



AGENDA

LICENSING COMMITTEE

Date: WEDNESDAY, 24 AUGUST 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 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

Kim Wright
Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 16 August 2022



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

ORDER OF BUSINESS – PART 1 AGENDA

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Licensing Committee

Minutes

Date: 24 August 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 meeting of the Licensing Committee, held on 9 August 2022.

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 9 August 2022 be confirmed and signed.

Agenda Item 2



Licensing Committee

Declarations of Interest

Date: 24 August 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: The Five Bells, 155 New Cross Road, London, SE14 5DJ

Date: 24 August 2022

Key decision: No.

Class: Part 1.

Ward(s) affected: New Cross

Contributors: Community Services – Licensing Authority, Head of Law.

Outline and recommendations

Determination of an application for a variation to a Premises Licence submitted by the Craft Union Pub Company Ltd.

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 1 August 2022.

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

This is an application to vary an existing premises licence

1. Current Licence Status

The premises are currently licensed for the following activities:

1.1 Sale by retail of alcohol for consumption on the premises

10:00 – 23:00 Monday

10:00 – 23:00 Tuesday

10:00 – 23:00 Wednesday

10:00 – 00:30 Thursday

10:00 – 01:30 Friday
10:00 – 01:30 Saturday
12:00 – 22:30 Sunday

1.2 Provision of late night refreshment

23:00 - 00:00 Thursday
23:00 – 01:00 Friday
23:00 – 01:00 Saturday

2. **Application**

2.1 The application to vary the existing premises licence was sent to all the Responsible Authorities.

The application is to add the following activities:

2.2 Regulated Entertainment (Live, Recorded, performances of Dance & anything of a similar description)

10:00 – 23:00 – Monday
10:00 – 23:00 - Tuesday
10:00 – 23:00 - Wednesday
10:00 – 00:30 - Thursday
10:00 – 01:30 - Friday
10:00 – 01:30 - Saturday
12:00 – 22:30 – Sunday

2.4 One representation was received from a resident who lives in the vicinity on the grounds of the prevention of public nuisance. The representation suggests that the premises has been carrying out regulated entertainment for a while and that loud music and congregations of patrons outside have caused a noise nuisance.

2.5 The representation received has been examined by Officers and is not considered to be vexatious or frivolous. The representation was received within the specified time.

2.6 The application for the variation to this premises licence has been advertised in accordance with regulation 25, an advert in a local newspaper and a notice prominently displayed at the premises for a period of 28 consecutive days. The last date for receiving representations was the 1st August 2022.

3. **Outline of objections received**

3.1 The representation from the local resident suggests that the premises has been carrying out regulated entertainment for a while and that loud music and congregations of patrons outside have caused a noise nuisance. If the variation was granted, then it is suggested that any existing problems will be exacerbated and extend into the early hours of the morning.

4. **Legal & Human Rights Implications**

4.1 The Licensing authority is a public body 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.

4.2 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.

5. Equalities Implications

5.1 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.

5.2 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.

5.3 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.

5.4 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 Committee, bearing in mind the issues of relevance and proportionality. The Committee 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.

5.5 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>

- 5.6 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](#)
- 5.7 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>

6. **Application to Vary a Premises Licence**

- 6.1 After having regard to all representations, Members must take such steps as they consider necessary for the promotion of the licensing objectives. The licensing committee may:
- 1.) Modify the conditions of the licence; or
 - 2.) Refuse the whole or part of the application.
- 6.2 An appeal may be made against the decision to the Magistrates Court within 21 days.

Background Papers

<u>Short Title of Document</u>	<u>Date</u>
Application for Variation to Premises Licence	4 th July 2022
Evidence / documents	As dated

Should you require any further information on this report please contact Richard Lockett at Licensing on 020 8314 3389.



Lewisham
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@lewisham.gov.uk
Telephone: 020 8314 7237

* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

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

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business

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

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

43,500

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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

To add regulated entertainment (recorded music, live music, dance and anything of a similar description) to the premises licence Monday to Wednesday 1000 to 2300, Thursday 1000 to 0030, Friday and Saturday 1000 to 0130 and Sunday 1200 to 2230.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes
- No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes
- No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure select 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.

State any seasonal variations for the performance of live music

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

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

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

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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End

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WEDNESDAY

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Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

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Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

State any seasonal variations for playing recorded music.

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

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

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

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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End

Start

End

WEDNESDAY

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THURSDAY

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End

FRIDAY

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SATURDAY

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SUNDAY

Start

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Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

Continued from previous page...

State any seasonal variations for the performance of dance.

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

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed above, list below.

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

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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End

Continued from previous page...

FRIDAY

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End

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SATURDAY

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End

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SUNDAY

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End

Start

End

Provide a description of the type of entertainment that will be provided.

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

State any seasonal variations for entertainment.

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

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

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

Continued from previous page...

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes
- No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes
- No

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ADULT ENTERTAINMENT

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

Provide 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.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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THURSDAY

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End

Continued from previous page...

FRIDAY

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End

SATURDAY

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End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

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

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Continued from previous page...

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.

AS EXISTING PREMISES LICENCE.

b) The prevention of crime and disorder

AS EXISTING PREMISES LICENCE.

c) Public safety

AS EXISTING PREMISES LICENCE.

d) The prevention of public nuisance

AS EXISTING PREMISES LICENCE.

e) The protection of children from harm

AS EXISTING PREMISES LICENCE.

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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 18 of 18

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 go to this link for fees <http://www.lewisham.gov.uk/Business/LicencesAndStreetTrading/AlcoholAndEntertainmentLicences/FeesList.htm>

* Fee amount (£)

315.00

DECLARATION

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

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

GOSSCHALK LLP

* Capacity

SOLICITORS ON BEHALF OF THE APPLICANT

* Date

04 / 07 / 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/change-1> to upload this file and continue with your application.

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

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.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="ARG/MJM/98454.28063"/>
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"/>
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Dear Ms Rhodes

I have writing to you to object to the Five Bells Pub on New Cross Road application for Regulated Entertainment License to be added to their current license.

The pub is situated near a heavily populated residential area (Hatcham Park Road) with many family houses. If was not enough for these families to suffer such a disturbance during the day, it is proposed that on Friday and Saturday these activities could take place until 1.30 in the morning. If the application succeeds the council would be inundated with statutory nuisance complaints.

I have lived opposite since 2015, and I have experienced people congregating outside the pub after closing time. Many of them have stayed there until the early hours of the morning. Whether they have a license or not I have suffered unrelenting noise and music to unacceptable hours in the morning. Don't the community have the right to enjoy a quiet life? The publican and their customers do not think so. In fact, they have provided entertainment and music for some time. This is what they have advertised on their facebook "[www.facebook.com > fivebellsnx](http://www.facebook.com/fivebellsnx)

The Five Bells is a pub & live music venue to experience all of South East London's glory. 155 New Cross Road, SE14 5DJ London, UK".

How a license can be granted when the building does not comply with the current regulations in terms of planning and building control when it comes to sound insulation?

I have not seen within the application the study of the sound and how it will affect the neighbourhood and the measures to mitigate it. How a licence can be granted without a proper study? Where are the propose measures to mitigate the noise? Where are the designs of new

windows and doors to stop the sound to travel? Where is the planning application? What are they going to do about the customers on the street?

I imagine Lewisham Council and the publicans think the neighbours are local jokers that do not know and can be easily con.

If the council do feel fit to extend the license as requested, they **MUST** put conditions on it that entertainment and music should not take place after certain times.

In the meantime, I will contact the planning department and building control at Lewisham Council to make them aware that you are going to grant a licence without the required measures in place, like you did giving them permission to get tables outside on the pavement, without a proper study.

Regards



Licensing Act 2003, Schedule 12, Part A
Regulation 33, 34

Premises licence number

PL 0144

Premises name

FIVE BELLS

Part 1- Premises details

Postal address of premises, or if none, ordnance survey map reference or description

155 New Cross Road

Post town London

Post code SE14 5DJ

Telephone number 020 7635 5635

Premises licence holder name

The Craft Union Pub Company Limited

Original Grant Date: 23/11/2005
Issue: DPS Variation 16/06/2022

Directorate for Community Services
Crime, Enforcement & Regulation Service
Licensing Authority
Holbeach Office
9 Holbeach Road
London
SE6 4TW

Director of Communities,
Partnerships and Leisure
Proper Officer for Licensing
London Borough of Lewisham

Where licence is time limited the dates

Licensable activities authorised by the licence

Provision of late night refreshment

Sale by retail of alcohol
for consumption on the premises

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol for consumption on the premises

10:00 – 23:00 Monday
10:00 – 23:00 Tuesday
10:00 – 23:00 Wednesday
10:00 – 00:30 Thursday
10:00 – 01:30 Friday
10:00 – 01:30 Saturday
12:00 – 22:30 Sunday

Provision of late night refreshment

23:00 - 00:00 Thursday
23:00 – 01:00 Friday
23:00 – 01:00 Saturday

The opening hours of the premises

10:00 – 23:30 Monday
10:00 – 23:30 Tuesday
10:00 – 23:30 Wednesday

10:00 – 00:30 Thursday

10:00 – 01:30 Friday
10:00 – 01:30 Saturday

11:00 – 23:00 Sunday

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Craft Union Pub Company Limited

3 Monkspath Hall Road
Shirley
Solihull
West Midlands
B90 4SJ

Registered number of holder, for example company number, charity number (where applicable)

09429990

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Annex 1- Mandatory conditions

Mandatory conditions are in accordance as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014 or as may be amended from time to time.

No supply of alcohol may be made under the Premises Licence:-

- (a)** At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b)** At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a)** a holographic mark or
- (b)** an ultraviolet feature.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1

(a) "Duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "Permitted price" is the price found by applying the formula

$$P = D + (DXV)$$

Where -

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "Relevant person" means, in relation to premises in respect of which there is in force a premises licence

(i) The holder of the premises licence

- (ii) The designated premises supervisor (if any) in respect of such a licence, or
- (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “Value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph **(b)** of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph **(2)** applies where the permitted price given by Paragraph **(b)** of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to

(i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) Drink as much alcohol as possible (whether within a time limit or otherwise);

b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

The responsible person must ensure that-

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures.

(i) beer or cider: ½ pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml; and

(b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) Where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2-Conditions consistent with the operating Schedule

CCTV is installed to data protection standards and will be made available to the Police and Licensing Authority as and when required. Recordings shall also be kept for 31 days.

No new admissions after 23.00 on Thursday, Friday and Saturday.

Relevant drug signs on show.

Relevant fire precautions and necessary signage highlighting fire exits.

Notices asking customers to leave premises quietly.

Children only allowed on premises with adults and only before 6.00pm.

Annex 3- Condition attached after a hearing by the licensing authority

Annex 4- Plans

Full plans available at Licensing Services, London Borough of Lewisham

Ground floor – REF FB2

Conditions agreed by the applicant

- 1.
2. The premises licence holder shall install and maintain a comprehensive CCTV system to the satisfaction of the responsible authorities. Licensable activity areas will be covered by the CCTV system including payment areas, ingress and egress points. Where practicable frontal identification of patrons will be captured. The CCTV system shall record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with a date and time stamp and will be made available upon reasonable request to the registered authorities.
3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested
4. The smoking area must be covered by CCTV that is to the same standards as the internal CCTV system.
5. A minimum of three (2) SIA registered door staff, employed by an Accredited Contractor Scheme (ACS) registered company must be on duty on Friday and Saturday nights from 19:30hrs until 30 minutes after closing and when conducting licensable activities or any other advertised or private event.
6. On Football match days when Millwall F.C. are playing at home there should be a minimum of two (2) SIA registered door staff employed by an Accredited Contractor Scheme (ACS) registered company. They must be on duty one (1) hour before the match kick-off time until two (2) hours after the match finishes. (On Fridays and Saturdays when there are Millwall F.C. home game matches the SIA are to remain until 30 minutes after the closing of the premises
7. A register of security personnel employed on the premises shall be maintained in a legible format and made available to police upon reasonable request. The register should be completed by the DPS/ duty manager/ nominated staff member at the commencement of work by each member of security staff and details recorded should include; full name, SIA badge number, time of commencement and completion of duties. The security operative should then sign their name.
8. At the commencement of work, security personnel should ensure that they are recorded on the CCTV system and that a clear head and shoulders image showing their face clear of any hat, glasses or other obstruction is recorded.
9. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests, due to main road outside front.
10. A proof of age scheme, such as Challenge 25, must be operated at the premises where the only acceptable forms of identification are (recognized photographic identification cards, such as a driving license or passport / Holographical marked PASS scheme identification cards) appropriate signage must be displayed.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.
12. The premises shall prominently display signage at all entrances informing customers: -
 - ('All persons entering this premise are liable to be searched. Agreement to search is a condition of entry. If persons do not consent, entry will be refused.)
 - (All persons entering the premise will produce identification),

- (Police may be called if drugs or weapons are found.')
 - (CCTV is in operation throughout this premises and is made available to the police.)
 - (Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.)
 - ('Management reserve the right to refuse entry')
13. A noise limiter must be fitted and maintained within the premises. The level of this meter must be set in accordance with required legislation and standards by a qualified sound engineer. The limiter must be sealed in such a way that no unauthorised person can tamper with it. The level should be set in the presence of an authorised officer of the Crime Enforcement and Regulation Service of the London Borough of Lewisham. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device. The device should be calibrated annually and a record kept to be available for inspection by officers.
 14. During the 30 minute cool down period after sale of alcohol ceases, the volume of any music being played must be decreased.
 15. All windows and doors must be kept shut whilst entertainment is in progress except for the immediate entrance/egress of patrons
 16. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 17. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
 18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
 19. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
 20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day
 21. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
 22. The premises shall have a written dispersal policy including addressing parked or stationary vehicles across outside the front of the premises. All door staff shall be knowledgeable of this policy and able to enforce it.
 23. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that: (a) The police (and, where appropriate, the London Ambulance Service) are called without delay; (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police; (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
 24. All documents of members of staff will be retained for a period of 12 months post termination of employment and will be made available to the police, immigration and/or Licensing officers upon reasonable request.
 25. New and seasonal staff must attend induction training and receive refresher training every six months
 26. The premises Licence Holder and/or Designated Premises Supervisor shall keep up to date policies and staff training records in relation to the following: Requirements of the challenge 25 scheme, drugs, identification & recognition of drunks, identification recognition and responsibilities of dealing with vulnerable persons and the correct

procedures to be followed when refusing service regular training must be provided to all staff at least every six months, a record of the training will be maintained for at least twelve months.

27. An incident log shall be kept at the premises, and made available on request to an authorized Local Authority or Police Officer, which will record the following:

- a) All crimes reported to the venue.
- b) All ejections of patrons.
- c) Any complaints received.
- d) Any incidents of disorder.
- e) All seizure of drugs or offensive weapons.
- f) Any faults in the CCTV system.
- g) Any refusal of the sale of alcohol.
- h) Any visit by a relevant authority or emergency service.

28. All drinks will be served in either plastic bottles or collapsible plastic/polycarbonate glasses in the public areas on days when Millwall home matches are being played from an hour before kick off until two hours after the match concludes.

Agenda Item 4



Licensing Committee

Report title: Ilderton Wharf,

Date: 24 August 2022

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 DL Space Ltd for the premises at Unit 3, Ilderton Wharf, Rollins Street, London, SE15 1EW.

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 2nd August 2022.

1. Summary

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

1.2. **Particulars of Application**

The application site is a large former waste transfer premises, which is currently unoccupied. The site consists of a large warehouse building which is surrounded by a large area of hardstanding.

Sale of alcohol for consumption On the premises

11:00 – 23:00 Sunday – Wednesday

11:00 – 00:00 Thursday

11:00 – 06:00 Friday – Saturday

Live Music

11:00 – 23:00 Sunday – Thursday

11:00 – 05:00 Friday – Saturday

Recorded Music, Dance, Anything of a similar description

11:00 - 23:00 Monday – Wednesday

11:00 – 00:00 Thursday

11:00 – 06:00 Friday

08:00 – 06:00 Saturday

08:00 – 23:00 Sunday

Late night refreshment

23:00 – 00:00 Thursday

23:00 – 05:00 Friday - Saturday

Plays

12:00 – 23:00 Sunday - Thursday

11:00 – 02:00 Friday – Saturday

Films

12:00 – 23:00 Monday – Wednesday

12:00 – 01:00 Thursday

11:00 – 06:00 Friday – Saturday

11:00 – 23:00 Sunday

Indoor sporting events, Boxing or wrestling

11:00 – 23:00 Monday – Sunday

Seasonal Variation For Alcohol, Dance, Recorded Music

From 18:00 hours on the day preceding bank holiday to 23:00 hours the following day.

Seasonal Variation for Late Night Refreshment

From 23:00 hours on the day preceding bank holiday to 05:00 hours the following day.

- 1.3. One representation was received from the Metropolitan Police on the grounds of the prevention of public nuisance, prevention of crime and disorder, public safety and the protection of Children from harm.
- 1.4. The objection covers all licensing objectives and is extensive. The Police state that the site is not fit for purpose and due to it's location and proposed capacity and opening times, could cause and contribute to significant issues in terms of noise nuisance, crime, anti-social behaviour and accessibility.
- 1.5. The representation received has been examined by Officers and is considered not to be vexatious or frivolous. The representation was received within the specified time.
- 1.6. Conditions have been offered 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 body 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 5th July 2022.
- 9.2. Application plan.
- 9.3. Photographs of application site.
- 9.4. Representation from Met Police as served.
- 9.5. Conditions offered by the 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.

Is this report easy to understand?

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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
Interested Person	<p>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</p>
Relevant Representation	<p>A representation that is specific to the premises in question, related to the four licensing objectives and/or the local licensing policy.</p>
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

11. Report author and contact

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



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. Your right to work in the UK 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 the below guidance. (See page 14)

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We [REDACTED]

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Name and Postal address of premises or, if none, ordnance survey map reference or description			
Unit 3 Ilderton Wharf Rollins Street London			
Post town	Lewisham	Postcode	SE15 1EW

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£109,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- g.1 a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (Required)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (Required)					

(B) OTHER APPLICANTS

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

Name DI Space Ltd
Address [REDACTED]
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) [REDACTED]
E-mail address (Required) [REDACTED]

PART 3 – OPERATING SCHEDULE

When do you want the premises licence to start?

DD	MM	YYYY
3	0	0 7 2 0 2 2

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 Ilderton Wharf is a large industrial unit and yard, the unit is a large empty metal warehouse that has been used for waste management and the yard is all concrete hardstanding. We intend to decvelop the unit into a multi room events space with multiple studio units for small businesses.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | | |
|---|-------------------------------------|
| Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input checked="" type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Outdoor performances will finish at 22:00h		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	23:00	State any seasonal variations for performing plays (please read guidance note 5)		
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Outdoor performances will finish at 22:00h		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	01:00			
Fri	11:00	06:00			
Sat	11:00	06:00			
Sun	11:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4) We would have the flexibility to deliver a wide range of sporting events from Roller Disco & Roller derby, to table tennis tournaments, shuffleboard, Dodgeball etc.
Day	Start	Finish	
Mon	11:00	23:00	
Tue	11:00	23:00	State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed	11:00	23:00	
Thur	11:00	23:00	Non- standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri	11:00	23:00	
Sat	11:00	23:00	
Sun	11:00	23:00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	11:00	23:00	Please give further details here (please read guidance note 4)	
Tue	11:00	23:00		
Wed	11:00	23:00	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)	
Thur	11:00	23:00		
Fri	11:00	23:00	Non- standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sat	11:00	23:00		
Sun	11:00	23:00		

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4) Outdoor Performances will finish at 22:00 h Music May be amplified at these times					
Mon	11:00	23:00						
Tue	11:00	23:00						
Wed	11:00	23:00				State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	11:00	23:00						
Fri	11:00	05:00				Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11:00	05:00						
Sun	11:00	23:00						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4) From 8am we aim to host alcohol free, dance music / DJ led high intensity fitness classes. DJ Schools and lessons will take place later in the daytime. Later at night, private parties, music led events, corporate events, charity events & weddings. All outdoor music will finish at 22:00h					
Mon	11:00	23:00						
Tue	11:00	23:00						
Wed	11:00	23:00				State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	11:00	00:00						
Fri	11:00	06:00				Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) From 18:00 hours on the day preceding all bank holidays to 23:00 hours the following day.		
Sat	08:00	06:00						
Sun	08:00	23:00						

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G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) These timings are set to match the recorded music timings. Outdoor Performances will finish at 22:00h		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	00:00			
Fri	11:00	06:00			
Sat	08:00	06:00			
Sun	08:00	23:00			
			State any seasonal variations for the performance of dance (please read guidance note 5)		
			Non- standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6) From 18:00 hours on the day preceding all bank holidays to 23:00 hours the following day.		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing We intend to be able to deliver on almost any conceivable type of event as such we may have acrobatics and circus acts, jugglers etc		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	11:00	23:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	11:00	23:00	Please give further details here (please read guidance note 4) These timings are set to match the recorded music timings. Outdoor Performances will finish at 22:00h		
Wed	11:00	23:00			
Thur	11:00	00:00			
Fri	11:00	06:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Sat	08:00	06:00			
Sun	08:00	23:00			
			Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		

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I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur	23:00	00:00			
Fri	23:00	05:00			
Sat	23:00	05:00			
Sun					
			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
			Non- standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) From 23:00 hours on the day preceding all bank holidays to 05:00 hours the following day.		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	00:00			
Fri	11:00	06:00			
Sat	11:00	06:00			
Sun	11:00	23:00			
			Non- standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) From 18:00 hours on the day preceding all bank holidays to 23:00 hours the following day.		

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State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name [REDACTED]	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:30	
Fri	10:00	07:00	
Sat	08:00	07:00	
Sun	08:00	00:00	
Non- standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) From 18:00 hours on the day preceding all bank holidays to 23:00 hours the following day.			

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

DI Space Ltd are the team behind two successful venues based on Ashley road in Tottenham, from early 2018 until Jan 2022 we operated the multi award winning venue "The Cause" and over the slow lockdown relaxation we ran Costa del Tottenham, a table service food and drink led offer voted best place to go during restrictions. Over this time we have developed a robust in house training scheme for our regular venue staff team guided by our staff handbook and training sessions which include fire safety, emergency procedures, WAVE & "Ask for Angela". Our security team will assess the site and produce a new set of site instructions once the licence is granted and we will continue to train management and supervisors in first aid and mental health awareness. Our current training documents and security site instructions are attached as appendices and further evidence of certificated training can be provided on request. We have selected the conditions that we feel will apply to our business from the model conditions and added a few extra items. Any variances from the model conditions will be highlighted in **Bold text**.

b) The prevention of crime and disorder

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

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

All persons entering the premises shall be captured on an eye level colour CCTV camera. This camera shall capture the full face of any person entering and re-entering the premises and be available to police officers immediately upon request. The CCTV must also cover the ID scanner and capture the customers being scanned in. CCTV at front and back of building with particular regard to the smoking areas and alleyway at the back of the premises.

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

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

We are happy to discuss security numbers and ratios with the police, our last granted late licence had this condition attached: SIA Security will in general be provided at a ratio of 1:100, ongoing dynamic risk assessment of upcoming events will determine if this ratio needs an increase of security taking into account factors such as event history, ticket sales, special information from authorities.

A register of security personnel employed on the premises shall be maintained in a legible format and made available to police upon reasonable request. The register should be completed by the DPS/ duty manager/ nominated staff member at the commencement of work by each member of security staff and details recorded should include full name, SIA badge number, time of commencement and completion of duties. The security operative should then sign their name.

At the commencement of work, security personnel should ensure that they are recorded on the CCTV system and that a clear head and shoulders image showing their face clear of any hat, glasses or other obstruction is recorded.

Searches shall form part of the entry policy, Posters will be displayed stating random searches are carried out and failure to allow a search will mean refusal of entry. All persons entering or re-entering the premises shall be **subject to this policy and when acted on will be searched** by an SIA trained member of staff and monitored by the premises CCTV system.

All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests, due to main road outside front.

The premises shall prominently display signage at all entrances informing customers: -
(‘All persons entering this premise are liable to be searched. Agreement to search is a condition of entry. If persons do not consent, entry will be refused.)
(All persons entering the premise will produce identification),
(Police may be called if drugs or weapons are found.)
(CCTV is in operation throughout this premises and is made available to the police.)
(Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.)
(‘Management reserve the right to refuse entry’)

All customers who enter the premises after 22:00hrs on Club nights must have their personal details recorded by an electronic scanner (such as a club scan or scan net).

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

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that: (a) The police (and, where appropriate, the London Ambulance Service) are called without delay; (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police; (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

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

- a) All crimes reported to the venue.
- b) All ejections of patrons.
- c) Any complaints received.
- d) Any incidents of disorder.
- e) All seizure of drugs or offensive weapons.
- f) Any faults in the CCTV system.
- g) Any refusal of the sale of alcohol.
- h) Any visit by a relevant authority or emergency service.

c) Public safety

There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

Any special effects or mechanical installations shall be arranged, operated and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the licensing authority where consent has not previously been given. • dry ice and cryogenic fog • fog generators • pyrotechnics including fireworks • firearms • explosives and highly flammable substances. • real flame. •

Risk assessments will be carried out for the regular use of smoke machines • lasers and strobe lighting. These will be available on request and wherever identified signage will be in place to notify of their use.

As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.

All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.

All documents of members of staff will be retained for a period of 12 months post termination of employment and will be made available to the police, immigration and/or Licensing officers upon reasonable request.

New and seasonal staff must attend induction training and receive refresher training every six months.

The premises Licence Holder and/or Designated Premises Supervisor shall keep up to date policies and staff training records in relation to the following: Requirements of the challenge 25 scheme, drugs, identification & recognition of drunks, identification recognition and responsibilities of dealing with vulnerable persons and the correct procedures to be followed when refusing service regular training must be provided to all staff at least every six months, a record of the training will be maintained for at least twelve months.

Drinking water shall be available free of charge from any bar that is open serving drinks, signage shall be displayed at all bars stating “Free Drinking water available here”

An accurate tally of the number of customers on site shall be kept by means of in and out clickers at the entry point, this occupancy figure should be recorded hourly whenever the premises is open.

A fully stocked medical treatment area will be provided with a defibrillator and comprehensive first aid kit. This will be monitored weekly and used items replaced as needed.

A Welfare person will be employed solely for the purpose of customer welfare at any event with an expected attendance over 700.

A welfare area will be provided, this area will be fully covered by CCTV.

We will undertake to join any beneficial initiative such as drugs awareness and drink spiking campaigns, violent crime reduction, Ask for Angela and any new initiatives that are deemed relevant, displaying the relevant informational posters and signage and delivering appropriate training where required.

d) The prevention of public nuisance

A noise limiter must be fitted and maintained within the premises. The level of this meter must be set in accordance with required legislation and standards by a qualified sound engineer. The limiter must be sealed in such a way that no unauthorised person can tamper with it. The level should be set in the presence of an authorised officer of the Crime Enforcement and Regulation Service of the London Borough of Lewisham. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device. The device should be calibrated annually and a record kept to be available for inspection by officers.

All windows and doors must be kept shut whilst entertainment is in progress except for the immediate entrance/egress of patrons.

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

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

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

A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

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

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

Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as **Main Yard West between the hours of 10pm and 6am.**

The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

The premises shall have a written dispersal policy including addressing parked or stationary vehicles across outside the front of the premises. All door staff shall be knowledgeable of this policy and able to enforce it.

There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.

e) The protection of children from harm

A proof of age scheme, such as Challenge 25, must be operated at the premises where the only acceptable forms of identification are (recognized photographic identification cards, such as a driving license or passport / Holographical marked PASS scheme identification cards) appropriate signage must be displayed.

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open.

Unaccompanied children are not permitted on the premises.

No children on the premises after 21:00hrs

The licensee will ensure, through regular checks and intervention that children will not congregate outside the premises.

A lost and found person policy will be produced detailing procedures in these situations.

Checklist:

Please tick to indicate agreement

- I have provided a daytime telephone number in order to make payment over the phone by debit or credit card.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature & Print Name	
Date	30/06/2022
Capacity	Company Director

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature & Print Name	
Date	
Capacity	

Signature & Print Name	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			

Notes for Guidance – New Premises Licence Applications

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.

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

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example the 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.

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

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

7. Please 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.

8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please 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 or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.

11. The application form must be signed.

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.

14. This is the address which we shall use to correspond with you about this application.

- **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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

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 **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **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.
- 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 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.

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



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

PC Gillian Pearce
Catford Traffic Garage,
34 Aitken Road,
SE6 3BG

Telephone:
Email: Gillian.D.Pearce@met.police.uk
www.met.police.uk

Your ref:
Our ref:
29th July 2022

Unit 3 , Ilderton Wharf, Rollins street SE15 1EW

Lewisham Police Licensing acknowledge receipt of an application for a new premises licence for a multi room events space at the above location with an eventual capacity of 3000. The proposed operating hours range from 8am through to 7am on a weekend and 11am to midnight during the week. The events listed on the licence are Indoor sporting events, boxing/wrestling entertainment, live music, recorded music, performance of dance, anything of a similar description to the latter 3 activities, late night refreshment and supply of alcohol.

Police would like to outright object to this application under the following Licensing objectives:

Prevent crime and disorder
Public safety
Prevent public nuisance
Protect children from harm

After considering the application, conditions offered by the applicant and taking into account the location of the proposed premises and its environs Police licensing feel that the proposed premises will undermine not only the Licensing objectives but also greatly affect the residences and the quality of their lives. The applicant has failed to take into account and address the negative impact that this venue will have. The extensive hours proposed will impact greatly on the lives of those in the surrounding areas, giving very little respite for residents.

Geographical Location

Rollins Street is a highly residential area with the Winslade Estate directly opposite the proposed venue site. The Winslade estate is made up of 22 blocks of flats centred around a children's play area. The estate has permit holder parking only and double yellow lines on the rest of the estate. There are two new build high rise blocks of flats on Ilderton Road overlooking the venue and in particular where the proposed stage will be.

On Surrey Canal Road where the proposed entrances/exits will be there is grass bank that leads down onto the main road. Currently there is no access to this area from the proposed site and it is unknown if planning is required to have access there. Opposite the proposed entrance and exits on Surrey Canal Road is another club with a capacity of 500 with extended drinking hours until 7:30am at the weekend.

Just off Ilderton Road and in close proximity to the proposed new venue is Millwall football club which has a capacity of 20,000. A sterile area had to be created for the sole purpose of fans to access and egress the football ground to transport hubs to prevent disturbance to the local residents.

Close to the venue are several estates that house young people of varying friendship groups which on occasion have led to tensions within the local community.

There is limited bus availability in the area and the buses are small hopper buses. Would the patrons be queuing in the residential streets waiting for buses or walking to the railway station or waiting for taxis? There is very limited parking availability. The applicant states people can use Uber taxis but there is nowhere in the locality for them to park or wait. The amount of taxis needed would create a nuisance for the local residents and other road users.

The applicant states the patrons can use the rail and tube network. The nearest station is a fifteen minute walk away. This not only has a negative impact on the local residents with the noise and behaviour of a large capacity dispersing into the surrounding streets. With similar venues close by as well as being in such a densely populated area this will put a huge burden on all public transport hubs in the area.

The application (public nuisance/public safety)

The applicant appears to have covered a lot when first reading the application form, however, having met the applicant at the venue it became evident the venue is not fit for the purpose that the applicant intends.

The venue is a very large empty warehouse with a tin roof. There are no toilets at the site for the public to use and nothing to stop sound emanating from there. I understand planning permission has not been sought and a change of use from a warehouse to a late night economy venue is not in place. The applicant informed me he does not wish to throw money at this project if he cannot get a licence, so the intention is to get the licence before planning permission is granted as that is costly. However, there is no way to monitor if the planning permission is to be applied for and carried out after the licence is granted or if the planning permission would even be granted. The applicant showed an interest in operating using temporary event notices and said they would apply for multiple at the same time. However a TEN is for a maximum of 499 people and there is still no solution to the noise problem.

2.26 states: The licensing Authority urges all applicants to ensure they have the correct planning use for the business type they are operating before they apply for their licence. Both planning and licensing consents must be in place for a business to operate legally.

Also in the statement policy under Licensing Objectives and operating schedules:

3.5 Applicants are expected to demonstrate sufficient local knowledge and steps to mitigate any negative impact on the licensing objectives.

Knowledge of local area and proximity to local residences and how their activities will impact on these.

An understanding of crime levels and types in the area and any problem hotspots where their activities may impact street congregating. On meeting the applicant I was asked if there was high crime in the area. Street congregating will occur because of the lack of transport facilities in the area and the sheer capacity proposed at the venue as well as Millwall football club in very close proximity and the other club opposite sharing the same transport facilities.

Knowledge of any local youth establishments including schools and areas where children may congregate. There is park directly opposite the venue.

On the application form under the prevention of public nuisance the applicant states: All windows and doors must be kept shut whilst entertainment is in progress except for the immediate entrance egress of patrons.

They have no facility or planning permission to hold any entertainment inside the venue and plan to hold the entertainment outside playing recorded music and having a stage for live music. I understand this has also not been put to the planning department. To limit noise they plan to stack containers two high around the outside area of the venue and fill them with hay. Hay is combustible and therefore a fire hazard whether it is wet or dry. When this was put to the applicant he stated he would cover the hay with tarpaulin and they had used it at other venues. I believe a noise limiter cannot be used outside which is why the applicant has suggested hay.

The applicant has therefore not demonstrated how he will prevent the local residents being disturbed by constant noise/loud music from the venue or what impact this will have on their quality of life. The hours they plan to operate are excessive and will have a detrimental effect on the surrounding area.

The entry/egress route the applicant would like to use is currently fenced off. The applicant proposes to create gates and use scaffolding to form a bridge to take the patrons down onto Surrey Canal Road. Scaffolding is a temporary structure and its intended use is not for general public use, especially people who may be intoxicated and wearing unsuitable footwear. This route would also take the patrons directly onto a main road and opposite the other club in the area. Previous experience of venues such as this is that the patrons walk straight across the road with no consideration to vehicles and cause an obstruction as well as danger to themselves. The structure may be wet and slippery due to the weather and may also collapse in an emergency situation should the venue need to evacuate. Lighting has also not been mentioned.

The applicant has applied for Late night refreshment and proposes to have off and on sales of hot food this will encourage customers to remain on site or in the locality whilst consuming their purchases greatly increasing the chance of noise nuisance disturbing local residents but also the impact of littering from food packaging, not only on the streets but within the gardens of residential properties.

We understand the DPS may also be the DPS for more than one venue and we would like to ascertain if this is fact and if so how would they manage more than one venue especially one as large as this.

Children

The applicant states no children on the premises after 2100 hours but also proposes to hold wedding parties/ private parties at the venue. There is no explanation how this can be managed or how children can be kept separate from adult entertainment areas as children would be expected to be present at a wedding or birthday party. The applicant also stated they would provide 20 porta loos per 1000 people. How will they protect children from harm if they are using the same toilets as the rest of the patrons?

The area is densely populated and school children reside in the locality, they will regularly be in the presence of the patrons coming and going to the premises and also subjected to the noise from the premises, this may have a negative impact on their sleep and subsequently their schooling as well as having to share the public transport with people who may well be intoxicated.

Crime

The area is within the New Cross Ward. Research on the crime database shows this to be a high crime area. Although this is not directly linked to this venue the patrons of the venue may find themselves victims of crime. The applicant has applied for a licence to run from 11am finishing at 6am on a Friday and Saturday, We would suggest that in a period of nineteen hours the chances of crime and damage to health from the consumption of alcohol would be greatly increased. .The ability to monitor inebriation of alcohol and any other substances is made increasingly difficult by the large capacity that the venue is able to hold. Of greater concern is that they have applied for a seasonal variation which would allow them to stay open all day on bank holidays which potentially allow a customer to remain drinking at the venue for over two days.

It is our belief that the large capacity and the hours requested would lead to an increase of crime and anti-social behaviour which would become an extra burden on emergency services.

It is also a fact that drug use occurs in late night economy venues and we understand that a death occurred in a previous venue run by the applicant. While we accept drugs can be hidden, random searches of patrons would make it easier to hide drugs. A

search of every applicant as a requirement of entry would discourage hiding drugs or weapons.

Relevant Local strategies - Statement of licensing policy 2020 - 2025

2.21 – The council has developed a wide range of initiatives to tackle alcohol related harm through its alcohol delivery plan, the delivery of which is overseen by the Lewisham health and wellbeing board. Additionally, reducing alcohol harm is one of the key priorities in the ten year Lewisham health and wellbeing strategy (2013 – 2023).

2.24 Key aims of policies within this statement are to discourage drunkenness and excessive drinking and encourage licensees to promote licence objectives by including more availability of food and seating within their operating schedules. This is to encourage the enjoyment of alcohol alongside other entertainment, not as the main offer.

7.13 The times within which live music and /or amplified sound may be played in any external area or marquees or relayed by external speakers (where permitted under the terms of the licence). The licensing authority deems this should not continue beyond 10pm.

24.1 It is known that there is a strong link between vertical drinking and violent and disorderly behaviour. Increased levels of drinking amongst patrons are also associated with vertical drinking. Given the clear public health (2.20) and crime and disorder considerations around this, the licensing authority expect any application that proposes vertical drinking to make this clear in their operating schedules and outline effective measures for managing associated risks.

Police Licencing acknowledge that all options are open to committee but with the application in its current form cannot be supported by Police whilst the licensing objectives and the Lewisham Council Statement of Licensing Policy have been ignored. Police licensing would strongly recommend that this application be denied.

Yours sincerely,

Gillian Pearce – South East BCU Police Licensing Officer











