



SUMMONS AND AGENDA

LICENSING COMMITTEE

Date: TUESDAY, 25 APRIL 2023 at 7.00 pm

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

Enquiries to: Clare Weaser
Email: clare.weaser@lewisham.gov.uk

Councillors:

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

Members are summoned to this meeting.

Jeremy Chambers, Monitoring Officer
Laurence House
Catford
London SE6 4RU
Date: 17 April 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: 25 April 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 21 December 2022 and 22 and 29 March 2023.

Recommendation

That the Minutes of the meetings of the Licensing Committee, held on 21 December 2022, 22 and 29 March 2023 be confirmed and signed.

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on WEDNESDAY 21 DECEMBER 2022 at 7pm and held remotely via Microsoft Teams.

Present

Councillor Wise (Chair) Councillor Anifowose (Vice-Chair) Councillors, Brown, Hayes, and Shrivastava.

Apologies for absence were received from Councillors Huynh, Howard, Kestner and Warner.

Also Present

Matt Lewin – Counsel – Legal advisor
Alfene Rhodes - Crime, Enforcement and Regulation Officer

Unit 5, Goldcrest House, 32-64 Lee High Road, London, SE13 5FH

Agent for the Applicant – Mr Lake

1. Minutes

RESOLVED that the minutes of the meeting of the Licensing Committee held on 29 November 2022 be submitted to the next meeting of this Committee.

2. Declarations of Interests

None.

3. Unit 5, Goldcrest House, 32-64 Lee High Road, London, SE13 5FH

- 3.1 The Chair welcomed all parties to the Licensing Committee. She introduced those present and outlined the procedure to be followed for the meeting. She then invited the Crime, Enforcement and Regulation (CER) Officer to introduce the application.

Introduction

- 3.2 The (CER) Officer said that the application was in respect to an application for a new premises licence for Unit 5, Goldcrest House, 32-64 Lee High Road, London, SE13 5FH. It was a basement premises situated in a large mixed-use building. She outlined the application. Two representations had been received from local residents on the grounds of the prevention of public nuisance, prevention of crime and disorder and public safety.

- 3.3 Objections had not been received from responsible authorities because conditions had been agreed. The powers available to members when making their decision was then outlined. The premises had been operating under Temporary Event Notices (TEN) over 24 days in the current calendar year. No complaints had been received in respect of any of these events. The premises had a maximum capacity of 85 people.
- 3.4 Councillor Brown said that an email dated 25 November 2023 referred to a previous email which had not been included in the agenda. The (CER) Officer said that it had been excluded because the content referred to another premises. Councillor Brown asked officers to check that all future information submitted to this committee was relevant to the application.

Applicant

- 3.5 The Agent, Mr Lake, spoke on behalf of the applicant. He said that he was satisfied that the correct process had been followed. The views of objectors were important. If the application was granted, he hoped that they would come into the premises and enjoy the facilities.
- 3.6 At the weekend, security at the premises would be given due attention. Sound would not escape because it had been tested physically. Unit 5, Goldcrest House was ready to open when the licence was granted.
- 3.7 Councillor Shrivasa asked whether the capacity of the venue was 85. Mr Lake said that it was 100 and this number was based on one person per square metre.
- 3.8 Councillor Shrivasa asked the applicant for information about the TENs hosted at the venue in the last 12 months and what events would be held in the venue. Mr Lake said that Unit 5, Goldcrest House was a basement café. It was cosy and separate from noise and traffic. The premises licence holder was of Latin American heritage and offered an array of snacks for friends and co-workers, with many other people coming to the venue because they had heard about the events from friends and social media.
- 3.9 Mr Lake said that the applicant had applied for TENs before a new licence, because he wanted to gauge how successful the events were and to promote these events. There was potential to host birthday parties and create a club atmosphere.
- 3.10 Councillor Brown asked about the hours of the TENs and why the applicant wanted a premises licence until 4am. He also asked for details of the smoking area on the pavement outside the premises and how it would be enclosed. Mr Lake said that staff had not been asked to smoke by patrons. Smoking was not encouraged, and a sign would be displayed stating that vaping and smoking were not allowed. Security would manage patrons on the pavement. Events would not always end at 4am but the opportunity to open late was available if business increased on a Friday and Saturday.
- 3.11 Ms Rhodes clarified that TENs were applied for until 4am. They did not always end at this time, but there had never been any issues.

- 3.12 In response to a question from the Chair, Mr Lake said that the premises was in the basement with its own ground floor access and reception. He confirmed that there were not any safety issues.
- 3.13 Councillor Shrivastava understood that the events at the premises would attract people of Latin American heritage. He asked what the venue would mean to Latin American people in the area, whether many patrons were local or whether most travelled. Mr Lake said that the premises was frequented by people with friends or family connection. The applicant was well known for the events he had hosted he had a number of followers and was an influencer.
- 3.14 In summary, Mr Lake said that the Temporary Event Notices enabled the applicant to consider whether to apply for a permanent licence. He realised that he had to advertise his business and encourage local residents to the venue. The applicant had considered claims of noise nuisance from objectors. He encouraged everyone to attend events at the venue including councillors.
- 3.15 There were no objectors present at the meeting.
- 3.16 Members confirmed that they had been present throughout the meeting and had not lost connection.
- 3.17 A decision letter would be sent out within 5 working days. She thanked all parties for their attendance, and they left the meeting.

Exclusion of the Press and Public

RESOLVED that under Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 (A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information:

3. Unit 5, Goldcrest House, 32-64 Lee High Road, London, SE13 5FH

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

Unit 5, Goldcrest House, 32-64 Lee High Road, London, SE13 5FH

The application for a new premises licence was APPROVED.

The meeting ended at 7.20pm

Chair

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on WEDNESDAY 22 MARCH 2023 at 7pm and held remotely via Microsoft Teams.

Present

Councillor Wise (Chair) Councillor Anifowose (Vice-Chair) Councillors, Brown, Howard, Huynh, Jackson, Kestner and. Warner

Apologies for absence were received from Councillors, Hayes and Shrivastava

Also Present

Matt Lewin – Counsel – Legal advisor
Kennedy Obazee – Safer Communities Service, Licensing Officer
Alfene Rhodes - Safer Communities Service, Licensing Officer

Safka Organic Health Centre The Parade 12A Upper Brockley Road, SE4 1SX

Applicant – Mr Brown (In person)

Respondent - P.C Butler – Metropolitan Police

1. Minutes

RESOLVED that the minutes of the meeting of the Licensing Committee held on 10 January 2023 be confirmed and signed.

2. Declarations of Interests

None.

3. Safika Organic Health Centre The Parade 12A Upper Brockley Road , SE4 1SX

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

Introduction

- 3.2 Mr Obazee said that members were being asked to consider an objection to a Temporary Event Notice (TEN) between 5-7 May 2023, on the street outside

The Parade 12A Upper Brockley Road SE4 1SX. The objection was received from the Metropolitan Police on the grounds that by granting this application, there would be increased crime and disorder and public safety would be at risk.

- 3.3 Mr Obazee then outlined the options available to members under the licensing objectives, when making their decision.

Applicant

- 3.4 Mr Brown said that he had submitted the TEN because he was told that we live in a democracy, everyone was treated equally and he would have to follow protocol if he wanted a TEN. He said that he was struggling to make a profit during these difficult financial times. There would not be a street party, or any major event, he wanted to put tables up outside his shop to promote the goods he wanted to sell during the 3 public holidays. He said it was frustrating and unjust that anyone could deny him the opportunity to celebrate this public holiday.
- 3.5 Mr Brown was the proprietor of a health shop and he did not intend to sell alcohol. However, he could not be responsible for people who wanted to drink alcohol in the area. The local area consisted of people from all different backgrounds and everyone deserved an equal opportunity to promote themselves. He did not understand where allegations of street parties had come from; he only expected 10 – 20 people to attend. If the area did not have a good name, this stigma had existed before he became the proprietor of his shop. The 3 shops in the parade wanted to promote their culture and he believed that the Police had a problem with this. He believed that there would be many other events held in the neighbourhood and they would not ask the Police for a licence.
- 3.6 The Chair asked Mr Brown how he would manage a situation where people gathered outside his shop; they had been drinking and it turned into a party. There were too many people in the area and it could cause a disturbance. Mr Brown said that he could not envisage any situation where there would be disruption, he expected everyone to enjoy themselves. If the situation did get out of hand it would be a matter for the Police.
- 3.7 Councillor Jackson asked Mr Brown to confirm where the tables would be. Mr Brown said that his shop was located in the corner of the parade and an area in front of a garage on the pavement would be used for the tables as well as the pavement in front of his shop. He expected to use 3 tables.
- 3.8 Councillor Howard asked Mr Brown whether he had any experience managing events. He said that he had held seminars inside the shop, on homeopathic treatments. Specialists in homeopathic treatments attended from all around the world. Drumming sessions inside the building had also been held without any problems. He said that there would be security but he did not expect a big turnout. He wanted to hold events that the community could be proud of but he did not feel that he had been given his opportunity.

- 3.9 Councillor Howard asked whether the venue was problematic. She was concerned about traffic and a lot of people in a small space. Mr Brown did not expect a big turnout, because there were so many other events in the area. He wanted to use the opportunity to promote his goods and healthy living. He did not know of any place where West Indian people could go to discuss their culture and play their music, exchange ideas about their heritage, their journey and feel comfortable.
- 3.10 In response to a question from Councillor Kestner, Mr Brown said that he would be pleased if there were 50 people at the event at any one time. The capacity of his shop was between 30-50 people.
- 3.11 Councillor Warner referred to an incident in the Police objection, which stated that a licensing officer had issued an abatement notice, following a complaint of noise nuisance at the premises. Mr Brown said that he was not aware of any licensing officer coming to him having received a noise complaint. In addition, the resident above his shop played a wind instrument and practised every day. He had never known anyone to complain about the noise. Mr Brown did not play music loudly, he wanted to bring people into his shop not make a disturbance.
- 3.12 Councillor Warner asked Mr Brown to comment on the Police objection that stated there were various noise complaints from neighbours and the owner's general behaviour towards the community. Mr Brown said that in some cultures, people speak loudly and he was not going to apologise for that. It was the way they communicate and was part of their culture. It was not excessive and was not intended to upset anyone and was not louder than other ambient noises.
- 3.13 Councillor Brown asked Mr Obazee whether he had any information regarding these premises, including visits to the shop. Mr Obazee did not have any information.

Objector

- 3.14 P.C Butler spoke against the TEN on behalf of the Metropolitan Police. He said that he understood that business was difficult in the current climate, and Mr Brown needed to increase his current income. However, he had to consider the application as submitted and there was not sufficient information on that application for him to support the event. His main concern was around risk management for the bank holiday weekend. The number of people expected had not been given and therefore there was nothing to stop the legal maximum of 499 people from attending.
- 3.15 P.C Butler was also concerned that the applicant had not given any indication about how the event would be managed. There was no mention of stewards, marshals, or permission from the landowner. There had not been a response from highways about whether the road would be closed. The premises is in a small one-way road. If crowds were to swell outside the premises, residents

would be hampered getting to their properties, and emergency vehicles would be restricted

- 3.16 P.C Butler said that he had supported all businesses last year that had put their business plan forward and demonstrated that risk had been managed. This application had not done that. There was no indication as to whether local residents would be part of this event. P.C Butler expected this to be a very busy period and there would be a lot of parties. Most of the Police resources would be in London so there would be a lack of resources in the borough. This could be a problem if a large number of people attended this event because there would be no way to control them.
- 3.17 With regard to the Abatement Notice, P.C Butler was with Mr Olaniran when the notice was issued to Mr Brown. Neighbours had made complaints about noise emanating from the premises and an Abatement Notice was served. He understood that Mr Olaniran went back to Mr Brown to speak to him a second time. Mr Olaniran had left Lewisham Council, but P.C. Butler wanted this evidence placed on record. A licensing officer confirmed to him that this evidence was on file.
- 3.18 P.C Butler had concerns because this was a small road and a small community. He believed that the capacity of the shop would be a maximum of between 30-40 people. There was not enough information within the application for him to approve the application.
- 3.19 Councillor Jackson referred to the cad reports in the Police objection. He asked whether any of them referred to Safika Organic Health Centre. P.C Butler said that they referred to other shops in the parade.
- 3.20 Councillor Jackson asked whether two tables outside Mr Brown's premises would be an issue for Police and whether he expected 499 people to attend the premises. P.C Butler said that two tables would not be an issue and if the application had been completed correctly with this information, including the numbers expected, the police objection would not have been submitted to this Committee.
- 3.21 In response to a question from Councillor Huynh, P.C Butler said that he would not have objected to the TEN had he known that there would only be a maximum of 50 attending over the bank holiday. He said that it was a simple process to add the number of people expected in the box on the form. He had to make a decision based on this legal document.
- 3.22 Members were concerned that the objections raised by P.C Butler did not relate directly to the premises and were not, therefore, relevant to this application. P.C Butler said that his objections related to the other premises in Upper Brockley Road.

Conclusion

- 3.23 Mr Brown said that he did not understand the point that P.C Butler was making. There were two pubs at the end of Upper Brockley Road. He asked whether they would have to make a similar application for the bank holiday because there would be more than the 50 people at these establishments.
- 3.24 Mr Brown did not have any recollection of speaking to P.C Butler about noise or behaviour in that area. He said that there was crime in the area but this was not his responsibility. The Police just assumed that his shop and those in in that area were responsible for these alleged incidents but they could have taken place in an area nearby. There were approximately 200/300 people in nearby establishments at the end of the road and yet the assumption was that the local shops in the Parade were responsible for incidents of crime and disorder.
- 3.25 Mr Brown said that he had made his application with the help of a member from the local community. He believed that he had demonstrated his intention and followed the rules. He did not know that he had to elaborate on this because he had applied for such a small event. He wanted to have two tables outside his shop and play some music. This would have been breaking the law if he had not gone through the correct channels.
- 3.26 P.C Butler said that he wanted to support the event and had supported many events in the borough, but he had to be careful to manage risk. He did not wish to hamper Mr Brown's business opportunities; he would support a small event but he had taken the application as written. There were several questions to which he did not have an answer. He did not know how big the event would be and needed to ensure that it would not get out of control, particularly on the weekend of the King's coronation, when Police resources would be low.
- 3.27 In conclusion, P.C Butler clarified that the crimes outlined in the report were from incidents in Upper Brockley Road.
- 3.28 Members confirmed that they had been present throughout the meeting and had not lost connection.
- 3.29 The Chair said that a decision letter would be sent out within 5 working days. She thanked all parties for their attendance, and they left the meeting.

Exclusion of the Press and Public

RESOLVED that under Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 (A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information:

**3. Safika Organic Health Centre The Parade 12A Upper Brockley Road
SE4 1SX**

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

**3. Safika Organic Health Centre The Parade 12A Upper Brockley Road
SE4 1SX**

No counter notice would be issued.

The meeting ended at 8.08pm

Chair

MINUTES OF THE LICENSING COMMITTEE

Wednesday, 29 March 2023 at 7.54 pm

PRESENT: Councillors Coral Howard, Susan Wise (Chair), Yemisi Anifowose (Vice-Chair), Stephen Hayes, Edison Huynh, Eva Kestner, Luke Warner and Mark Jackson

ALSO PRESENT: Emma Aye-Kumi, and Jeremy Chambers

Apologies for absence were received from Councillor Liam Shrivastava

1. Licensing Appointments

It was MOVED, SECONDED and RESOLVED that the membership of the Committee is as follows:

Councillors
Susan Wise
Yemisi Anifowose
Coral Howard
Bill Brown
Luke Warner
Eva Kestner
Mark Jackson
Liam Shrivastava
Edison Huynh
Stephen Hayes

2. Election of Chair

It was MOVED, SECONDED and RESOLVED that Councillor Susan Wise be appointed as Chair and Councillor Yemisi Anifowose Vice Chair of the Licensing Committee for the municipal year 2023/24.

The meeting ended at 7.55pm

Agenda Item 2



Licensing Committee

Declarations of Interest

Date: 25 April 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: Immortals Wine Bar, 123 Lewisham Way, London, SE14 6QJ

Date: 25 April 2023

Class: Part 1.

Ward(s) affected: Brockley

Contributors: Community Services – Safer Communities Service

Outline and recommendations

Determination of New Premises Licence Application submitted on 14th February 2023 by Immortals Wine Bar Limited for the premises at 123 Lewisham Way, London, SE14.

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

Timeline of engagement and decision-making

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 representations was 14th March 2023.

1. Summary

1.1. Particulars of Application

The application for a new premises licence proposes the following activities:

Supply of Alcohol for consumption ON and OFF the premises

12:00 – 00:00 Monday

12:00 – 00:00 Tuesday

12:00 – 00:00 Wednesday
12:00 – 00:00 Thursday
12:00 – 00:00 Friday
12:00 – 00:00 Saturday
12:00 – 00:00 Sunday

Late Night Refreshment

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

- 1.2. Four representations have been received from local residents on the grounds of the prevention of public nuisance, the prevention of crime and disorder as well as public safety.
- 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.

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 new premises licence as applied for
 - 2.) Grant the licence subject to conditions modified to such extent as the authority considers appropriate for the promotion of the licensing objectives
 - 3.) Exclude from the scope of the licence any of the licensable activities to which the application relates.
 - 4.) Refuse to specify a person in the licence as the designated premises supervisor
 - 5.) Refuse to grant the application.
- 2.2 Either party has a right of appeal to the Magistrates Court against a decision which should be submitted to the court within 21 days of the date of the decision letter.

3. Policy Context

- 3.1. Decisions by Members of the Licensing Committee should have regard to the Licensing Act 2003 and the promotion of the four Licensing Objectives at all times, which 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.

Is this report easy to understand?

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4. Financial implications

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

5. Legal implications

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

6. Equalities implications

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

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

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

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

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

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

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

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

7. Climate change and environmental implications

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

8. Crime and disorder implications

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

8.2. It is a requirement of the Licensing Act 2003 that any decision made by the Licensing Committee must not negatively impact on the Licensing objectives.

9. Background papers

9.1. Application received 14th February 2023.

9.2. Representations from four local residents.

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

Is this report easy to understand?

Please give us feedback so we can improve.

Term	Definition
	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 • 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

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11. Report author and contact

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

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* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business

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

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

Registration number

Business name

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

VAT number

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

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

A private individual acting as an agent

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	[REDACTED]	
* Street	[REDACTED]	
District	[REDACTED]	
* City or town	[REDACTED]	
County or administrative area	[REDACTED]	
* Postcode	[REDACTED]	
* Country	[REDACTED]	

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	Immortals Wine Bar
Street	123 Lewisham Way
District	
City or town	London
County or administrative area	
Postcode	SE14 6QJ
Country	United Kingdom

Further Details

Telephone number	[REDACTED]
Non-domestic rateable value of premises (£)	7,000

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

/ /
dd mm yyyy

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

/ /
dd mm yyyy

Provide a general description of the premises

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

The premises will trade as a chilled wine bar/ lounge where alcohol will be served alongside a light food menu, operating between midday and midnight. The premises will also operate as a work space throughout the day. The premises also has an outdoor garden area which will be used for the consumption of alcohol until 22:00 hours each evening

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

Will you be providing performances of dance?

Yes No

Section 13 of 21

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

See guidance on regulated entertainment

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

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Continued from previous page...

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

- Indoors Outdoors Both

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

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

To allow the sale of hot food from the light menu to continue beyond 23:00 hours until closing time

State any seasonal variations

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

n/a

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

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

n/a

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

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.

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

n/a

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

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

n/a

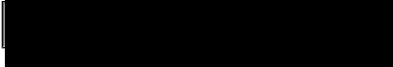
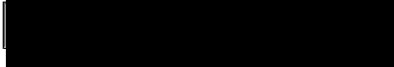
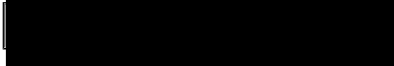
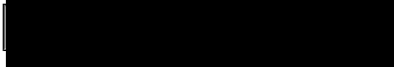
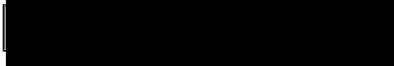
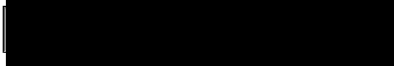
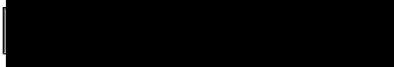
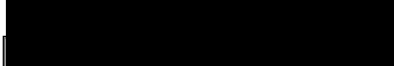
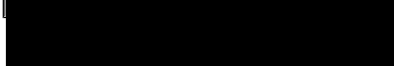
State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name		<input type="text"/>
Family name		<input type="text"/>
Date of birth		<input type="text"/>

Enter the contact's address

Building number or name		<input type="text"/>
Street		<input type="text"/>
District		<input type="text"/>
City or town		<input type="text"/>
County or administrative area		<input type="text"/>
Postcode		<input type="text"/>
Country		<input type="text"/>
Personal Licence number (if known)		<input type="text"/>
Issuing licensing authority (if known)		<input type="text"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

n/a

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

n/a

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

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

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

Training to Include:

preventing underage sales of alcohol
preventing proxy sales of alcohol to underage persons
preventing sales of alcohol to a person who is drunk

The premises will close 30 minutes after the licensing activities have ceased, to allow customers to finish their drinks and food and leave in a quiet and orderly manner

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive CCTV system.

All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.

All recordings shall be stored for a minimum period of 31 days with date and time stamping.

Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

Continued from previous page...

c) Public safety

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided

All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

d) The prevention of public nuisance

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

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

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

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day

The use of the outside garden area to cease at 22:00 hours Monday to Sunday.

e) The protection of children from harm

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card, or Military ID with the PASS Hologram.

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.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Please click on link for fees <http://www.lewisham.gov.uk/Business/LicencesAndStreetTrading/AlcoholAndEntertainmentLicences/FeesList.htm>

* Fee amount (£)

190.00

DECLARATION

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

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

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

* Full name

[Redacted]

* Capacity

Licence Agent

* Date

14 / 02 / 2023
dd mm yyyy

Add another signatory

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

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1. Save this form to your computer by clicking file/save as...

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

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

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OFFICE USE ONLY

Applicant reference number	<input type="text" value="sgl:202314"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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

From:

Sent: 14 March 2023 23:09

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

Subject: Comment/Plea - re. proposed new license at Lewisham Way

To who it may concern,

I'm getting in touch to express my upset, worry and concern about the proposal for the premises on Lewisham Way (former barber shop) to be turned into a 7 day per week licensed bar.

I'm a resident in Lewisham Way, SE14 – close to the property in question. We already suffer with excess noise, a huge amount of rubbish dumping and occasionally even unwanted 'guests' attempting to enter our home via the main front door or side gate. And this is just from the existing situation and with the current Flower of Kent pub - a busy, loud and uninviting pub with a license, just 20 ft away from where you're proposing to add ANOTHER one. It give zero consideration to the residents and is an excessive and unnecessary addition - on a road which already has 6 licensed drinking venues - plus several more locally in Deptford, New Cross, Brockley and Lewisham town centre.

If you had consulted with the local Police you would understand the consistent problems we have with anti-social behaviour right in the location where the proposal is - there have been countless complaints and reports made in the last 2 years alone.

It is where we call home, we deserve to be able to enjoy and feel safe here - and this will be greatly compromised and made impossible if the new premises is opened as intended.

I really hope you take this seriously and look beyond potential for profit. Unnecessary developments of this nature saturate the market, damage existing 'competitor' venues who are here and already invested in the community and spoil people's ability to enjoy and feel comfortable and safe where we live. It will become like an alcohol driven anti-social 'strip' and I can see no-one who would benefit outside of the business owner themselves.

I urge you to please reconsider.

Faithfully,

From:

Sent: 05 March 2023 17:51

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

Subject: 123 Lewisham Way - alcohol licence objection

Hi - As a one of the residents of Lewisham Way I would like to object to the licensing application for 123 Lewisham Way, for which I am deeply concerned in regards to issues of public safety, nuisance and crime and disorder. I'm particularly troubled that this premises is currently installing its bar, prior to a licensing decision, however how the bar is being set up reveals likely disturbance and deeply concerns me.

- Bars are not all set up in the same image. Some promote sensible drinking, play quiet music and serve the community/foster economic growth. Other bars in the area attract a far seedier, more dangerous edge, attracting gangs, violence and drugs. This bar appears to be more in the image of the latter from what we can see as a 'late night' vibe, rather than a come in for a glass of wine and Sunday lunch with the family feel - it's very dark, black interior with strobe lighting set up. These kind of premises are not for locals, but attract the more dangerous elements of Lewisham and beyond.

- Bars on Lewisham Way have a very mixed track record, with the bar further up Lewisham Way on the corner of 201 previously being closed down due drugs and knife crime. Furthermore, there was a drug related drug incident last year further up towards one of the bars where a woman was shot by a gun and injured.

- This stretch of commercial buildings currently does not have any bars or music facility. It therefore does not blend with its neighbour companies nor does it follow any precedent on the parade of shops.

- In our block we have young children and babies living here as residents. I fear for the safety of these children in my block. It would be entirely unsuitable for an alcohol / music licence to be granted directly next to such a dwelling residence.

- The cost cutter on the parade already has a 24 hour off licence and as a result we already have people who drink in the middle of the night on our wall, cause loud noise which keeps me up at night and litter and rubbish extensively. This bar is likely to compound this issue.

I hope you realise now that the costs of this licence far outweigh any local society or economic benefit.

Kind regards,

From:

Sent: 01 March 2023 21:58

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

Subject: Fw: Premises Licence for Lewisham Way - comments by 14.03.23

Hello,

A property close to my home has applied for a licence to sell alcohol as a bar. See attached a copy of the notice on their door.

I went to your website but couldn't see how to view the application. Can you clarify what "Late night refreshments" means?

Also can you advise if they intend using the rear outdoor space as part of their offering. I would object to this being granted as the previous occupants used to have very late night parties (to 8am) with DJs and many people causing noise and disruption to surrounding residents. Particularly problematic during the summer when people have doors and windows open.

I question if we need another licensed premises so close (about 5 doors) from an existing premises - the Flower of Kent, creating more late night loitering and noise.

I look forward to hearing from you.

Kind regards

From:

Sent: 06 March 2023 14:19

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

Subject: Objection - Licensing application 123 Lewisham Way

Hi

I am a resident of Lewisham way.

I object to the application for the sale of alcohol and hours of opening.

The sale of alcohol into the early hours is ridiculous for such a residential area.

Residents have had all kinds of anti social behaviour into the late hours from the local bar (flower of kent).

Drug taking, fights on the street, urinating in the streets...you name and it happens.

It would be so damaging to residents to allow a wine bar which will operate into all kind of late hours with people smoking and drinking on the street and acting in an anti social way.

Have no doubt this will happen as with the flower of kent.

If you are to grant a licence then it surely must be restricted to social hours and heavily conditioned.

Thank you