

Decisions taken by the Licensing Committee on Tuesday, 27 August 2019

Agenda Item No	Topic	Decision
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Part A – Items considered in public

<p>A3</p>	<p>Club Vibes, 2nd Floor, 100-104 Lewisham High Street, SE13</p>	<p>IN THE MATTER OF THIS PREMISES LICENCE REVIEW, THE COMMITTEE HAS CONSIDERED ALL THE RELEVANT REPRESENTATIONS MADE BY ALL PARTIES.</p> <p>The Committee has made the following determination with a view to ensuring the promotion of the licensing objectives in accordance with the provisions of the secretary of state’s guidance and the principles of our licensing policy:</p> <p>With a view to ensuring the promotion of the licensing objectives, in accordance with the provisions of the statutory guidance and the principles of our licensing policy, the licensing hours were restricted as follows:</p> <p align="center">Sunday to Thursday reduction to Midnight Friday and Saturday reduction to 3am.</p> <p>The following conditions were added to the licence.</p> <ul style="list-style-type: none"> • At all times the premises are open to the public, including a promoted event, they shall be managed by the Premises Licence Holder/DPS. • During the provision of regulated entertainment, a personal licence holder employed by the premises must be on duty at all times. • The premises must take all reasonable steps to encourage onward journeys and ensure the customers of the premises do not loiter outside so not to cause a disturbance to the local residents and businesses. • When the premises is open to the public and door staff are employed, the premises must provide a member of staff to act as a parking/taxi marshal thus to prevent a nuisance to the local residents and other road users. This marshal must be clearly visible and must wear a hi-visibility jacket or tabard and to help ensure the safe journey home of its patrons. • A zero tolerance to illegal drugs shall be operated. Any person found in possession of
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		<p>illegal drugs, or who is witnessed offering illegal drugs or asking other for illegal drugs, will be ejected (or refused entry) and permanently banned from future entry to the premises.</p> <ul style="list-style-type: none"> • The Premises licence Holder will allow uniformed Police to periodically attend the premises upon prior agreement with the Premises Licence holder/DPA in order to carry out advance drug searching techniques, including (but not limited to) requiring customers to take part in the drug analyser testing as a condition of entry and passive drug dog sweeps of the premises and queue. • A noise limiter must be fitted and maintained within the premises. The level of this meter must be set in accordance with required legislation and standards by a qualified sound engineer, so as not to cause a noise nuisance. The limiter must be sealed in such a way that no unauthorised person can tamper with it. All amplified music played at the premises must be passed through the noise limiter. An annual calibration of the noise limiter must take place by a qualified sound engineer and recorded in the incident book. • All windows and doors to remain closed when entertainment or live music is in progress. <p>In coming to a determination the Committee considered the following matters;</p> <ol style="list-style-type: none"> 1. Members of the Committee considered the representations made by the Crime, Enforcement and Regulation Service under the grounds of undermining the licensing objectives of the prevention of Public Nuisance and promotion of public safety. Written representations from local residents were also noted. 2. The Committee noted that the Crime Enforcement and Regulation Service (CER), has been receiving complaints of excessive loud music since 13 February 2019. Officers have witnessed statutory noise nuisance at the resident's home and at street level. On occasions the music was so loud that the windows shook. An abatement notice was

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		<p>issued but noise complaints continued to be received by the CER service.</p> <p>3. Members of the Committee also noted that a large number of cars have been parking near the club. On one occasion an emergency vehicle could not gain access to the club. Cars were directed to a nearby car park but this created noise nuisance for local residents.</p> <p>4. Management have been slow to respond to officers' requests to reduce noise nuisance. It took 5 ½ months for Club Vibes to install a sound limiter.</p> <p>5. Members of the Committee noted the representation made by the premises licence holder. Management understand the seriousness of having been served with an abatement notice. Since then, a lot of money has been spent sound proofing the premises including £744 on the installation of a sound limiter. The following action has been taken:</p> <ul style="list-style-type: none"> • Sound proofing was installed in all walls to adjacent properties • Sound proofing was installed to external windows • The fire doors were upgraded • There is an additional layer of sound proofing to all the previously applied areas to further decrease noise • A wireless controlled audio management system, with limiters, and compressor was put in place to limit the input signals to the main amplifier • Large speakers were replaced with smaller ones. • Contact was made with the main complainant about further adjustments. He was experiencing a noise nuisance on all three floors. <p>6. It was also noted that the Crime and Enforcement Officer had been disappointed that</p>

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		<p>little action had been taken by management to address serious noise issues until an abatement notice had been served.</p> <p>7. Members of the Committee considered that the restriction of the licensing hours and the added conditions are proportionate and will uphold the four licensing objectives, particularly the Promotion of Public Safety and the Prevention of Public Disorder.</p>
A4	The Brockley Brewing Company Ltd, 31 Harcourt Road, SE4 2AJ	<p>IN THE MATTER OF THE APPLICATION FOR THE VARIATION OF A PREMISES LICENCE, THE COMMITTEE HAS CONSIDERED THE RELEVANT REPRESENTATIONS MADE.</p> <p>The Committee has made the following determination:</p> <p>With a view to ensuring the promotion of the licensing objectives, in accordance with the provisions of the statutory guidance and the principles of our licensing policy, the application for the variation of a Premises Licence, was GRANTED.</p> <p>In coming to a determination the Committee considered the following matters;</p> <ol style="list-style-type: none"> 1, The Committee noted the presentation made by residents. Celebrations for St Patrick's day were held in March 2018. There was a lot of disturbance in the street late in to the night and patrons did not leave until midnight. Patrons were urinating in the street and two people who had been fighting had to be restrained. 2. It was noted that objectors had attempted to discuss the issue of patrons staying on the premises beyond drinking up time, but considered that they were treated with contempt by management. They are concerned that the brewery will apply for increasingly later licences and music will be played until 11pm. 3. The Committee noted the presentation made by the applicant. The business is well run

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		<p>and management aim to be a good employer by creating employment opportunities for young people in the area. The hours applied for are reasonable.</p> <ol style="list-style-type: none"> 4. The Committee noted the presentation made by the applicant. They recognise that their business is on a residential road and they are determined to be good neighbours. They will do everything reasonably possible to prevent any disturbance to neighbours 5. Following feedback from residents, the following changes have been made: <ul style="list-style-type: none"> • Live amplified music will not be used on the premises • Door management has been strengthened. Drinks are not taken outside and customers encouraged to leave the road as quickly and quietly as possible • Rubbish is taken out in the daytime to avoid making unnecessary noise late in the evening. 6. It was noted that in June 2018, a complaint was made directly to the Council regarding a boisterous group of customers who made a disturbance while waiting for cabs outside the brewery at the end of the evening. Following this complaint, management's approach to dispersal of customers leaving the premises was reviewed. 7. Members noted that management have made efforts to establish good lines of communication with neighbours and have undertaken surveys and mail drops to residents. 8. No representations were received from any responsible authorities. 9. The Committee agreed that granting the application would promote the four licensing objectives.

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