



AGENDA

LICENSING COMMITTEE

Date: TUESDAY, 8 AUGUST 2023 at 7.00 pm

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

Enquiries to: Clare Weaser
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

Jennifer Daothong
Acting Chief Executive
Laurence House
Catford
London SE6 4RU
Date: 31 July 2023

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private.

ORDER OF BUSINESS – PART 1 AGENDA

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The public are welcome to attend our Committee meetings, however, occasionally, committees may have to consider some business in private.



Licensing Committee

Minutes

Date: 8 August 2023

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider the Minutes of the meeting of the Licensing Committee, held on 26 July 2023

Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 26 July 2023 be confirmed and signed.

Agenda Item 2



Licensing Committee

Declarations of Interest

Date: 8 August 2023

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

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: Bird in Hand - 35 Dartmouth Road, London, SE23 3HN

Date: 8th August 2023

Key decision: No.

Class: Part 1.

Ward(s) affected: Forest Hill

Contributors: Community Services – Safer Communities Service

Outline and recommendations

Determination of variation of a Premises Licence Application submitted on 31st May 2023 by Babel Silk Limited for the premises at 35 Dartmouth Road, London, SE23 3HN.

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

This application was advertised in accordance with regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

The last day for representation was 29th June 2023.

1. Summary

1.1. Particulars of Application

The application is for a variation to the existing premises licence, proposing the following:

- Change the layout and associated plan of the premises on the Ground floor.
- Extension of hours for the following activities:

1.2 Sale of alcohol for consumption On and Off the premises 23:00 – 01:00 Thursday

01:00 – 02:00 Friday
01:00 – 02:00 Saturday

- 1.3 Seasonal variation: (Additional 2 hours on Christmas Eve and New Year's Eve).
Note: This was initially applied for by the applicant but was later agreed by the licensing authority and the applicant to be excluded from the application because the applicant did not include it in their published newspaper advert.

1.4 Annex 2 conditions amendments

(a) Paragraph 3

"Toughened glass shall be used for draft beer and lager at all times the premises are open to the public"

Amend to:

"Toughened glass or similar, such as polycarbonate shall be used for draft beer and lager at all times the premises are open to the public"

(B) Paragraph 8

"Children under the age of 16 shall not be permitted to enter the premises after 19.00".

Amend to:

"Children under the age of 16 shall not be permitted to enter the premises after 21.00"

1.5 Currently Licensed:

Provision of Late Night Refreshment

23:00 – 01:00 Friday

23:00 – 01:00 Saturday

Sale of alcohol for consumption On and Off the premises

09:00 – 23:00 Sunday

09:00 – 23:00 Monday

09:00 – 23:00 Tuesday

09:00 – 23:00 Wednesday

09:00 – 23:00 Thursday

09:00 – 01:00 Friday

09:00 – 01:00 Saturday

Season Variation

New Year's Eve alcohol sales may continue until the start of trading hours on New Year's Day.

- 1.6 Seven representations were received from local residents on the grounds of the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.
- 1.7 The representations received have been examined by Officers and are not considered to be vexatious or frivolous. The representations were received within the specified time.
- 1.8 Further representations were received from the police and Licensing Authority, but

were later withdrawn following the agreement on a list of conditions with 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 licensing objectives. The steps available to the Licensing Authority:

- 1.) Grant the variation of the 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 to 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 are:

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

5. Legal implications

5.1 The Licensing Authority is a public authority under the Human Rights Act 1998. Therefore, the licensing authority is required to act compatibly with the convention rights in the exercise of their functions. Article 6 (1) of the Convention provides that everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial hearing established by law.

5.2 A Premises Licence is a possession for the purpose of the Human Rights Act 1998. The right to hold a licence is a qualified rather than an absolute right. Therefore, the right to hold a licence may be interfered with if it affects the interests of local residents or others. Such interference may be justified if it is necessary and proportionate to promote the licensing objectives.

6. Equalities implications

- 6.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 6.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation, or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.
- 6.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 6.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless, regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 6.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
 - [Meeting the equality duty in policy and decision-making](#)
 - [Engagement and the equality duty: A guide for public authorities](#)
 - [Objectives and the equality duty. A guide for public authorities](#)
 - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

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- 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 31st May 2023.
- 9.2. Existing premises licence.
- 9.3. Representations from local residents.
- 9.4. Photos of evidence from a resident objector
- 9.5. List of agreed conditions.

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.

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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. Kennedy Obazee, Safer Communities Service Officer for Licensing
kennedy.obazee@lewisham.gov.uk.



Licensing Team
 4th Floor Laurence House
 1 Catford Road
 London
 SE6 4RU
 020 8314 6400

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. 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 Babel Silk Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL 0313

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 35 Dartmouth Road Forest Hill			
Post town	London	Postcode	SE23 3HN

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£22,400

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town	London	Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
0	8	0 6 2 0 2 3

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Internal alterations to the internal layout at ground and cellar/lower ground levels, together with an extension of hours.

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays (please read guidance note 4)</u>		
Thur								
Fri						<u>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 5)</u>		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur								
Fri						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 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details (please read guidance note 3)</u>
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events (please read guidance note 4)</u>
Wed			
Thur			<u>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 5)</u>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u> <u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u> <u>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 5)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u> <u>State any seasonal variations for the performance of live music (please read guidance note 4)</u> <u>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 5)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u>		
Thur								
Fri								
Sat						<u>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 5)</u>		
Sun								

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			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 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			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 5)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur						
Fri			<u>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</u> (please read guidance note 5)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	09:00	23:00			
Tue	09:00	23:00			
Wed	09:00	23:00			
Thur	09:00	01:00			
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	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 5)		
An additional hour on the Thursday, Friday, Saturday and the Sunday of a bank holiday weekends together with an additional 2 hours on Christmas Eve and New Years Eve.					

K

<p>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 8).</p> <p>N/A</p>
--

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:30	
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	01:30	
Fri	08:00	02:30	
Sat	08:00	02:30	
Sun	08:00	23:30	

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 5)

An additional hour on Thursday, Friday, Saturday and Sunday of bank holiday weekends. An additional 2 hours on Christmas Eve and New Years Eve.

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

No conditions to be removed, however, we request to adjust under Annex 2 in Premises Licence ...

Paragraph 3:
"Toughed glass shall be used..."
Please add "Toughed glass 'or similar such as polycarbonate' shall be used..."

Paragraph 8:
"Children under the age of 16 shall not be permitted to enter the premises after 19:00"
Please adjust to 21:00

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

We have considered all four licensing objectives and have listed below, in detail, the steps we will carry out in order to prevent crime and disorder, keep the public safe, prevent public nuisance and protect children from harm.

b) The prevention of crime and disorder

Providing a 30 minute extension of opening hours after the end of the sale of alcohol will promote gradual and orderly dispersal of customers.

No less than fourteen days' notice will be provided to the council and police when 'event days' are planned.

No use of drinks promotions such as 'happy hours'

Active involvement in any local 'pub watch' scheme.

A CCTV system shall be installed at the premises, both inside and out, which continually records whilst the premises is open for licensable activities. At least one camera to be placed on entry/exit points and the Bird in Hand Passage which is capable of capturing an image suitable for evidential purposes.

The CCTV system shall have motion sensitive sensors to allow the capture of any persons on the premises outside of the licensable times. (This is for crime prevention purposes.)

Any CCTV images shall be retained for a period of thirty one (31) days and be made available on request to any Police Officer, Police Community Support Officer or responsible authority as soon as practicable and within 48 hours.

Staff shall be fully trained in the operation of the CCTV and there will be at least one person on duty during trading hours who is able to provide a recording of any incident at the request of the Police and/or Local Authority.

Notices informing customers of the operation of CCTV shall be prominently displayed.

Notices requesting that customers respect the local residents and vacate the area in a quiet orderly manner.

The lower trading area shall provide an active frontage on to Bird in Hand Passage to increase passive surveillance, lighting and general street presence onto the public highway.

The Licence Holder shall contact the Local Policing Team responsible for the area in which the shop falls every three (3) months or sooner to discuss any issues of Anti-social behaviour to promote the licensing objective of 'Prevention of Crime and Disorder'.

c) Public safety

The pub will have a health and safety policy which meets all prevailing legislation.
The premises fronts onto a well-lit, busy pedestrian high street, with good transport link both day and night.

The pub has a strict anti-drugs policy.

In the interest of any persons feeling unsafe, vulnerable, or threatened a poster for 'Ask Angela' will be prominently displayed in bathrooms to remind customers that staff are available to help if needed, together with Antic's own ArkHaven scheme which will signpost the public house as being a safe space upon the high street.

d) The prevention of public nuisance

A sound limiting device will be installed and will be used at all times that relevant regulated entertainment is taking place and this will be set and sealed at a level approved by an acoustic consultant with only the premises license holder, or a nominated deputy and the designated premises supervisor will have access to the sound limiting device.

A contact telephone number and email address will be made available to local residents and businesses on our website which they can use to report any issues to a responsible person at the premises. The phone line should be available at all times the license is in use.

The side passage area and all external trading areas will not be used for trading activities after 22:00 on any day and all windows and doors shall be closed at this time.

A customer dispersal policy will be implemented in order to minimise noise disturbance to local residents from customers leaving the premises.

Prominent notices close to the exit doors, requesting patrons to leave the premises quickly and quietly will be displayed.

Staff who depart late at night or in the early hours of the morning when the business has ceased trading, will conduct themselves in such a manner as to avoid causing disturbance to nearby residents. This includes the loading and unloading of artists' equipment.

Commercial deliveries, collections, and storage/disposal of waste, including beer deliveries, refuse collections and storage / disposal of waste and recyclables in external areas will be restricted to normal working hours between 7am and 7pm.

Procedures will be in place to ensure external areas immediately around the premises will be kept clear of litter. Regular patrols of the area outside the premises should be undertaken by staff to clear any litter attributable to the premises as well as not attributable to the premises.

A noise management policy will be in place setting out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.

All staff will be trained on the content of the policy to ensure a commitment to good noise management and a record will be kept.

c) The protection of children from harm

1. The premises will be run as a family friendly public house with all staff trained in the responsible sale of alcohol within the law and the protection of minors.

Staff training will be recorded, and refresher training provided at least yearly.

The training will cover:-

- acceptable forms of proof of age,
- how to refuse a sale to persons under 18 years-of-age, and
- how to record such a refusal in the refusals register.

Training records will be made available on request to Police and officers of responsible authorities.

2. When a refusal to sell alcohol takes place the member of staff involved will record in a refusal register:-

- the date and time of refusal,
- the type of alcohol requested,
- a description of the customer,
- reason for refusal, and
- the name of the member of staff.

The refusal register will be reviewed from time-to-time by the businesses management.

The management will record the date and time of review and note any actions that appear to be needed to protect young people from harm.

3. The business will operate a Think/Challenge 25 age verification scheme where anyone who appears to be under the age of 25 will be asked for proof-of-age.

Proof-of-age will also be requested if a member of staff is unsure of a customer's age.

The only acceptable forms of proof-of-age are:-

- passport,
- photographic driving licence, or
- a PASS hologrammed proof-of-age card.

Posters will be displayed advising both staff and customers that the Think/Challenge 25 scheme operates on the premises and warning adults not to buy alcohol for those under 18 years-of-age.

Checklist:

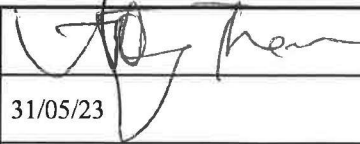
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	31/05/23
Capacity	Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Notes for Guidance

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.

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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

6. 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.
7. 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'.
8. 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.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



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

Premises licence number

PL 0313

Premises name

BIRD IN HAND

Part 1- Premises details

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

35 Dartmouth Road

Post town London

Post code SE23 3HN

Telephone number 020 8699 4717

Premises licence holder name

Babel Silk Limited

Original Grant Date: 23/11/2005
Issue: DPS Change 18/04/2023

Directorate for Community Services
Safer communities 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 and off the premises

The times the licence authorises the carrying out of licensable activities

Provision of late night refreshment

23:00 – 01:00 Friday
23:00 – 01:00 Saturday

Sale by retail of alcohol for consumption on and off the premises

09:00 – 23:00 Sunday
09:00 – 23:00 Monday
09:00 – 23:00 Tuesday
09:00 – 23:00 Wednesday
09:00 – 23:00 Thursday
09:00 – 01:00 Friday
09:00 – 01:00 Saturday

New Years Eve alcohol sales may continue until the start of trading hours on New Years Day

The opening hours of the premises

08:00 – 23:30 Sunday
08:00 – 23:30 Monday
08:00 – 23:30 Tuesday
08:00 – 23:30 Wednesday
08:00 – 23:30 Thursday
08:00 – 01:30 Friday
08:00 – 01:30 Saturday

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

On and Off

Part 2

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

Babel Silk Limited

[REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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

11824139

Limited Company

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

Anthony Thomas

[REDACTED]

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

05/02179/PERCON

London Borough of Lambeth Council

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.

Alcohol All Premises

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.

Alcohol On Licences

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

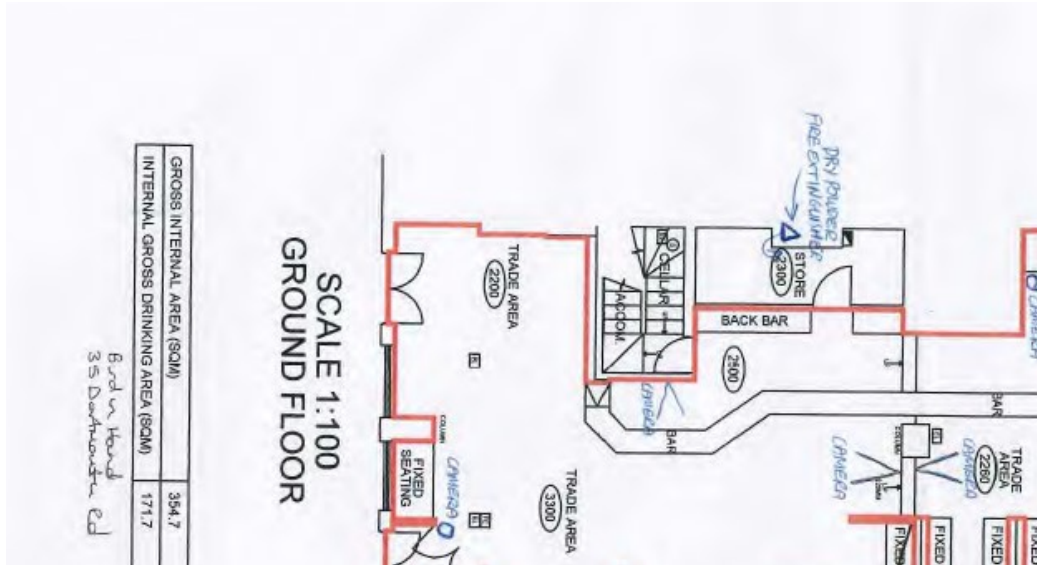
1. Any door supervisors shall be linked by means of text or radio pager to the police, enabling police to be alerted to instances of crime and/or disorder.
2. No customers carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
3. Toughened glass shall be used for draft beer and lager at all times the premises are open to the public.
4. CCTV is installed to Data Protection Standards and will be made available to the Police and Licensing Authority on request. Recordings shall also be kept for 31 days.
5. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
6. To comply with the reasonable requirements of the building control officer.
7. Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
8. Children under the age of 16 shall not be permitted to enter the premises after 19.00.
9. Windows and doors will be kept closed after 11.00pm.
10. There will be no use of the outside premises after 11.00pm.

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

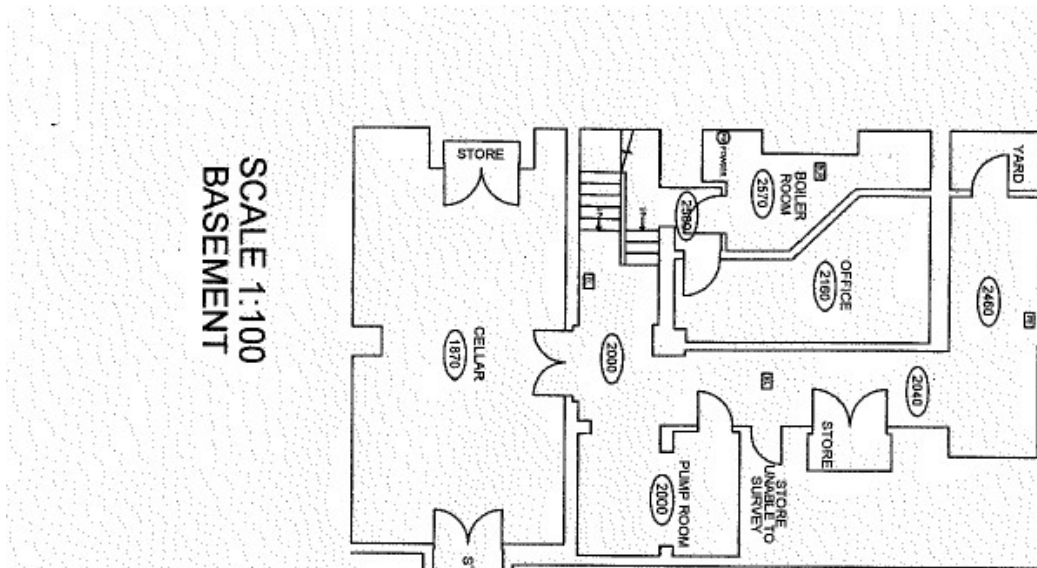
Annex 4- Plans

Full plans available at Licensing services, London Borough of Lewisham

Ground floor – Reference – 0002



Basement – Reference – 0002a



Proposed conditions from Police and licensing authority– Bird In Hand

1. A minimum of 2x Security Officers, (which one (1) must be female) and are all employed the Premises Owners. Security must be on duty when the premises intends to remain open past 0100hrs. When opening beyond 0100hrs Security must start at 21:00hrs until 30 minutes after closing and when conducting licensable activities or any other advertised or private event.
2. 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, Security badge number or staff ref number, time of commencement and completion of duties. The security operative should then sign their name.
3. All persons entering or re-entering the premises beyond Midnight shall be searched by the security officer on duty and monitored by the premises CCTV system.

From: [REDACTED]
Sent: 01 June 2023 22:31
To: Licensing <Licensing@lewisham.gov.uk>
Cc: [REDACTED]
Subject: Bird in Hand Pub Forest Hill - object to application for extending opening hours
Importance: High

Hi,

My name is [REDACTED] and I live in [REDACTED].

I would like to object to the application recently submitted for extending the opening hours to the pub "bird in hand".

For the following reason:

I live in proximity on the pub and in particular of the external terrace where the noise coming from the pub hasn't allowed me to sleep and it cause me distress. In addition to that the road called bird in hand passage when the pub open was often used, from the customers of the pub itself, to leave their cars on the footpath and often I couldn't even get access to my flat and I have asked to move the car, even at late time during the evening. Is only recently that with the pub closed for refurbishing works the road seems to be clear with less litters and cigarettes as the terrace was used as a smoking area, with a visible improvement on the quality of the road itself with the benefit of the people that live here.

The idea to extend the hours won't help to improve the place on the contrary it will create more problem than before and I don't personally think that a new management will change anything.

I hope this email will find your attention and I look forward to hear from you.

Second email from the same objector

Dear Kennedy

I would like to register my objection to the recent application to extend the opening hours of the bird in hand public house.

This establishment is in very close proximity to many residential properties including mine.

When it is open the noise from the customers makes it impossible for me to sleep.

I work Monday to Friday and have to wake early at 5.30 am to get across London to work. This would be made impossible if the pub were to open until 1am on Thursdays.

In addition i do not think it appropriate for a pub, so close to residential property should be allowed a licence estensione to 2am. That would make for very difficult weekends, particalarly as all other pub in the area close before then, clearly many people would simply walk to this one to continue their night out, I feel it highly unlikely that they would do so quietly.

I would therefore be grateful if my objection could be registered and taken into consideration before a final decision is made.

Yours sincerely

From: [REDACTED]
Sent: 02 June 2023 11:08

To: Licensing <Licensing@lewisham.gov.uk>; amie.k.mccreery@met.police.uk; SaferCommunities <SaferCommunities@lewisham.gov.uk>

Subject: Bird-in-hand Pub / [REDACTED] Oppose application to extend The Bird in Hand business hours

Dear Licensing,

thank you in advance for sincerely empathetically listening to our thoughts and concerns. [REDACTED] and I ([REDACTED]) are writing in regards to the new application of Pub extending their business hours at the 'The Bird In Hand pub' on 35 Dartmouth Road, Forest Hill.

We are the freehold home owners of [REDACTED] from The Bird in Hand Pub on [REDACTED].

[REDACTED] and I oppose the proposal of extension hours for the following reasons:

(0) First of all, home owners are more likely to oppose and renters are less likely to complain due to fear of retribution/or less invested, and can always easily leave to rent somewhere else. With that in mind...However more renters are complaining/concerned now.

1. **The Bird in hand Pub (no matter who runs/owns it) will always say they are not responsible for the people lingering off the premises causing anti-social behavior or parking on Bird in Hand Passage blocking or urinating and are not legally bound to act on it. Which means I personally have to act/risk my life/children's wellbeing like other neighbours as 'unofficial street police' and risk verbal abuse or physical harm again.**
2. **The open Terrace at the Bird in hand pub has a smoking culture type of clients, and may continue to drop litter on path and attract people lingering to pick up drugs class A and Class B and cigarettes.**

(3) Crime issues such as drug dealing and drunk drug dealers dealing may increase my interference to protect my family and [REDACTED] neighbour's property. Even if the Pub doesn't allow them in they will still see it as a meeting point.

(4) Late night revelers taking liberties in urinating on my property and other neighbours property attracting mice and entering the homes.

(5) Parking issues such as blocking my garage door or across the double yellow lines or across other neighbours front doors or their private car parks in the late hours. Plus people are now using Moped drivers in the late night to deliver small packages in the dark to smoking punters during football matches because they think there are less people to see catch/them.

(6) Cross pollination from neighboring The Hill Pub which may increase in yelling in the early morning up to 4am. Example: intoxicated individuals leave The Hill Pub and then hop over to the Bird in Hand in the late/early morning. Causing an intimidation bottle neck of fear for ourselves/neighbours in path if we step outside.

(7) My two young children (go to [REDACTED] XXXXXX) are not able to sleep and I have to approach the individuals and we may have other confrontations to report.

(8) People will possibly climb up the steps for discussion on the fire escape (as in the past) and will look into our windows and cause noise.

(9) Blogs on the internet the past 15 years have explained the culture of smokers/gangs at the Bird in Hand Pub/Passage as examples that we feel it has not been earned/or warrant to enhance this/these clientele with extended hours. People with Children on the path such as myself will turn into Grizzly bears to protect our children's wellbeing, and to continue to attend Outstanding diverse schools such as Elliot Bank Primary.

As residents of Forest Hill since 2008 we aspire to keep/maintain the community feel with local children and families for the years to come as this is our life investing in local safety. Examples of Pubs that we personally experienced a less threatening atmosphere/culture in the evenings to my family are the Sylvan Post, Dartmouth Arms, The Signal and the Witherspoons Pub in Forest Hill.

Today the usual individual gangs are still lingering around the Bird in Hand path while the pub is in refurbishment because the terrace is still attracting smokers while the pub is closed, we believe if the hours were extended the smoking culture individuals will cause disruption like the example when the Pub had illegal late night opening hours in June 2022 last year. We couldn't sleep as we watched people lingering on Terrace at midnight and even up to 2am making noise as the walls create a big echo down the Passage.

From: [REDACTED]
Sent: 09 June 2023 16:59
To: Licensing <Licensing@lewisham.gov.uk>
Subject: Objection: Bird in Hand licensing application

To whom it may concern.

I would like to object to the application for the extension of licensed hours for the Bird in Hand Pub (SE23 3HN) on the following grounds:

Prevention of public nuisance

The Bird in Hand sits in an area of very high population density. The Forest Hill ward density is 8299/km² (vs a London average of 5596/km² and UK average of 276km² - stats from 2021 census).

Coupled with this density, the Dartmouth Road area already has a number of establishments with later operating hours, with four other pubs with 01:00 Fri/ Sat night licence restrictions in a very short walk. This already causes disturbance, with regular problems both with noise emanating from establishments and their related outdoor areas, but also noise associated with the dispersal of customers at the end of the evening. Last summer was particularly bad, and my household made complaints to the Council about both the Bird in Hand and the Hill, another local pub.

Given these problems, and the fact that the current precedent in the local area is for the latest licence to be 01:00 Fri/ Sat, there seems to be no good reason to extend the hours for the Bird in

Hand. A particular concern is that, as this would be the latest licence locally, extra custom would be attracted from other local establishments, causing even more disturbance.

Public Safety

Within the Forest Hill ward, especially on Dartmouth Road, there are significant problems with antisocial pavement parking. This is particularly bad in the evenings, when the pavements opposite the Hill pub and the Bird in Hand are covered in cars. We live at the bottom of Bird in Hand passage, and our private car park is already used by patrons of the local pubs to park, turn, and idle. Extension of the Bird in Hand hours would increase this problem, which endangers pedestrians and other road users.

I'm happy to provide further information if required.

From: xxxxxxxxxxxxxxxxxxxxxxxx
Sent: 12 June 2023 18:21
To: Licensing <Licensing@lewisham.gov.uk>
Subject: Bird In Hand Pub

Dear Sir/ Madam

I wish to respond to the sign which has been placed on The Bird In Hand Pub window regarding longer trading and opening hours.

I strongly feel that any establishment being awarded longer trading hours should be based and rewarded on their recent trading behaviour and the luxury of longer hours should be earned.

I will simply list some of the recent activity that has happened concerning the Bird In Hand Pub:

- The music being ear-splitting loud. On one occasion, I went to complain and was told flatly by the manager, and I quote 'I am here to make money, not keep my neighbours happy' On a Friday, I have had to put the subtitles on my TV it has been so loud.

- See patrons that drink at the side, under the BIH iron awning, allowing their dogs to defecate in Bird In Hand Passage and when challenged being told to '££££ off' I wrote to the planning committee when it was proposed this awning was going to be built and said that this would encourage unsocial behaviour as this would give their drinkers somewhere comfortable to congregate and I, sadly, was 100% accurate.

- Seeing patrons regularly urinating up the side of the pub in full view of anyone walking down Bird In Hand Passage. I used to snap a picture and send it to the manager but they have since blocked the account. The pub is often too intimidating to enter and complain.
- The pubs rubbish bins overflowing with trash, littering the entire street with no attempt to keep this area tidy.
- Allowing patrons to flick literally hundreds of cigarette butts into the street and never sweeping them up. On one occasion, for no reason, a drink customer flicked his cigarette at me when I was walking home.
- Regularly witnessing patrons smoking dope, very openly in the outside awning area. I went into the bar when passing to confront the staff: on one occasion the barman laughed and another time he literally shrugged. I can only presume they are not bothered by the drug use as they have made no attempt to stop it and I witnessed it weekly.
- Witnessing a full on crime operation between The Hill and Bird In Hand Pub. I have sat in the bar opposite and seen people trading bags of stolen meat, darting into the carpark area to trade drugs (on one occasion being aggressively challenged when I simply looked in the redirection and looked disapproving as one of these deals took place) I also see one customer, who regularly steals drinks from the Tesco petrol station and sets up a mini 'off licence' on The Bird In Hand windowsill and openly sells to the customers. One patron recently popped out of the pub and started to change number plates on a car outside my house 30 yards from the pub and when I looked at him disapprovingly (saying nothing) he literally screamed at me saying 'I have been going to that pub for years and you have no right to live here!'
- Hearing a man very loudly organising a drugs deal on his phone on the balcony on the aide of the bar and customers popping out the bar and sitting in blacked out vehicles parked at the end of the street and returning to their drinking.
- Drunk customers playing their own music with a wireless speaker and being completely unchallenged by the staff.
- On many occasions witnessing incredibly aggressive and out of control customers. Once I saw a man being barricaded out of the pub and he screamed and tried to break the windows and another time I returned home in a taxi to see a violent altercation outside with someone screaming 'he's got a knife!'
- It has proved impossible to pass the corner without hearing a loud collection of swear words and it is very common to see very drunk costumers mid afternoon, in the week. I know this is not avoidable but it is depressing this is on the entrance and sets the mood to arriving home.

I compare their behaviour with the Sylvan opposite who run a very 'tight ship': quiet customers drinking outside, everyone removed from the street before 10.00 and

causes no bother at all. I mention this because it is possible to have a high street pub near residential properties and both to exist effectively and in peace.

My larger issues are with The Hill a few doors down but I will address these problems in other correspondence as I know this issue directly involves the BIH.

In conclusion the pub is noisy, intimidating, a haven for crime, has zero regard for residents, filthy and unpleasant. I have emailed the police about the crime aspects of both The Hill and the BIH but sadly, this does not even warrant a response from the police. I would like to stress none of the above is in anyway exaggerated or embellished. Frankly, it amazes me that places like The Hill and The Bird in Hand are allowed to trade at all.

If you need any other details, please contact me. I live xxxxxxxxxxxxxxxxxxxxxxxxxxxx. If you could confirm this email has been received I would be very grateful.

From: XXXXXXXXXXXXXXXX
Sent: 16 June 2023 11:24
To: Licensing <Licensing@lewisham.gov.uk>
Cc: xxxxxxxxxxxxxxxxxxxxxxxxxxxx
Subject: Re- Variation of Premises Licence Bird in Hand Pub 35 Dartmouth rd SE233HN

Good Morning Licensing,

My name is xxxxxxxxxxxx, and my husband xxxxxxxxxxxx and I live xxxxxxxxxxxx the Bird in Hand Public House on xxxxxxxxxxxx

The new owner's request (amongst others) to extend their operating hours is of great concern.

As it stands, the pub is very noisy at all times of day, with drinkers often sitting on the open veranda (especially in summer), getting vocally drunk, swearing, and throwing rubbish, cigarette butts etc onto the little road on which we live. The noise and rubbish both sweep down the hill into our carport, and the rubbish has to be cleaned daily or it blocks drains.

Many a time we have had to deal with their customers peeing etc peeing in the what use to be the pub carpark and also into our pot plants or (on one occasion) try to have sex in front of our car (directly in front of our living room window), or coming down to the end of the road to smoke cannabis and continue drinking - glasses in hand. Drug dealing (not necessarily originating from the pub) is also an issue with clients coming down the road for their "pick-up", or handing over the drugs at the railing of the veranda of the pub.

This is very much a residential area with many families that have to use this road and pass the pub many times each day. It is not at all conducive to a good quality of community and family life.

The extension of hours to either earlier in the day or later at night would destroy any semblance of civility and our right to quiet enjoyment of our home and neighbourhood.

Thank-you for taking the time to read this and add our objection to this change. If you are able to send us the complete request, so that we may see the specifics of all the changes that have been requested by the new owners, it would be much appreciated.

From: [REDACTED]
Sent: 19 June 2023 19:39
To: Licensing <Licensing@lewisham.gov.uk>
Subject: Licence extension - Bird in Hand Pub

Dear Sir/Madam,

I am writing to register an objection to the extension of the licence for the Bird in Hand pub on Dartmouth Road, Forest Hill.

I own and live in a flat [REDACTED] ([REDACTED])

To access my flat, I must pass down [REDACTED] and past the outside area of the pub.

An extension to the license of the pub will increase the time that the pub is open. This will likely mean that there will be noise from the pub until the early hours of the morning in an area that has a lot of residential buildings. I understand that in previous years the noise and music from the Bird in Hand pub, as well as The Hill pub nearby, has been a nuisance and has been disturbing for residents of xxxxxx Terrace. This is worsened by the fact that there are already several pubs on the vicinity who are open late and play loud music.

I am also concerned for public safety in having large numbers of people outside the pub, including residents having to pass through pub customers who have spilt out onto the street (which is a narrow alleyway) to get to their homes. It also increases the risk of residents being accosted by pub customers.

From: xxxxxxxxxxxxxxxxxxxxxxxx
Sent: 20 June 2023 16:14
To: Licensing <Licensing@lewisham.gov.uk>
Subject: Bird in Hand Pub, 35 Dartmouth Road, SE23 3HN - Licensing Application, Full Variation

Regarding: Bird in Hand Pub, 35 Dartmouth Road, SE23 3HN - Licensing Application, Full Variation.

Dear Safer Communities Service (Licensing),

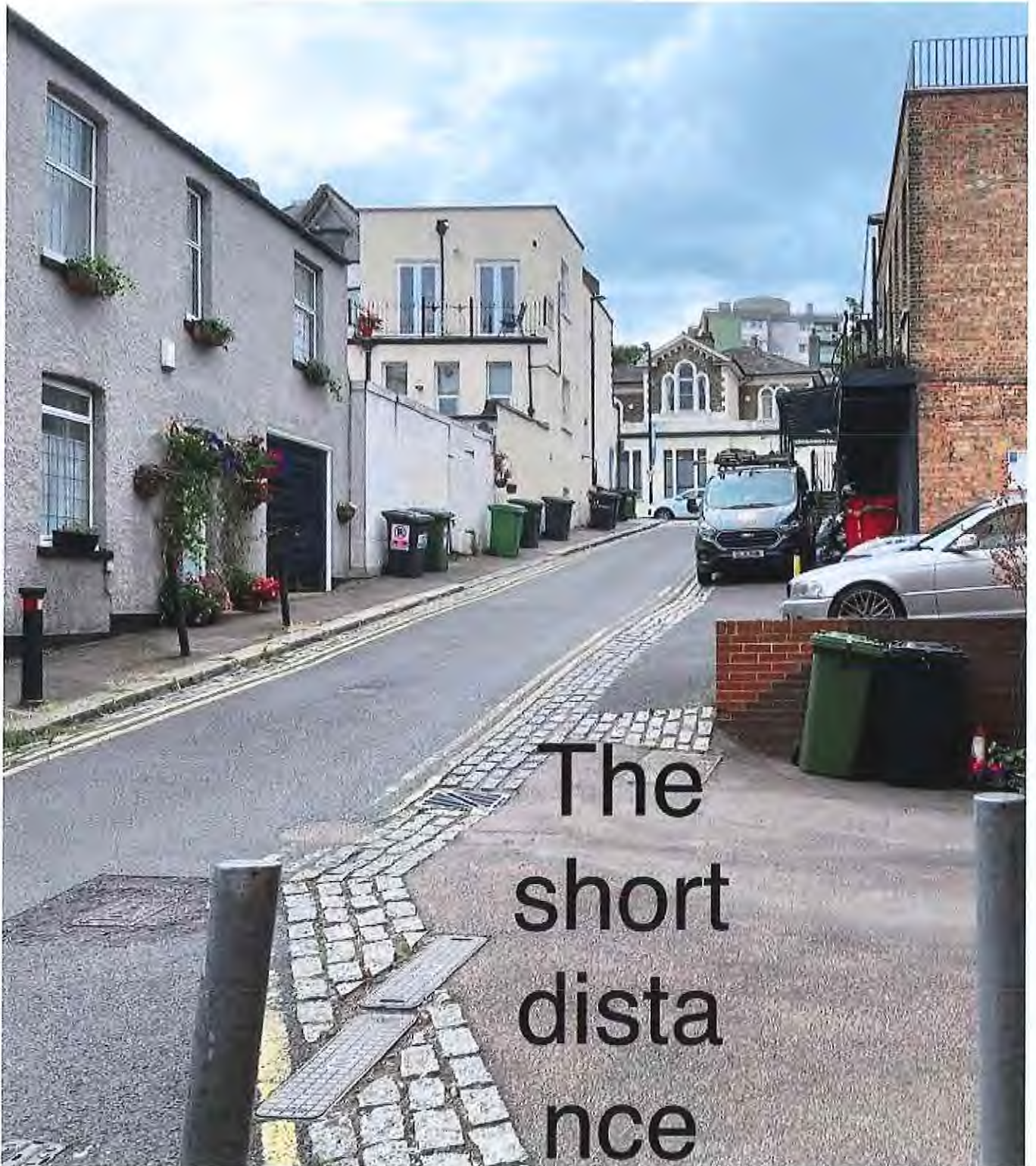
I'm writing to oppose the application for extended hours as these will negatively impact the operation of my car park at xxxxxxxx of the pub. I worry that late-night alcohol consumption will lead to a public nuisance and disorderly conduct on my property. As the local authority knows, the car park is unfortunately often the site of vagrancy and anti-social behaviour. I'm concerned that extended hours will exacerbate this issue.

Regards,



Opposite the Bird in Hand Pub
the only footpath in Bird in Hand
Passage 13/07/2023







Multiple residential



The cul-de-sac
come to use/buy
away from secu



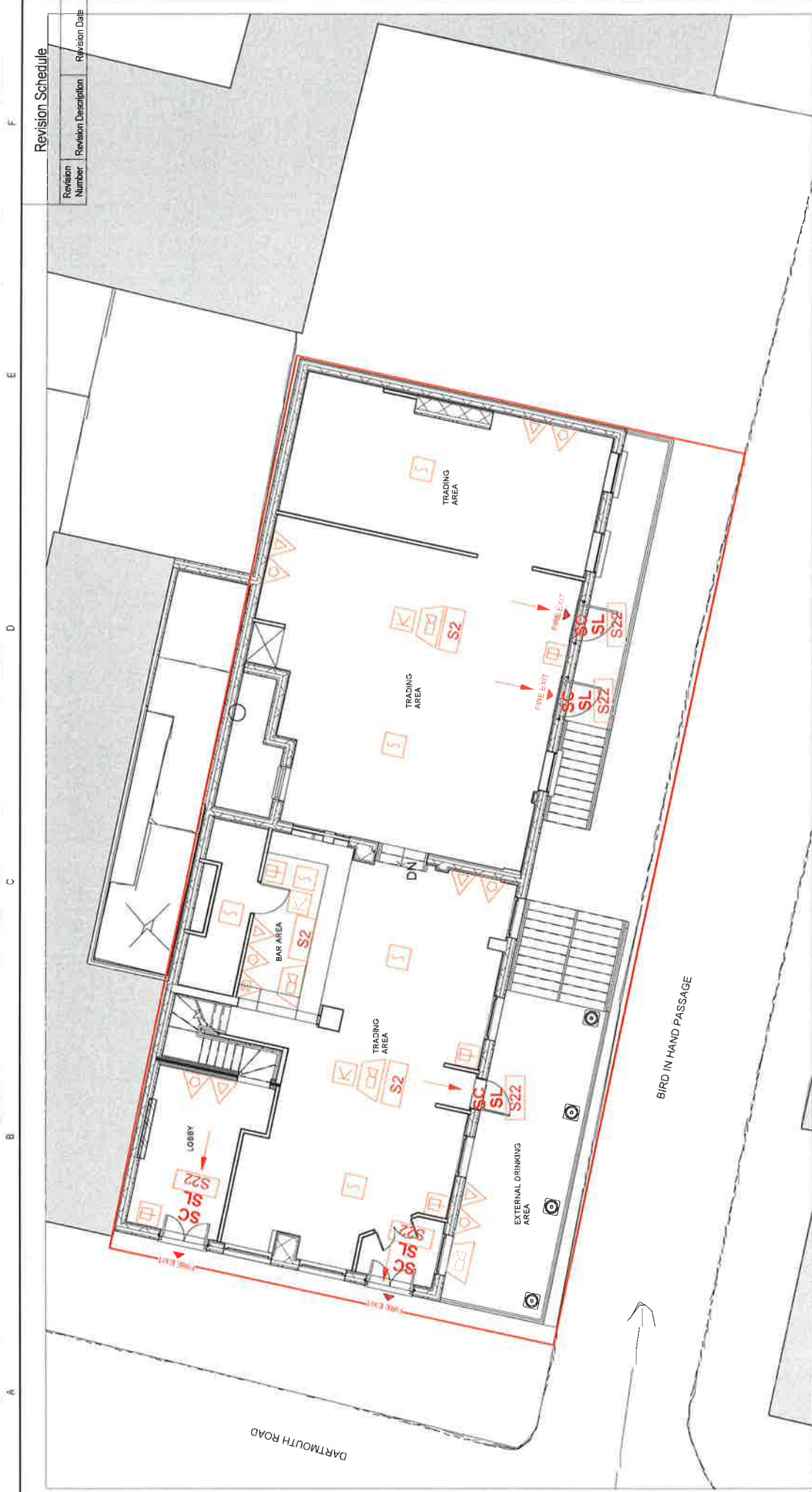
Private garden bed opposite
our front door and our
neighbours bedroom





Man Picking at
our front door-
Video available





1 Proposed Ground Floor plan - LICENSING
 scale: 1 : 100

Fire Safety Symbols

	Fire Exit		Fire Alarm		Fire Risk		Fire Exit		Fire Alarm		Fire Risk
	Fire Exit		Fire Alarm		Fire Risk		Fire Exit		Fire Alarm		Fire Risk
	Fire Exit		Fire Alarm		Fire Risk		Fire Exit		Fire Alarm		Fire Risk
	Fire Exit		Fire Alarm		Fire Risk		Fire Exit		Fire Alarm		Fire Risk

Graphic Scale Bar
 M 1:100
 0 1 2 3 4 5 6 7 8 9 10 [m]

Licensed Area

Revision Schedule		
Revision Number	Revision Description	Revision Date

LICENSING	
Scale @ A3	1 : 100
Date	31/05/2023
Project name	35 DR
Sheet number	400 GA 00
Revision	

Author	MG
Drawn by	NSPP
Address	35 Dartmouth Rd London SE23 3JN
Sheet name	Licensing Plan - Ground Floor

Prepared on behalf of
Antic London
 74 Malham road,
 Forest Hill
 London, SE23 1AG

- All the works to be carried out in accordance with current Building Regulations
- All dimensions and levels to be checked and verified on-site before commencing any work and notify the architect of any errors, omissions or discrepancies.
- The drawings to be read in conjunction with contract documents, project working drawings, specification and all consultants' specialist and engineers drawings, details and specification.
- Do not scale from this drawing.



1 Proposed Lower Ground Floor plan - LICENSING
scale: 1 : 100

Fire Safety Symbols

Symbol	Description
	Fire Safety Sign
	Fire Safety Sign
	Fire Safety Sign
	Fire Safety Sign
	Fire Safety Sign
	Fire Safety Furniture
	Fire Safety Furniture
	Fire Safety Furniture
	Fire Safety Appliance

Licensed Area



All the works to be carried out in accordance with current Building Regulations
 - All dimensions and levels to be checked and verified on-site before commencing any work and notify the architect of any errors, omissions or discrepancies.
 - The drawings to be read in conjunction with contract documents, project working drawings, specification and all consultants' specialist and engineers drawings, details and specification.
 - Do not scale from this drawing.

Graphic Scale Bar
 M 1:100
 0 1 2 3 4 5 6 7 8 9 10 [m]

Prepared on behalf of
Antic London
 74 Melham road,
 Forest Hill
 London, SE23 1AG

Author: MG
 Drawn by: NSPP
 Address: 35 Dartmouth Rd London SE23 3HN
 Project name: 35 DR
 Sheet name: Licensing Plan - Lower Ground Floor

Date: 31/05/2023
 Scale @ A3: 1 : 100
 Revision number: 400 GA LG
 Revision: LICENSING

Revision Schedule		
Revision Number	Revision Description	Revision Date



Licensing Committee

Report title: Royal George - 85 Tanner's Hill, London, SE8 4QD

Date: 8th August 2023

Key decision: No.

Class: Part 1.

Ward(s) affected: Brockley

Contributors: Community Services – Safer Communities Service

Outline and recommendations

Determination of variation of a Premises Licence Application submitted on 12th May 2023 by Samuel Smith (Southern) for the premises at 85 Tanner's Hill, London, SE8 4QD.

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

This application was advertised in accordance with regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

The last day for representation was 9th June 2023.

1. Summary

1.1. Particulars of Application

The application is for a variation to the existing premises licence, proposing the following:

- Change the layout and associated plan of the premises on the Ground floor.
- Extension of hours for the following activities:

Sale of alcohol for consumption ON and Off

23:00 – 00:00 Friday
23:00 – 00:00 Saturday

Late Night Refreshment

23:00 – 00:30 Friday
23:00 – 00:30 Saturday

Opening Hours

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

Currently Licensed:

Sale by retail of alcohol for consumption on & off the premises

10.00 – 23.00 Monday
10.00 – 23.00 Tuesday
10.00 – 23.00 Wednesday
10.00 – 23.00 Thursday
10.00 – 23.00 Friday
10.00 – 23.00 Saturday
12.00 – 22.30 Sunday

- 1.2. Five representations were received from local residents on the grounds of the prevention of public nuisance.
- 1.3. The representations received have been examined by Officers and are not considered to be vexatious or frivolous. The representations were received within the specified time.
- 1.4. Further representations were received from the Police and Licensing Authority. However, a single list of conditions was agreed upon by both authorities and presented to the applicant. The conditions are yet to be accepted by the applicant.

2. Recommendations

- 2.1 After having regard to all the representations heard, Members must take such steps as they consider appropriate to promote the licensing objectives. The steps available to the Licensing Authority:
 - 1.) Grant the variation of the 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 to 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 are:
 - Protection of Children from Harm

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

5. Legal implications

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

6. Equalities implications

- 6.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 6.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation, or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.
- 6.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or

likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 6.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless, regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

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

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

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

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

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

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

7. Climate change and environmental implications

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

8. Crime and disorder implications

- 8.1. Under the Licensing Act 2003, one of the 4 licensing objectives is the Prevention of Crime and Disorder.
- 8.2. It is a requirement of the Licensing Act 2003 that any decision made by the Licensing Committee must not negatively impact on the Licensing objectives.

9. Background papers

- 9.1. Application received 12th May 2023.

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- 9.2. Existing premises licence.
- 9.3. Representations from local residents.
- 9.4. Representations from both the police and the licensing authority.
- 9.5. List of proposed conditions.

10. Glossary

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

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	<ul style="list-style-type: none">• 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. Kennedy Obazee, Safer Communities Service Officer for Licensing
kennedy.obazee@lewisham.gov.uk.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. 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 Samuel Smith (Southern)

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL0128
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Royal George 85 Tanner's Hill			
Post town	London	Postcode	SE8 4QD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£2,700

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

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

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The Royal George is a traditional Samuel Smith Pub. This application is to:

(1) Vary the layout of the premises on the Ground Floor only to include:

Strip out the rear existing unused kitchen to the rear of the property between the ground floor office and the ground floor hall/ corridor.

Remodel this area so that it can be utilised as an art space, with new flooring, lighting, plastering, false studwork wall, timber bench, fire detection, small power and full decorations.

Enhance the rear hall/ corridor to become an extension of the remodelled art space, with new flooring, lighting, signage, fire detection, small power and full decorations.

(2) Vary the hours for the on and off sales of alcohol on Friday and Saturday 10:00 to 00:00

(3) Vary the hours for opening on Friday and Saturday 10:00 to 00:30

(4) Add the provision for late night refreshment on Friday and Saturday 23:00 to 00:30

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

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Tue					
			<u>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</u> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
Fri			<u>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</u> (please read guidance note 7)					
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed			<u>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</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Tue					
			<u>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</u> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)			
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)			
Wed			<u>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</u> (please read guidance note 7)			
Thur						
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>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</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input checked="" type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5) To provide hot food and drinks.			
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)			
Thur						
Fri	23:00	00:30	<u>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</u> (please read guidance note 7)			
Sat	23:00	00:30				
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) This application is to change the hours for Friday and Saturday only – all other days and hours to remain as per the current premises licence.		
Mon					
Tue					
Wed					
Thur					
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun			<u>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</u> (please read guidance note 7)		

K

<p>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 10).</p> <p>None.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) This application is to change the hours for Friday and Saturday only – all other days and hours to remain as per the current premises licence.
Day	Start	Finish	<u>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</u> (please read guidance note 7)
Mon	10:00	23.20	
Tue	10:00	23.20	
Wed	10:00	23.20	
Thur	10:00	23.20	
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	12:00	22:50	

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

None.

Please tick as appropriate

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

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.
I am unable to locate it.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

All existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

b) The prevention of crime and disorder

All existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

c) Public safety

All existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

d) The prevention of public nuisance

All existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

e) The protection of children from harm

All existing conditions and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. **ONLINE APPLICATION LA TO SERVE**
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	12 May 2023
Capacity	Keystone Law, Solicitors for and on behalf of the applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

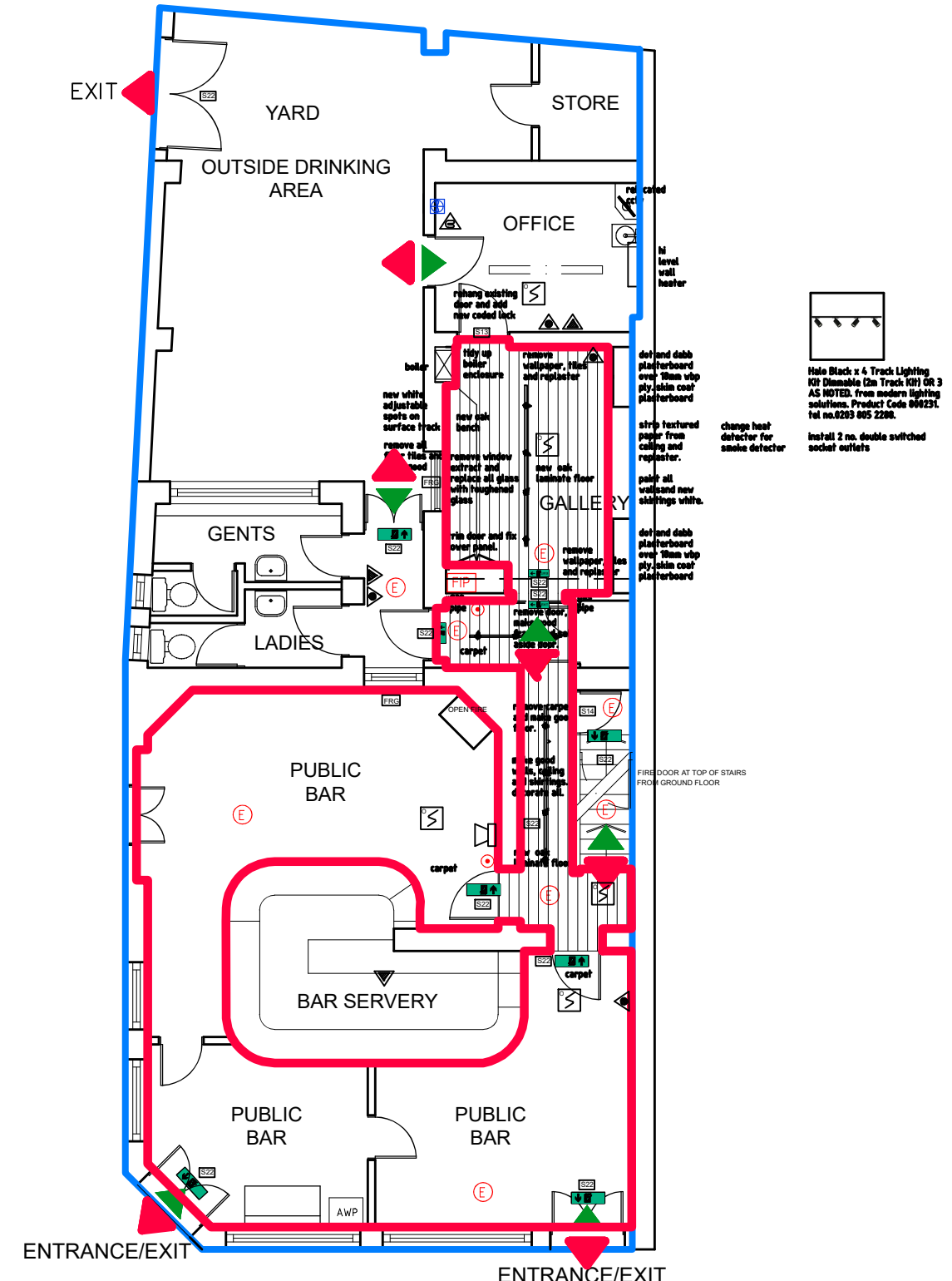
LEGEND

- DENOTES AREA TO BE USED FOR LICENSABLE ACTIVITIES.
- EXTENT OF BOUNDARY
- ▲ INGRESS
- ▲ EGRESS
- G GAS INTAKE
- M ADDRESSABLE MANUAL CALL POINT
- S OPTICAL HEAT SENSOR SOUNDER
- D DUAL OPTICAL HEAT SENSOR SOUNDER
- S DUAL OPTICAL HEAT SENSOR SOUNDER STROBE
- K OPTICAL SENSOR
- K HEAT SENSOR
- K HEAT SENSOR SOUNDER STROBE
- A ADDRESSABLE OUTPUT UNIT
- A ADDRESSABLE INPUT UNIT
- RIP REPEATER PANEL
- RI REMOTE INDICATOR
- D DOOR RETAINER POWER SUPPLY
- M MAGNETIC DOOR HOLDER
- FIP FIRE INDICATOR PANEL
- S SOUNDER
- E EXIT EMERGENCY LIGHT
- E EMERGENCY LIGHT FITTING
- A CLASS A FIRE EXTINGUISHER
- A FOAM FIRE EXTINGUISHER
- A DRY POWDER FIRE EXTINGUISHER
- A CO2
- A FIRE BLANKET
- A FIRE DOOR KEEP SHUT / CLOSED
- A SELF CLOSING DEVICE
- A FIRE EXIT SIGN
- A FIRE DOOR KEEP LOCKED
- A FIRE RATED GLASS
- A ELECTRICAL INTAKE

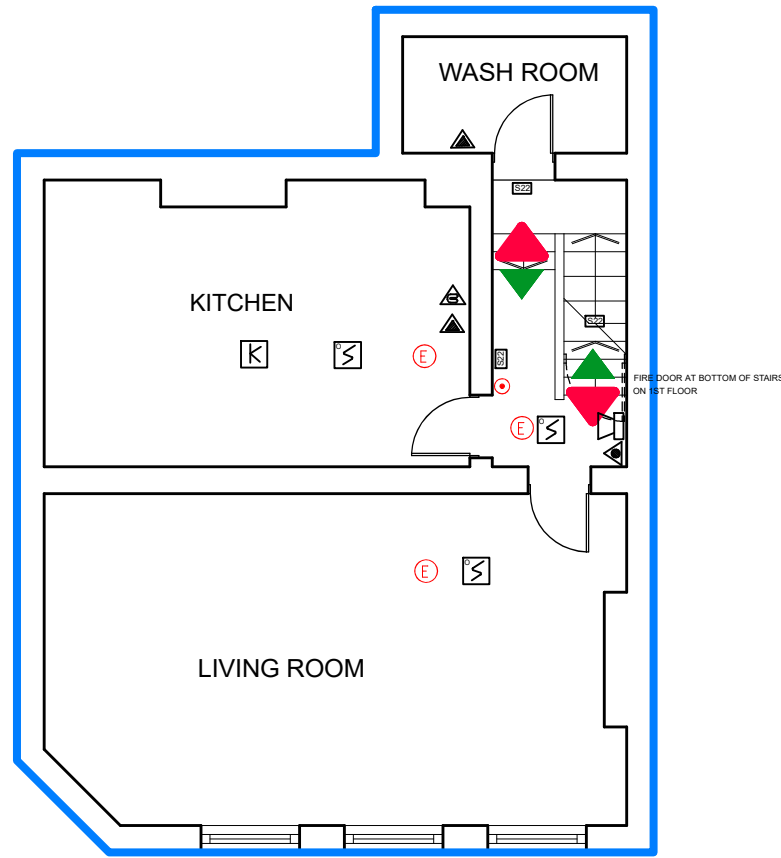
NB: SMOKE SEALS TO ALL FIRE DOORS OTHER THAN RISER DOORS



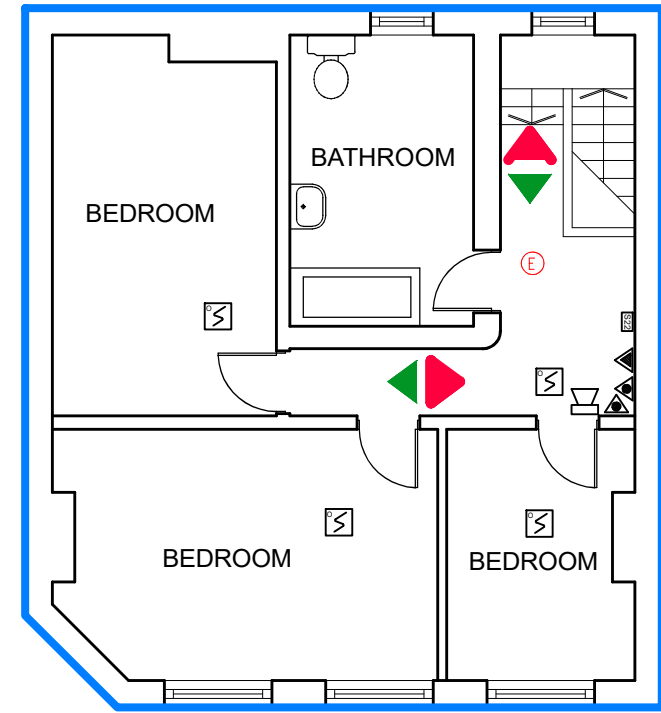
BASEMENT



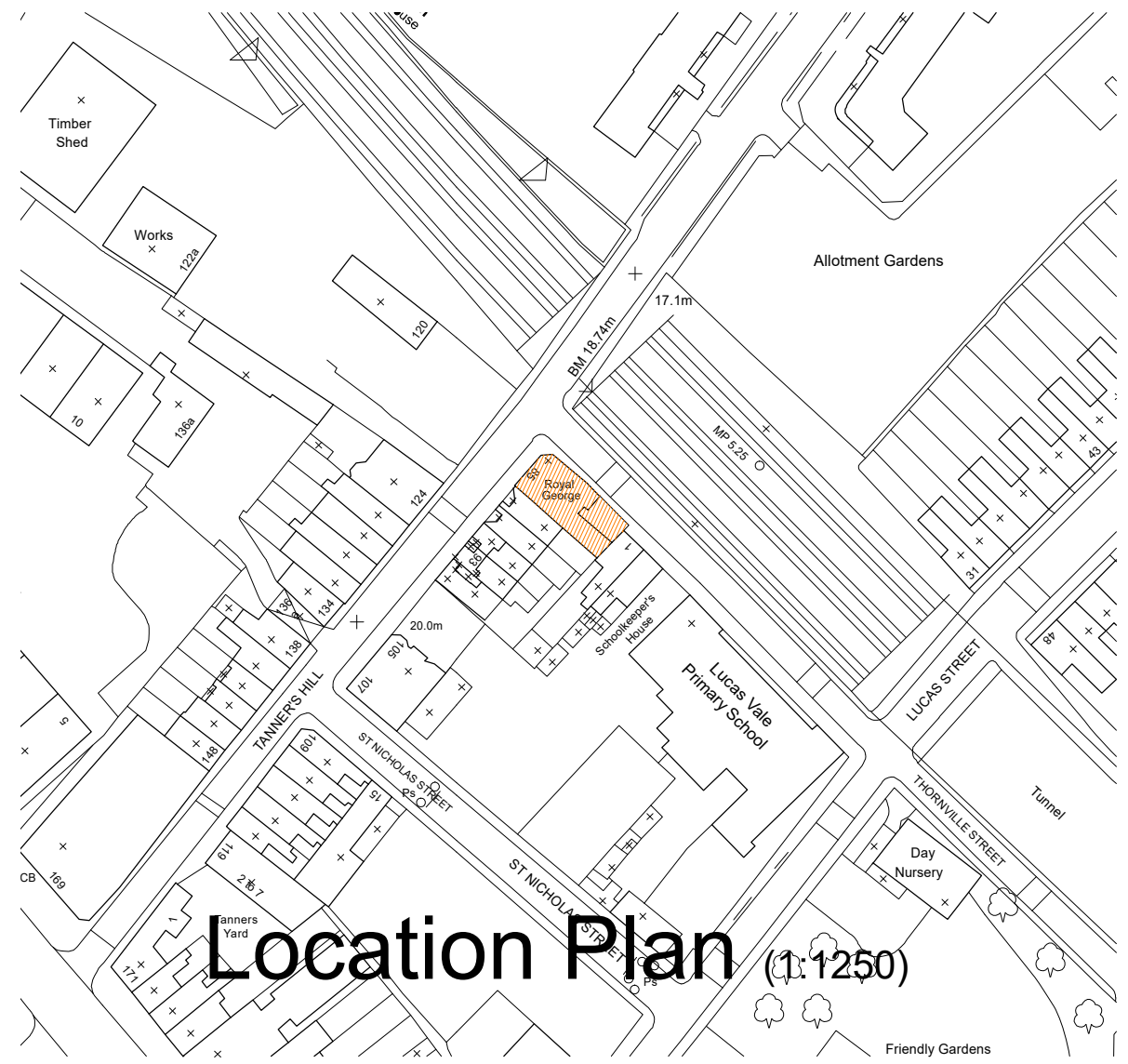
PROPOSED GROUND FLOOR



MANAGERS FLAT
FIRST FLOOR



MANAGERS FLAT
SECOND FLOOR



Location Plan (1:1250)

Andrews + Boyd Consultants Limited
24 Old Burlington Street, London, W1S 3AW

Property:
**Royal George
Tanners Hill
London
SE 8**

Drawing:
LICENSING PLAN

Scale: 1:100 AT A2 Date: MAY 2023
Drawn: ST

Drawing No. POO1 Revision:



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

Premises licence number

PL 0128

Premises name

ROYAL GEORGE P.H

Part 1- Premises details

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

85 Tanners Hill

Post town Deptford

Post code SE8 4QD

Telephone number 020 8692 2594

Premises licence holder name

Samuel Smith (Southern)

Original Grant Date: 23/11/2005
Issue: DPS variation 28/10/2022

Directorate for Community Services
Safer Communities 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

Sale by retail of alcohol
for consumption on & off the premises

The times the licence authorises the carrying out of licensable activities

Alcohol

10.00 – 23.00 Monday
10.00 – 23.00 Tuesday
10.00 – 23.00 Wednesday
10.00 – 23.00 Thursday
10.00 – 23.00 Friday
10.00 – 23.00 Saturday
12.00 – 22.30 Sunday

The opening hours of the premises

10.00 – 23.20 Monday
10.00 – 23.20 Tuesday
10.00 – 23.20 Wednesday
10.00 – 23.20 Thursday
10.00 – 23.20 Friday
10.00 – 23.20 Saturday
12.00 – 22.50 Sunday

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

On and Off

Part 2

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

Samuel Smith (Southern)
The Old Brewery
Tadcaster
North Yorkshire
LS24 9SB

Tel: 01937 832225

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

01345661

Private Unlimited Company

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

██████████

London Borough of Lewisham

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.

Alcohol All Premises

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.

Alcohol On Licences

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

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

Annex 4- Plans

Full plans available at Licensing Services, London Borough of Lewisham

Basement – Plan Ref: 340A

Ground floor – Plan Ref: 340B

First floor – Plan Ref: 340C

Second floor – Plan Ref: 340D

From: Rhodes, Alfene <Alfene.Rhodes@lewisham.gov.uk>
Sent: 18 May 2023 13:47
To: Obazee, Kennedy <kennedy.obazee@lewisham.gov.uk>; Lockett, Richard <Richard.Lockett@lewisham.gov.uk>; Licensing <Licensing@lewisham.gov.uk>
Subject: Objection to New Application – Royal George, 85 Tanners Hill.
Importance: High

Dear Licensing

Re: Full Variation – Royal George, 85 Tanners Hill, SE8 4QD

Please accept this as my objection to the above-mentioned application.

Introduction

1. Under section 13 of the Licensing Act 2003, the licensing authority is a 'responsible authority' and is entitled to make a relevant representation regarding an application for a premises licence.
2. Under section 4 of the Licensing Act 2003, the licensing authority must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 (The Guidance), when carrying out its functions.
3. I have had regard to paragraphs 9.13 to 9.19 of the Guidance and can confirm that I am acting for the responsible authority and I have not discussed the merits of this application with those involved in making the determination of this premises licence application, or with the officer handling the application.
4. Acting as the responsibility authority, I have considered the Licensing Act 2003 and the associated regulations, the Council's licensing policy, and The Guidance when assessing the application and the supporting documents given by Samuel Smith (Southern).

Application for a full variation to a premises licence

5. If this application is granted, the applicant proposes to operate an additional two hours on a Friday & Saturday for the Sale of Alcohol and add Late Night Refreshment on a Friday and Saturday until 00:30

Observations

6. The applicant has not offered conditions/conditions do not exist on the current licence and therefore they are not likely to uphold the 4 licensing objectives.
7. Please see the list of conditions attached we feel are appropriate and proportionate.
8. If this application is granted as requested, we are concerned that the licensing objectives may not be met.

Kind regards

Alfene Rhodes
Safer Communities Officer (Licensing Team)
Safer Communities Service
Community Services Directorate
Lewisham Council,

Direct Line: 0208 314 6098
Mobile: 07909 007 568

Recommended Conditions for Royal George PH

CCTV

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 authorised council officer recent data or footage with the absolute minimum of delay when requested.

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.

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.

All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

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.

All children under the age of 18 must be accompanied by an adult

The premises shall prominently display signage at all entrances informing customers: -

- 1) Police may be called if drugs or weapons are found
- 2) CCTV is in operation throughout this premises and is made available to the police
- 3) Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed
- 4) Management reserve the right to refuse entry

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

During the 30 minute cool down period after sale of alcohol ceases, the volume of any music being played must be decreased.

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.

Loudspeakers shall not be located in the entrance lobby or outside the premises building.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 4 persons at any one time.

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

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.

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.

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.

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.



PL - Lewisham Borough

9 Holbeach Road,
Catford. SE6 4TW

Telephone: 07795 801039

Email: Simon.Butler@met.police.uk

www.met.police.uk

Your ref:

Our ref:

2nd June 2023

Dear Licensing Team,

Police have received an Application for a Full Variation at The Royal George Pub, 85, Tanners Hill SE8 4QD.

Police wish to object to this New Application on ground of Prevention of Crime and Disorder, Preservation of Public Safety and Prevention of a Public Nuisance. The Representations are required by 9th June 2023.

On reading the application, police have noticed that comments put on the application form state that existing conditions. On reading the original licence I have found that this Licence has no existing operating conditions written on it. On the application the applicant is clearly not aware of the lack of conditions, as they state that current conditions offered are on the licence and that fact there is none also is pointed out in the application section L when it states "Reasons why I have not enclosed the premises licence or relevant part of premises licence. I am unable to locate it."

Police believe that to uphold licensing objectives for Lewisham that some conditions should be added to the Operating Licence in order to modernise the licence and update it. It is clear that the premises has been in existence for many years and currently does not reflect the times we currently live in. As the Variation states that an increase in operating times and longer hours police wish to see an increase in safeguards put in place.

Current Licensing Objectives require some safeguards to be in place and police feel that these proposals are right and fitting to update the current operating licence to make the licence current and up to date with today's practices.

Any New Licence and Variation should reflect the times we currently live in and are made fit for purpose in order to safeguard the public and the premises and its staff.

Any Full Variation in this application police would wish to see certain conditions to be added in order that police could look to support any application.

Most of the conditions are more than likely already be common practice with the operator and already in place and being used.

The Metropolitan Police wish to support all business and see that as long as conditions are in place to safeguard the Public, as well as staff, and in order to assist in any crime detection, to enable Police to investigate crime and deal with offenders successfully.

The Premises is situated in a largely residential area and quiet side street and as such appears a more local premises for local people. Even so, the need to protect the public sufficiently enough to enjoy what the premises has to offer, but also show that the premises will not impact the community that it intends to serve and have an impact on people and their lives in a negative way.

Police feel that the conditions stated below would achieve a balance in allowing the business to operate and safeguard the local resident's concerns. The Public would expect the Police to have conditions in place to ensure a safe environment, and when the need arise that safeguards are in place to assist to make changes that are needed as and when they arise.

Police wish to support night time economy and the business and feel that as long as safeguards and agreements are in place it would assist in supporting any business and its customers and staff.

Conditions Proposed by Police are –

CCTV

MC01 - CD, PS, CH, PN

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.

MC02 - CD, PS, CH, PN

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.

MC04 - CD, PS, CH, PN

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.

MC05 - CD, PN

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

Age Verification and Protection of Children from Harm

MC11 – CD, CH

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.

MC13 – CD, CH

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.

MC14 – CD, CH

Unaccompanied children are not permitted on the premises.

Signage

MC21 - CD, PS, PN

The premises shall prominently display signage at all entrances informing customers: -

(All persons entering the premise will produce identification),

(CCTV is in operation throughout this premises and is made available to the police.)

(‘Management reserve the right to refuse entry’)

Identification of Offenders or Problem Persons

MC28 - CD, PS, PN

A record book of banned individuals shall be held by Duty Manager and will be made available to Police and Council upon request.

Public nuisance & Outdoor areas

MC33 - PN

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

MC35 - PN

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

MC36 - PN

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 6 persons at any one time.

MC37 - PN

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.

MC39 – PN, PS

Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

MC44 – PN, PS

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.

Staff Training

MC73 – CD, CH, PN, PS

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.

Staff are to engage in training in Ask Angela and such topics in Vulnerability towards women and girls, as well as drink spiking awareness campaigns.

Recording of Incidents and Visits

MC78 - CD

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.

Any outside area for customers will be closed from 2200hrs onwards and only be used for customers as a smoking area, this area will be limited to having 3 customers at any single time in order to keep noise to a minimum for local residents.

Ashtrays and cigarette bins must be provided to ensure rubbish and smoking debris can be collected and not left to impact the streets outside the premises.

Any customers who are smoking outside, after 2200hrs, will NOT be permitted to take drinks outside with them. The reasoning for this is to prevent customers socialising outside and limits disturbances outside the premises lessening the impact on neighbours.

At the close of business staff will ensure that customers are moved on and encouraged to leave to ensure that customers do not cause noise disturbances outside the premises.

The premises is to have in place a dispersal policy in place to show how they intend to move on customers and this document should be available for inspection on request of Police and Local Authority Enforcement Officers.

In order to protect Licensing Objectives Police will not support any application that cannot put some kind of assurances in place in considering the public and community and its impact in extended its current hours without extra measures in place or being offered.

Police Objection is on the grounds that No Agreement of any operating Conditions are in place between the Applicant and the Police. Although the applicant has offered up existing conditions it is clear the applicant does not know what conditions are in place already, that being none, so in police eyes have offered nothing to mitigate anything extra for a request to open later in hours.

Police believe that conditions attached will probably already be in place and are asking to have the Licence be updated with current protection measures in place in order upholding any Licensing Objectives of the Borough.

Any premises to be open and serving Alcohol to the public requires control and agreed terms in which to supply Alcohol to the public in a responsible way. This is what the Public would expect and deserve and measures are put in place in order to protect the public and staff alike when a business is operating.

Any conditions proposed would support the Licensing Objectives and assist in Crime detection and assist with any possible prosecution in light of any criminal activity.

I object on grounds of Prevention of Crime and Disorder, Preservation of Public Safety and Prevention of Public Nuisance.

For your consideration

Regards

Simon Butler

Police Licensing Officer for Lewisham Borough

9 Holbeach Road, Catford SE6 4TW

Obazee, Kennedy

To: Licensing
Subject: RE: Objection to Full Variation - Royal George, 85 Tanners Hill, London SE8 4QD

Sent: 31 May 2023 10:36
To: Licensing <Licensing@lewisham.gov.uk>
Subject: Samuel Smith Southern Late License

Dear madam or sir,

I'm emailing to oppose the proposed late license for the Samuel Smith Southern Royal George pub on Tanners Hill.

I live in [REDACTED] and my and my infant son's bedroom windows are directly opposite the pub. The proposed late license would result in an unacceptable amount of noise late at night.

I'd also add that the staff at the pub often struggle to keep the volume from pub patrons leaving at the current closing time to at an acceptable level and proposed change would only make this situation worse.

Other pubs in residential areas don't allow patrons to sit outside after 9.30pm and have appropriate signage about keeping noise down. Considering the pub has outdoor seating in the front and beer garden, this would also be worth implementing to mitigate noise going forward

Regards,

[REDACTED]

Obazee, Kennedy

To: Licensing
Subject: RE: representation re: Royal George Pub, SE8 4DA

Sent: 31 May 2023 10:59
To: Licensing <Licensing@lewisham.gov.uk>
Subject: representation re: Royal George Pub, SE8 4DA

Dear Lewisham Licensing

I am emailing to make a representation in regards to the planned extended licence at the Royal George pub, Tanners Hill, SE8 4DA.

I live in the [REDACTED] and there is already an issue with noise after closing. Customers gather on the street outside, sitting on the benches with drinks until past closing, often staying until after midnight. I made a complaint with Lewisham council but heard nothing back. I know a number of my neighbours in Penny Fields House have also spoken to the pub landlords who have attempted to get their customers moving on more quickly after closing but unfortunately this has not made much difference. Some of my neighbours that face on to the pub have video evidence of this.

My concern (and that of my neighbours) is that with a closing time of midnight or half past midnight customers will be hanging around until 1am or later which would disturb residents in the surrounding properties.

Kind regards

[REDACTED]

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From:

Sent: 07 June 2023 13:45

To: Licensing <Licensing@lewisham.gov.uk>

Subject: Re: Opposition to APPLICATION TO VARY PREMISES LICENCE (Section 34) for Royal George, 85 Tanner's Hill, London SE8 4QD

To LICENSING SERVICES, LONDON BOROUGH OF LEWISHAM,

My name is [REDACTED] and I am a resident in a block across the road from the Royal George pub, Penny Fields House. I live at [REDACTED] with my partner and two preschool age children.

I would like to **OPPOSE** the application to vary the layout of the ground floor only in accordance with the submitted plans and to vary the hours for the on and off sales of alcohol Friday and Saturday 10:00 to 00:00, vary the opening hours Friday and Saturday 10:00 to 00:30 and to add the provision for late night refreshment Friday and Saturday 23:00 to 00:30 hours.

My opposition is on the grounds of noise pollution.

To extended hours late at night in the Royal George will only increase the noise in a very quiet residential street. The street is only one way so when people are outside on the benches it can all be heard in the front flats and at the quieter times late at night this can be disruptive to sleep. With longer hours to consume more alcohol this will obviously increase noise.

With the application to vary layout of the ground floor, will this include application for a music license?

I am sure most other residents in our block will feel the same way, as well as any other residents in the street who are aware of this.

I'm sure a lot are not aware, as it is just a blue A4 piece of paper on the pub window that notifies local residents of something that will affect them all. Would not a leaflet through residents letterbox who live in the street been more appropriate?

Many thanks,

Dear Lewisham Council,

I am writing to express my objection to the proposed change to the opening hours of The Royal George pub. As a resident living [REDACTED] the pub, I am intimately familiar with the impact it has on the local area and myself. I am kept awake or woken most evenings by the noise from the customers drinking outside. While I appreciate the pub's success and the lively atmosphere it has created, I cannot ignore the significant noise disturbance it brings to our quiet residential area.

Customers frequently stand outside well past closing time, engaging in loud conversations and even shouting. Despite contacting the Sam Smith brewery multiple times, requesting that they implement a policy similar to other nearby pubs in residential areas, such as The Dog and Bell, where customers are asked to go inside after 10pm, I have yet to receive a response, and the situation remains unchanged.

During the warmer months, the issue is exacerbated as customers spill onto the pavement and roads, sometimes even sitting on the wall opposite the pub, which borders the train tracks below. The noise has become so intrusive that I am forced to keep windows closed even on the hottest summer evenings.

Before any changes are made to the opening hours, I urge the pub management and the brewery to take a more responsible approach, carefully considering the well-being of nearby residents. A reasonable compromise would be to require customers to move inside after 10pm and request that they leave quietly when the establishment closes.

To demonstrate the issue, I have attached photos and a video showcasing a typical evening outside The Royal George. I hope that these materials, along with my concerns, will be given due consideration when deciding on the pub's opening hours.

Thank you for your attention to this matter.

Sincerely

To Whom It May Concern,

I understand that Samuel Smith (Southern) is currently applying to vary the Royal George pub opening hours on Friday and Saturday until 0.30am.

We are concerned with this proposal as we believe this will cause increased noise disturbance late into the night which in turn will impact on our sleep, health and wellbeing. For context our bedroom is located directly opposite the pub, across the road. When customers stay up late talking outside the pub, we can hear them like they are in the room with us.

Even now, by good weather we are experiencing noise disturbance from the pub customers until 11.30pm or midnight. Unfortunately, the pub does not always manage to either bring their customers in after certain hours or disperse them after closing hours.

The main area of concern are the benches outside the pub on Tannershill and people congregating and having loud conversations in front/next and opposite the pub.

We would appreciate it if the pub can enforce a strict policy like other pubs in residential areas do, bringing customers inside after 10pm.

Kind regards,