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			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)		
Fri					
Sat					

PART 3 – OPERATING SCHEDULE

When do you want the premises licence to start?

DD	MM	YYYY
1	8	06 2019

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 The premises is to apply for carrying out the sale of alcohol on the premises. Consumption of the alcohol is on the premises.

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

n/a

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 that apply | all |
|---|-------------------------------------|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (Required)					

(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)

Sun	0800	0200	

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)

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ Vigilant checking on consumers ID or age to prevent selling of alcohol to any underage people
- b/ no drunk and disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs at the retail area
- d/ no violent and anti-social behaviour
- e/ Careful coordination on health and safety of the premises and make sure no any harm to consumers, particularly children

- 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.

- 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

As a licensed premises we know that it is necessary to carry out our functions or operate our businesses with a purpose of promoting these objectives. We promise to support these objectives through our operating schedules and other measures (including staff training and qualifications, policies, etc.).

b) The prevention of crime and disorder

Recording 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.

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 and prevent drinking alcohol at the retail unit (ex. canned or bottled beer).

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 available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

d) The prevention of public nuisance

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 at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

We will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, sorting out 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 out of opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum in the very early morning. 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 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.

Consistent evaluation of Health & Safety aspect of the premises to avoid any accidents or activities that jeopardise children safety.

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).

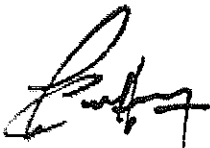
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

<p>Declaration</p>	<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)
<p>Signature & Print Name</p>	 <p>Choon H. Low</p>
<p>Date</p>	<p>21st May 2019</p>
<p>Capacity</p>	<p>agent</p>

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature & Print Name	
Date	
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.

2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the

premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

- **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.**
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Weaser, Clare

Subject: FW: Objection to alcohol and music licence application for "Kick N Munch" at 189 Deptford High Street

From Sent: 10 July 2019 12:14

To: Licensing

Subject: Objection to alcohol and music licence application for "Kick N Munch" at 189 Deptford High Street

Dear Sir/ Madam,

I wish to raise an objection to the application of an alcohol and music licence for "Kick N Munch" at 189 Deptford High Street.

This part of Deptford High Street is surrounded by residential properties and I believe that an alcohol and/or music license at this location will be hugely disruptive to both the sleep and well being of residents in the immediate area caused by both the noise of people coming and going from the restaurant and the noise of the music. There are no other restaurants or bars with late licences in this area currently.

I therefore strongly object to the application.

Weaser, Clare

Subject: FW: Kick N Munch 189 Deptford High Street Late License

From: Sent: 01 July 2019 13:49

To: Licensing

Subject: Kick N Munch 189 Deptford High Street Late License

To Whom it May Concern,

I am writing to object to the late licensing of Kick N Munch. Above virtually all the shops in in Deptford High Street are residential premises. Any increase in the hours of people coming and going will be detrimental to those residents. This company is asking for opening hours from 0800 - to 0200 every day of the week and extending to 0300 on Bank Holidays and New Year's. This is completely unacceptable. Not only are they extending business hours until 02:00 (or 03:00), they are also asking for a license to sell alcohol and to play recorded music. Again, this will only add to the disruption of residents not only in the immediate area but further afield as the club empties at 02:00.

I would also register my complaint that this notice is by no means prominently displayed. I only saw it when the club was closed and the security shutter was down, early on a Sunday morning. When the business is open, there is no displayed notice.

Please consider the residents in the High Street when any increase of hours is considered - especially with music and alcohol.

Many thanks and regards,

Weaser, Clare

Subject: FW: Formal opposition to licencing application: Kick N Munch, 189 Deptford High Street, SE8 3NT

From: Sent: 10 July 2019 13:49

To: Licencing

Subject: Formal opposition to licencing application: Kick N Munch, 189 Deptford High Street, SE8 3NT

Formal opposition to licencing application: Kick N Munch, 189 Deptford High Street, SE8 3NT

To whom it may concern,

I wish to lodge my formal objection to Kick N Munch's application for:

Sale of alcohol for consumption on premises
between the hours of 23:00 – 02:00, Monday - Sunday

Late night refreshment
23:00 – 02:00, Monday – Sunday

Recorded music
23:00 – 02:00, Monday – Sunday

My bedroom – as those of many other residents on the street – gives onto the High street. Therefore any noise made – likely given proposed alcohol and music licenses, both due to noise within the premises, noise made by patrons on leaving and general late-night traffic – would directly impact my ability to sleep. What is more, these extended hours have been proposed during the working week, which would be untenable for those who of us who keep normal working hours. Additionally, it is entirely out of keeping with other premises on the street in what is a residential area, none of which have opening hours this late, even at weekends, let alone during the week.

I trust you will take these objections into account and prevent significant disruption to residents. This cannot be allowed to be passed.

Weaser, Clare

Subject: FW: Lounge 189 Deptford High Street

FromSent: 10 July 2019 16:09

To: Licensing

Subject: Lounge 189 Deptford High Street

We wish to make a representation by way of objection to the application for extended hours on Sundays. There is a great deal of residential accommodation close by 189. Extending the licensing hours to 2am on a Sunday night is unnecessary and will affect lots of people as really only for the commercial benefit of the applicant which we do not think is more important than the quiet enjoyment of neighbouring residential accommodation.

Regards

Subject: FW: Objection to 'Kick N Munch' late license application

FromSent: 10 July 2019 13:16

To: Licensing

Subject: Objection to 'Kick N Munch' late license application

To Lewisham Council,

As a resident of Deptford high street, I am writing to strongly oppose the late music and alcohol license application by Kick N Munch at 189 Deptford High Street, SE8 3NT, on the grounds that it will cause a significant noise disturbance to myself and others, and for the following reasons...

- . The application is to play music and serve alcohol license every day of the week until 2am. I am freelance in the video industry and often work long and unpredictable hours, both on location and at home. If I am unable to work or sleep due to noise this would be extremely detrimental to my work, health and wellbeing. The same would apply to anyone else working similar hours, or indeed a standard working week.
- The location is a residential area. There are no other late license bars anywhere on the north end of the high street (the nearest to my knowledge being Buster Mantis in the arches by Deptford Station). A late license would undoubtedly be very disruptive to the residents on the high street, nearby and anywhere within earshot. Music carries a long way in this part of the high street as the parallel buildings create a corridor that channels the sound a long way down. There are many people and properties along the high street that would be affected like mine.
- Disruption would not be limited to music alone. A late music and alcohol license would also create a hub for people to hang around outside, both during and after closing hours. It's fair to say that drunk people are very loud and inconsiderate and often shout, scream and argue with each other. Even if efforts were made to stop people congregating outside, they likely still would regardless. Generally speaking, anytime anyone goes in or out of a loud venue, sound projects outwards through the doors. Also, people would undoubtedly make a lot of noise when leaving the venue at the end of the night, causing the biggest disruption at the latest part of the night at 02.00-02.30am. There's no telling how long they would hang around outside before moving on and the bar would likely have little authority to move people on. Disruption would be heightened in the summer months when people have their windows open at night and during the evenings.
- Granting this late license would set a precedence and make it very difficult to refuse other applications for late license bars at this part of the high street. Before long there could be numerous other late license bars and this would transform the whole stretch of the high street from a quiet

residential area to a nightclub party destination with very destructive consequences for the area. Albury Street is one of, if not the oldest street in Deptford with beautiful listed properties that are highly sought after, so much so that many tours of Deptford feature this as a highlight. A nightlife culture would undoubtedly tarnish this, the quality of life of the residents and the value of the properties in this area. It would make people think twice about moving to the area and might make existing residents move also.

Please consider this objection very seriously. It would make life very difficult for myself and the many residents affected, and I am sure the bar would also find it difficult if there are constant noise complaints. A significant amount of the Lewisham Council's time and resources could also be consumed by dealing with these complaints.

I hope and trust that you will take action in favour of the many affected residents of the area.

Subject: FW: 189 Deptford High Street, 'Kick And Munch'

-----Original Message-----

From: Sent: 10 July 2019 16:13

To: Licensing

Subject: Re: 189 Deptford High Street, 'Kick And Munch'

Dear Sir/Madam,

We write to object to the application for a new premises licence at No. 189 Deptford High Street.

We are residents who live and work close to the premises, Our objections are as follows:

1. Protection of Children from Harm

The noise created from customers leaving a venue after drinking until 2am or even 3am, as they walk down the street will disturb the sleep of our children, aged 9 and 12, (whose bedroom overlooks the High St), and indeed of other families who live in the area. We are also concerned that recorded music from the venue itself will disturb sleep.

We already have interruptions to our family's sleep from people walking along the High Street talking noisily at earlier hours of the evening, up until about 11pm, and so it will be extremely detrimental to our and our neighbours' lives if those kind of interruptions extend even later - especially after completing a lengthy session of drinking, when people are likely to be more careless about noise. As it is, we notice our children find it hard to get up in the mornings when there has been a particular noisy evening. It is actually hard to put into words how upsetting it is when one is not in a position to protect the sleep of your children, which one knows is so essential to their health and wellbeing.

Please note, the problem is exacerbated on this High Street because it is very narrow and so sound tends to rebound off the two faces of the terraces and is experienced very loudly in the upper parts of the buildings.

We would also like to emphasise that Deptford High Street is a densely occupied, residential street, just as much as it is a trading and retail street, and we know of several different families with children living above shops. Until recently the High Street has had next to no late night drinking venues and is mainly a retail street, and so I hope the Licensing Team realise it will materially affect the lives and health of children living here if this license is allowed.

2. Prevention of Public Nuisance

Late night drinking gives customers the opportunity to become significantly more affected by alcohol over a longer time. As things stand the High Street already suffers from urination in doorways and against walls, loud noises and arguments in the evening, fast food litter, graffiti and even some vomiting. We therefore object to this license for late night drinking, because it will add to the likelihood of that happening and of it happening later in the evening than it currently does. We also notice that the High Street is short of public toilets which can be accessed in the evenings, causing people to use the side streets.

In this case the hours asked for and the numbers of days of the week asked for are excessive and unnecessary, especially in a residential area.

3. Public Safety

Deptford High Street has a history of street drinking problems and indeed some violence and aggressive behaviour and we therefore object to a licence that will bring about more people being on the High St in the early hours after drinking for a long period. When our sleep has been interrupted in the past, we have on occasion leant, or even stepped, outside to ask for people to be quieter and have frequently met with unpleasant responses that make us feel unsafe. We therefore object to any late alcohol license that adds to the possibility of that happening. Again we emphasise that this street is currently not characterised as a drinking street but is largely a retail and residential one, which is a safer environment and should be preserved as such.

4. Prevention of Crime and Disorder

We believe that granting this licence will provide people with a reason to be on Deptford High Street, after a long drinking session when they otherwise would not do so, which surely increases the risk of disorder and possibly crime. Given the existing mixed residential/retail use of the High Street, we think that should be protected from anything that might encourage such disorder.

Lastly, I note that the applicant has considered applying for earlier closing hours of midnight and 1am, instead of the later times started in the notice. However our concerns laid out above all still apply, as children and residents need sleep and safe and secure streets before midnight.

Thank you for considering these objections.

LICENSING COMMITTEE

Report Title	Sugar hill Café		
Key Decision	No		Item No. 4
Ward	Sydenham		
Contributors	Community Services – Crime, Enforcement & Regulation Service Head of Law		
Class	Part 1	Date 30 July 2019	

Proposal: **Temporary Event Notice (TEN)**

Legislation: **Licensing Act 2003**

Premises: **Sugar Hill Café 248 -250 Kirkdale Sydenham SE26 4NL**

Applicants: **Huriye Archibold**

The notice was served in accordance with section 100 of the Licensing Act 2003

1. Notice content

- 1.1 The Temporary Event Notice is for the following activity to take place
From 19:00 on 3rd August 2019 until 01:00am on 4th August 2019.
- 1.2 The provision of regulated entertainment from 19:00 until 01:00
The Sales by retail of alcohol from 19:00 until 01:00 for a birthday party.
- 1.3 The notice was served on the Metropolitan Police (MPS) and the London
Borough of Lewisham Crime, Enforcement and Regulation Service. An
objection were received from the Crime Enforcement & Regulation Service
within the specified time limit in accordance with section 104 of the Licensing
Act 2003. The objection was received in relation to preventing a public
nuisance due to an ongoing noise nuisance case.
- 1.4 The premises currently has a licence for sale by retail of alcohol on and off
the premises 17:00 – 22:00 Tuesday to Thursday and 12:00 – 22:00 Friday to
Sunday.

2. Legal and Human Rights Implications.

- 2.1 Where an objection notice is received following a Temporary Event Notice a licensing authority is required to hold a hearing. In this case the Licensing Authority is required to consider whether the proposed temporary event will promote the crime prevention and public nuisance licensing objectives.
- 2.2 The licensing authority is a public authority under the Human Rights Act 1998. Therefore the Licensing Authority is under a duty to act compatibly with Convention Rights in the exercise of their function. 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.
- 2.3 The right to give a Temporary Event Notice falls within the scope of civil rights and obligations in Article 6 (1) as it relates, in this case, to a Premises Licence holder's right to pursue commercial activity. This right is a qualified right therefore it may be interfered with if it is appropriate to protect the general interest of the community.

3. **Equalities Implications**

- 3.1 The Equality Act 2010 includes a new public sector equality duty (the equality duty or duties) the duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race or religion or belief, sex and sexual orientation.
- 3.2 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 those who share a protected characteristic and those who do not
- 3.3 As with the case with the original separate duties, the new duty continues to be a "have regard duty" and the weight to attach to it is a matter for the committee bearing in mind the relevance and proportionality. It is not an absolute requirement to eliminate discrimination, advance equality of opportunity or foster good relations.

4. **Determination of Objection Notice**

- 4.1 After having regard to all the representations heard, Members must take such steps as they consider appropriate to promote the prevention of crime and disorder and public nuisance. Therefore the Licensing Committee may;
1. Decide no action is appropriate to promote the prevention of crime and disorder and public nuisance therefore the temporary event may go ahead OR
 2. Impose one or more conditions on the standard temporary event notice if-
 - a. the authority considers it appropriate for the promotion of the licensing objectives to do so,
 - b. the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the standard temporary event notice, and
 - c. the conditions would not be inconsistent with the carrying of licensable activities under the standard temporary event notice
 3. Issue a counter notice if it considers it is appropriate to promote the licensing objectives, therefore the temporary event may not go ahead
- 4.2 There is a right of appeal to the Magistrates Court against a decision either to give a counter notice or to allow the temporary event to go ahead.

Background Papers

<u>Short Title of</u>	<u>Date</u>	<u>Appendix</u>
<u>Document</u> <u>Applicant</u> Applications rec'd	11.7.19	
Environmental Enforcement Objection rec'd	11.7.19	

Should you require any further information on this report please contact Lisa Spall at the Crime, Enforcement & Regulation Service on 020 8314 8390



* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="SUGAHILL(PL1104)"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	<input type="text" value="HURIYE"/>
* Family name	<input type="text" value="ARCHBOLD"/>
* E-mail	<input type="text" value="REDACTED"/>
Main telephone number	<input type="text" value="REDACTED"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name	<input type="text" value="SUGAHILL"/>
VAT number	<input type="text" value="NONE"/>
Legal status	<input type="text" value="Partnership"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes No

Enter details of any previous names or maiden names

First name

Family name

* Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Continued from previous page...

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	248-250
Street	KIRKDALE
District	SYDENHAM
City or town	LONDON
County or administrative area	LEWISHAM
Postcode	SE26 4NL
Country	United Kingdom

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	[REDACTED]
Telephone number	[REDACTED]
Other telephone number	

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

* Does the premises have an address?

Yes No

Continued from previous page...

Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

* Premises licence number

Location Details

* Provide further details about the location of the event

IN A BAR ON A MAIN ROAD

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

Describe the nature of the premises below (see also guidance on completing the form, note 4)

IS A CAFE/ BAR SELLS VEGAN/ VEGETARIAN FOOD AND RECORDS

Describe the nature of the event below (see also guidance on completing the form, note 5)

50TH BIRTHDAY CELEBRATION FOR DAVE BROWNE

Continued from previous page...

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises
(see also [guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

(See also [guidance on completing the form, note 7](#)).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.
(See also [guidance on completing the form, note 8](#)).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also [guidance on completing the form, note 9](#))

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

(see also [guidance on completing the form, note 10](#))

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

(see also [guidance on completing the form, note 11](#))

Continued from previous page...

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both
(see also guidance on completing the form, note 12):

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

PLAYING RECORDED MUSIC FROM 7PM TO 01AM

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? Yes No

Continued from previous page...

State the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year

1

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION (See also guidance on completing the form, note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION (See also guidance on completing the form, note 19)

The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:
* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/lewisham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="SUGAHILL(PL1104)"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

TEMPORARY EVENT NOTICE

To: Huriye Archbold
Of: Sugahill
248-250 Kirkdale
Sydenham
London
SE26 4NL

The Council of the London Borough of Lewisham have acknowledged the event as follows:

Premises: Sugahill
248-250 Kirkdale
Sydenham
London
SE26 4NL

Date: 3rd-4th August 2019



Proper Officer for Licensing
London Borough of Lewisham

Directorate for Community Services
Crime, Enforcement & Regulation Service
Licensing Authority
Holbeach Office
9 Holbeach Road
Catford
SE6 4TW

SHOULD A COUNTER NOTICE BE ISSUED IN ACCORDANCE WITH SECTION 105 OR 107 OF THE LICENSING ACT 2003 THIS EVENT WILL NOT BE PERMITTED.

A TEN DOES NOT RELIEVE THE PREMISES USER FROM ANY REQUIREMENTS UNDER PLANNING LAW FOR APPROPRIATE PLANNING PERMISSION WHERE IT IS REQUIRED.

TEN SIGNATURE PAGE

PREMISES of Event: Sugahill Cafe, SE26 4NL

DATE AND TIMES of Event: 3rd- 4th August 2019 – 19.00 – 01.00hrs

AUTHORISING OFFICER: Andrew Grant

OFFICERS SIGNATURE:

A handwritten signature in black ink, appearing to read 'Andrew Grant', written in a cursive style.

DATE OF SIGNING: 22 July 2019

From: Rhodes, Alfene

Sent: 11 July 2019 16:25

To: Licensing

Subject: FW: Temporary Event Notice - SOUTH TEAM - Sugahill Cafe, SE26 4NL OBJECTION

Dear all.

Please accept this a representation to the Applied for TEN on 3/4th August 2019 at Sugahill Café SE26 4NL

I am making my representation as I believe the premises are not able to adhere to the licensing objectives namely The prevention of Public Nuisance and noise.

We currently have noise complaints from residents about this venue and officers from CER have visited and witnessed a noise they considered to be a STAT nuisance on 17th June 2019.

Kind regards

Alfene Rhodes

Crime, Enforcement & Regulation Officer (South Team)

9 holbeach Road

Catford

SE6 4TW

0208 314 7237

LICENSING COMMITTEE		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 5
Ward		
Contributors	Chief Executive	
Class	Part 1	Date 30 July 2019

Recommendation

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs [3, 4 and 5] of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. Lewisham Food and Wine Centre 213 Lewisham High Street, SE13 6LY