

**Decisions taken by the Licensing Committee on Tuesday, 25 April 2023**

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

<p><b>A3</b></p>	<p>Immortals Wine Bar, 123 Lewisham Way, London, SE14 6QJ</p>	<p><b>DECISION: Immortals Wine Bar, 123 Lewisham Way, London, SE14 6QJ</b>                      London Borough of Lewisham, Licensing Committee                      New premises licence application: 25 April 2023.</p> <p align="center"><b>DECISION NOTICE</b></p> <p>1. Andreusse Elliott (“<b>the Applicant</b>”) has submitted an application for a new premises licence (“<b>PL</b>”) in respect of Immortals Wine Bar, at 123 Lewisham Way, London, SE14 6QJ (“<b>the Premises</b>”).</p> <p>2. The Applicant seeks authorisation for the following licensable activities and for the following time periods:</p> <table border="1" data-bbox="891 890 2029 1082"> <tr> <td data-bbox="891 890 1368 1011"><b>Supply of Alcohol ON and OFF the premises</b></td> <td data-bbox="1368 890 2029 1011">12:00-00:00 (Mon-Sun)</td> </tr> <tr> <td data-bbox="891 1011 1368 1082"><b>Late Night Refreshment</b></td> <td data-bbox="1368 1011 2029 1082">12:00-00:00 (Mon-Sun)</td> </tr> </table> <p>3. There were no objections from the responsible authorities. There were four relevant representations from members of the public.</p> <p>4. The Licensing Committee held a hearing on 25 April 2023 to consider the representations. The Committee heard from the Applicant, and from two members of the public who had made written representations objecting to the application. They raised concerns engaging all four of the licensing objectives arising from: the existing large number of late-night venues in the area, and</p>	<b>Supply of Alcohol ON and OFF the premises</b>	12:00-00:00 (Mon-Sun)	<b>Late Night Refreshment</b>	12:00-00:00 (Mon-Sun)
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		<p>noise nuisance and antisocial behaviour arising from the same. They questioned whether it was appropriate for another late-night venue to open in the area, and suggested doing so would exacerbate existing nuisance and antisocial behaviour issues.</p> <p>5. After careful consideration of all the evidence and submissions, the Committee decided to grant the application, modified as set out below and subject to conditions within the Appendix to this decision.</p> <table border="1" data-bbox="891 778 2029 1074"> <tr> <td data-bbox="891 778 1368 898"><b>Supply of Alcohol ON and OFF the premises</b></td> <td data-bbox="1368 778 2029 898">12:00-23:00 (Mon-Thurs, Sun) 12:00-00:00 (Fri-Sat)</td> </tr> <tr> <td data-bbox="891 898 1368 1002"><b>Late Night Refreshment</b></td> <td data-bbox="1368 898 2029 1002">12:00-23:00 (Mon-Thurs, Sun) 12:00-00:00 (Fri-Sat)</td> </tr> <tr> <td data-bbox="891 1002 1368 1074"><b>Hours open to the public</b></td> <td data-bbox="1368 1002 2029 1074">12:00-23:30 (Mon-Thurs, Sun) 12:00-00:30 (Fri-Sat)</td> </tr> </table> <p><b>Reasons</b></p> <p>In making its decision, the Committee has taken into account all of the papers in the reports pack and the evidence and submissions presented. In particular, the Committee has had regard to the need to promote the four licensing objectives, the Licensing Authority's Statement</p>	<b>Supply of Alcohol ON and OFF the premises</b>	12:00-23:00 (Mon-Thurs, Sun) 12:00-00:00 (Fri-Sat)	<b>Late Night Refreshment</b>	12:00-23:00 (Mon-Thurs, Sun) 12:00-00:00 (Fri-Sat)	<b>Hours open to the public</b>	12:00-23:30 (Mon-Thurs, Sun) 12:00-00:30 (Fri-Sat)
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		<p>of Licensing Policy 2020-26 and to the Home Office’s statutory guidance.</p> <ul style="list-style-type: none"> <li>• The Committee did not consider that the use of the premises would inevitably offend against the licensing objectives and therefore considered that refusing the application outright was not appropriate. Instead, they resolved to grant the licence modified as to the hours authorised and subject to a series of conditions set out in the Appendix to this decision.</li> <li>• The Committee heard from the Applicant that he intends to impose significant security measures at the Premises during operation and that the Applicant had engaged an experienced management team to assist in this regard. These matters are secured by condition. The Committee gave significant weight to these safeguards.</li> <li>• The Applicant also explained how customers in the rear garden of the venue would not be entitled to use the full length of the garden, there would be a limit on the number of people allowed in the garden at any time, thereby limiting noise nuisance, and the garden area would close at 9pm. This is secured by condition.</li> <li>• The Committee gave no weight to purported antisocial behaviour and/or noise nuisance arising from the operation of other local venues. None of those matters related to the premises or to the Applicant. The Committee was directed that it was obliged to consider this application on its own merits.</li> <li>• The Committee gave considerable weight to the fact that no representations had been received from the responsible authorities.</li> <li>• As to hours, the Committee was concerned that the applied-for operation hours were too extensive on weeknights, and so modified them as above.</li> </ul>

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		<p><b>APPENDIX</b></p> <p>Conditions:</p> <p><u>CCTV</u></p> <ol style="list-style-type: none"> <li>1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered, enabling the frontal identification of every person entering any light condition. <p style="margin-left: 40px;">The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.</p> <p style="margin-left: 40px;">All recordings shall be stored for a minimum period of 31 days with the date and time stamping. Recordings shall be made available within 48 hours upon the request of the Police or authorised officer throughout the preceding 31-day period.</p> </li> <li>2. 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.</li> <li>3. All persons entering the premises shall be captured on an eye-level colour CCTV camera. This camera shall capture the full face of any person entering and re-entering the premises and be available to police officers immediately</li> </ol>

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		<p>upon request. CCTV at the front and back of the building, with particular regard to the smoking areas and alleyway at the back of the premises.</p> <p>4. The CCTV must cover all areas of the venue that the public has 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.</p> <p>5. The smoking area must be covered by CCTV that is to the same standards as the internal CCTV system.</p> <p><u>Door Supervision</u></p> <p>6. A minimum of 2 SIA registered door staff (Where 2, of which one (1) must be female) are all employed by an Accredited Contractor Scheme (ACS) registered company. They must be on duty on Thursday, Friday and Saturday Sundays, and Bank Holiday nights from 19:00hrs until 30 minutes after closing and when conducting licensable activities or any other advertised or private event.</p> <p>At all other times, it will be the responsibility of the premises staff delegated by the licensee to control the prevention of crime and disorder and the prevention of public nuisance. Staff training will be provided to this effect and documented in the staff training book.</p> <p>7. A register of security personnel employed on the premises shall be maintained in a legible format and made available to police upon reasonable request. The DPS/ duty manager/ nominated staff member should complete the registration</p>

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		<p>by each security staff member at the commencement of work. Details recorded should include; full name, SIA badge number, time of commencement and completion of duties. The security operative should then sign their name.</p> <p>8. At the commencement of work, security personnel should ensure that they are recorded on the CCTV system and that a clear head and shoulders image showing their face clear of any hat, glasses or other obstruction is recorded.</p> <p>9. All persons entering or re-entering the premises shall be searched by an SIA trained staff member and monitored by the premise CCTV system.</p> <p>10. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests due to the main road outside front.</p> <p><u>Public nuisance &amp; Outdoor areas</u></p> <p>11. 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.</p> <p>12. All windows and doors must be shut while entertainment is in progress except for patrons' immediate entrance/egress.</p> <p>13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.</p>

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		<p>14. Notices shall be prominently displayed in any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.</p> <p>15. The use of the back garden area is to cease at 21:00 hours, Monday to Sunday. The use of the back garden is limited to 15 people at any given time. Loudspeakers shall not be in the entrance lobby or outside the premises building. There will be no regulated entertainment taking place in the back garden The smoking area shall be restricted to the front of the premises in the area assigned by the management with barrier spacing.</p> <p>16. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway</p> <p>17. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.</p> <p>18. 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.</p> <p>19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours.</p>

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		<p>20. 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.</p> <p><u>Supply of Alcohol ON Sales</u></p> <p>21. There shall be a personal licence holder on duty on the premises, (or be contactable by phone), at all times when the premises are authorised to sell alcohol.</p> <p><u>Crime and Disorder</u></p> <p>22. 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.</p> <p><u>Staff Training</u></p> <p>23. 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</p>



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		<p>and/or Licensing officers upon reasonable request.</p> <p>24. New and seasonal staff must attend induction training and receive refresher training every six months.</p> <p>25. 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 &amp; 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.</p> <p>26. 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.</p> <p>27. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.</p> <p>28. 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 always available for inspection at the premises by the police or an authorised officer of the Council whilst the</p>

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		<p>premises is open.</p> <p>29. Unaccompanied children are not permitted on the premises.</p> <p><u>Recording of Incidents and Visits</u></p> <p>30. 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:</p> <ul style="list-style-type: none"> <li>a) All crimes reported to the venue.</li> <li>b) All ejections of patrons.</li> <li>c) Any complaints received.</li> <li>d) Any incidents of disorder.</li> <li>e) All seizures of drugs or offensive weapons.</li> <li>f) Any faults in the CCTV system.</li> <li>g) Any refusal of the sale of alcohol.</li> <li>h) Any visit by a relevant authority or emergency service</li> </ul>
A1		
A2		