



# AGENDA

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## LICENSING COMMITTEE

**Date: TUESDAY, 10 JANUARY 2023 at 7.00 pm**

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

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

### **MEMBERS**

#### **Councillors:**

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

**Members are summoned to attend this meeting**

**Jeremy Chambers**  
**Monitoring Officer**  
**Laurence House**  
**Catford**  
**London SE6 4RU**  
**Date: 30 December 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.



## Licensing Committee

### Minutes

**Date:** 10 January 2023

**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 29 November and 21 December 2022.**

#### Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 29 November and 21 December 2022 be confirmed and signed.

# Public Document Pack

## LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on TUESDAY 29 NOVEMBER 2022 and held remotely at 7.00pm.

### Present

Councillor Wise (Chair), Councillor Anifowose (Vice Chair), Councillors Howard, Huynh, Kestner, Warner

Apologies for absence were received from: Councillors Brown, Hayes, Jackson, Shrivastava

### Also Present

Richard Lockett - Safer Communities Senior Officer  
Angela Mullin-Murrell - Crime Enforcement and Regulations Officer  
Matt Lewin (Counsel) – Legal Advisor  
Claudette Minott – Committee Officer

Silks 177 – 181 Rushey Green Catford SE6 4BD

Applicant - Metropolitan Police

PC Sam Bobb – Police Licensing Officer  
Mark O'Brien O'Reilly – Legal Representative

Respondent

David Dadds – Legal Representative  
Adrian Studd – Witness  
Obiajula Egwenue – Premises Licence Holder (PLH)

## **1. Minutes**

RESOLVED that the minutes of the meetings of the Licensing Committee held on 27 October 2022, 7 November 2022 and 10 November be confirmed as an accurate record, and signed.

## **2. Declarations of Interests**

None.

## **3 Exclusion of the Press and Public**

The Chair advised all parties that the hearing should be held in public.

RESOLVED that the press and public should not be excluded from the hearing for the following item of business:

4. Silks 177 – 181 Rushey Green Catford SE6 4BD

- 4.1 The Chair welcomed all parties to the Licensing Committee. She introduced those present, and outlined the procedure to be followed for the hearing. She then invited the Safer Communities Senior Officer to introduce the application.

Licensing Officer

- 4.2 The Licensing Officer advised that members were being asked to consider an application for a summary review of the premises licence for Silks 177 – 181 Rushey Green Catford SE6 4BD. He outlined the application and said that one representation had been received from interested parties in support of the Applicant.

Legal advisor

- 4.3 Mr Lewin outlined the options open to members of the Committee having considered all the evidence presented to them and when making their decision.

Applicant

- 4.4 The applicant's Legal Representative, Mr O'Brien O'Reilly, was allowed 15 minutes to address the Committee. Mr O'Brien O'Reilly outlined the application history of the premises and the decisions made by the Committee, noting the violent incidents that had occurred on and within close proximity to the premises. Mr O'Brien O'Reilly noted consequent concerns with regard to the Designated Premises Supervisor's (DPS) management of the premises, referencing the closed circuit television (CCTV) footage provided to the Committee. Mr O'Brien O'Reilly recommended that, based on the evidence submitted, the Committee revoke the premises licence.
- 4.5 At this point, Mr Dadds, Legal Representative for the respondent, informed the Committee that he had not received the Applicant's witness statement. Members and Officers searched through their emails and confirmed they had received the Applicant's witness statement and that it had also been sent to Mr Dadds. Mr Dadds located the witness statement and requested a brief adjournment to study its contents. The Chair agreed that Mr Dadds could take 10 minutes to review the Applicant's witness statement.
- 4.6 The meeting was adjourned 7.43pm. The meeting was reconvened at 7.53pm. The reconvened meeting was confirmed as quorate.
- 4.7 Mr O'Brien O'Reilly was allowed to continue to address the Committee. He discussed the evidence submitted as outlined in his report, highlighting what

he saw as the management failings of the Designated Premises Supervisor (DPS), including the CCTV footage provided by the Applicant, the Respondent's clients not calling the police to attend the incident, the allegation of a sexual assault on the premises, the Respondent's clients downplaying the seriousness of the incident, their non-attendance at the meetings and the culmination of incidents.

- 4.8 Mr O'Brien O'Reilly advised it was the Committee's responsibility to ensure that such incidents did not occur in the first instance to protect the public. As such the revocation of the premises licence was the appropriate course of action.
- 4.9 Councillor Kestner asked Mr O'Brien O'Reilly with regard to police support, how the police had engaged with the DPS to offer support.
- 4.10 PC Bobb gave the response on behalf of the Applicant and advised the Committee that the Applicant had engaged with the DPS by requesting improved Security Industry Authority (SIA) licensing, closed circuit television (CCTV), prevention of loitering and that the DPS undertake engagement with the Crime Enforcement and Regulations Officer.

#### Representation

- 4.11 Mr Dadds was allowed 15 minutes to address the Committee on behalf of the respondent.
- 4.12 Mr Dadds advised the Committee that he would take 10 minutes to address Members and then hand over to the Independent Witness, who would use the remaining 5 minutes to provide an overview of the evidence provided.
- 4.13 Mr Dadds informed the Committee that he had requested that this hearing had been a physical meeting, as opposed to remote, noting the review was now subject to an appeal.
- 4.14 Mr Dadds advised the Committee that no papers regarding previous decisions in relation to the Silks' premises licence had been provided to the Committee, no counter evidence was provided by the Applicant, nor was a plan initiated by the Applicant to deal with the issues alleged on the premises.
- 4.15 Mr Dadds also noted that the Applicant did not seize the CCTV footage of the incident from the premises, nor visit the premises at the time of the incident or after.
- 4.16 Mr Dadds advised the Committee that the College of Policing procedure would require that the Applicant identify the alleged victim of the incident under consideration, gather evidence and/or witness statements, take the CCTV footage from the premises for review and use the Club Scan system. None of these actions had been undertaken by the Applicant.

- 4.17 The Committee were informed by Mr Dadds that the CCTV footage conveyed the increased number of security staff on the premises, who intervened to stop the incident, the ratio of security staff to patrons was appropriate.
- 4.18 Mr Studd, a Witness, then addressed the Committee and clarified that he did not represent the Respondent nor his clients (Silks).
- 4.19 Mr Studd informed the Committee that he reviewed the evidence and could see where the Applicant was required to provide support to the premises, but had failed to do so on several occasions.
- 4.20 Mr Studd supported Mr Dadds' statement, noting the failures of the Applicant, including the Applicant's failure to attend an incident that they alleged was classified as "serious crime and disorder".
- 4.21 The Committee was advised by Mr Studd that the Applicant's responsibility was to provide support to the premises, such as the management of loitering outside the establishment, not to request the security staff employed by the premises do so.
- 4.22 The Committee was informed by Mr Studd that there was also concern with the large, un-redacted 107 page witness statement report provided by the Applicant, which it was felt illustrated contempt for all parties involved in the consideration of the application.
- 4.23 Mr Studd concluded his address by advising the Committee that a balanced approach was required to the consideration of the application and that the premises required the Applicant's support.
- 4.24 Councillor Warner noted that a week after the DPS had been changed, the incident occurred. He enquired:
- how it had happened;
  - whether such incidents could be stopped via the restriction of alcohol on the premises ; and
  - What the solution might be.
- 4.25 Mr Dadds advised the Committee that incidents that the DPS had managed were seen in a positive light. He noted that incidents do occur at licensed premises and informed the Committee that 14 doormen and 2 stewards were employed on the premises. It was advised that the DPS would continue to review security measures. Mr Dadds stated that all recommendations made in the Applicant's review of the premises, had been undertaken, except the reduction of the establishments hours of operation.
- 4.26 Councillor Warner enquired whether a reduction in the establishments' hours of operation would help with regard to security.
- 4.27 Mr Dadds advised that the security to the incident was appropriate and a review was required of the frequency and occurrences of incidents on the

premises, hence the expectation of engagement with the Applicant. In addition the use of Club Scan was expected to be used by the Applicant as a mitigation measure to assist the Respondents clients' tackle crime in order to keep customers safer.

- 4.28 Mr Dadds informed the Committee that the DPS' reaction to the incident under consideration had been fast with regard to calling the police and first aid administration to the patrons involved.
- 4.29 Mr Dadds stated the intention of the DPS was to minimise the frequency of incidents on the premises via partnership with the Applicant.
- 4.30 Councillor Kestner stated that there was a need for partnership and support between the Applicant and the Respondent's clients, in order to reach licensing objectives. Councillor Kestner enquired about what steps needed to be taken to achieve this.
- 4.31 Mr Dadds informed the Committee that the requirement was, with regard to each incident, for the Applicant to highlight issues with the premises and offer solutions. Examples given included a parked car near to the premises or sharing intelligence about known individuals.
- 4.32 Mr Dadds advised the Committee that the required Crime Reporting Information System (CRIS) report had not been provided for any of the incidents that occurred on the premises.
- 4.33 Mr Dadds informed the Committee that steps had been taken with the number security doubled, the addition of 2 stewards and increased first aid provision. Mr Dadds also stated that the DPS were willing to work with the Applicant.
- 4.34 The Chair requested clarification with regard to:
- The number of doormen and stewards on the premises.
- 4.35 Mr Dadds provided clarification that there were 14 doormen and 2 stewards, stating the ratio of security to patrons was 1:25.

#### Closing arguments

- 4.36 Mr O'Brien O'Reilly drew the Committee's attention to the meetings' agenda pack that detailed the DPS' management approach.
- 4.37 Mr O'Brien O'Reilly gave an overview of the evidence provided and discussed the review carried out by Mr Studd, which noted that some fault lay with the premises licence holder.
- 4.38 Mr O'Brien O'Reilly advised the Committee there was a lack of suggestions as to what the Applicant should have done differently.

- 4.39 Mr O'Brien O'Reilly recounted the viewed images of the CCTV footage, the frequency of incidents at the establishment and the seriousness of the incident in October 2022.
- 4.40 Mr O'Brien O'Reilly reiterated that the appropriate course of action would be the revocation of the premises license, due to the incidents cited and that the onus was on the Applicant to manage the security of the establishment.
- 4.41 Mr Dadds stated that open communication, collaboration between the Applicant and his client was important.
- 4.42 Mr Dadds reiterated his observations that the Applicant had not taken any action with regard to gathering evidence to support the incident that had occurred since the last incident they brought before the Committee and no arrests had been made.
- 4.43 Mr Dadds advised the Committee that the Applicant had decided to take the opportunity to close the premises, because their application to have the premises license revoked had been challenged.
- 4.44 The Committee was informed by Mr Dadds that the incident was not as serious as described by the Applicant and was dealt with robustly by the DPS. He questioned why, if it were serious, had it not been investigated by the Applicant?
- 4.45 Mr Dadds also noted that the local authority did not join the review and requested that the Committee not be biased against his client and allow the appeal to be heard in court.
- 4.46 Mr Dadds suggested that perhaps the slight reduction in the premises hours of operation could be applied, as all the other steps requested by the Applicant in their review had been undertaken.
- 4.47 The Chair concluded the Part 1 proceedings of the meeting by seeking confirmation that all Members had been present throughout the submissions and heard all evidence. Members confirmed this.
- 4.49 The Legal Representative advised that consideration and a decision with regard to the interim steps would also form part of the final decision. The final decision would be supplied the next working day to the Respondent's client.
- 4.50 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:

4.51 Silks 177 – 181 Rushey Green Catford SE6 4BD

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

4.52 The Committee Members, Officers, the Applicant and Respondent watched a video CCTV recording of an incident that took place outside of the premises under consideration at the meeting that was underway.

4.53 Decision:

RESOLVED

(1) That the conditions of the premises licence be modified as follows:

- (a) the opening hours of the premises shall be 11.00-01.00 Monday- Sunday;
- (b) plays, live music, recorded music, late night refreshment and alcohol for consumption on/off the premises shall all cease by 00.00 Monday- Sunday;
- (c) no seasonal variations.

(2) That a further condition will be added to the licence as follows:

- (a) the PLH shall adopt and implement a policy for managing the dispersal of customers leaving the Premises by 16 December 2022.

(3) That the interim step of suspension is replaced by the above modifications to the premises licence.

The meeting ended at 8.54 pm



## Licensing Committee

### Declarations of Interest

**Date:** 10 January 2023

**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).



## Licensing Committee

### **Report title: 16 Hatcham Park Road, London, SE14 5QD**

**Date:** 10 January 2023

**Key decision:** No.

**Class:** Part 1.

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

**Contributors:** Community Services – Safer Communities Service

### **Outline and recommendations**

Determination of New Premises Licence Application submitted by Mr Dean Ekaragha for the premises at 16 Hatcham Park Road, London, SE14.

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

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

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

The last day for representations was 15th December 2022.

## **1. Summary**

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

### **1.2. Particulars of Application**

The application proposes the following activities:

Supply of Alcohol for consumption OFF the premises (delivery only)  
19:00 – 03:00 Monday

19:00 – 03:00 Tuesday  
19:00 – 03:00 Wednesday  
19:00 – 03:00 Thursday  
19:00 – 03:00 Friday  
19:00 – 03:00 Saturday  
19:00 – 03:00 Sunday

Late Night Refreshment (delivery only)

23:00 – 03:00 Monday  
23:00 – 03:00 Tuesday  
23:00 – 03:00 Wednesday  
23:00 – 03:00 Thursday  
23:00 – 03:00 Friday  
23:00 – 03:00 Saturday  
23:00 – 03:00 Sunday

- 1.3. Two representations have been received, from the Metropolitan Police as well as the premises landlord on the grounds of the prevention of public nuisance.
- 1.4. The representations received have been examined by Officers and are not considered to be vexatious or frivolous. The representations were received within the specified time.
- 1.5. Conditions have been suggested by the Licensing Authority and accepted by the applicant.

## **2. Recommendations**

- 2.1 After having regard to all the representations heard, Members must take such steps as they consider appropriate to promote the prevention of crime and disorder and public nuisance. The steps available to the Licensing Authority:
  - 1.) Grant the new premises licence as applied for,
  - 2.) Grant the licence subject to conditions modified to such extent as the authority considers appropriate for the promotion of the licensing objectives
  - 3.) Exclude from the scope of the licence any of the licensable activities to which the application relates;
  - 4.) Refuse to specify a person in the licence as the designated premises supervisor;
  - 5.) Refuse to grant the application.
- 2.2 Either party has a right of appeal to the Magistrates Court against a decision which should be submitted to the court within 21 days of the date of the decision letter.

## **3. Policy Context**

- 3.1. Decisions by Members of the Licensing Committee should have regard to the Licensing Act 2003 and the promotion of the four Licensing Objectives at all times, which includes the following:
  - Protection of Children from Harm
  - Prevention of Crime and Disorder
  - Prevention of Public Nuisance
  - Public Safety
- 3.2. Members should also have regard to the Licensing Authority's Statement of Licensing Policy 2020-25.

- 3.3. Decisions made will link in with the following objectives under the Council's Corporate Strategy – Building an Inclusive Local Economy and Building Safer Communities.

## **4. Financial implications**

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

## **5. Legal implications**

- 5.1 The Licensing Authority is a public authority under the Human Rights Act 1998. Therefore the licensing authority is required to act compatibly with the convention rights in the exercise of their functions. Article 6 (1) of the Convention provides that everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial hearing established by law.
- 5.2 A Premises Licence is a possession for the purpose of the Human Rights Act 1998. The right to hold a licence is a qualified rather than an absolute right. Therefore the right to hold a licence may be interfered with if it affects the interests of local residents or others. Such interference may be justified if it is necessary and proportionate to promote the licensing objectives.

## **6. Equalities implications**

- 6.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 6.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.
- 6.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 6.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to

Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

6.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

6.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

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

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

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

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

8.2. 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.

## **9. Background papers**

9.1. Application received 17th November 2022.

9.2. Representation from Met Police.

9.3. Representation from landlord (One Housing)

9.4. Conditions agreed between local authority and applicant.

## 10. Glossary

Term	Definition
Appeal	asking a court to overturn a lower court's decision. If the decision of a court is disputed it may be possible to ask a higher court to consider the case again by lodging an appeal.
Licence	an authority to do something.
Licensee	the holder of a licence to do something.
Licensing Authority	The Council (London Borough of Lewisham) Under section 3 of the 2003 Act, the licensing authority's area is the area for which the authority acts.
Licence Objectives	Under section 4 of the 2003 Act the Licensing Authority must promote the following 4 objectives <ul style="list-style-type: none"> <li>• Prevention of crime and disorder</li> <li>• Public safety</li> <li>• Prevention of public nuisance</li> <li>• Protection of children from harm</li> </ul>
Interested Person	A person who lives in the vicinity of the premises A body who represents the persons who live in that vicinity A person involved in a business in that vicinity A body representing businesses in that vicinity An elected member of the council
Relevant Representation	A representation that is specific to the premises in question, related to the four licensing objectives and/or the local licensing policy.
Responsible Authorities	Public bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences, as follows: <ul style="list-style-type: none"> <li>• Licensing Authority</li> <li>• Chief Officer of Police</li> <li>• London Fire Brigade</li> <li>• Trading Standards</li> <li>• Planning Authority</li> <li>• Public Health</li> <li>• Environmental Enforcement (with respect to Noise)</li> </ul>

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	<ul style="list-style-type: none"><li>• Children’s Services</li><li>• Home Office Immigration</li></ul>
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## 11. Report author and contact

- 11.1. Richard Lockett, Senior Safer Communities Service Officer for Licensing  
richard.lockett@lewisham.gov.uk.



\* required information

**Section 1 of 21**

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Your reference

Dean Ekragaha

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

[Redacted]

\* Family name

[Redacted]

\* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Empty field]

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

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

* Building number or name	16
* Street	hatcham park road
District	
* City or town	london
County or administrative area	
* Postcode	se145qd
* Country	United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	16
Street	hatcham park road
District	
City or town	london
County or administrative area	
Postcode	se145qd
Country	United Kingdom

**Further Details**

Telephone number	
Non-domestic rateable value of premises (£)	

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

#### Confirm The Following

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

### Section 4 of 21

#### INDIVIDUAL APPLICANT DETAILS

##### Applicant Name

Is the name the same as (or similar to) the details given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes                       No

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text" value="16"/>
Street	<input type="text" value="hatcham park road"/>
District	<input type="text"/>
City or town	<input type="text" value="london"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="se145qd"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="dd mm yyyy"/>
* Nationality	<input type="text" value="united Kingdom"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK

Right to work share code if not submitting scanned documents

Add another applicant

## Section 5 of 21

### OPERATING SCHEDULE

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

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

Provide a general description of the premises

**Continued from previous page...**

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

The premises is a house. the public will not be attending the premises at anytime as this is a online delivery service business only. The premises will only be used to stock alcohol and refreshments. The business will be promoted on uber eats, just eats and social media.

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

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes  No

**Section 13 of 21**

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

See guidance on regulated entertainment

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

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 19:00

End 03:00

Start

End

SUNDAY

Start 19:00

End 03:00

Start

End

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

- Indoors       Outdoors       Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

There will be no music playing or any other activities going on in the premises. the business is an online business and the premises will only be used to dispatch refreshments ordered online to be delivered to the customers location.

State any seasonal variations

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

The premises will be in the same location throughout all seasons

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

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

The times will remain the same regardless of any holidays or celebrations in the year

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes       No

**Standard Days And Timings**

Continued from previous page...

MONDAY

Start 19:00

End 03:00

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start 19:00

End 03:00

Start

End

WEDNESDAY

Start 19:00

End 03:00

Start

End

THURSDAY

Start 19:00

End 03:00

Start

End

FRIDAY

Start 19:00

End 03:00

Start

End

SATURDAY

Start 19:00

End 03:00

Start

End

SUNDAY

Start 19:00

End 03:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

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

State any seasonal variations

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

The business will run at normal time during all seasons

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

**Continued from previous page...**

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

The business will not go on longer for any exceptions

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

**Name**

First name

Family name

Date of birth

dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

**Continued from previous page...**

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

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

There will be no children on the premises

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

**Continued from previous page...**

The premises will never be open to the public. the premises is for dispatch purposes only and will be open same times throughout the year.

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

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

Business will occur same time through the year

## **Section 18 of 21**

### **LICENSING OBJECTIVES**

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

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

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

All staff on the premises and delivering orders during business hours will have undergone training to prevent drunkenness and the sale of alcohol to anyone under age

b) The prevention of crime and disorder

All instances of crime will be reported to the police as soon as reasonably practicable.

c) Public safety

Appropriate fire safety procedures will be in place, including fire alarms and fire blankets.

d) The prevention of public nuisance

All customers will have to have there orders delivered to a responsible location i.e a flat, house. If any customer appears to be drunk, they will not be served.

e) The protection of children from harm

If a customer appears to be under 25, the licensee and staff will ask the customer to produce a photo id eg, a passport, driving license or citizen card showing their date of birth. if customer cannot produce age verification they will not be served. All staff will be for underage sales prevention regularly.

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

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

**Continued from previous page...**

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

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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

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

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

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Please click on link for fees <http://www.lewisham.gov.uk/Business/LicencesAndStreetTrading/AlcoholAndEntertainmentLicences/FeesList.htm>

\* Fee amount (£)

100.00

### DECLARATION

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT. IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM \* DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

[REDACTED]

\* Capacity

owner

\* Date

16 / 11 / 2022  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/lewisham/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >



Lewisham Borough Licensing,  
Holbeach Office,  
9 Holbeach Road,  
Catford,  
London,  
SE6 4TW.

Sam Bobb PC4745SE  
9 Holbeach Road,  
Catford,  
London.  
SE6 4TW.  
Telephone:  
Email: samuel.bobb@met.police.uk  
www.met.police.uk  
Your ref:  
Our ref:  
13<sup>th</sup> December 2022

**16 HATCHAM PARK ROAD, NEW CROSS, LONDON, SE14 5QD**

Dear Mr. Lockett,

Police Licensing would like to object outright to the recent application for a premises licence application submitted by Dean Ekaragha under the Prevention of Public Nuisance Licensing objective. The application is for the premises to be used to store alcoholic drinks and refreshments which would then be sold on-line and delivered from the address between the hours of 1900 – 0300 hours every day.

I thank the applicant for measures they have already identified within their application, though we have the following outstanding concerns:

Public Nuisance – The premises which the applicant is wishing to sell from is the property of One Housing Group Housing Association. It is a house which has been split into a few flats to allow vulnerable adults to develop their independent living. Additionally, it is part of a Supported Housing scheme, used to house those deemed vulnerable. It is a terraced house on a street which has limited parking. Deliveries would require motor vehicles and riders on mopeds to park up, wait for orders to be brought to them at the front door of the shared house before being delivered. Hatcham Park Road is a busy road with limited parking. The noise from the motor vehicles and the noise from people constantly visiting a residential house would be considerable. This would undoubtedly cause the occupants of the rest of the house nuisance, inconvenience and potentially anxiety and worry. In addition to this the residents of the neighbouring houses and others living in the narrow street would suffer from noise nuisance and annoyance with these comings and goings along the street during unsociable hours of the night into the early hours of the morning every day.

Police Licensing are aware that the premises which has been let to the applicant is for residential use only. The terms of the Licence Agreement state that he is not permitted to register or run a business from his room or any other part of this building and that running this or any other business from the premises would be a Breach of the Licence Agreement.

Police Licensing acknowledge that all options are open to committee, but the application for this premises licence cannot be supported by Police. Police Licensing would strongly recommend that this application be denied, but should the applicant wish to reapply Police licensing would be happy to assist in the preparation.

Yours sincerely,

Sam Bobb – South East BCU Police Licensing Officer

Objection received from the Landlord.

I write on behalf of the landlord, One Housing Group regarding an application for a Premises Licence for Room 1, 6 Hatcham Park Road to be used for online sales of alcohol and refreshments.

We strongly object to this application for the following reasons:

- The premises is a Supported Housing scheme, used to house those deemed vulnerable.
- The room let to Dean EKARAGHA is for residential use only.
- Dean EKARAGHA occupies Room 1 on a Licence Agreement and is not permitted to register or run a business from his room or any other part of this building. The Licence Agreement states:

(4) Residential use:

The Scheme and Premises are for your residential use. not run a business from there.

Running this or any other business from the premises would be a Breach of the licence agreement.

I can confirm that One Housing is objecting to this application for a Premises Licence on grounds of Prevention of Public Nuisance.

Conditions produced by Safer Communities Service and agreed by the applicant.

1. The premises shall install security by way of locks and keep any area where the storage or alcohol for sales will be kept. This area must be kept secure at all times and when owners/ staff away from the storage area it is not to be left unattended or unlocked.
2. No customers must visit, purchase or consume alcohol on site or where the alcohol is stored.
3. All staff engaged in sales of alcohol must be trained and a training log must be kept showing the staff selling has been trained. This training must be refreshed every 6 months to ensure staff are current and up to date with training. This must reflect in the staff training log and dated when training was last conducted. DPS/ Personal Licence holder must sign to endorse/ date that training completed.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. The incident log will record the following:
  - (a) All crimes reported to the venue
  - (b) All ejections of patrons
  - (c) Any complaints received, neighbours or customers.
  - (d) Any incidents of disorder
  - (e) Any refusal of the sale of alcohol
  - (f) Any visit by a relevant authority or emergency service.

The time, date and name/description of person should be noted for all the above.

5. The Premises Licence Holder shall ensure all persons have provided satisfactory proof of identification and right to work in UK and have carried out checks on the home office website to verify identification, visa and the right to work documents. These staff records are to be retained for a period of 12 months post termination of employment and made available to Police, Immigration and Local Authority Licensing officer upon request.
6. A proof of age scheme such as Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport, holographically marked PASS scheme identification cards.
7. The seller MUST confirm at the point of sale that all customers purchasing alcohol are over the age of 18 when ordering goods. It is the seller's responsibility to check and verify ID before goods enter the delivery process.
8. The delivery of alcohol will not be made to a person in a public place, such as a street corner, park or bus stop.
9. The delivery of alcohol is ONLY to be made to a residential or business address, where it is evident that the customer works or resides.

10. On delivery, if the customer looks under 18, then a challenge must be made to ensure that the customer can prove age before any goods are handed over to the customer. This is in order that under age sales cannot take place. If a customer is found to be under age, then NO handing over of alcohol must take place, record must be made in the incident / Refusal Book of any such incidents.

11. Any delivery staff must respect the local community and come and go from the premises making as little noise disturbance as possible. All delivery drivers must not leave their engines running whilst waiting for their alcohol/refreshment, orders nor must they congregate on the road outside the premises.

12. The premises must ensure that noise generating activity in relation to the provision of hot food, and noise from deliveries to the premise, takes place between the hours of 8am and 7pm, so as not to cause a disturbance to local residents.

13. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.