

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on WEDNESDAY 9 MARCH 2022 and held remotely at 7.30pm.

Present

Councillor Stamirowski (Chair) Councillor Brown (Vice Chair) Councillors Campbell, Howard, Kalu, and Latouche.

Apologies for absence were received from Councillors Elliott and Wise.

Also Present

Lisa Spall - Crime, Enforcement and Regulations Manager
Jay Kidd-Morton – Lawyer

Smoddy Sharp, 33/33a Dartmouth Road, Forest Hill, London SE23 3HN

Applicant

Marie Robertson – Applicant
Rohan Spencer

Representation

Metropolitan Police

P.C Bobb and P.C Butler.

1. Declarations of Interests

None.

2 Smoddy Sharp, 33/33a Dartmouth Road, Forest Hill, London SE23 3HN

- 2.1 The Chair welcomed all parties to the Licensing Committee. She introduced those present, and outlined the procedure to be followed for the meeting. She then invited the Crime Enforcement and Regulations Manager to introduce the application.

Crime, Enforcement and Regulation Manager

- 2.2 The Crime Enforcement and Regulations (CER) Manager said that members were being asked to consider an application for a Temporary Event Notice (TEN) for Smoddy Sharp, 33/33a Dartmouth Road, Forest Hill, London SE23 3HN. She outlined the application and the current licenced activities. She said that representations had been received from P.C Sam Bobb of the Metropolitan Police in relation to the licensing objective of prevention of Crime and Disorder.

2.3 The CER Manager then outlined the powers available to members when making their decision.

Applicant

2.4 Mr Spencer said that Smoddy Sharp is a male grooming establishment. The business was set up approximately four years ago after he lost a brother to suicide. Then both he and his business partner lost their fathers. They wanted to provide a place where men could relax and address any mental health issues

2.5 Mr Spencer said that when they applied for the TEN, they mistakenly applied to host an event for 200 people. This was amended to 60 people. They did not need to reapply. He was grateful for the advice given by the Police regarding managing a safe event and all the points raised had been addressed. A number of TENs had been held at the premises in the past without any problems.

2.6 The issues raised by Police had been addressed as follows:

- CCTV – This was in working order and photographic evidence had been provided. The monitor had been turned off during the visit from the Police.
- Attendees – Following advice from the Police, the applicant agreed that a smaller number of patrons should attend the event. Approximately 50 people could be managed.
- Noise nuisance – Businesses were on both sides of the premises at the front. There were two residential properties at the back of the building. Management contacted residents when an event was due to take place and residents had their number if they experienced noise nuisance.
- All signage as advised by the Police was displayed and visible.
- Noise levels were kept to a minimum during events because there were no base speakers.
- Eventbrite were managing the event so that numbers attending the party would be controlled.

2.7 Mr Spencer said that all the points of concern raised by the Metropolitan Police had been address and he asked members of the Committee to agree the application.

2.8 Councillor Brown asked for clarification about the event. Mr Spencer said the event to be held was a birthday party. Eventbrite would be managing it and the way by which attendees would be invited. The 90's event had been created by Smoddy Sharp to host the party. The birthday party would have a 90's themed music

2.9 The Chair asked whether attendees would be charged for a ticket to the event. Mr Spencer confirmed that tickets were £7. The organisers were not being charged for hire but wanted to recoup some money for engaging security. Only 13 tickets had been sold so it was not expected that the event would be large.

- 2.10 Councillor Latouche asked what their previous event had been and whether they ever expected 200 patrons. Mr Spencer said that the previous event was a birthday party. Council online forms to apply for TENs had been difficult to complete. He had applied for 200 people as a guide because he had been unsure of the numbers. There had been approximately 50 people at the previous event.
- 2.11 Councillor Latouche asked why Smoddy Sharp had a premises licence to sell alcohol and what services were offered on a day to day basis. Mr Spencer said that they offer a relaxing experience. Many of their clients suffer from stress and they can have a hot towel shave, a manicure or a pedicure. In addition wedding services were offered including a grooming party. During lockdown there were on-line meditation sessions to help people during that difficult time. They also host discussion groups for people with mental health issues.

Representation

- 2.12 P.C Bobb said that the Police were objecting to the application primarily under the licensing objectives of the Prevention of Crime and Disorder, public nuisance and public safety.
- 2.13 On 25 February 2022, P.C Bobb attended the premises and several breaches of the licence were observed. Namely:
- The CCTV was not functioning. It had been turned off because a patron was having a massage in one of the rooms. CCTV is a major requirement in any licenced premises for any crime investigation. The CCTV was working before the end of the visit but there was no footage of previous recordings.
 - The challenge 25 sign was displayed but was obscured. This was displayed correctly before the end of the visit.
 - An incident book could not be found during the visit and had not been seen since December 2021.
 - There were no signs to the smoking area.
 - The original application was for 200 people, it was then changed to 60 people which was still a large number for the premises. Police were concerned that residents along the Dartmouth Road and behind the premises could be subjected to noise nuisance in the early hours of the morning.
 - The event was advertised on Eventbright and members of the public could attend. If the CCTV was not working again, management might not be able to control the event.
- 2.14 Councillor Campbell asked whether the buildings opposite the premises were residential, and how many people the premises could cater for safely. P.C. Bobb said that were residential dwellings above businesses opposite the premises and along the street further down the road and behind the rear garden. He said that the premises could hold 40 patrons safely.
- 2.15 Councillor Campbell asked for clarification about whether members of the public could buy tickets to the event via Eventbright or whether it was restricted to friends

and family of the party. Lisa Spall clarified that the website was open, so anyone could purchase a ticket to the event.

- 2.16 Councillor Howard said that there had been previous licence applications in 2017 and 2019. She asked the Police whether there had been any problems with these events. P.C Bobb did not have any information regarding these events.
- 2.17 Councillor Brown asked for further clarity regarding the licensable activities at the premises. As part of their current licence, they were required to satisfy certain conditions: a fully working CCTV, signage etc. He asked to what extent the premises were licensed but not carrying out licensable activities on a daily basis. He asked whether the premises were expected to maintain all these conditions if they were only holding one or two licensable activities a year. The CER Manager said that when patrons had one of the services offered, manicures and pedicures for example, they would be offered an alcoholic drink. The premises licence had conditions. One of the conditions was that alcohol may only be served if a client had purchased a service at the venue. The premises must adhere to all conditions on the licence. She outlined the added conditions included on the licence.

Conclusion

- 2.18 Mr Spencer said that with regard to the CCTV, the monitor was off when the Police visited and the incident book was found on the day of the visit. They did not have any incidents day to day so there was nothing in the book but he did know what should be done if there was an incident at the premises. He had attended the WAVE event as recommended by the Police and had gained knowledge on many topics including spiking drinks.
- 2.19 Thirteen people had received personal invites to the event. Booking through Eventbrite was very safe. They had the names of all attendees as well as their credit details. Every point raised by the Police had been addressed. He was willing to reduce the numbers attending and ensure that patrons knew where to park. There were businesses on both sides of the premises and any noise would be at street level but all patrons would be in excess of 30 years and smartly dressed.
- 2.20 P.C Bobb said that he appreciated the steps that the applicant had taken to address the number of concerns raised by the Police. However, Eventbrite provided open access to members of the public to attend the event. He did not consider this to be an acceptable event until 3am in a residential area. It would undermine the licensing objectives and could set a precedent for late night events. In addition, P.C Bobb had not seen any footage of CCTV pre recordings which caused serious concern.
- 2.21 The Chair said that a decision letter would be sent out tomorrow. She thanked all parties for their attendance, and they left the meeting.
- 2.22 Members confirmed that they had been present throughout the meeting and had not lost connection.

Exclusion of the Press and Public

RESOLVED that under Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 (A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information:

2. Smoddy Sharp, 33/33a Dartmouth Road, Forest Hill, London SE23 3HN

The following is a summary of the item considered in the closed part of the meeting.

2. Smoddy Sharp, 33/33a Dartmouth Road, Forest Hill, London SE23 3HN

The Temporary Event Notice as applied for, was GRANTED.

The meeting ended at 8.10pm

Chair