



AGENDA

LICENSING COMMITTEE

Date: WEDNESDAY, 13 JULY 2022 at 7.00 pm

Via Microsoft Teams - the public are welcome to observe via the Council's website at <https://lewisham.public-i.tv/core/portal/home>

Enquiries to: Clare Weaser
Telephone: 0208 314 7369 (direct line)
Email: clare.weaser@lewisham.gov.uk

MEMBERS

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

Councillors:

Councillor Susan Wise (Chair)
Councillor Yemisi Anifowose (Vice-Chair)
Councillor Bill Brown
Councillor Stephen Hayes
Councillor Coral Howard
Councillor Edison Huynh
Councillor Mark Jackson
Councillor Eva Kestner
Councillor Liam Shrivastava
Councillor Luke Warner

Members are summoned to attend this meeting

Kim Wright
Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 5 July 2022

ORDER OF BUSINESS – PART 1 AGENDA

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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.



Licensing Committee

Minutes

Date: 13 July 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive

Outline and recommendations

Members are asked to consider the Minutes of the meetings of the Licensing Committee, held on 21 June 2022.

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 21 June 2022 be confirmed and signed as a correct record.

Agenda Item 2



Licensing Committee

Declarations of Interest

Date: 13 July 2022

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Chief Executive

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: J6/Aces Lounge, 199-201 Lewisham Way, SE4 1UY

Date: 13th July 2022

Key decision: No.

Class: Part 1.

Ward(s) affected: Brockley

Contributors: Safer Community Services, Head of Law.

Outline and recommendations

Determination of Review Application - 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 last day for representations was 14th June 2022

This matter must be heard with 20 days from the day after the last day of representations.

1. Summary

1.1. The premises is currently licenced for the follwing activities:

Alcohol

12:00 – 00:00 Monday

12:00 – 00:00 Tuesday

12:00 – 00:00 Wednesday

12:00 – 00:00 Thursday

12:00 – 01:30 Friday

12:00 – 02:00 Saturday

12:00 – 00:30 Sunday

Regulated Entertainment & Late Night Refreshment

23:00 – 00:00 Monday

23:00 – 00:00 Tuesday

23:00 – 00:00 Wednesday

23:00 – 00:00 Thursday

23:00 – 01:30 Friday

23:00 – 02:00 Saturday

23:00 – 00:30 Sunday

Seasonal Variation

Any day proceeding a bank holiday all activities until 03:00am

2. Outline Grounds for Review

- 2.1 An application for a licence review for ACEs Lounge (formerly known as J6 Restaurant) was submitted to the Safer Communities Service by PC Simon Butler of Metropolitan Police on 16th May 2022. The premises are alleged to be undermining the licensing objectives of the prevention of Crime and Disorder, Public Safety & the Prevention of Public Nuisance.
- 2.2 The application for the review was served on all responsible authorities and has been advertised in accordance with Regulation 38; a notice prominently displayed on or near the premises to which the application relates and at the licensing authority premises for a period of 28 consecutive days. The last date for receiving representations was the 14th June 2022.
- 2.3 We have received 12 representations in support of the Police's review from local residents, a representation from local ward Councillor Stephen Penfold and an additional petition, all of which support the Police's case for the licence to be reviewed by the committee.
- 2.4 In addition to this, two representations have also been received from the Local Authorities Safer Communities Service; one from the Anti-Social Behaviour and Statutory Nuisance Team and the other from the Licensing Authority.
- 2.5 The Metropolitan Police are seeking the revocation of the premises licence.

3. Recommendations

- 3.1 After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. In accordance with Section 52 of the Licensing Act 2003, Licensing Committee may;
- 1.) Modify the conditions of the licence (this includes the power to omit or alter existing conditions and add new conditions)
 - 2.) Exclude a licensable activity from the scope of the licence
 - 3.) Remove the designated premises supervisor
 - 4.) Suspend the licence for a period not exceeding three months
 - 5.) Revoke the licence
 - 6.) Take no action if it is considered that no steps are necessary for the promotion of the licensing objectives

4. Policy Context

- 4.1. 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
- 4.2. Members should also have regard to the Licensing Authority's Statement Licensing Policy 2020-25.
- 4.3. Decisions made will link in with the following objectives under the Council's Corporate Strategy – Building an Inclusive Local Economy and Building Safer Communities.

5. Financial implications

- 5.1. 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.

6. Legal implications

- 6.1 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.

6.2 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.

7. Equalities implications

7.1 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.

7.2 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.

7.3 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.

7.4 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.

7.5 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-codes-practice>

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[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>

8. Climate change and environmental implications

8.1. 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.

9. Crime and disorder implications

9.1. Under the Licensing Act 2003, one of the 4 licensing objectives is the Prevention of Crime and Disorder.

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

10. Background papers

10.1. Application for review from Met Police received 16th May 2022.

10.2. Evidence submitted by Police in support of review.

10.3. Representations made by public and Relevant Authorities.

11. 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.

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Term	Definition
Applicant	A person who carries on, or proposes to carry on, a business which involves the use of a premises for licensable activities to which the application relates or, a person who makes an application pursuant to any statutory function discharged by that person relating to those licensable activities, or a person who applies for the grant of a Personal Licence from a Licensing Authority.
Designated Premises Supervisor	The person named on the Premises Licence as being the person with ultimate responsibility for the running of the premises. He or she must hold a Personal Licence. There can only be one Designated Premises Supervisor for each premises.
Licence	An authority to do something.
Licence Objectives	<p>Under section 4 of the 2003 Act the Licensing Authority must promote the following 4 objectives</p> <ul style="list-style-type: none"> • Prevention of crime and disorder • Public safety • Prevention of public nuisance • Protection of children from harm
Licensable Activities	Activities undertaken at premises which require the authority of a Premises Licence, Club Premises Certificate or Temporary Event Notice.
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.
Licensing Committee	A committee of not less than ten and not greater than 15 Council members to which the discharge of the licensing function is delegated by the Council. The whole committee may sit or delegate its responsibility to sub committees consisting of at least three members.

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Term	Definition
Licensing Policy	Document published by the Local Authority detailing how the licensing regime will be delivered at a local level.
Interested Person	<p>A person who lives in the vicinity of the premises</p> <p>A body who represents the persons who live in that vicinity</p> <p>A person involved in a business in that vicinity</p> <p>A body representing businesses in that vicinity</p> <p>An elected member of the council</p>
Mandatory Conditions	Conditions applied to every Premises Licence and Club Premises Certificate.
Premises Licence	A written authorisation from the Licensing Authority allowing a premises to carry out Licensable Activities.
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"> • Licensing Authority • Chief Officer of Police • London Fire Brigade • Trading Standards • Planning Authority • Public Health • Environmental Enforcement (with respect to Noise) • Children’s Services • Home Office Immigration
Review	A review is where any interested party or responsible authority asks the licensing authority to review a premises licence because of a matter arising that is alleged to be undermining one or more of the four licensing objectives. The Committee members may take

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Term	Definition
	such steps at the review as they deem appropriate to promote licensing objectives. This can include amendments to licence terms or revocation of the licence.

12. Report author and contact

- 12.1. Alfene Rhodes, Safer Communities Service Officer - Licensing
alfene.rhodes@lewisham.gov.uk



TOTAL POLICING

Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

[Redacted area]

I Simon Butler PC3501SE
 apply for the review of a _____ of the Licensing Act 2003
 for the premises described in Part 1 below

Postal address of premises or club premises, or if none, ordnance survey map reference or description:
 J6 Restaurant / Aces Lounge

Post town:	Lewisham	Post code: (if known)	SE4 1UY
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Name of premises licence holder or club holding club premises certificate (if known):
 Emmanuel Owoade / Josh

Number of premises licence or club premises certificate (if known):
 PL1255

I am:

		Please tick Yes
1	an individual, body or business which is not a responsible authority (please read guidance note 1 and complete (A) or (B) below)	<input type="checkbox"/>
2	a responsible authority (please complete (C) below)	<input checked="" type="checkbox"/>
3	a member of the club to which this application relates (please complete section (A) below)	<input type="checkbox"/>

PROTECTIVE MARKING

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:						First Names:			
I am 18 years old or over						<input type="checkbox"/>			
Current postal address if different from premises address:									
Post town:					Post code:				
Daytime Tel. No.:					Email: (optional)				

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

Name and Address:	
PC 3501SE Simon Butler 9, Holbeach Road Catford SE6 4TW	
Telephone Number (if any):	07795 801039
Email address: (optional)	Simon.Butler@met.police.uk

		Please tick one or more boxes
1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input checked="" type="checkbox"/>
3	The prevention of public nuisance	<input checked="" type="checkbox"/>
4	The protection of children from harm	<input type="checkbox"/>
Please state the ground(s) for review: (please read guidance note 2)		

PROTECTIVE MARKING

I appeal as grounds for Reviewing the Licence under The Prevention of Crime and Disorder, Protection of Public Safety and Prevention of Public Nuisance.

I relate my findings after visiting the Premises having found serious Failings and Breaches to Licensing Conditions on Annex 2, on a recent visit. They relate to Breaches found and even after engaging with Premises and finding that consistent Breaches being found and when using the stepped approach in order to advise and educate the Licence Holder and still consistently finding Breaches and promises that are not being met. There is a loss of trust between Police and Premises Management in being able to run a responsible business that is having a massive impact on the Community around it and finding Failings under Preventions of Crime and Disorder. This in turn is also leading to the public being put at risk and safety to customers using the premises.

Systematic failings to control the premises leads to failings put at risk Licensing Objectives.

Please provide as much information as possible to support the application: (please read guidance note 3)

PROTECTIVE MARKING

Please refer to Statement provided and relating to Incident and History with Premises.

(Please tick yes)

PROTECTIVE MARKING

Day Month Year

If yes, please state the date of that application:

If you have made representations before relating to this premises please state what they were and when you made them:

No

PROTECTIVE MARKING

	Please tick Yes
I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5) If signing on behalf of the applicant please state in what capacity.

Signature: *M. L. S. Butler* Date: 10/05/2022

Capacity: Police Licensing Officer.

Post town: _____ Post code: _____

Telephone Number (if any): _____

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional): _____

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Retention Period 7 years
MP 321/12



Notification of alleged offences under the Licensing Act 2003

Venue Name: Aces Lounge / 56 REF: (CAD/CRIS etc.)

Address: 199-201 Lewisham Way SE4 1UY

Date: 28/4/22 Time: 1220

Details of person in charge at the relevant time: Josh Owade

DPS Personal Licence Holder

Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No)
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No)
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No)
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:
 CCTV time out by 36 mins. Shooting took place at club on 23/4/22 @ 0300hrs. Compliance completed inside club after Concern over Breach of hours. Found No Dispersal Policy at all, Door Staff not encouraging Dispersal to take place Causing massive ASB. Not training Log for staff. No first Aider certified on site, no Staff records last 12 Months CCTV Hard Drive Seized to Download.

Issuing officer: Pc 35056 J. B. R. Print: S. BURGER.

I acknowledge receipt of this form: (venue) Josh Owade.

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001



LICENSING TEAM
9 Holbeach Road
London
SE6 4TW

Safer Communities Service
9 Holbeach Road
Catford
London SE6 4TW

SaferCommunities@lewisham.gov.uk

Date 14th June 2022

Dear Licensing Team,

**RE: Representation to Review Application
Ace Lounge (Formerly J6 Restaurant) – 199-201 Lewisham Way, London SE4 1UY.**

The Anti-social Behaviour and Statutory Nuisance Team within the Safer Communities Service, is aware that a review of the premises licence for Ace Lounge (formerly J6) of 199-201 Lewisham Way SE4 1UY, has been sought by the Metropolitan Police under the following grounds;

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance

The review has been requested following an incident on 23rd April 2022, when a shooting occurred and resulted in a patron being injured while leaving the premises.

During the course of the Police's investigation it was established that the incident is not connected to the premises. However, it has also been established that the premises was operating outside of their permitted hours, which in turn resulted in the late dispersal of patrons who were then present when the incident occurred.

Upon reviewing our records for the last 15 months, the ASB Team have not had much involvement with the premises due to a lack of reports made directly to our Service.

We are aware that the Police were looking into a report made by a member of the public regarding a fight near the premises on 14th March 2021. Although the premises was closed at that time due to the lockdown, we are aware that the licence holder cooperated with Police and provided CCTV footage to assist them with their investigation and confirm that the premises was not involved.

On 20th September 2021, officers attended a meeting with local residents, Lewisham Council's Environmental Crime Team and a local ward Cllr regarding Lucas Street. During this meeting a range of concerns were raised, some allegedly linked to the premises. Residents at the meeting were informed that without the reports and evidence, action could not be taken.

Nonetheless, the premises was subjected to ongoing monitoring by this Service during our out of hour's noise provision.

On 15th October 2021 my colleague Richard Lockett and I attended the premises to ensure that they did not exceed their hours following the objection made by the Police to their Temporary Event Notice.

While at the location we observed the following concerns that the premises should have acted upon;

- Patrons consuming alcohol bought elsewhere before entering the premises.
- Patron permitted to leave to smoke where congregating around the entrance of the premises, obstructing the pavement.
- Empty bottles left on the ground by the premises entrance.

These concerns were raised to the licence holder and his door supervisors, who immediately started requesting smokers to cross the street to smoke and were clearing up any discarded bottles around the vicinity.

We also observed the following concerns that were not connected to the premises;

- The private car park at the rear of the premises is frequented by individuals who are homeless and have substance misuse needs.
- Abandoned vehicles being used for the purpose of taking drugs
- Groups of males loitering by the park and smoking what is believed to be cannabis.
- Additional cars parking up on Lucas Street to join the males loitering and playing music.

During our visit, none of the males approached the premises to gain entry, they were seen walking past to the off licence to purchase alcohol. When this was brought to the attention of the licence holder, he advised this happens regularly, however he is blamed for the behaviour of people that are not connected to his premises.

Following our observations, a meeting was requested with the licence holder to discuss our concerns. As a result of that meeting, the attached action plan (FO/1) was implemented for a period of 3 months.

The action plan covered areas raised within the complaints received about the premises, however not witnessed by officers from this Service.

On the 19th November 2021, a visit was conducted to inspect how the premises operated in accordance with the action plan. There were no concerns observed, and the licence holder was encouraged to keep adhering to the plan and report any issues to the Police.

On 21 November 2021, a report was received via email from a local resident detailing the ASB they experience from the premises regularly between midnight and 4am. The resident went on to state that on the 19th into the 20th November 2021, they were affected by issues of noise and disorder. This behaviour was not witnessed by officers during their visit.

I have been unable to secure contact with the resident to discuss their report and my observations.

Following a series of out of hour's visits and observation of the premises, the action plan was not extended as the Service did not possess evidence to justify such measure.

There has been a range of concerns raised surrounding the premises from people taking drugs to noise disturbance. This Service has been unable to confirm that the premises is the source of all the concerns, due to the other issues listed above that were observed taking place within area.

Notwithstanding the above, concerns have been observed regarding the licence holder's ability to manage the premises, In light of the most recent breach of their premises licence, I am of the view that the following actions and measures are required to safeguard key licencing objectives;

Recommendations

- Removal of the Designated Premises Supervisor.
- The premises licence to be suspended until an appropriate DPS has been found and added to the licence (following vetting of the application by the Police).

- The times for the sale of alcohol to change for the following days:

12:00 – 00:30 Friday

12:00 – 00:30 Saturday

12:00 – 23:30 Sunday

The times for Monday – Thursday to remain the same.

- The times for regulated entertainment to change for the following days:

23:00 – 00:30 Friday

23:00 – 00:30 Saturday

23:00 – 23:30 Sunday

The times for Monday – Thursday to remain the same.

- The removal of the seasonal variation

In addition of the above actions, we would like to see the following conditions added to the premises licence:

- All door supervisors must be employed from a company approved and accredited by the SIA.
- No patron under the age of 21 is to be allowed on the premises.
- A computer based identification entry system (ID scan system) shall be installed and maintained to the satisfaction of the Police.
- When the premises is open beyond midnight all persons (including promoters and DJ'S and staff) entering the premises after 22:00 hrs and when the premises are conducting licensable activities must have their personal details recorded by the ID Scan system. This condition applies whether the premises are open to the public or in use for a private event.
- The ID Scanner must record a visual image of the person producing identification, an image of that identification, and the time of entry. This information must be made available to police or any authorised Officer of the Council on request.
- In the event of a system malfunction, action must be taken immediately to rectify the fault.
- Any person wishing to re-enter the premises after leaving (for whatever reason) shall be subject to these Entry and ID Scan conditions.

These measures are considered proportionate, as this Service has exhausted all advice and guidance that can be provided to premises.

Should the Committee agree with the above recommendations, it will equip the establishment better in taking a proactive approach to sustaining their business and mitigating further concerns around their ability to safeguard licensing objectives.

Yours Sincerely

F. Olaniran

Frank Olaniran

Safer Communities Senior Officer

Anti-Social Behaviour and Statutory Nuisance

Safer Communities Service



Action Plan

Ace Lounge (Formerly J6 Restaurant: 199-201 Lewisham Way, London, SE4 1UY)

Following our meeting on 18th October 2021. It was brought to your attention several concerns reported to The Crime, Enforcement and Regulation Service (the Licensing Authority) and the Police regarding anti-social behaviour and alleged unlicensed activity at the premise.

As a means of ensuring the premise's ability to promote key licensing objectives, it is jointly agreed that the below action plan is implemented with immediate effect to improve the operation of the premises and prevent enforcement action;

1. The Premises Licence Holder, Josh Owode will undertake an immediate review of all social media accounts referring to 'Ace Lounge as a means of deleting any posts that do not promote licensing objectives and advertise activity outside of the premises licence.
2. The premises will undertake a review of duties imposed on serving door supervisors within two weeks of the action plan being established. This will be evidence via the introduction of Premises Search Policy and will be shared with the local authority before the policy is established, this will address the following measures;
 - Promotional leaflets, tickets and materials posted online promoting events at the premises will widely advertise a 'no search, no entry' stance.
 - A 'no search, no entry' stance will be prominently displayed at the premise's' point of entry.
3. Entry to the premises must be refused to any patron;
 - Observed handling containers of alcohol prior to queuing.
 - Appearing to be intoxicated or under the influence of psychoactive substances.
4. Re-entry to the premises must be refused to any patron;
 - Leaving the premises and observed taking psychoactive substances.
 - Returning having purchased alcohol from another premises.
5. Present door supervision must implement Challenge 25 when attempting to confirm the identity of a patron prior to granting admission.
6. Door supervision must document any refused entries via the appropriate Incident log, providing details as to the reasoning of the refusal.
7. Patrons exiting to smoke, must be encouraged to not to loiter on Lucas Street but directed to smoke on the opposite side of Lewisham Way by the greenery.
8. A documented dispersal policy is to be implemented within two weeks of the action plan being established and is to be shared with The Crime, Enforcement and Regulation Service within this period. It is expected that the aforementioned dispersal policy will address the following measures;
 - Present door supervisors will remain on the outside parts of the premises 30 minutes after licensable activity has ceased. A visible presence of door staff will be evident for the entirety of the duration and will ensure a shared presence on both Lewisham Way and Lucas Street.

- Door supervisors before the end of their shift, are to undertake a final sweep of areas including the private car park behind the premises to ensure patrons are not loitering, discard of any empty bottles safely and quietly. Confirmation of the final sweep are to be recorded via the premises' Incident log. Such details are to be shared with the Licensing Authority and the Police on request.
 - Where patrons fail to vacate the immediate locality of the premise on request, such interaction with the appropriate manager or security will be recorded via the Incident log and will result in such patrons being refused entry at a later date. The premise will be encouraged to inform The Crime, Enforcement and Regulation Service and Licensing Police Officer of any persons having been refused entry to the premise.
 - The manager will ensure that the Police are contacted via 101 to advise of a disruptive congregation and record the details of the call a reference in the incident log.
 - Ten minutes prior to cessation of regulated entertainment the premises will make visible efforts to reduce the volume and bass of music provided as a means of notifying the remaining patrons of an impending closure.
9. In the absence of the Premises Licence Holder or DPS, a duty manager or head of security will routinely patrol Lewisham Way and Lucas Street to assess the level of music emanating from the premise.
10. In the event it is established that the noise is clearly audible on these roads, immediate action is taken to reduce the music levels. This must be entered in the incident log.
11. The premises Licence Holder will meet with The Crime, Enforcement and Regulation Service and Police on a monthly basis throughout the duration of the action plan, to review measures including resident complaints, internal policies as a consequence of the action plan and continued compliance with existing conditions of the premises licence.

It is recommended by both the Licensing Authority and the Police that this action plan will be in place for a period of 3 months.

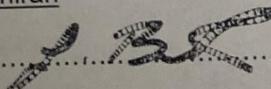
You are advised that implementation of this plan does not stop enforcement action, should there be evidence of a breach of your licence conditions. Enforcement action can be taken before, during and after the agreed time period that this action plan is in place, if the licensing objectives are not met. Such action can include a review of your premises licence.

Signed (Premises Licence Holder) *owok-J* Date *20.10.21*

Print Name *JOSH OWDADE*

Signed (Crime, Enforcement and Regulation Service)..... *F. Olaniran* Date *19/10/2021*

Print Name Frank Olaniran

Signed (Metropolitan Police Service).....  Date *20/10/2021*.....

Print Name ...Simon Butler.....

www.lewisham.gov.uk



Safer Communities Service
9 Holbeach Road
Catford
London SE6 4TW

licensing@lewisham.gov.uk

Date 14th June 2022

Dear Licensing Team,

**RE: Representation to Review Application
Ace Lounge (Formerly J6 Restaurant) – 199-201 Lewisham Way, London SE4 1UY.**

The Licensing Team within the Safer Communities Service, is aware that a review of the premises licence for Ace Lounge (formerly J6) of 199-201 Lewisham Way SE4 1UY, has been sought by the Metropolitan Police under the following grounds;

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance

The review has been requested following an incident on 23rd April 2022, when a shooting occurred and resulted in a patron being injured while leaving the premises.

Licensing Context

Aces Lounge (J6 Restaurant) was licensed in October 2018 and remains currently licensed for the following:

Alcohol

12:00 – 00:00 Monday

12:00 – 00:00 Tuesday

12:00 – 00:00 Wednesday

12:00 – 00:00 Thursday

12:00 – 01:30 Friday

12:00 – 02:00 Saturday

12:00 – 00:30 Sunday

Regulated Entertainment & Late Night Refreshment

23:00 – 00:00 Monday

23:00 – 00:00 Tuesday

23:00 – 00:00 Wednesday

23:00 – 00:00 Thursday

23:00 – 01:30 Friday

23:00 – 02:00 Saturday

23:00 – 00:30 Sunday

Seasonal Variation

Any day proceeding a bank holiday all activities until 03:00am

Action Plan

In October 2021, following reports of anti social behaviour and alleged unlicensed activity, the premises were placed on an Action Plan by the Crime Enforcement and Regulation Team (Licensing Authority).

This action was taken to improve the operation of the premises and ensure that they were upholding the licensing objectives. The action plan remained in place for three months. A copy of this action plan is attached as exhibit RL1.

The action plan covered areas raised within the complaints received about the premises, however no breaches were witnessed by officers from this Service.

Shooting Incident

A meeting was held on the 28th April 2022 at J6 Restaurant with the Premises Licence holder and Designated Premises Supervisor, Josh Owoade. The meeting was arranged following a shooting that had taken place on the street directly outside the premises the week before.

Also in attendance at this meeting were Police officers PC Butler and PC Bobb as well as myself and my colleague Frank Olaniran, the senior ASB officer.

The victim, who had received gunshot injuries, had earlier in the night been a customer inside the premises.

This incident, whilst incredibly serious, **was not related to the premises itself**, and the perpetrators are not known to have any links to the business.

Mr Owoade began the meeting by stating that, on the night of the incident, music was turned off at 0140 and that all patrons were out of the premises by 0210.

Public realm CCTV already obtained by Police showed that a crowd had congregated close to the entrance outside and had remained in place until after 0300, 90 minutes after the time licensable activity should have finished on that night (Friday 22nd April into Saturday 24th April).

Mr Owoade also stated that door staff on the evening finished their shifts at 0230, meaning that they would have finished working and left the scene with a large group still in place, congregated outside.

A check of the premises CCTV gave further cause for concern, as there were clearly sales of alcohol being made and people dancing to music after 0130. On the night in question,

licensable activity should have ceased at 0130. At this point, Mr Owoade confirmed that the night had in fact gone on until 0200 and suggested that he thought the licence covered this.

CCTV also showed that a door supervisor had returned to the scene after the shooting, meaning that he had left the premises with a crowd outside and remained in the area, whilst off duty. The reason for this behaviour is unknown, but it clearly showed that he was not concerned with dispersal, contrary to Annex 3 condition:

When door supervisors are employed all reasonable steps must be made to encourage onward journeys ensure the customers of the premises do not loiter outside. This must be included in the dispersal policy.

The dispersal policy of the premises was not written down and not available to officers on request, in clear breach of Annex 3 condition:

A documented disposal policy must be in place and reviewed annually with the metropolitan police/local authority.

There were no staff training records for officers to view, contrary to Annex 3 condition:

All staff to undergo Licensing training which will be documented and provided to police / licensing authority on request. This training is to be refreshed every 12 months. All new staff must undergo this training before being allowed to sell alcohol.

The CCTV showed the moments preceding, as well as the aftermath of the shooting outside the premises. Police officers seized the hard drive from the premises to pass to their VIDO colleagues to assist in the ongoing investigation.

The timing of the CCTV was not accurate as incidents did not coincide with the times that Police had documented on the night. This in itself is a serious failure to uphold licensing objectives, as it would not be reliable for Police officers responding to incidents, or as evidence in any criminal investigations.

There remains concerns over the capability of the management to run this kind of business, operating out of this premises to the times specified on the licence without having a detrimental impact on the surrounding area. The licence states that the premises is a restaurant, however it is predominantly a late night drinking/dancing establishment which is regularly hired out to promoters.

With this in mind we support the enforcement action taken by the Police in this regard, but recognise that a fundamental change in the premises business model, enforced by conditions, should also prevent further issues.

Our main concerns are the failure of the Designated Premises Supervisor (DPS) to ensure that he is adhering to his licensing hours or moving customers away from the area at closing time. It was clear from our meeting that the licensing conditions and therefore the licensing objectives are not currently being upheld.

The licensing team would therefore make the following recommendations.

Recommendations

- Removal of the Designated Premises Supervisor.
- The premises licence to be suspended until an appropriate DPS has been found and added to the licence (following vetting of the application by the Police).

- The times for the sale of alcohol to change for the following days:

12:00 – 00:30 Friday

12:00 – 00:30 Saturday

12:00 – 23:30 Sunday

The times for Monday – Thursday to remain the same.

- The times for regulated entertainment to change for the following days:

23:00 – 00:30 Friday

23:00 – 00:30 Saturday

23:00 – 23:30 Sunday

The times for Monday – Thursday to remain the same.

- The removal of the seasonal variation

In addition of the above actions, we would like to see the following conditions added to the premises licence:

- All door supervisors must be employed from a company approved and accredited by the SIA.
- No patron under the age of 21 is to be allowed on the premises.
- A computer based identification entry system (ID scan system) shall be installed and maintained to the satisfaction of the Police.
- When the premises is open beyond midnight all persons (including promoters and DJ'S and staff) entering the premises after 22:00 hrs and when the premises are conducting licensable activities must have their personal details recorded by the ID Scan system. This condition applies whether the premises are open to the public or in use for a private event.
- The ID Scanner must record a visual image of the person producing identification, an image of that identification, and the time of entry. This information must be made available to police or any authorised Officer of the Council on request.
- In the event of a system malfunction, action must be taken immediately to rectify the fault.
- Any person wishing to re-enter the premises after leaving (for whatever reason) shall be subject to these Entry and ID Scan conditions.

These measures are considered proportionate, as this Service has exhausted all advice and guidance that can be provided to the premises.

Should the Committee agree with the above recommendations, we believe it will equip the establishment better in taking a proactive approach to sustaining their business whilst mitigating further concerns around their ability to safeguard licensing objectives.

Yours sincerely

Richard Lockett

Safer Communities Senior Officer - Licensing



EXHIBIT: RL1

Action Plan

Ace Lounge (Formerly J6 Restaurant: 199-201 Lewisham Way, London, SE4 1UY

Following our meeting on 18th October 2021. It was brought to your attention several concerns reported to The Crime, Enforcement and Regulation Service (the Licensing Authority) and the Police regarding anti-social behaviour and alleged unlicensed activity at the premise.

As a means of ensuring the premise's ability to promote key licensing objectives, it is jointly agreed that the below action plan is implemented with immediate effect to improve the operation of the premises and prevent enforcement action;

1. The Premises Licence Holder, Josh Owoade will undertake an immediate review of all social media accounts referring to 'Ace Lounge as a means of deleting any posts that do not promote licensing objectives and advertise activity outside of the premises licence.
2. The premises will undertake a review of duties imposed on serving door supervisors within two weeks of the action plan being established. This will be evidence via the introduction of Premises Search Policy and will be shared with the local authority before the policy is established, this will address the following measures;
 - Promotional leaflets, tickets and materials posted online promoting events at the premises will widely advertise a 'no search, no entry' stance.
 - A 'no search, no entry' stance will be prominently displayed at the premise's point of entry.
3. Entry to the premises must be refused to any patron;
 - Observed handling containers of alcohol prior to queuing.
 - Appearing to be intoxicated or under the influence of psychoactive substances.
4. Re-entry to the premises must be refused to any patron;
 - Leaving the premises and observed taking psychoactive substances.
 - Returning having purchased alcohol from another premises.
5. Present door supervision must implement Challenge 25 when attempting to confirm the identity of a patron prior to granting admission.
6. Door supervision must document any refused entries via the appropriate Incident log, providing details as to the reasoning of the refusal.
7. Patrons exiting to smoke, must be encouraged to not to loiter on Lucas Street but directed to smoke on the opposite side of Lewisham Way by the greenery.
8. A documented dispersal policy is to be implemented within two weeks of the action plan being established and is to be shared with The Crime, Enforcement and Regulation Service within this period. It is expected that the aforementioned dispersal policy will address the following measures;
 - Present door supervisors will remain on the outside parts of the premises 30 minutes after licensable activity has ceased. A visible presence of door staff will be evident for the entirety of the duration and will ensure a shared presence on both Lewisham Way and Lucas Street.

- Door supervisors before the end of their shift, are to undertake a final sweep of areas including the private car park behind the premises to ensure patrons are not loitering, discard of any empty bottles safely and quietly. Confirmation of the final sweep are to be recorded via the premises' Incident log. Such details are to be shared with the Licensing Authority and the Police on request.
 - Where patrons fail to vacate the immediate locality of the premise on request, such interaction with the appropriate manager or security will be recorded via the Incident log and will result in such patrons being refused entry at a later date. The premise will be encouraged to inform The Crime, Enforcement and Regulation Service and Licensing Police Officer of any persons having been refused entry to the premise.
 - The manager will ensure that the Police are contacted via 101 to advise of a disruptive congregation and record the details of the call a reference in the incident log.
 - Ten minutes prior to cessation of regulated entertainment the premises will make visible efforts to reduce the volume and bass of music provided as a means of notifying the remaining patrons of an impending closure.
9. In the absence of the Premises Licence Holder or DPS, a duty manager or head of security will routinely patrol Lewisham Way and Lucas Street to assess the level of music emanating from the premise.
 10. In the event it is established that the noise is clearly audible on these roads, immediate action is taken to reduce the music levels. This must be entered in the incident log.
 11. The premises Licence Holder will meet with The Crime, Enforcement and Regulation Service and Police on a monthly basis throughout the duration of the action plan, to review measures including resident complaints, internal policies as a consequence of the action plan and continued compliance with existing conditions of the premises licence.

It is recommended by both the Licensing Authority and the Police that this action plan will be in place for a period of 3 months.

You are advised that implementation of this plan does not stop enforcement action, should there be evidence of a breach of your licence conditions. Enforcement action can be taken before, during and after the agreed time period that this action plan is in place, if the licensing objectives are not met. Such action can include a review of your premises licence.

Signed (Premises Licence Holder) Date.....

Print Name

Signed (Crime, Enforcement and Regulation Service)..... *F. Olaniran* Date 19/10/2021

Print Name Frank Olaniran

Signed (Metropolitan Police Service)..... Date.....

Print Name

Objection 1

J6 Restaurant 199-201 Lewisham Way SE4 1UY - Notice of Application for a Review of Premises Licence

I wish to make a representation regarding the above application, as per the notice that has been posted on the door of the premises known as Ace Lounge, on the corner of Lewisham Way and Lucas Street.

My husband and I have lived nearby for the last few years and have suffered from endless disturbance from the premises in question throughout that time, up until very recently and including during the height of the Covid lockdown, when Ace Lounge shouldn't have been open and encouraging people to gather.

Over and over again customers of this business have woken us and our children in the early hours (after 1am, long after closing time for most local pubs and bars), screaming and carrying on in the street and parking here, there and everywhere and showing not the slightest consideration for residents.

On numerous occasions there have been brawls and altercations. The police have been called upon regularly and multiple people in the local area have made multiple complaints to both the police and the council about both the excessive litter and behaviour of those who patronise the venue.

The licensee of the premises seems to change periodically but the problems remain the same. Their opening hours and the behaviour of their clientele are simply not compatible with a residential area, especially not one with a primary school. The recent stabbing was the final straw.

I would strongly urge that no licence whatsoever be granted to these premises.

Objection 2

Hello

I am writing in regards to the restaurant/ night club by the name of Ace lounge on the corner of Lewisham way and Lucas street.

We are residents on Lucas street and are very concerned about the effects the establishment has on our local community.

We are regularly disturbed at night time by noise coming from people who park on the road and visit ace lounge. Alcohol bottles, cans and other food rubbish being left on the pavement.

This is a residential area with no other night time establishment nearby except for local pubs which close at 11pm.

A night club which ace lounge is, is definitely not appropriate in this family friendly and otherwise quiet area.

In the last few years we have witnessed the aftermath of a stabbing and recently a shooting right outside ace lounge.

I have 3 school aged children, and worry about their safety and the scenes they might be exposed to when passing the area on a Sunday morning.
I also worry about myself walking home later at night and having to worry that there might be a fight on my road.

I hope you will take mine and other residents views into account when deciding whether to grant a new license.

Objection 3

I would like to congratulate and support The Metropolitan Police for calling this licensing review of the premises at 199 Lewisham Way.

The management have consistently and repeatedly shown a total disregard for the safety of their customers and the public by not providing appropriate security or crowd control at the entrance of the 'club'. The name of the establishment has changed several times and used the word 'restaurant' but I am under no illusion that a nightclub is being run there. Before opening large crowds often gather on the junction of Lucas Street and Lewisham Way without any security staff, barriers or queuing system being implemented. I have seen young people spill onto Lewisham Way causing normal motorists to swerve, stop or honk their horns. This is not upholding Public Safety, it is creating danger and a nuisance. This lack of oversight encourages and contributes to a sense of disorder and there is nothing in place to prevent petty crime. When this crime escalated to five shots of gunfire on 23rd April 2022 I was not surprised.

I have been disturbed numerous times by shouting, swearing and fighting outside the venue. I have never seen staff intervene or encourage customers to leave quietly. This raucous noise in the middle of the night constitutes a public nuisance which the management of this establishment do nothing to prevent. They show no regard at all for their neighbors or local residents.

Customers park on residential streets nearby and often stand by their cars smoking, drinking and chatting with their car engines running and stereos playing loudly. This public nuisance is compounded by the cans, bottles and empty cigarette packets found outside my house on a Sunday morning after the club has been open.

The licensee has made no effort to prevent crime and disorder, encourage public safety or prevent public nuisance. There has been no investment made to manage his customers either before or after their time in his premises.

My wife has suggested that I include her observations from the night of the shooting. As a medical professional she left our house just after 3am fully expecting to administer CPR based on the screaming and confusion on Lewisham Way. She asked crying and distressed girls nearby if they were ok and noted that several of the girls appeared to be under the age of 18. The bouncer crossed the road from the club and told my wife and the shocked, shaking girls that it was a car back firing and there was nothing to worry about. My wife is concerned that the licensing objective of 'protecting

children from harm' is being ignored and IDs and ages are not being checked on the door prior to entry.

To conclude I would strongly support the license being revoked completely.

Objection 4

I wish to let you know that I support The Metropolitan Police for the licensing review of the venue at 199 Lewisham Way.

Me and my family gave found this venue to be a dangerous area that we avoid when it's especially open.

We have walked past and seen strange going's on such as what appears to be drug dealing. One early evening my young niece saw a car door open with what looked like someone passed out or what she thought looked dead, not s nice image for a child!

The people who run it appear to have absolutely no disregard for the safety of their young customers and the public by not providing appropriate security or crowd control at the entrance of the 'club'. There always seem to be fights or ties outside keeping locals wanting to avoid the area

My family have numerous times heard shouting, swearing and fighting outside the venue. I have never seen staff intervene or encourage customers to leave quietly.

From my personal observations the club and bouncers are not checking IDs thoroughly and are not concerned about under age youngsters being allowed entry

To conclude I would strongly support the license being revoked completely.

Objection 5

I am writing in regards to the club on 199 Lewisham Way review.

Observing from outside there is often overcrowding, pushing, shoving and loud shouting at the door. There is never sufficient security staff or management so that young people spill onto the main carriageway of Lewisham Way causing the traffic to swerve or stop, which can be very dangerous . There is often screaming, throwing things around, fights break out and with the shooting in April it is simply frightening,

The presence of this club is disruptive , scary and we really do feel unsafe. I was even wary of writing this email for fear of retaliation by the owners of the club

Objection 6

Review J6 199 Lewisham Way

I am writing to address the licensing review of 199 Lewisham Way. As a member of the local community I am troubled by the issues surrounding this establishment. First of all, on Fridays and Saturdays there is a certain level of disorder and disruption that is dangerous on that busy road and negatively affects the other businesses that are adjacent.

There are reports of criminal activity surrounding this business, lax security that allow underage patrons within the property and a general disregard for respectable noise levels in a public space. Large fights and arguments regularly spill from the establishment in question.

So in summary I support the revoking of the licence of 199 Lewisham Way due to their failure as a licensed club to upkeep the basic licensing objectives of 1. The prevention of crime and disorder. 2. Public safety. 3. The prevention of public nuisance and 4. The protection of children from harm!

Objection 7

From: Penfold, Cllr Stephen

Sent: 11 June 2022 11:37

To: Licensing

Cc: Eiles, Cllr Sian; Lahai-Taylor, Cllr Ayesha; Wise, Cllr Susan

Subject: Ace Lounge 199 - 201 Lewisham Way SE4 1UY Premises Licence PL 1255

Dear Sir or Madam,

I am one of the three councillors for Brockley Ward. The Ace Lounge, situated on the corner of Lewisham Way and Lucas Street is within my ward. I was first elected in 2018. The other two councillors for Brockley ward were elected in May 2022 and so I am the only Councillor who was in office during the period relevant to this matter.

The Ace Lounge was, when I was first elected, known as the J6 restaurant. It changed its name a couple years ago.

I believe that the owners are the same and its Facebook page continues to use the J6 name and logo.

The Ace Lounge is a late night entertainment venue. It has various forms of entertainment, parties, strippers and musical acts. I don't particularly have any issue with what goes on within the Ace Lounge providing it is within the terms of their license. I support the night time economy and I strongly believe that people should be able to go out and have a good time and let their hair down. The problem for the Ace Lounge is that it is located in a residential area. This means that the right to have a good time and party has to be offset against the effect it has on the neighbourhood.

The Ace Lounge is either unwilling or unable to do anything to control the behaviour of their customers. This has the effect of making a misery of the lives of the people who live nearby. There is a row of maisonettes above the parade of shops in which the Ace Lounge is situated and there are residential blocks of flats to the north and the east of the Ace Lounge.

The problems occur on a Friday and [Saturday night](#), going into [Saturday](#) and [Sunday morning](#). Customers leave the Ace Lounge between about [1.30am](#) and [3am](#). They make a huge amount of noise in the street, there is; shouting, music blaring from car radios, cars driving off loudly, people urinating on the street and even fighting. People in the maisonettes and other blocks are regularly awoken in the early hours of the morning by this behaviour. There is also a private car park behind the row of shops which the customers of Ace Lounge use, which is right underneath the maisonettes.

I first became aware of Ace Lounge, then J6 Restaurant, in 2019 when constituents raised with me overflowing bins from the restaurant spilling out onto the public highway and waste food, believed to be meat, being thrown in to an area gated off by the restaurant but causing liquid, believed to be

blood, onto the street. I understand that the restaurant was fined as a result of this behaviour.

I first became aware of issues with the behaviour of the Lounge's clientele in 2021. I understand that the issues have gone on for many years, but it was only brought to my attention in 2021. Since that time I have been sent photos and video footages and crime reference numbers evidencing acts of antisocial behaviour by Ace Lounge customers on at least 20 different dates.

I also understand that the Lounge repeatedly opened in contravention of the lockdown regulations, resulting them in being fined.

Matters continued in 2022 and I believe this has been extensively detailed by one of the residents of the maisonettes who has made a submission against the Ace Lounge's licence being reinstated.

Matters finally came to a head on the early morning of 23 April 2022 when a teenage girl was shot in the street next to the Ace Lounge. The involvement of Ace Lounge is unclear, but I understand that the woman had visited Ace Lounge earlier that evening. Certainly, the existence of Ace Lounge and its laissez-faire attitude towards its customers behaviour, encourages and facilitates antisocial behaviour, to a level which is completely unacceptable. In short, without Ace Lounge, none of this would be happening.

There is a balance to be struck between the right of people to have a good time and the right of people to be able to live in peace and quiet. I believe in this case the detriment to the residents living around Ace Lounge is so extreme that it outweighs the right of people to enjoy themselves.

I'm coming to this conclusion, I'm taking into account the fact that this antisocial behaviour has gone on for years, that it occurs most weekends and that the restaurant has been fined and warned and yet has done nothing to rectify the situation

I understand that when deciding whether to grant or refuse a licence, the decision maker has four criteria to consider:

1. Prevention of Crime and Disorder
2. Prevention of Public Nuisance
3. Public Safety
4. Protection of children from harm

I believe that over the last few years the Ace Lounge being licensed has resulted in crime and disorder, there has been public nuisance on an almost industrial scale, and there has been public safety issues. Therefore, after considering this matter and considering all the evidence I ask that Ace Lounge's licence is not reinstated.

Kind regards,

Stephen Penfold

One of 3 Labour Councillors for Brockley Ward

Objection 8

Re: Review of Premises Licence PL 1255 in respect of J6 Restaurant, 199-201 Lewisham Way, London, SE4 1UY (now called Ace Lounge)

I am writing to object to Premises Licence for the J6 restaurant (Ace Lounge). I am aware my objection must promote one of the 3 stated licencing objectives and the ones I base my objection on are:

1. The prevention of crime and disorder
2. The prevention of public nuisance and public safety

I live extremely close to the Ace Lounge. I have lived at my current address for 8 years now and this premises brings nothing but violent crime and anti social behaviour to the area when it is open. I am sure you are well aware of the of the multiple complaints and calls to police over the years regarding the behaviour of the people that attend this premises. Over the years there have been stabbings, countless fights and most recently a young girl was shot!! I have called the police too many times to mention regarding this issues from this premises. I even called several times during lockdown when it was open.

When this club/restaurant is open I know for a fact that I will not get a good nights sleep. I am a disabled resident and on lots of medication which helps me sleep every night except the nights when this premises is open. The people who attend this venue make so much noise from about midnight to 4.30am some mornings when they leave very drunk. They park in the private carpark at the side of my building/bedroom window and in front of my block, so I am surrounded my by their cars from which they blast their music with the doors open, it seems like in competition with each other to see who can play the loudest music with the most base. The behaviour of the people who attend this premises is despicable. they are on the street and in the car park still drinking, taking drugs and urinating all over the place. I cannot continue to live like this every weekend as it is having such a negative effect on my health. I wouldn't even feel safe enough to approach the attendees to ask politely of they could keep the noise down as they are so intimidating in their groups.

The small block I live in has several families with young children and they are all disturbed by the noise every weekend. I have spoken to the manager of this premises and his security staff several times asking them to try to control the noise levels when the venue closes but the security staff have said that it is not their job and that once the people are out of the club they are not their responsibility. The manager of the club can be very aggressive calling me racist and telling me to live somewhere else. So I no longer try to communicate with either of them as I feel intimidated and unsafe. On lots of occasions the management and security have gone home and the attendees are still in the street causing havoc.

When the Ace Lounge is not open this is such a peaceful area to live. We have no issues with noise or violent behaviour outside our homes. I believe with certainty that the patrons of the Ace Lounge are responsible for the anti-social behaviour.

When the club closes and the attendees eventually leave the street they leave such a mess behind of broken bottles, loads of laughing gas canisters and not to mention the stench of urine. Next to my block is a primary school and with all this mess left behind this is not a safe environment for young children to be walking through to go to school on a Monday morning. This causes an issue with public safety and public nuisance.

Based on all the issues that have been raised by myself and other residents in the area I urge the committee to reject this premises licence.

Objection 9

We have received a petition signed by 12 resident

The petition is signed and dated on each page and shows the premises address

Each page states the following:

We, the undersigned occupants of the residential accommodation in the immediate vicinity of the Ace Lounge, 199 – 201 Lewisham Way London SE4 1UY, note that the Ace Lounge has been a cause and hub of anti-social behaviour for many years now. This anti-social behaviour usually occurs in the early hours of a Saturday or Sunday morning, causing us anxiety and depriving us of sleep. The Police have been called and attended on numerous occasions.

Matters came to a head on 23rd April 2022 when at about 3am a young woman was shot in Lucas Street.

We call on the Council to liaise with the Police to apply for a closure order, so that the Ace Lounge is shut down with immediate effect.

Objection 10

I am writing to oppose the (re-)granting of a licence to the Ace Lounge at 199 Lewisham Way.

I live nearby and the premises are a nuisance. They do not take seriously their responsibility to their clients or the wider community, with people often hanging out in the street and spilling out drunk into the middle of a busy road. There is frequently noise and congestion outside as people park their cars illegally outside the premises with the apparent approval of the proprietors. Every weekend the road outside is littered with rubbish, bottles, plastic, that are a public nuisance. The premises have been the site of violence and the risks of crime mean that members of the public are put at risk.

Objection 11

Re: Review of Premises Licence PL 1255 in respect of J6 Restaurant, 199-201 Lewisham Way, London SE4 1UY (now called Ace Lounge).

We are writing to once again object to the possibility of a new Premises Licence for the J6 Restaurant. The basis for this objection is that granting a licence for this premises may not promote one of more of the 3 stated licencing objectives which are: the prevention of crime and disorder, the prevention of public nuisance and public safety.

We are close neighbours of J6 Restaurant, which is now called Ace Lounge. Since moving above this "restaurant" in 2015, there has been a history of violent crime and anti-social behaviour which we have voiced in letters to the Licencing Department

dated 22-11-2016 and more recently 6-8-2018. In 2016, the restaurant was called the Curve Bar. In 2018 the name had been changed to J6 Restaurant and now it is The Ace Lounge.

Each time, the complaints are the same, the restaurant operates as before, and it is only the name which changes.

In the last 2 years alone, we have rung and complained to the police 20 times. The dates and details are at the bottom of this email. Where either G or R is mentioned after the date, it relates to either R or G who have called the police on that occasion.

We are both exhausted by the ongoing situation relating to this premises. The number of incidents shows that management fail to protect public safety while door staff are woefully ineffective in calming down noisy revellers when they leave the restaurant thereby waking up the entire neighbourhood, usually at around 2.30 or 3am on a Friday and Saturday night.

The managers of the venue itself do not seem to care what happens in the immediate area once their patrons have left the premises. In fact, there seems to be a total lack of responsibility on their part or whether they even have the capacity, desire, or willingness to address these types of anti-social behaviour demonstrated by their patrons as they arrive but more so when they leave.

When the Ace Lounge empties out, drunken noisy youths sit in their cars in Lewisham Way in the bus lane with their doors open and music blaring out, honking their horns, shouting, and sometimes fighting. Young women scream and laugh loudly egging these men on. This regularly goes on for around an hour and nearly always wakes us up although we are many floors above the disturbance.

It is worth mentioning that on other nights of the week (when the Ace Lounge is closed), neither we, nor our neighbours, are bothered by any of this type of behaviour, leading to my certainty that it is the patrons of the Ace who are responsible for this anti-social behaviour.

Not only are the patrons noisy and inconsiderate, but they are rather intimidating in their behaviour. and when I am walking home on a weekend evening around 11.30pm, I dread passing the corner of the venue as it feels unsafe for single women to pass as there are often groups of young men loitering rather aggressively.

There have been many incidences where there have been repeated failures to prevent public nuisance. These regular occurrences mean that empty wine and beer bottles are discarded outside the premises.

In the private car park area directly behind the premises, cars park inappropriately blocking access. In this car park also, people urinate (and worse) take drugs and create noise.

Cars are also parked up and down Lucas Street and on Lewisham Way, in the bus lane.

As there are regular tussles, broken beer bottles and laughing gas canisters have been found around the vicinity of the premises.

The laughing gas canisters cause a danger also to the recycling team who are at risk of serious harm if they collect bins with empty canisters inside as these could result in an explosion.

Broken glass obviously poses a serious health hazard to all concerned especially to young children as there is a local primary school nearby in Lucas Vale. There is also a park locally (Friendly gardens) where young children play. Of our immediate neighbours in the maisonettes above the shops where we live, there are families and 5 young children who should not have to grow up around these dangerous conditions. To protect children from harm, the licence must be rejected due to the similarity of the business being operated to previous incarnations.

More seriously, the area around the Ace was cordoned off in April 2022 as it had become a crime scene when a young woman ended up in hospital. The local police can verify as to how many times they have attended and the Licencing Dept can check their own records as to how many reviews have taken place.

We urge the committee to reject this premises licence based on the representations made above. We are happy to discuss this in person if it helps.

Objection 12

We have personally witnessed the following:

- People urinating up against the wall at the top of Lucas Street and just round the corner into the car park.
- Cars parked dangerously up on the pavement and on the red route markings at the top of Lucas Street, or driving onto the pavement (to park) while pedestrians are there.
- Vast amounts of rubbish left in the immediate surroundings the morning after parties there, including laughing gas canisters and broken glass. This is just where primary school children have to pass through.
- The aftermath of the shooting on 23 April which caused considerable anxiety for residents about safety, as well as inconvenience due to the roads being closed afterwards.

Thank you for your consideration.

Objection 13

I would like to congratulate and support The Metropolitan Police for calling this licensing review of the premises at 199 Lewisham Way.

The management have consistently and repeatedly shown a total disregard for the safety of their young customers and the public by not providing appropriate security or crowd control at the entrance of the 'club'. The name of the establishment has changed several times and used the word 'restaurant' but I am under no illusion that a nightclub is being run there. Before opening large crowds often gather on the junction of Lucas Street and Lewisham Way without any security staff, barriers or queuing system being implemented. I have seen young people spill onto Lewisham Way causing normal motorists to swerve, stop or honk their horns. This is not upholding Public Safety, it is

creating danger and a nuisance. This lack of oversight encourages and contributes to a sense of disorder and there is nothing in place to prevent petty crime. When this crime escalated to five shots of gunfire on 23rd April 2022 I was not surprised but deeply worried for my young family trying to sleep nearby.

Early in the morning between 2-4am I have been woken numerous times by shouting, swearing and fighting outside the venue. I have never seen staff intervene or encourage customers to leave quietly. This raucous noise in the middle of the night constitutes a public nuisance which the management of this establishment do nothing to prevent. They show no regard at all for their neighbors or local residents.

Customers park on residential streets nearby and often stand by their cars smoking, drinking and chatting with their cars engines running and stereos playing loudly. This public nuisance is compounded by the cans, bottles and empty cigarette packets that my young daughters find strewn outside our house on a Sunday morning.

The licensee has made no effort to prevent crime and disorder, encourage public safety or prevent public nuisance. There has been no investment made to manage his customers either before or after their time in his premises.

Objection 14



6 June 2022

Angela Mullin-Murrell
Safer Communities Officer
Lewisham Council

Dear Ms. Mullin-Murrell,

I am writing on behalf of St. Peter's Brockley church, in my role as Love Brockley lead and as a representative member on the Brockley Ward Panel.

As a church community we have become aware of some of the anti-social behaviour occurring on Lucas Street and in and around the Tanner's Hill Estate and we have been investing time speaking to residents and other stakeholders in the area. We are also have also formed a group beginning to look at what we can do to positively impact young people in our area, and to have an influence on youth violence in Lewisham.

As such, we would support the Metropolitan Police's review of the premises license for J6 Restaurant at 199-201 Lewisham Way, SE4 1UY. We have been concerned about the influence this premises has been allowed to have on the young people in our community and we would be very interested to see the space used in a way which benefits them instead.

In speaking to the Chair of the Tanner's Hill Residents Association and to a teacher at the Addey and Stanhope school, we understand that there was once a youth club operating in the area but that it had its funding withdrawn. We would love to see there be a provision of a safe and nurturing place in which young people in the area could receive mentoring and support. A shop on the high street would be a wonderful place for something like this to happen.

Thank you for taking our concern into account. We would welcome further discussion on the matter.