



AGENDA

LICENSING COMMITTEE

Date: THURSDAY, 31 OCTOBER 2019 at 7.15 pm

**Committee Room 3
Civic Suite
Catford Road
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 Tauseef Anwar
Councillor Juliet Campbell
Councillor Alan Hall
Councillor Carl Handley
Councillor Sue Hordijkeno
Councillor Coral Howard
Councillor Kim Powell
Councillor Susan Wise

Members are summoned to attend this meeting

**Kim Wright
Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 23 October 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: 31 October 2019	

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 16 October 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: 31 October 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	Arch 2, Deptford Railway Station	
Key Decision	No	Item No. 3
Ward	New Cross	
Contributors	Community Services – Licensing Authority Head of Law	
Class	Part 1	Date: 31 October 2019

Proposal: New application for a Premises Licence

Legislation: Licensing Act 2003

Premises: Arch 2, Deptford Railway Station, SE8 4NS

Applicants: Balcca Ltd

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 following licensable activities:

Late Night Refreshment

23:00 – 00:00	Monday
23:00 – 00:00	Tuesday
23:00 – 00:00	Wednesday
23:00 – 00:00	Thursday
23:00 – 02:00	Friday
23:00 – 02:00	Saturday

Sale of Alcohol for consumption on & off the premises

10:00 – 00:00	Monday
10:00 – 00:00	Tuesday
10:00 – 00:00	Wednesday
10:00 – 00:00	Thursday
10:00 – 02:00	Friday
10:00 – 02:00	Saturday
10:00 – 23:00	Sunday

Recorded Music

10:00 – 00:00	Monday
10:00 – 00:00	Tuesday
10:00 – 00:00	Wednesday
10:00 – 00:00	Thursday
10:00 – 02:00	Friday
10:00 – 02:00	Saturday
10:00 – 23:00	Sunday

- 2.2 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 11 October 2019.

3. Outline of Representations Received

- 3.1 Five representations were received from residents within close proximity to the premises, primarily on the grounds of prevention of public nuisance.
- 3.2 The representations received have been examined by officers and are not considered to be vexatious or frivolous. These representations were received within the specified time.
- 3.3 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 either from music at 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 Implications

- 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 above 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

Date

Document

Application

13 September 2019

Evidence / documents

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.

Thomas & Thomas

Partners LLP

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. 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 Balcca Ltd

(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

Postal address of premises or, if none, ordnance survey map reference or description Arch 2, Deptford Railway Station Deptford High Street			
Post town	London	Postcode	SE8 4NS
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£24250	

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)
- ga) 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)
- h) 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 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 residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

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					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					

Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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 Balcca Ltd
Address 66 Millard Road London SE8 3GB
Registered number (where applicable) 11650039
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

Restaurant & bar

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)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur					
Fri			<u>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</u> (please read guidance note 6)		
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				
Wed				
Thur				
Fri				
Sat				
Sun				
			State any seasonal variations for the exhibition of films (please read guidance note 5)	
			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)	

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>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</u> (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)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
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)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)	
			<u>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</u> (please read guidance note 6)	
Sun				

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon	10:00	00:00		
Tue	10:00	00:00		
Wed	10:00	00:00		
Thur	10:00	00:00		
Fri	10:00	02:00		
Sat	10:00	02:00		
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)	
			<u>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</u> (please read guidance note 6)	
			From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.	
			On Sundays prior to bank holidays 10:00 – 02:00	

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (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	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 the left, please list (please read guidance note 6)		
Sun					

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 checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon	23:00	00:00						
Tue	23:00	00:00						
Wed	23:00	00:00				<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	00:00						
Fri	23:00	02:00				<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) From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. On Sundays prior to bank holidays 10:00 – 02:00		
Sat	23:00	02:00						
Sun								

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 type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	23:00			
			<p>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)</p> <p>From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.</p> <p>On Sundays prior to bank holidays 10:00 – 02:00</p>		

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	
Date of birth	
Address (Private address)	
Postcode	
Personal licence number (if known) LEW5169	
Issuing licensing authority (if known) LB of Lewisham	

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	10:00	00:00	<p>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)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>On Sundays prior to bank holidays 10:00 – 02:00</p>
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	02:00	
Sat	10:00	02:00	
Sun	10:00	23:00	

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)

Please see appended operating schedule of proposed conditions to address all four licensing objectives.

b) The prevention of crime and disorder

See a) above

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

See a) above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- 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 (postal applications only) [Electronic Submission - LA to serve RA's]
- 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 or my share code issued by the Home Office online right to work checking service (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.**

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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>Thomas and Thomas</i>
Date	13/09/2019
Capacity	Solicitors on behalf of the applicant

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	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Our ref: JS/BAL.27.1 Ryan Peermamode Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0417		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <i>rpeermamode@tandtp.com</i>			

Notes for Guidance

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

Application for Premises Licence

Arch 2, Deptford Railway Station, Deptford High Street, London, SE8 4NS

Proposed Hours

Sale of Alcohol (On & Off sales) & Recorded Music	Monday – Thursday: 10:00 – 00:00 Friday - Saturday: 10:00 – 02:00 Sunday: 10:00 – 23:00
Late Night Refreshment	Monday – Thursday: 23:00 – 00:00 Friday & Saturday: 23:00 – 02:00
Opening Hours	Monday – Thursday: 10:00 – 00:00 Friday - Saturday: 10:00 – 02:00 Sunday: 10:00 – 23:00
Non-standard hours	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. On Sundays prior to bank holidays 10:00 – 02:00

Applicant: Balcca Ltd

Description: Restaurant & bar

Proposed DPS:

Proposed Conditions: -

- (1) No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.
- (2) Rubbish (including bottles) shall not be moved, removed or placed in outside areas of the premises between 23:00 hours and 08:00 hours.
- (3) Clearly legible signage shall be displayed at the exit in such a manner so that it can easily be seen and read by customers requesting to the effect that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours.
- (4) The pavement in the immediate vicinity of the premises shall be kept free from waste and refuse emanating from the premises while the premises are open.
- (5) All waste for collection shall properly be presented and placed no earlier than 30 minutes before the scheduled waste collection times.
- (6) All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
- (7) A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open.
- (8) An incident book / incident recording system shall be kept at the premises to record details of any of the following occurrences at the premises:
 - (a) All crimes reported at the premises
 - (b) Complaints received concerning crime and disorder
 - (c) Seizures of drugs or offensive weapons
 - (d) Instances of anti-social or disorderly behaviour / violence
 - (e) Calls to the police or fire brigade

- (f) Abuse of staff and / or customers
 - (g) Ejections of people from the premises
 - (h) Visits to the premises by the local authority, police, fire brigade or any responsible authority
 - (i) Any malfunction in respect of the CCTV system
 - (j) Any other relevant incidents
 - (k) The incident book / incident recording system shall be updated contemporaneously and shall record the time, date, location in the premises and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident
 - (l) The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use and shall be made available to officers of the council, police, fire brigade or any responsible authority on request.
- (9) An adequate and appropriate supply of first aid equipment and materials shall be available on the premises at all times. Adequate and appropriate first aid materials / equipment shall be kept at the premises in a first aid box / boxes. The first aid box(s) shall be kept in an easily accessible location(s) and kept free from obstructions at all times. All staff shall be aware of where the first aid box is kept.
- (10) A CCTV system be installed at the premises, be maintained in full working order and be continually recording at all times the premises are in use. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises.
- (11) All CCTV footage shall be kept for a period of 31 days and shall be made immediately available to officers of the police and the council on request. There will be at least one person on duty at all times who is trained in the operation of the CCTV system, capable of retrieving and showing footage at the immediate request of police or council officers and able to download footage to a removable storage device and / or storage media at the immediate request of police or council officers.
- (12) All staff shall be trained in their responsibilities under the Licensing Act 2003 and trained in respect of the terms and conditions of this licence. Records pertaining to such training shall be kept and updated every 6 months. The training records shall be made immediately available to officers of the police and the council on request.
- (13) A challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card, and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card or any age identification card validated by the Secretary of State.
- (14) Clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- (15) A dispersal policy will be implemented, kept at the premises and all staff will be trained in their responsibilities. Training records must be kept and immediately available to Enforcement Officers and Police on request.
- (16) Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

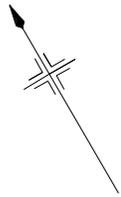
DEP 6A - ARCH 2, DEPTFORD STATION, LONDON, SE8 4NS

**Restaurant fitout for Arian Mucaj
PROPOSED LICENSING PLAN**

Scale 1:100@A3
© Mark Prizeman 2019

3rd September 2019
10th September 2019

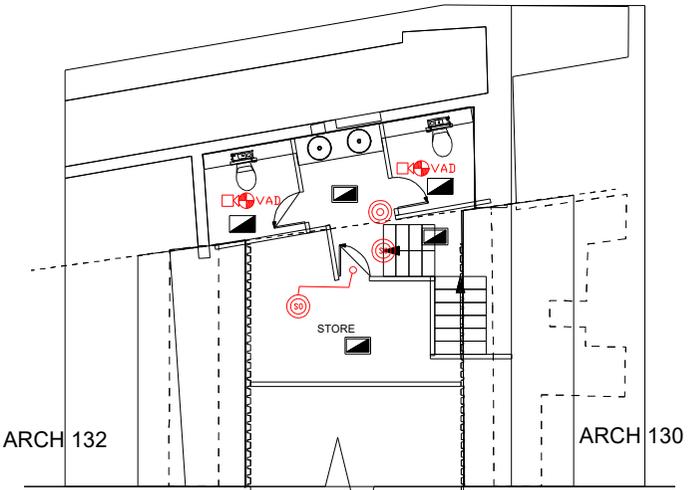
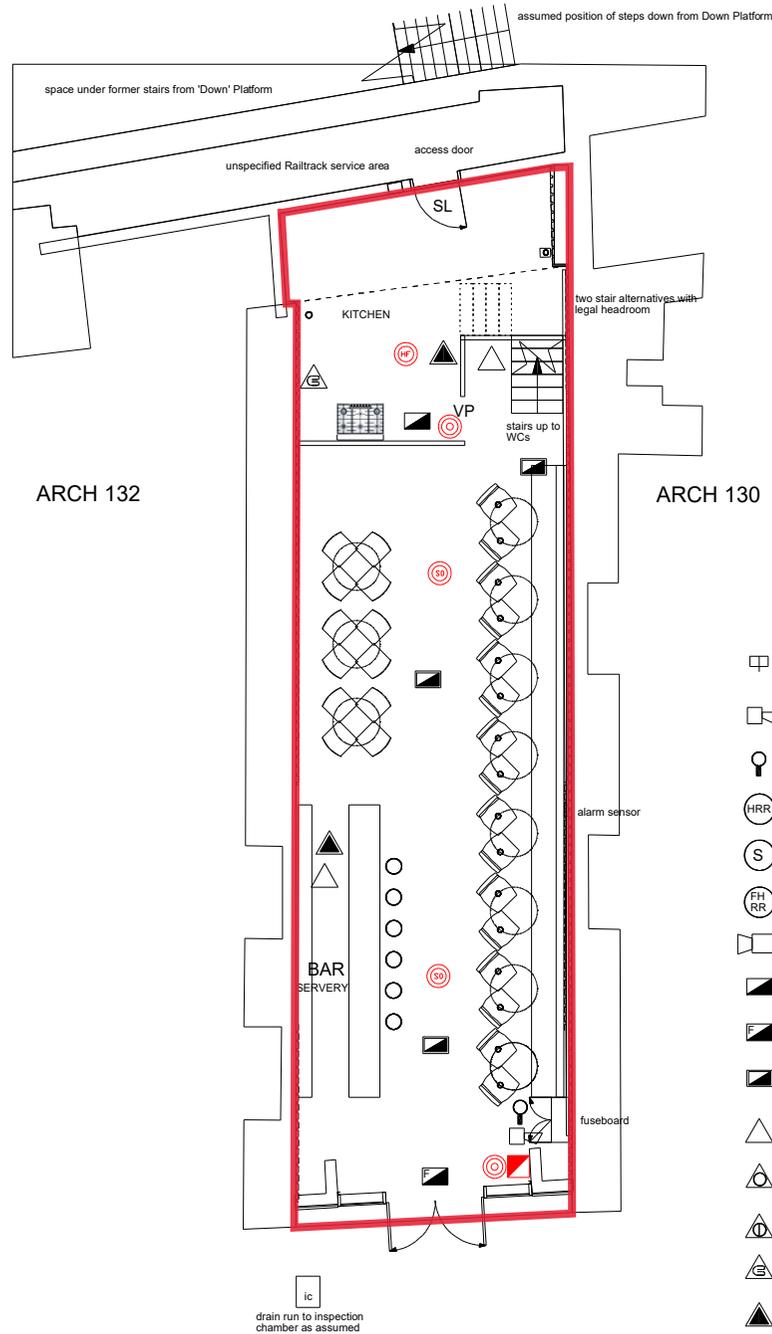
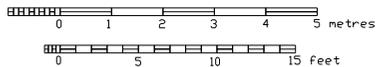
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FIRESAFE
10 SANDERSINS WAY
MARTON
BLACKSPITOL
FY4 4NB
E&DE
NOTE: THIS IS AN
ESTIMATION NOT A
DESIGN.

FIRE ALARM SYSTEM KEY

- OPTICAL SMOKE & SOUNDER BEACON
- FIXED HEAT & SOUNDER BEACON
- RATE OF RISE & SOUNDER BEACON
- MULTI SENSOR & SOUNDER BEACON
- CARBON MONOXIDE & SOUNDER BEACON
- IONISATION & SOUNDER BEACON
- OPTICAL & SOUNDER
- FIXED HEAT & SOUNDER
- RATE OF RISE & SOUNDER
- MULTI & SOUNDER
- CARBON MONOXIDE & SOUNDER
- IONISATION & SOUNDER
- VIB BEACON VISUAL INDICATION DEVICE
- VAD BEACON VISUAL ALARM DEVICE
- OPTICAL
- IONISATION
- FIXED HEAT
- RATE OF RISE HEAT
- MULTI DETECTOR
- CARBON MONOXIDE
- SOUNDER
- VIB SOUNDER VISUAL INDICATION DEVICE
- VAD SOUNDER VISUAL ALARM DEVICE
- REMOTE INDICATOR
- DOOR HOLD
- DOMESTIC HEAT ALARM
- DOMESTIC SMOKE ALARM
- SWITCH MONITOR
- ZONE MONITOR
- SOUNDER CONTROLLER
- MAINS INPUT OUTPUT
- INPUT OUTPUT
- HUSH BUTTON
- FIRE PANEL
- REPEATER PANEL
- MANUAL CALL POINT
- FIRE BEAM DETECTOR



- Fire Alarm Call point with Fire Action Sign adjacent,
- Control panel sounders
- Control panel illuminated signals
- Heat Rate Rise detector
- Smoke detector
- Fixed Heat Rate Rise detector
- Sounder
- 8 Watt maintained Luminaire
- 8 Watt maintained Fire Exit Luminaire
- Non-maintained 8 Watt Luminaire
- Fire extinguisher
- Aqueous Film Forming Fire extinguisher
- Water Fire extinguisher
- Fire Blanket in container
- Carbon Dioxide Fire extinguisher
- Dry powder Fire extinguisher
- Foam Fire extinguisher
- FR30 30 Min Protection Fire Door to fully comply with B.S
- FR60 60 Min Protection Fire Door to fully comply with B.S
- SL Security Lock
- FFF Door free from all fastenings Other than ball roller fastening or a lever handled latch)
- SCA Self-closing door incorporating an automatic release
- PB Door with Panic bolt with notice
- SF Door with simple fastening not needing a key
- TP Fire Alarm telephone point
- VP Door with vision panel
- S Door fitted with smoke seals
- Hydraulic hose reel
- Sand bucket
- Area covered by Fixed Fire Extinguisher
- Area covered by Automatic Sprinkler System
- Area of Licensable Activities

Weaser, Clare

From: Hooper, Lisa
Sent: 10 October 2019 09:24
To: Licensing
Cc: Lockett, Richard
Subject: RE: Arch 2, Deptford Railway Station licence application

From: Licensing
Sent: 09 October 2019 16:22
To: Hooper, Lisa
Subject: FW: Arch 2, Deptford Railway Station licence application

From: Deptford Society Licensing [<mailto:licensing@deptfordsociety.uk>]
Sent: 09 October 2019 10:07
To: Licensing
Subject: Arch 2, Deptford Railway Station licence application

Dear sir or madam

As the local amenity society, the Deptford Society would like to object to the licence application for Arch 2 on the following grounds:

We believe the hours applied for are excessive and will undermine the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder. Granting this licence has the potential to cause noise nuisance and disturbance to immediate neighbours on the high street, and residents in Market Yard itself.

Deptford High Street and Deptford Market Yard have a high density of residential properties, many home to families with small children, as do neighbouring side streets and the surrounding area. Late night disturbance will therefore affect the sleep and health of children as well as adults. On the whole, residents currently enjoy a good coexistence with businesses and existing licensed premises, and we want to keep it that way in order to retain the diversity of the high street.

Late night licences increase the likelihood of public nuisance or crime and disorder. Deptford High Street already has problems with public urination, noise, littering and graffiti and we believe that granting extended licensing hours will exacerbate this.

Yours sincerely
Licensing Matters
The Deptford Society

Weaser, Clare

From:
Sent: 11 October 2019 11:27
To: Licensing
Subject: RE - BALCCA Ltd Arch 2, Deptford Railway Station, SE8 4NS license application

To whom it may concern

I would like to register my concerns re the Application for a license at

ARCH @ Deptford Market yard.

IN order to be clear it would be beneficial to have the full details of the application. However given that today is the last day for such representations. I would however be grateful for these details in any case.

I would make the following representations.

1
given the proximity of residential properties occupied by families with children
e.g. 124 Deptford High street, St Pauls House,
I would suggest that all licenses applied for beyond Midnight are not acceptable.

- the sale and consumption of alcohol beyond midnight,
- A "Late night refreshment" does not specific what that is how ever if it entails cooking and preparing food then the venting from that would involve noise.

2
the Playing of recorded music

I believe special attention needs to paid to the unique nature of the space of the Market yard. this enclosed space forms an echo/ amplification chamber. there are no soft surfaces to absorb sound the small amount of plant-ting having a negligible effect on diminishing this.
So with multiple hard surfaces opposite and adjacent to the property the noise will bounce and extend beyond the yard itself. Indeed music/sound from current licensed properties in the Yard has been experience as far north as Mary Ann Gardens, some 200 meters away.

3 _ GENERAL NOTES

In short I would suggest that a midnight closure is enforced, i.e. should be granted to the applicant due to the impact on the large residential community within a 200m area adjacent to the property.

I would also ask that all activity , cleaning, rubbish and recycling clearance are complete and staff dismissed by 00-30hrs.

I would also suggest that attention is paid to the outside drinking and eating and that should be terminated at 11pm at which pint all customers should be inside the property thereby reducing the noise. also that any area outside the property should be strictly limited to 3 metres for the property to reduce impeding access to the station. (something that should be regulated on anther properties in the Yard).

Many thanks for you attention to this.

Yours

Weaser, Clare

From:
Sent: 11 October 2019 12:21
To: Licensing
Subject: Objection to Premises License for Arch 2, Deptford Railway Station, Deptford High Street, London, SE8 4NS

Dear Sir or Madam,

As a local resident who has lived on Deptford High Street for over two decades, I would like to object to the application of a premises licence at Arch 2, Deptford Railway Station, Deptford High St, London, SE8 4NS.

The premises in question forms part of a mixed use development that houses a significant quantity of residential dwellings. As such it seems obvious that the extended hours requested in this application - namely until midnight Monday to Thursday and until 2am Friday and Saturday - would undermine the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

This issue is an example of a growing problem that extends to Deptford High St and the surrounding roads as they too contain a significant and often overlooked residential community, including families, of thousands. The recent proliferation of extended hours licensing in this area is proof that the Licensing Authority does not appreciate that the the sleep and health of children as well as adults needs protecting from the impact of this new wave of night-time business. These existing businesses are ignoring the conditions that their license was granted under and it is clear that the council does not have an effective enforcement strategy to deal with this. The impact of this is that people are considering moving out of Deptford as they feel this level of nuisance is untenable.

The residential character of this area is long established and a crucial part of the diversity that makes Deptford such a special place. Lewisham should be very careful it doesn't unwittingly ruin this by making it somewhere unreasonable to live in favour of beer tourism. The ensuing social degradation is not hard to imagine. Deptford High Street already has problems with public urination, noise, littering and graffiti and I believe that granting extended licensing hours will exacerbate this. The premises also falls within a CIZ and already has a large number of street drinkers; making alcohol available over an extended period has the potential to exacerbate the existing problems of disorderly behaviour and public urination, undermining the objective of prevention of public nuisance.

I would therefore like to suggest that standard hours are applied with all exterior drinking ceasing at 10pm. If extended weekend hours are to be considered then they should be no later than midnight and that there should be very strong conditions that make sure all drinking after 10pm is indoors and that there is sufficient sound insulation (closed doors etc) that means noise is in no way a nuisance.

Thank you for considering this objection.

Yours sincerely

Weaser, Clare

From: Licensing
Sent: 15 October 2019 11:57
To: Lockett, Richard
Subject: FW: Licence application Arch 2 Deptford Railway Station

From:
Sent: 04 October 2019 10:49
To: Licensing
Subject: Licence application Arch 2 Deptford Railway Station

Dear sir or madam

I am writing to register my objection to the application of a premises licence for Arch 2, Deptford Railway Station, SE8 4NS for the sale of alcohol, provision of late night refreshment, and regulated entertainment.

1. The hours for which the applicant wishes to be licensed to carry out these activities are excessive and I believe they will undermine the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder. Granting this licence would have the potential to cause serious noise nuisance and disturbance not only to residents whose properties face onto Deptford Market Yard, but also those on the high street and adjoining roads as customers make their way home. Other premises in the yard are licensed until midnight which I believe is a reasonable compromise that should enable businesses and residents to co-exist successfully.

2. The noise from customers leaving the premises at 2am would create a public nuisance for immediate neighbours and also those in the wider vicinity as groups of people make their way home along the high street and side streets. The fact that Deptford High Street has no public transport service at this time of night means that customers will have to disperse along the high street and surrounding areas in order to reach buses and so on.

3. I would also like to point out that Deptford High Street and its immediate vicinity has a high residential density and very little traffic at night. Allowing premises to open until the early hours of the morning is not appropriate for this environment, if prevention of public nuisance is to be upheld.

I urge committee members to reject the application in its existing form, for the reasons stated above.
Yours sincerely

Sent: 01 October 2019 09:52

To: Licensing

Subject: Objection to Extended Hours, Deptford Market Yard, Arch 2

I would like to object to the above application for extended hours. Deptford High Street has a very dense residential population and people leaving an establishment at midnight Sunday - Thursday and at 2am on Fridays and Saturdays is sure to cause disruption not only for the residents in Deptford Market Yard, but in the High Street and the streets off the High Street.

I would also like to register my complaint that this application is not on the licensing section of the Lewisham Website - therefore the local community has to rely on actually seeing the notice on the premises in order to know what is happening in the local area. Please ensure that the licensing section of the Lewisham Website is kept up to date.

Many thanks,