



# AGENDA

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## LICENSING COMMITTEE

**Date: TUESDAY, 30 JUNE 2020 at 7.30 pm**

Virtual Microsoft Office Teams

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### **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 Hordijkenko  
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: 22 June 2020



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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## Licensing Committee

### Minutes

**Date:** 30 June 2020

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive (Director of Law)

### Outline and recommendations

**Members are asked to consider the Minutes of the meeting of the Licensing Committee, held on 18 June 2020.**

#### Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 18 June 2020 be confirmed and signed.

# Agenda Item 2



## Licensing Committee

### Declarations of Interest

**Date:** 30 June 2020

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Chief Executive (Director of Law)

### Outline and recommendations

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

## 1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. 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.

1.2. Further information on these is provided in the body of this report.

## 2. Recommendation

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

### 3. Disclosable pecuniary interests

3.1 These 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.

### 4. Other registerable interests

4.1 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.

## 5. Non registerable interests

- 5.1. 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).

## 6. Declaration and impact of interest on members' participation

- 6.1. 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 not 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**
- 6.2. 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 6.3 below applies.
- 6.3. 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.
- 6.4. 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.
- 6.5. 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.

## 7. Sensitive information

- 7.1. 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.

## 8. Exempt categories

- 8.1. 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: Badger Badger 139-145 Deptford High Street SE8 3NU**

**Date:** 30 June 2020

**Key decision:** No.

**Class:** Part 1.

**Ward(s) affected:** New Cross

**Contributors:** Community Services – Crime, Enforcement & Regulation Service, Head of Law.

### **Outline and recommendations**

Determination of New Premises Licence Application submitted by Novel Pubs Limited.

After having regard to all the representations heard, Members must take such steps as they consider appropriate to promote the Licensing Objectives.

### **Timeline of engagement and decision-making**

The Application was advertised in accordance with regulation 25 of the Licensing Act 2003.

The last day for representations was 28 April 2020.

This matter must be heard with 20 days from the day after the last day of representations (this hearing was postponed due to the Covid 19 pandemic in the public interest to be held by remote hearing on 3 June 2020). It was then postponed until 30 June 2020 at the request of the applicant.

## **1. Summary**

1.1. The following activities were applied for by the applicant:

### **Live Music**

23:00 – 00:00 Sunday – Wednesday

23:00 – 01:00 Thursday - Saturday

### **Recorded Music**

23:00 – 00:00 Sunday – Wednesday

23:00 – 01:00 Thursday - Saturday

### **Late Night Refreshment**

23:00 – 00:00 Sunday – Wednesday

23:00 – 01:00 Thursday - Saturday

### **Sale of Alcohol for consumption on the premises**

09:00 – 23:30 Sunday – Wednesday

09:00 – 00:30 Thursday - Saturday

### **Seasonal Variation**

Licensable activity from the end of permitted hours on New Years Eve to the start of permitted hours on New Year's Day.

- 1.2. Representations were received from four interested persons on the grounds of public nuisance. The representations 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.
- 1.3. Conditions have been agreed between the applicant and the Police and Crime, Enforcement & Regulation Service.

## **2. Recommendations**

- 2.1 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. The steps available to the Licensing Authority:
  - 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.
- 2.2 Either party has a right of appeal to the Magistrates Court against a decision which should be submitted to the court within 21 days of the date of the decision letter.

## **3. Policy Context**

- 3.1. Decisions by Members of the Licensing Committee should have regard to the Licensing Act 2003 and the promotion of the four Licensing Objectives at all times, which includes the following:

- Protection of Children from Harm
  - Prevention of Crime and Disorder
  - Prevention of Public Nuisance
  - Public Safety
- 3.2. Members should also have regard to the Licensing Authority's Statement Licensing Policy 2015-19.
- 3.3. Decisions made will link in with the following objectives under the Council's Corporate Strategy – Building an Inclusive Local Economy and Building Safer Communities.

#### **4. Financial implications**

- 4.1. Applicants have the right of appeal against any decision by the Licensing Committee. Therefore there would likely be costs for the Authority in seeking legal support should an appeal be brought by the applicant.

#### **5. Legal implications**

- 5.1 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.
- 5.2 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.

#### **6. Equalities implications**

- 6.1 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.
- 6.2 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.
- 6.3 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.

- 6.4 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.
- 6.5 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>
- 6.6 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](#)
- 6.7 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>

## **7. Climate change and environmental implications**

- 7.1. Any decision made by Members must fall in line with the Licensing Act 2003, to that end there are no climate change or environmental considerations.

## **8. Crime and disorder implications**

- 8.1. Under the Licensing Act 2003, one of the 4 licensing objectives is the

Prevention of Crime and Disorder.

8.2. If is the a requirement of the Licensing Act 2003 that any decision made by the Licensing Committee must not negatively impact on the Licensing objectives.

## 9. Background papers

9.1. Application received 1 April 2020

9.2. Four Representations as served.

9.3. Conditions agreed between Applicant, Police and Crime, Enforcement & Regulation Service

## 10. Glossary

Term	Definition
Appeal	asking a court to overturn a lower court's decision. If the decision of a court is disputed it may be possible to ask a higher court to consider the case again by lodging an appeal.
Licence	an authority to do something.
Licensee	the holder of a licence to do something.
Licensing Authority	The Council (London Borough of Lewisham) Under section 3 of the 2003 Act, the licensing authority's area is the area for which the authority acts.
Licence Objectives	Under section 4 of the 2003 Act the Licensing Authority must promote the following 4 objectives <ul style="list-style-type: none"><li>• Prevention of crime and disorder</li><li>• Public safety</li><li>• Prevention of public nuisance</li><li>• Protection of children from harm</li></ul>
Interested Person	A person who lives in the vicinity of the premises A body who represents the persons who live in that vicinity A person involved in a business in that vicinity A body representing businesses in that vicinity An elected member of the council

Relevant Representation	A representation that is specific to the premises in question, related to the four licensing objectives and/or the local licensing policy.
Responsible Authorities	<p>Public bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences, as follows:</p> <ul style="list-style-type: none"> <li>• Licensing Authority</li> <li>• Chief Officer of Police</li> <li>• London Fire Brigade</li> <li>• Trading Standards</li> <li>• Planning Authority</li> <li>• Public Health</li> <li>• Environmental Enforcement (with respect to Noise)</li> <li>• Children’s Services</li> <li>• Home Office Immigration</li> </ul>

## 11. Report author and contact

11.1. Lisa Hooper, Crime, Enforcement & Regulation Manager,  
[lisa.hooper@lewisham.gov.uk](mailto:lisa.hooper@lewisham.gov.uk), 020 8314 6324.



\* required information

**Section 1 of 21**

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  This is the unique reference for this application generated by the system.

Your reference  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

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

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

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

**Continued from previous page...**

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

BADGERBADGERWILL BEA MULTI-USEPREMISESTHATCHANGESTHROUGHOUTTHEDAY.

THEPREMISESCOMPRISESTWO PRE-EXISTING UNITSSEPARATED BY AN INTERIORWALL. THELEFT HANDSIDEOF THE PREMISES (AS IFONEWASLOOKING AT ITFROM DEPTFORD HIGHSTREET) WILL OPERATEASA MULTI-PURPOSEBAR/ CASUAL DININGVENUE. THERIGHT HANDSIDEOF THEPREMISES AGAIN, ASIFONEWASLOOKING AT ITFROM DEPTFORD

*Continued from previous page...*

HIGH STREET) WILL OPERATE AS A SPECIALIST BOARD GAME AND COMPETITIVE SOCIALISING SHOP AND VENUE. PLEASE REFER TO THE PLANS OF THE PREMISES SUBMITTED WITH THIS APPLICATION FOR MORE DETAILS.

DURING THE DAY TIME THESE SEATING IN THE PREMISES WILL BE ABLE TO BE USED BY ITINERANT WORKERS AS WELL AS CUSTOMERS ENJOYING FOOD & DRINK

IN THE EARLY EVENING THE FOCUS WILL BE ON FOOD & DRINK WITH A CAREFULLY CURATED JAPANESE MENU AND YAKITORI GRILL

LATER IN THE EVENING THE PREMISES WILL OPERATE AS A BAR. FOOD WILL CONTINUE TO BE AVAILABLE UNTIL APPROXIMATELY 11 PM

THE PREMISES WILL BE HIGHLY COMMUNITY FOCUSED AND THE APPLICANT INTENDS FOR IT TO BECOME A BASE FOR NUMEROUS COMMUNITY GROUPS - BOARD GAME APPRECIATION CLUBS, BOOK CLUBS ETC.

THE APPLICANT WILL ALSO BE WORKING WITH LOCAL ARTISTS TO SHOW CASE THEIR ARTWORK.

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

#### Section 6 of 21

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

#### Section 7 of 21

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing live music?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors  Outdoors  Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State 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.

PERFORMANCES OF LIVE MUSIC FOR CUSTOMERS AT THE VENUE

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

FROM THE END OF PERMITTED HOURSON NEW YEAR'S EVE TO THE START OF PERMITTED HOURSON NEW YEAR'S DAY

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start   
Start

End   
End

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.

TUESDAY

Start   
Start

End   
End

WEDNESDAY

Start   
Start

End   
End

THURSDAY

Start   
Start

End   
End

FRIDAY

Start   
Start

End   
End

SATURDAY

Start   
Start

End   
End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Indoors       Outdoors       Both

State 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.

PERFORMANCES OF RECORDED MUSIC FOR CUSTOMERS AT THE PREMISES

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

FROM THE END OF PERMITTED HOUR ON NEW YEAR'S EVE TO THE START OF PERMITTED HOUR ON NEW YEAR'S DAY

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes       No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes       No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Continued from previous page...

### Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

SALES OF HOT FOOD AND HOT DRINKS TO CUSTOMERS AT THE PREMISES UNTIL CLOSE.

FOOD SERVICE WILL BE SUBJECT TO A WIND DOWN PERIOD BEFORE CLOSE

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

FROM THE END OF PERMITTED HOURSON NEW YEAR'S EVE TO THE START OF PERMITTED HOURSON NEW YEAR'S DAY

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

FROM THE END OF PERMITTED HOUR ON NEW YEAR'S EVE TO THE START OF PERMITTED HOUR ON NEW YEAR'S DAY

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="B&amp;NES/17/01763/LAPER"/>
Issuing licensing authority (if known)	<input type="text" value="Bath &amp; North East Somerset Council"/>
	<input type="text"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

FROM THE END OF PERMITTED HOUR ON NEW YEAR'S EVE TO THE START OF PERMITTED HOUR ON NEW YEAR'S DAY

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

1. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
2. From 21:00 until the premises closes to the public there shall be a personal licence holder on duty at the premises.
3. There shall be no admittance, or re-admittance to the premises after 00:30 on Friday and Saturday except for customers permitted to temporarily leave the premises to smoke.
4. Customers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
5. From 23:00 customers Friday and Saturday permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
6. The premises licence holder shall ensure that any customers smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
7. 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.
8. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme.
9. The premises licence holder shall devise, maintain and implement a programme of staff training to cover:
  - a. Underage sales/Challenge 25
  - b. Sale of alcohol to persons who are intoxicated
  - c. Responsible sales of alcohol
  - d. The Licensing Objectives/Conditions of the Premises Licence
  - e. Ask for Angela

b) The prevention of crime and disorder

10. From 21:00 until 30 minutes after the premises closes to the public the premises licence holder will employ a minimum of 2 SIA Licensed Door Supervisors on a Friday and Saturday night.
11. The need for SIA Licensed Door Supervisors on other nights and at other times will be considered on a risk assessed basis and a suitable number of SIA Licensed Door Supervisors engaged as necessary.
12. The premises licence holder shall devise, maintain, and implement a search policy for the premises. A copy of the policy shall be kept at the premises and made available to Responsible Authority Officers on request.
13. The premises licence holder shall devise, maintain, and implement a drugs policy for the premises. A copy of the policy shall be kept at the premises and made available to Responsible Authority Officers on request.
14. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Lewisham Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of a Responsible Authority Officer throughout the entire 31 day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at

*Continued from previous page...*

all times when the premises is open. This staff member must be able to provide a Responsible Authority Officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

16. An incident log shall be kept at the premises, and made available on request to a Responsible Authority Officer. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

17. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
- (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

c) Public safety

18. From 21:00 until the premises closes to the public the premises licence holder shall designate a member of staff as responsible for customer welfare.

19. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

20. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

d) The prevention of public nuisance

21. The premises licence holder shall devise, maintain, and implement a dispersal policy at the premises. A copy of the policy shall be kept at the premises and made available to Responsible Authority Officers on request.

22. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

23. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

24. All windows and external doors shall be kept closed after 21:00 hours except for the immediate access and egress of persons.

25. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

*Continued from previous page...*

26. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

27. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day.

28. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 08:00 on the following day.

29. No deliveries to the premises shall take place between 23:00 and 08:00 on the following day.

30. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

e) The protection of children from harm

31. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

32. Children shall not be permitted on the premises after 21:00 unless attending a private, pre-booked event and in the company of an adult.

## **Section 19 of 21**

### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

### **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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

### **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 birth or adoption certificate issued 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 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.

*Continued from previous page...*

- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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:
    - ⓐ working e.g. employment contract, wage slips, letter from the employer,
    - ⓑ self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - ⓒ studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - ⓓ 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.

**Continued from previous page...**

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

Your right to work 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 this guidance.

**Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

Continued from previous page...

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

## Section 21 of 21

### 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. Please click on link for fees <http://www.lewisham.gov.uk/Business/LicencesAndStreetTrading/AlcoholAndEntertainmentLicences/FeesList.htm>

\* Fee amount (£)

315.00

### DECLARATION

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.

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

Woods Whur 2014 Limited

\* Capacity

Solicitors for the Applicant

\* Date

31 / 03 / 2020  
dd mm yyyy

Add another signatory

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/premises-licence/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.

Continued from previous page...

IT IS AN OFFENCE UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="NOV002-1-1"/>
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](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

To: Licensing  
Subject: Licence application 139-145 Deptford High Street

Dear sir or madam

I write to object to the licence application for Badger Badger at 139-145 Deptford High Street for the sale of alcohol, late night refreshment, live and recorded music. I live [REDACTED]

My objection is in relation to the licensing objective of prevention of public nuisance. The applicant seeks a licence for recorded and live music until midnight on weekdays and 1am Thursday to Saturday. I believe this is unreasonable due to the proximity of residential properties adjacent to the premises, on the opposite side of the road, and to the rear.

Licensing live music until such late hours would cause disturbance to the numerous residential properties that are within metres of the premises. Deptford High Street and the surrounding streets are densely residential and the rights of residents to quiet enjoyment of their homes must be respected.

The building in question is of poor quality construction and it is unlikely that any soundproofing is present, as it has been used for retail until now. It is not known whether the applicant intends to install any soundproofing measures before occupying it. This should be a condition of the licence in order to reduce nuisance to neighbours whatever hours for live music are agreed. It is also not known what internal arrangement the applicant seeks for the premises - it seems from the application that the licence extends across the whole of the site, which up to now has been subdivided into smaller retail units. There is no indication where in the premises the live music would take place, as this could affect the impact of the noise and whether it transferred through party walls to neighbours.

There are currently doors to the front and the rear of the property, and a condition should be applied that these are to be kept closed at all times, ideally with internal lobbies installed to reduce the noise nuisance when patrons enter and leave the premises.

Given the extended opening hours that the applicant seeks, I would also expect that conditions be applied relating to good management during closing and clearing up, to reduce the risk of disturbance to neighbours. anti-social behaviour and public order.

Yours sincerely

**To:** Licensing  
**Subject:** Objection

Dear Sir or Madam,

I am writing with an objection to the license application by Badger Badger at 139-145 Deptford High Street for the sale of alcohol, late night refreshment, live and recorded music. I have lived on [REDACTED] for over 20 years and I believe this application is part of a bigger story in which the reasonable needs of the many residents that occupy Deptford High Street have been neglected by Lewisham Licence Authority during the recent rise in applications for late night premises licences.

My objection to this application relates to the licensing objective of prevention of public nuisance. The applicant has requested a licence for recorded and live music until midnight Sunday to Wednesday, and until 1am Thursday to Saturday with sale of alcohol only deviating from these same hours from Sunday to Wednesday by 30 minutes. If one imagines it taking 30 minutes to consume a drink then the effect will be drinking and music until midnight Sunday to Wednesday and until 1am Thursday to Saturday.

If one considers the high number of residential dwellings in close proximity to the venue (both on Deptford High Street and to the rear of the venue) it is surely obvious that these hours are not suitable as they will conflict with residents' basic need for sleep and therefore, if given, this application will result in Statutory Nuisance taking place, both from the recorded/live music and from punters congregating outside the venue.

As set out in government guidelines, Statutory Nuisance is judged against the ordinary level of noise for the area, and Deptford High Street at night time is a quiet road with ambient noise levels similar to a residential street (It is because of this that so many (2000+ on Deptford High Street alone) have chosen to make their home on Deptford High Street - lively during the day, peaceful at night). From bitter experience I can tell you that the relative quietness of Deptford High Street means that a simple conversation between two people can be very disruptive to sleep, especially if their dialogue is lubricated by alcohol! This relative peace is in contrast to places with large through-roads such as New Cross or Brockley. With the recent issuing of alcohol licenses to 3am, I worry that Lewisham is ignorant of this distinction. If not then it is negligent of this distinction.

Disruption caused by recorded and live music can be seriously debilitating in relation to loss of sleep, especially when you consider the low quality of the building in this case. During the warmer summer months, external doors are likely to be opened, resulting in protracted periods of considerable noise nuisance for residents. And in the cooler months with smokers exiting and re-entering premises, blasts of high level noise will regularly occur.

Please see quote from BBC article on Government review of extended hours after Licensing Act of 2003 which explains that whilst crime may have not increased, it is occurring later in the early hours of the morning.

*Extended drinking hours does **seem to have shifted** violent crime to the early hours of the morning. "Things just went backwards," says Jon Foster, senior research and policy officer*

*for the Institute of Alcohol Studies. "The amount of crime has been spread out over a longer period of time and that causes problems for the police," he adds.*

For these reasons I object to this application and suggest that the requested hours should be reduced to 11pm on weekdays and midnight at the weekend (not including Thursdays). Please remember, people only have one home - it is possible for people to choose where they go for a drink, but it is not possible for people to choose where they sleep.

Yours sincerely,

To: Licensing  
Subject: Badger Badger - Deptford High Street

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 1am 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.

Regards,

Dear sir or madam

Licensing application for Badger Badger, 139-145 Deptford High Street, London SE8 3NU

We are writing to submit an objection to the above licence application on behalf of the Deptford Society.

The Deptford Society is the local amenity group covering the Deptford High St and Creekside Conservation Areas.

Our members are long-term residents, business owners and representatives of other interested groups who live and work within the conservation areas and the adjoining streets.

The applicant seeks to operate from 9am until midnight on weekdays and 1am Thursday to Saturday, including the sale of alcohol, and live and recorded music. The applicant is also seeking a licence to stay open all night from New Year's Eve until the start of licensing the following morning (9am).

The Deptford Society objects to this application on the grounds of prevention of public nuisance as we believe the extended hours that are applied for will have an unreasonable impact on those who live on and around the high street. No matter how well managed a licensed premises is, staff cannot influence the behaviour of patrons once they leave the premises and disperse along the high street and adjacent streets. Additionally, by late evening the ambient noise levels in Deptford High Street are particularly low as there is very little traffic; the impact of any noise from boisterous groups making their way home or waiting for taxis will thus be heightened. We believe that having patrons exiting the premises after midnight on weeknights and 1am Thurs-Sat is likely to have a detrimental impact on sleep patterns and quiet enjoyment for the families and other residents who have made the high street their home.

We do not believe that licensing live and recorded music until the same hours is compatible with the environment of the high street, for similar reasons to those mentioned above. Noise levels are typically very high for this form of entertainment and are therefore likely to create prolonged periods of considerable noise nuisance during sleeping hours for the many residents who live adjacent and nearby the premises. Summer months have the potential to be even worse as it is likely that external doors will be opened, especially in this building, which appears to be of poor quality construction. This kind of licence should require the applicant to ensure that the premises has been specifically upgraded to confine and reduce noise levels - with higher levels of soundproofing and internal lobbies to prevent noise nuisance when patrons enter and leave the premises, which can be a frequent occurrence for smokers.

Finally we object to the application for all-night licensing on New Years' Eve, on the grounds of prevention of public nuisance. While extended hours might be appropriate to enable patrons to celebrate for additional time beyond midnight, we do not think all-night licensing is appropriate or necessary.

It is important to understand that Deptford is not just a commercial high street, it is also home to a large residential population ranging from households of singles and couples to larger shared and family households, many of whom are long-term residents. The immediate neighbourhood and side streets which high-street properties adjoin or back on to are also almost exclusively residential. This fact transforms Lewisham Council's responsibility to deliver the licensing objectives since these residents have a legal right, for their health and wellbeing, to protection from statutory noise nuisance, as set out in the Environmental Health Act 1990 - with night-time noise that is likely to disturb sleep being actionable due to its obvious detrimental effects on health and well-being.

These comments reflect our recent response to the council's consultation on its new licensing policy, in which we raised the Deptford Society's concerns about moves to set out 'preferred' hours and to identify Deptford as a 'district hub' for this purpose. We acknowledge that although Deptford may meet this criteria in terms of its concentration of retail, it does not have the same night-time economy, nor the same levels of ambient noise, as other district hubs such as New Cross and hence the suggested hours are inappropriate to the living environment of the high street. The density of residential accommodation on and around the high street means that it can essentially be characterised as a retail street at ground level, with a residential street above. The licensing authority's responsibility is to ensure the new night-time economy operates 'in such a way that reflects the nature of the area within which they are located...'. It also states that the new night-time economy should be provided 'while protecting the quality of life for residents'.

Yours sincerely

## Proposed Conditions for Badger, Badger 139-145 Deptford High Street SE8 3NU

The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

The CCTV must cover all areas of the venue that the public have access to. There should be no obstructions to any internal camera that creates areas that are not wholly covered by CCTV, apart from within toilet cubicles and directly covering men's urinals.

The smoking area must be covered by CCTV that is to the same standards as the internal CCTV system.

The premises shall prominently display signage at all entrances informing customers: -

('All persons entering this premise are liable to be searched. Agreement to search is a condition of entry. If persons do not consent, entry may be refused.)

(All persons entering the premise will produce identification when asked to do so),  
(Police may be called if drugs or weapons are found.)

(CCTV is in operation throughout this premises and is made available to the police.)

(Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.)

('Management reserve the right to refuse entry')

A minimum of 2 SIA registered door staff, of which one (1) must be female and are all employed by an Accredited Contractor Scheme (ACS) registered company. If the premises are to open after 23.00 they must be on duty on Thursday, Friday and Saturday from 21:00hrs until 30 minutes after closing and conducting licensable activities or private event.

Any door staff to be responsible for numbers in smoking area and keeping it within agreed numbers as set out in this licence.

A register should be completed by the DPS/ duty manager/ nominated staff member at the commencement of work by each member of security staff and details recorded should include; full name, SIA badge number, time of commencement and completion of duties. The security operative should then sign their name.

Door staff should wear their identification badge at all times when working at the premises.

Any SIA door staff should make written record of any incidents that happen on the Premises, while they are on duty, including where Police are called upon to attend and investigate any crimes being recorded.

When SIA door staff are on duty All persons entering or re-entering the premises shall be searched by an SIA trained member of staff and monitored by the premises CCTV system.

No more than 10 customers to be allowed outside the front of the premises to smoke or drink at any time.

No customers will be allowed to take drinks outside the premises after 2200hrs.

The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so that there is no public nuisance or obstruction to the public highway, and use barriers if required to ensure public safety or obstruction.

There shall be no admittance or re-admittance to the premises on Thursday, Friday and Saturday after Midnight unless leaving the premises to smoke.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Patrons permitted to temporarily leave and then re-enter the premises (including the smoking area) e.g. to smoke, shall not be permitted to take drinks or containers with them.

No customers shall be permitted to leave the premise with any glass containers. No alcohol to be sold for consumption off the premises.

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

The smoking areas shall be kept clean and well swept to ensure environment and local areas are tidy and litter/ cigarette waste to be disposed of in correct dustbins/ashtrays provided. Door staff/ Staff should ensure compliance and monitoring of smoking areas.

No children under the age of 18 will be permitted on the premises unless accompanied by an adult.

An incident log shall be kept at the premises, and made available on request to an authorized officer of the Council or the Police, which will record the following:

- (a) All crimes reported to the venue
- (b) All ejections of patrons

- (c) Any complaints received
- (d) Any incidents of disorder
- (e) All seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system or searching equipment or scanning equipment
- (g) Any refusal of the sale of alcohol
- (h) Any visit by a relevant authority or emergency service.
- (l) advertise a number for complaints from the public and all complaints to be recorded in the incident book.

A record book of banned individuals shall be held by the SIA registered door supervisors at the front door and will be made available to Police and Council upon request.

The premises shall have a written dispersal policy including addressing parked or stationary vehicles across the outside the front of the premises, and ensuring public footpath is not blocked. All door staff shall be knowledgeable of this policy and able to enforce it.

The license holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. This to encourage dispersal at close of Business.

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 acoustic engineer, as so 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 acoustic engineer and recorded in the incident book.

An appropriately qualified acoustic engineer\* must be engaged to carry out an acoustic report for both sound insulation, egress and dispersal with appropriate recommendations as to how statutory nuisance can be mitigated appropriately. This report will be provided to the relevant licensing officers including the EHO.  
\*defined as a member of the Association of Noise Consultants.

Doors and windows to remain closed after 2100hrs to ensure noise is kept to levels that will not impact the local community.

Management should keep staff records/Immigration checks and ensure all employees have permitted documentation to allow them to Work and reside in the UK. When Police and LA visit staff have to produce suitable Identification when requested to show compliance.