

Decisions taken by the Licensing Committee on Wednesday, 16 June 2021

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

A3	Flower of Kent 135 Lewisham Way, SE14 6QP	<p>IN THE MATTER OF THE VARIATION OF THE PREMISES LICENCE APPLICATION, THE COMMITTEE HAS CONSIDERED ALL THE RELEVANT REPRESENTATIONS MADE BY ALL PARTIES.</p> <p>The Committee has made the following determination with a view to ensuring the promotion of the licensing objectives in accordance with the provisions of the Secretary of state’s guidance and the principles of our licensing policy:</p> <p>With a view to ensuring the promotion of the licensing objectives, in accordance with the provisions of the statutory guidance and the principles of our licensing policy, the application for the variation of the premises licence was REFUSED. However the following amendments to the current licence proposed by the Police and Crime, Enforcement and Regulation Team were agreed:</p> <p><u>Annex 2 - There shall be no admittance or re-admittance to the premises after 00:00 changed to 01:00.</u></p> <p><u>Annex 3 - There shall be no admittance to the premises after midnight on Fridays and Saturdays changed to 01:00.</u></p> <p>Noise Limiter:</p> <p>(a) If officers of the council witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise-limiting device shall be used in relation to all sound amplification equipment used in conjunction with the Premises License.</p>
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		<p>(b) The level of this meter must be set in accordance with required legislation and standards by a qualified sound 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 sound engineer and recorded in the incident book.</p> <p>(c) When musical entertainment is offered at the premises after 23.00 hours, management will ensure regular monitoring in the vicinity of the premises to establish if there is noise breakout from the premises.</p> <p>The Committee agreed that by permitting this change, it would allow the premises to cater to their regular patrons who attend late and allow them to recoup lost revenue as a result of restrictions placed upon the hospitality industry.</p> <p>It was also expected that there would be a reduction in the amount of people loitering around the premises, causing a nuisance to local residents as they will be denied re-entry.</p> <p>At this present time, it was considered necessary to object to any extension of hours for existing licensable activity at this premises, as a way of safeguarding local residents from the possible negative impact.</p> <p>In coming to a determination the Committee considered the following matters:</p> <ol style="list-style-type: none"> 1. Members of the Committee noted the representations made by local residents. This premises is situated in a residential area and the noise created by patrons is affecting the lives of local residents. The re-admittance of patrons encourages groups of people to

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		<p>gather in the local area. The installation of a noise limiter would reduce the level of noise inside the premises but not outside in the surrounding area.</p> <p>2. The Committee also noted residents' concerns about the lack of parking. Although not within the remit of licensing, it affected residents, several of whom had had their cars written off by patrons driving badly and under the influence of alcohol. Traffic had built up in the local area as patrons blocked roads, and emergency services had been unable to navigate through long lines of congested traffic.</p> <p>3. Local residents understood that the hospitality industry had suffered during the pandemic but did not believe that their concerns were being addressed by management. Many residents are working from home and when restrictions are lifted they believe that the nuisance created by the premises could only intensify.</p> <p>4. The Committee noted that the applicant claimed that he had tried to work with residents but that he did not believe the objections they had raised. His patrons had never been involved in fights outside the premises or behaved badly.</p> <p>5. The Committee noted the advice from the Police. P.C Butler said that he had received numerous complaints from residents regarding the Flower of Kent but the hospitality industry had suffered over the past year and should be supported. Along with the Crime, Enforcement and Regulatory Team the amendments to the licence had been recommended in an effort to be fair to all parties.</p> <p>6. Members of the Committee agreed that the amendments to the licence as recommended by the Police and Licensing Officers, would ensure that the four licensing objectives were upheld.</p>

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A4	Tai Kitchen 106 Foxberry Road, London, SE4 2SH	Consideration of this application was postponed until 10 August 2021. (The objection was subsequently withdrawn).
A1		
A2		