

Decisions taken by the Licensing Committee on Tuesday, 27 February 2024

Agenda Item No	Topic	Decision
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Part A – Items considered in public

A1	Minutes	Agreed.
A2	Declarations of Interests	None.
A3	Ten-Embee Sports Development Centre The Pavillion 120A Old Bromley Road BR1 4JY	<ol style="list-style-type: none"> 1. An application was received from three local residents (“Applicants”), two of whom reside together, calling for a review of the Club Premises Certificate at Ten Em Bee Sports Development Centre, The Pavilion, 120A Old Bromley Road, BR1 4JY, (“Premises”) on the grounds of the prevention of public nuisance. 2. Ten Em Bee (“Respondent”), as respondents to the application for review, submitted written representations to the application as well as letters in support of the Premises from 6 local residents together with a petition in support of the Premises maintaining their Club Premises Certificate also signed by a number of local residents. 3. The Licensing Committee was held a hearing on 27 February 2024 to consider the application. One of the Applicants spoke to make submission in support of the application to review the Club Premises Certificate. A Trustee of the Respondent also spoke to address the Committee. The Licensing Authority also

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		<p>addressed the Committee.</p> <p>4. In making its decision the Committee has considered all of the papers contained in the report pack together with the submissions and evidence presented by all parties at the hearing. The committee has also considered the Council's own Statement of Licensing Policy and the Home Office's Statutory Guidance.</p> <p>5. The Committee's decision is to take no further steps. Its reasons are as follows:</p> <ul style="list-style-type: none"> a. The Committee heard evidence from both the Applicant and Respondent that the changes made at the Premises in recent months had resulted in a significant improvement in the noise levels such that there had been no issues in 2024. b. A series of improvements and changes have been made by the Respondent to address the concerns raised by the Applicants including: no longer applying for Temporary Event Notices for private hire events; limiting the hire of the Premises to members/guests; any external music supplier routes their systems through the Premises sound limiter;

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		<p>reducing the sound limiter level; ensuring windows and doors are closed (saving ingress and egress; restricting access via the front door; displaying signs asking patrons to leave quietly; and providing the Applicant with a direct contact number for the Premises (via the Council).</p> <p>c. The Committee heard evidence from the Licensing Authority that the Respondent had fully engaged with their investigation of the noise complaints raised by the Applicants. The Respondent had willingly agreed to take steps to mitigate any public nuisance caused by the operation of the Premises. The evidence from the Licensing Authority and supported by both the Applicants and Respondent demonstrated that the changes that had been made had resulted in improvements to the extent that no reports had been made to the Council in 2024.</p> <p>d. Section 9.9 of Lewisham’s Statement of Licensing Policy sets out the clear intention of the Council together with the Police and other relevant enforcement agencies to work together with responsible licence holders and for licence holders to work with the Council in acting responsibly.</p>

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		<p>The Committee was satisfied that the Respondent had demonstrated that they were a responsible licence holder and had taken the relevant steps to address the concerns raised by the Applicants.</p> <p>e. In light of the evidence considered by the Committee including the submission made at the hearing, the Committee do not consider it reasonable or proportionate to impose any additional conditions on the Club Premises Certificate</p> <p>f. The Committee is satisfied that the hours permitted by the Club Premises Certificate are suitable and heard no evidence to support a reduction in those hours. In addition, the Committee is not permitted to restrict licence holders from making applications for Temporary Events Notices as they sit as a separate mechanism allowing all licence holders to apply for extended hours or licensable activities. Any application for a Temporary Events Notice is subject to consideration by the police and environmental health who can object to the grant of the application if they consider that an event could lead to crime and disorder, cause a public nuisance, be a</p>

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		<p style="text-align: center;">threat to public safety and/or put children at risk of harm.</p> <p>6. The Committee would like to thank both the Applicants and Respondent for the submission they made at the hearing. The Committee would reinforce the importance of the commitment made by the Applicants and Respondents at the hearing to open up a direct dialogue going forward. The Committee were of the view that both parties presented their arguments effectively and provided significant assistance to the Committee in reaching its decision.</p> <p>7. All parties have a right to appeal the decision of the Committee to the Magistrates' Court within 21 days of this decision notice.</p> <p style="text-align: center;">5 March 2024</p>
A4	Silks 177-181 Rushey Green SE6 4BD	This application was withdrawn.