



# AGENDA

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## LICENSING COMMITTEE

**Date: THURSDAY, 22 JUNE 2023 at 7.00 pm**

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

**Enquiries to: Clare Weaser**

**Email: [clare.weaser@lewisham.gov.uk](mailto:clare.weaser@lewisham.gov.uk)**

### **MEMBERS**

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

### **Councillors:**

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

**Members are summoned to attend this meeting**



**Jeremy Chambers  
Monitoring Officer  
Laurence House  
Catford  
London SE6 4RU  
Date: 14 June 2023**

## 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:** 22 June 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 meetings of the Licensing Committee, held on 25 April and 9 May 2023.**

#### Recommendation

That the Minutes of the meetings of the Licensing Committee, held on 25 April and 9 May 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 TUESDAY 25 APRIL 2023 at 7pm and held remotely via Microsoft Teams.

### **Present**

Councillor Wise (Chair) Brown, Howard, Huynh and Warner.

Apologies for absence were received from Councillors Anifowose, Shrivastava, Jackson.

### **Also Present**

Rowan Clapp – Counsel – Legal advisor  
Richard Lockett – Safer Communities Service Senior Licensing Officer  
Kennedy Obazee– Safer Communities Officer  
Emma Campbell-Smith - Head of Governance and Committee Services

### **Immortals Wine Bar, 123 Lewisham Way, London, SE14 6QJ.**

#### **Applicant**

Mr Elliott

#### **Objectors**

2 residents

#### **1. Minutes**

RESOLVED that the minutes of the meetings of the Licensing Committee held on 21 December 2022 and 22 and 29 March 2023 be confirmed and signed.

#### **2. Declarations of Interests**

None.

#### **3. Immortals Wine Bar, 123 Lewisham Way, London, SE14 6QJ**

- 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 the hearing was being held to determine a licensing application for Immortals Wine Bar 123 Lewisham Way SE14 6QJ. Details of the application were in the report and notice had been served on the responsible authorities on 15 February 2023. The application had been advertised in accordance with regulations. Four objections had been received within the consultation period and were not considered to be vexatious or frivolous.
- 3.3 Members then outlined the options available to members under the licensing objectives, when making their decision.

### **Applicant**

- 3.4 The applicant addressed the Committee. He said that he took over 123 Lewisham Way with idea of Immortals Wine Bar. A place where he could invite the community including University and College students. He was trying to create somewhere these patrons could work, watch sports have an alcoholic drink and a place to have gatherings. It would not be a nightclub as suggested by objectors.
- 3.5 The applicant said that the objectors suggested that his premises would be a problematic nightclub, but he had been trying to steer away from that type of premises. He had plans for the layout of the premises and ideas for the garden area. The licensing officer offered him advice about possible trading hours, but the applicant already knew when he wanted to open and close, and he would not be trading until 4am. He suggested that it would be a good warmup bar for patrons going on to nightclubs. He was a family man and did not want to be open until the early hours of the morning. The garden was long, and the applicant was aware that neighbours' gardens backed on to it, but he only intended to use a few metres from the back entrance.
- 3.6 The applicant said that he had already identified SIA staff and a camera system had been set up. The wine bar was busiest on Thursday to Saturday. SIA staff would be on duty from 6pm. Staff engaged had already managed and worked in bars. The applicant managed a salon, so he understood how businesses worked.
- 3.7 The premises had been an eyesore and the previous owner opened until the early hours of the morning. The applicant did not intend to open late, he wanted a clean, intimate establishment. He had lived in Lewisham all his life and knew the area well. He wanted to improve the area around Lewisham Way; the local population was expanding with people who wanted to live and work in the area. He wanted to attract new patrons to his bar, there were already other wine bars in the area, but none were like his proposed establishment.
- 3.8 The applicant said it had been hard to read the objections. He had been taken aback because there had been a lot of positivity from passers-by speaking to him while he had been on site, asking when the bar would open. He wanted the premises to be a community space, where people could host baby showers or exhibitions. It would not be a dark nightclub with banging music and people hanging around outside smoking.

- 3.9 Councillor Huynh asked the applicant why he thought that objectors had the impression that his wine bar would be run as a noisy night club. One objection mentioned a leaflet or sign talking about the opening of the bar which the committee did not have access to. He also asked whether there had been any contact with immediate residents. The applicant said that he was at the premises most days, but nobody had spoken to him about making an objection. Everyone who approached him was positive. He was quite shocked by residents' objections. He understood their concerns about issues in the past and surrounding area, but he was trying to stay away from that type of venue.
- 3.10 Councillor Huynh asked about strobe lighting. The applicant said that previously the premises was dark and was an eye sore. He had installed LED lights around the front of the bar which were on a dimmer switch but there were no strobe lights. Nobody had been into the premises when the lights were on. It may look dark because he was in the back working and did not need all the lights on. He wanted it to be an intimate place. The interior had been painted charcoal grey, it looked smart, and he had received lots of compliments.
- 3.11 Councillor Warner asked the applicant whether he managed other premises. The applicant said that this would be the first bar he had managed but the manager and staff he intended to employ were experienced. Currently he ran a salon with brother.
- 3.12 Councillor Warner said that one objection referred to the safety of people in flats above and in the local area. He asked how he intended to stop anti-social/criminal behaviour taking place and what plans he had in place. The applicant said that he knew the residents directly above the premises and to the left and right down to Costcutter. If he opened from midday to midnight, he would have security cameras filming, two security guards on the front of the premises, and one in the garden which would close earlier than the bar. He would be hiring a security firm with a direct link to the Metropolitan Police and if there were problems when patrons were leaving, the Police would be called.
- 3.13 Councillor Warner asked whether there was a clear plan for egress out of the building, if there were problems in the bar, what the plan was and how confident he was that it would work. The applicant was confident that patrons would be safe. He said that there would be security. Any trouble would be dealt with as quickly as possible. Security staff were fully trained. He would be quick to call police to ensure nobody was hurt. He was aware that if problems were not managed correctly, it would damage his business and his reputation.
- 3.14 Councillor Howard asked whether light refreshments would only be served for 1 hour as stated in the report. The applicant said that was an error. He would be serving finger food until 9/9:30pm.
- 3.15 The Chair said that one objection was quite specific about how the garden had been as used in the past. Patrons were using the entire length of the garden for parties until 8am. She asked how this area would be used in future, how long it would be open and for how many patrons. The applicant said that the garden was long but the layout of the garden at the end was not conducive to hosting large parties. He intended to keep everyone under a gazebo/ tent. The Licensing Officer

told him there would need to be restrictions so there would be less than 20 people at a time in the garden. Security would be on the door. There would not be any major activities in the garden, no live music, just additional space under the tent. There would be garden furniture and it would provide an extension to the lounge. Patrons could go outside with their laptop in the summer. Less than half the garden would be used.

### **Objection**

- 3.16 The first objector addressed the Committee. She said that the Blue Notice should have been displayed prominently but had not been displayed correctly. It was on the front door behind a shutter that was not open regularly. She concluded that some neighbours may not have known about the application and this could be the reason why there were not many objections.
- 3.17 There were 6 licensed premises in the vicinity. They had gardens, sports, late licenses and she questioned whether another similar establishment was needed. If the application was granted it would dilute the profit for the existing licensed premises. Many residents were working from home and she felt they should be able to enjoy their garden without the noise of people drinking. 15 people in the garden would be too many because people who had been drinking tended to make a lot of noise.
- 3.18 The rear of the property bordered several residential premises and had caused noise and disturbance to these residents in the past. The previous establishment held parties and residents had endured disruptive parties which had affected the enjoyment of their homes. Although the applicant did not intend to hold parties, residents knew from experience that noise travels and can be disruptive.
- 3.19 There were already patrons from other licensed establishment in the area in their pathway smoking and drinking. This problem would be exacerbated if the application was granted. The objector said that people were sitting on both sides of the path as she walked to her front door. Getting front door keys out as she passed through these people was intimidating uncomfortable and was not acceptable.
- 3.20 Loitering patrons from other establishments caused noise nuisance. This noise kept children in the area awake in summer when windows were open. Residents could already hear music from other licensed premises located further away than the proposed bar. People who congregated in the area created excess rubbish, and they urinated in the area where the bins were kept. Teenagers and young people could feel intimidated and parents less confident about allowing children to go to corner shop where people were hanging around smoking.
- 3.21 The objector said that residents were trying to build a safer community. If door staff were required to manage queues and patrons were outside the premises smoking, this would add to the disruption in the neighbourhood. She asked the Committee to consider how they would feel if this establishment was 3 doors from their home.

- 3.22 The second objector addressed the Committee. She said that residents already experience noise and anti-social behaviour from patrons from existing licensed establishments. She said that it was not that residents did not want new businesses, it was the type of business. The Flower of Kent was about 20 metres away from proposed new premises. Residents already experienced a lot of noise from this pub, particularly when patrons were pouring out at closing time. There were already 6 licensed premises in Lewisham Way. This was not competition; it was saturating the area. She had to call the police many times a year about people outside the building, sometimes breaking into their building, blocking entrance with rubbish and intimidating residents. She was concerned that an additional business, with a late license, 7 days per week, just 3 doors down would cause more problems for residents. The proposed premises was within close proximity to residential homes. It was a small area, and she was concerned that it could be an antisocial strip of bars 7 days a week. No real consideration had been given to the existing excessive noise and rubbish generated by patrons of existing licensed premises.
- 3.23 Councillor Huynh asked the first objector what percentage of notice period she thought the blue notice was visible from. She said that she only saw it once late at night on her way home. She took a photo of it, but it was not visible on the weekend before the end of the final notice period. She spoke to a resident on Florence Road; but he had not seen it. Residents whose gardens back onto the premises were not aware of the application until after the consultation period ended.
- 3.24 Councillor Warner asked the first objector what she considered to be the nature of the proposed business and how it compared to other licensed businesses on the 'strip' on Lewisham Way, and whether there would be a difference in clientele as suggested by the applicant. The objector said that the applicant suggested that he would show sports and appeal to students. The Marquis of Granby showed sport and was aimed at students. The Wickham arms, Fat Walrus, the George, the Talbot, the Royal Albert and Flower of Kent were all within 5 min walk of the proposed premises.
- 3.25 Councillor Warner said that conditions proposed included cctv, age verification, and security. He asked objectors whether these conditions were reasonable coverage for a small premises. The first objector said that it would depend on how well it was managed. Patrons from the Flower of Kent often left the premises, bought alcohol from the corner shop then loitered in the area drinking. Once these licensed premises were closed, and the door staff had left, management did not accept responsibility for their patrons. On several occasions the Police were called but did not attend and there was no community support.
- 3.26 Councillor Warner said that the application was for the sale of alcohol until midnight. He asked whether there would be a change in residents' safety concerns if the hours were brought forward. The first objector said that other bars closed earlier but she was not sure whether it would eliminate the noise, because patrons could use other bars in which to drink.
- 3.27 Councillor Brown asked whether it would help if one of the conditions was to have a dispersal policy in place, where security staff committed to moving people away

from venue after closing time. The second objector did not believe that this would make a material difference, patrons leaving the premises would still be noisy. The objector felt it would help if the premises was not open late 7 days a week, rather that it would be more reasonable to allow a late night on the weekend and earlier closing during the week.

- 3.28 Councillor Howard asked for more information about the pathway to the objectors' building where loitering was causing problems for residents. The first objector said that the premises was on the pavement and did not have a pathway to it. The property where she, and other residents lived, was 3 doors down; it had a pathway and was where people congregated to drink alcohol, smoke and make noise. Residents were concerned that if there was another licensed premises in the area, the activity would increase in front of their property. Although this problem was worse late at night, she returned home one weekday evening at 10.30pm to find people were drinking and smoking weed on the path.

### **Summary**

- 3.29 The applicant said works were on-going at the premises and sometimes builders closed the shutters and may have occasionally obscured the notice. He tried to make sure the shutters were open so people could see the blue notice. He apologised and stressed that if the notice had not been fully visible at all times, these occasions were rare and the notice had been mainly visible throughout the 28 day consultation period.
- 3.30 The applicant said that problems on the path would continue because there was no gate. It was a dark place and attracted people to sit, smoke weed and drink alcohol. He did not know where these people came from and he could not control it but if he saw people leave his bar and go to the path, he would challenge them. He invited the objectors to his bar; he wanted the community to enjoy his bar.
- 3.31 The applicant did not expect his music to be heard above that from the Flower of Kent because it would only be background music. There would not be any large speakers or a DJ. He wanted to create an ambient atmosphere, where patrons would be able to have conversations. He had seen how the Flower of Kent was managed; his bar would be different. The issues raised were current and he recommended that residents install a gate to the path.
- 3.32 The first resident said that her concern was that by bringing more people into the area, the existing problems would be exacerbated. She appreciated that the applicant could not solve existing problems but granting the application could make the situation worse.
- 3.33 The second objector rejected the suggestion that there was nothing that could be done. What could be done, they said, was not to make the situation worse by granting the licence. The objector said there were also additional premises to those already mentioned, within 100 metres of the premises. It was easy to put the onus on residents to install a gate, but residents were already living in a hotspot for antisocial behaviour. She asked members to consider carefully whether a late licence 7 days a week was necessary. She considered it to be more reasonable if a late licence was limited to 1 day a week. The objection was not about the type of

business but its location. It was located at the crossroad of 4 residential roads that were already suffering from antisocial behaviour. She emphasised how intimidating and scary it was every time they came home late at night. She asked the Committee not to exacerbate this by granting a 7 day a week late licence.

### **Conclusion**

- 3.34 Members confirmed that they had been present throughout the meeting and had not lost connection.
- 3.35 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. Immortals Wine Bar, 123 Lewisham Way, London, SE14 6QJ.**

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

### **Immortals Wine Bar, 123 Lewisham Way, London, SE14 6QJ.**

The application was granted, modified as set out below and subject to a raft of conditions included in the decision notice.

<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)

The meeting ended at 7.55pm

Chair

## LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on TUESDAY 9 MAY 2023 at 7pm and held remotely via Microsoft Teams.

### **Present**

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

Apologies for absence were received from Councillor Jackson.

### **Also Present**

Matt Lewin – Counsel – Legal advisor  
David Curtis - Safer Communities Operations Manager.  
Angela Mullin – Safer Communities Officer

### **Garage Nation Mountsfield Park, London SE6 1AN.**

#### **Applicants**

James Shadimehr - Applicant  
Bernard Ralph – Legal representative  
Milton Demi – Applicant

#### **Objectors**

Chair of Mountsfield Park  
A local resident

#### **1. Minutes**

The minutes of the meeting held on 25 April 2023 will be submitted to the next meeting of this Committee.

#### **2. Declarations of Interests**

None.

#### **3. Garage Nation Mountsfield Park, London SE6 1AN.**

- 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 Ms Mullin said that this hearing was being held to determine a premises licence application made by The Festival Crowd Ltd in relation to a Festival in Mountsfield Park, London SE6 1AN. She clarified that the application was for a one-off weekend event only and would not be an annual event as stated in the agenda.
- 3.3 The application for the premises licence had been advertised in accordance with regulations. The last date for receiving representations was the 19<sup>th</sup> April 2023. During the 28-day consultation period, 3 objections were received by the licensing authority from members of the public. Any objections received after this time were not relevant and could not be considered by the committee when determining this application. The objections, and reasons for these objections, were contained in the report. The representations were received within the specified consultation period and were not considered vexatious or frivolous.
- 3.4 Ms Mullin then outlined the options available to members under the licensing objectives, when making their decision.

### **Applicant**

- 3.5 The applicant's legal representative, Bernard Ralph made a presentation in support of the application. He made the following points.
- The application supported the council's licensing objectives in encouraging well managed, diverse entertainment. The event would also be good for the local area because it would provide a temporary boost to the economy over the weekend of 12 and 13 August 2023.
  - There had been objections to the application from 3 residents. There were no addresses for these residents; they may not live in the vicinity.
  - Objections were not supported by the responsible authorities, which had not submitted any representations against the application and this was an indication that there was no substance to these objections, received from just three residents.
  - The applicant had collaborated with the events team to ensure that the event was run safely and responsibly. Conditions had been agreed that promoted the licensing objectives and addressed the concerns raised by the objectors.
  - The objections relating to public nuisance were unfair and unduly alarmist, and the event was for a limited period only.
  - Families would be able to enjoy parts of the park for free when the event was taking place.
  - An event management and operating plan would be produced that would be acceptable to relevant authorities including the Police. It would contain details of accredited SIA staff who would operate a zero tolerance drugs policy and search procedures. The plan would also contain details of noise management and any potential dangers at the venue including fire, crowd management, traffic management and extreme weather.
- 3.6 Councillor Shrivastava asked how many security staff would be employed for the event and the name of the company. The applicant said that the security ratio would be a minimum of 1 SIA staff member to 80 customers. Several security companies were employed for each event. Safer Security for the front door, Ministry Protected for external security, Security Nation for static positions and a specific response team who respond to any calls. All these companies had worked successfully with the applicant, on the last 5-6 festivals.



- 3.7 Councillor Howard asked how long the company had been established, what problems they had experience in the past and what arrangements were in place to ensure that there was no re-occurrence of these issues. Mr Shadimehr said that the brand had existed for about 25 years, he took it over in 2004 and had been running festivals since 2014. There had been many problems, particularly in the early years but this had enabled him to create a process that ensured that festivals were safe and well run. He had worked with the Police for a festival in Croydon which had been successful. He explained the procedures that were in place to manage the flow of patrons and said that there was a procedure in place for all the problems experienced in the past.
- 3.8 Councillor Warner asked whether there would be a point of contact for residents if they had any concerns about the event, particularly with regard to noise. Objectors had expressed concerns about the type of people that this event would attract and he asked what work had been done to address these concerns. The applicant confirmed that there would be a contact number, he did not want residents to experience any unnecessary discomfort. A community liaison manager would be employed and would leaflet neighbouring properties about a week before the event. This manager would be the point of contact, able to respond rapidly to complaints of sound and arrange for the cleaning team to clear rubbish.

### **Objectors**

- 3.9 The first objector said that he lived next to the park for many years. It was a family friendly park with open green space used by hundreds of people every day. It was set in a residential area and a number of apartments had been built in recent years. These homes did not have gardens, so these residents relied on the park to enjoy open space. The lack of open space can affect people's mental health and Mountsfield Park enables residents to enjoy a number of activities which is positive for wellbeing and should not be put at risk from the noise and pollution of a festival.
- 3.10 Granting an application for the sale of alcohol for an exclusive festival over the Summer holidays would not promote the use of a free family open space for all local residents. Previous festivals held in the park had been free and family friendly.
- 3.11 The objector said that due to the economic crisis in this country, resources were limited and he did not believe that the local authority and local Police should have to pay for the services required to manage this event safely. The private security employed by the applicant would only control the perimeter of the festival; extra police would be required in the surrounding area to manage the large number of people who would be attracted to this event.
- 3.12 The Chair of Mountsfield Park then addressed the Committee. He said that the Park was an important venue for local community events. The proposed Garage Nation event was not a local community event because it would not benefit the local community. Local residents would not have the same access to park facilities during a busy summer weekend.

- 3.13 It was not clear how much of the park the event organisers would need for the festival or how it would affect the enjoyment of those using park facilities. The festival would create a lot of noise nuisance and fumes from diesel vehicles and generators.
- 3.14 Mountsfield Park was a designated site of importance for nature conservation. Two or three large events were held in the park every year, after which the wildlife habitat needed time to recover.
- 3.15 Traffic and parking was not managed adequately during previous events in the park due to lack of resources. Wildlife was damaged by vehicles; they compacted the soil and damage tree roots. The festival would have an adverse effect on air quality and would be disruptive
- 3.16 Councillor Hayes said that any event held in the park would affect the wildlife. He did not believe that this event should be treated differently. The Chair of Mountsfield Park said that there should be a balance. The park needed to recuperate after every event

(At this point Cllr Brown had internet issues and left the meeting)

- 3.17 The proposed area for the festival within the park was shown to those present at the meeting. It clarified the areas that would be available for those not attending the festival.

#### Conclusion

- 3.18 Mr Ralph clarified that the plan clearly showed the area within the park to be used for the event. Licensing activity could only take place in this area. He also clarified that the points raised by the objectors regarding the ecological impact of the event and the need for the wildlife to recover, were not relevant to the licensing objectives.
- 3.19 Mr Ralph said that there were many people in the borough of Lewisham who would enjoy a responsibly run licensed event in a public park. Interested parties had the right to be consulted and have their comments taken into consideration. They did not have the right to veto an event through raising potential problems that might not happen and could be resolved if they did occur. The applicant had produced a very detail operating schedule and the conditions addressed all the points that had been raised and was the reason why relevant authorities had not objected to this application. The applicant was an experienced licensee, he had managed many successful events and wanted the opportunity to manage another event in Mountsfield Park. The objectors had not provided any justification for modification or refusal of the application.
- 3.20 In his summation, one of the objectors said that the question about why residents had to endure noise nuisance and rubbish on their streets had not been answered. The applicant had referred to a designated community officer who was a point of contact and could address any issues, but residents should not be subjected to issues. Mountsfield Park was used for family events, and Garage Nation was not a family event. It was fee paying and would attract people from outside the borough.

There would not be benefit to the local community because patrons would be drinking inside the festival. The friends of Mountsfield Park agreed that there should be time for nature to recover within that Park and was the reason why People's Day was held every other year. The proposed festival was not conducive for this area.

- 3.21 Councillor Brown had lost connection and had left the meeting. He did not take any further part in the proceedings. The remaining members confirmed that they had been present throughout the meeting and had not lost connection.
- 3.22 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. Garage Nation Mountsfield Park, London SE6 1AN.**

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

### **Garage Nation Mountsfield Park, London SE6 1AN.**

The application, as applied for, was granted.

### **4. John Charles Butchers 12 Blackheath Village, SE3 9LE**

**This item was withdrawn.**

The meeting ended at 7.45pm

Chair

# Agenda Item 2



## Licensing Committee

### Declarations of Interest

**Date:** 22 June 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 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: Bees Food and Drink, 315 Evelyn Street, London, SE8 5RA**

**Date: 22 June 2023**

**Key decision: No.**

**Class: Part 1.**

**Ward(s) affected: Evelyn**

**Contributors: Community Services – Safer Communities Service**

### Outline and recommendations

Determination of New Premises Licence Application submitted on 2nd May 2023 by Mr Nick Uche Alim for the premises at 315 Evelyn Street, London, SE8 5RA.

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 30th May 2023.

## 1. Summary

### 1.1. Particulars of Application

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

Supply of Alcohol for consumption OFF the premises

08:00 – 23:00 - Monday



08:00 – 23:00 - Tuesday  
08:00 – 23:00 - Wednesday  
08:00 – 23:00 - Thursday  
08:00 – 23:00 - Friday  
08:00 – 23:00 - Saturday  
10:00 – 22:00 - Sunday

- 1.2. One representation was received from a local resident on the grounds of the prevention of the prevention of crime and disorder.
- 1.3. The representation received has been examined by Officers and is not considered to be vexatious or frivolous. The representation was received within the specified time.
- 1.4. A further representation was received from, but later withdrawn by the Licensing Authority, following the agreement of conditions.

## **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.

## **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 2nd May 2023.

9.2. Representation from local resident.

9.3. List of agreed conditions.

## 10. Glossary

Term	Definition
Appeal	asking a court to overturn a lower court's decision. If the decision of a court is disputed it may be possible to ask a higher court to consider the case again by lodging an appeal.

Term	Definition
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"> <li>• Prevention of crime and disorder</li> <li>• Public safety</li> <li>• Prevention of public nuisance</li> <li>• Protection of children from harm</li> </ul>
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"> <li>• Licensing Authority</li> <li>• Chief Officer of Police</li> <li>• London Fire Brigade</li> <li>• Trading Standards</li> <li>• Planning Authority</li> <li>• Public Health</li> <li>• Environmental Enforcement (with respect to Noise)</li> <li>• Children's Services</li> <li>• Home Office Immigration</li> </ul>

### Is this report easy to understand?

Please give us feedback so we can improve.

## 11. Report author and contact

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



Licensing Team  
 Holbeach Office  
 9 Holbeach Road  
 London  
 SE6 4TW  
 020 8314 6400

**Application for a premises licence to be granted  
 under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We [REDACTED]

*(Insert name(s) of applicant)*

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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
315 EVELYN STREET - Bee's Food + Drink DEPTFORD LONDON SE8 5RA			
Post town	LONDON	Postcode	SE8 5RA

Telephone number at premises (if any)	<span style="background-color: black; color: black;">[REDACTED]</span>
Non-domestic rateable value of premises	£11,000.00

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)

- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)



Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	05	2023

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
Retail and wholesale sales of food and drinks.

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

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

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

Provision of regulated entertainment

Please tick any that apply

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

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

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

In all cases complete boxes K, L and M

A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur								
Fri						<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)			
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors <input type="checkbox"/>	
					Outdoors <input type="checkbox"/>	
					Both <input type="checkbox"/>	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)			
Thur						
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
Sat						
Sun						

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur								
Fri						<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat								
Sun								



# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur								
Fri						<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat								
Sun								

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	08.00	23.00						
Tue	08.00	23.00						
Wed	08.00	23.00						
Thur	08.00	23.00				<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	08.00	23.00						
Sat	08.00	23.00						
Sun	10.00	22.00						

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

Name		[REDACTED]
Address		
[REDACTED]		
SE8	3LH	
Personal licence number (if known)		
[REDACTED]		
Issuing licensing authority (if known)		
[REDACTED]		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) N/A
Day	Start	Finish	
Mon	07:00	23:00	
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) N/A
Fri	07:00	23:00	
Sat	08:00	23:00	
Sun	10:00	22:00	

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

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

As the responsible person in charge, I will ensure that I am available at all times at the premises. I will ensure my training are up to date and relevant.

**b) The prevention of crime and disorder**

I will have CCTV available at the premises for the sole of purpose of crime prevention and safety of customers.

**c) Public safety**

I will complete a fire safety training, have appropriate fire equipments and maintain a clear fire exit sign with an assemble point at the square. I ensure all fire equipment are regularly checked and meets legal requirements. I will have a fire alarm which will be tested regularly to ensure it is working effectively.

**d) The prevention of public nuisance**

I will have a clear written sign which will remind customers to be respectful of other while in the premises and around. Any customer displaying behaviour which constitute nusaince will be asked politely to leave the premises.

**e) The protection of children from harm**

Any customer who appears to be under aged will be asked to provide government approved photographic evidence such as driving licence, passport etc.  
I will have a training for UNDERAGE SALES PREVENTION regularly and also keep and maintain a register of refused sales.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## **Bees Food & Drink, 315 Evelyn Street, SE8 5RA – Proposed Conditions**

### **Proposed conditions to be added to Annex 2 to promote the licensing objectives**

#### **CCTV**

##### **MC01 - CD, PS, CH, PN**

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

##### **MC02 - CD, PS, CH, PN**

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

#### **Age Verification and Protection of Children from Harm**

##### **MC11 – CD, CH**

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

#### **Signage**

##### **MC35 - PN**

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

#### **Public nuisance & Outdoor areas**

##### **MC42 - PN**

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

#### **Supply of Alcohol OFF sales**

##### **MC57 – CD, PN**

No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

## **Staff Training**

### **MC76 – CD, CH, PN, PS**

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, identification & recognition of drunks, identification recognition and responsibilities of dealing with vulnerable persons and the correct procedures to be followed when refusing service. Regular training must be provided to all staff at least every six months, a record of the training will be maintained for at least twelve months.

## **Recording of Incidents and Visits**

### **MC78 - CD**

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

- a) All ejections of patrons.
- b) Any complaints received.
- c) Any incidents of disorder.
- d) Any faults in the CCTV system.
- e) Any refusal of the sale of alcohol.
- f) Any visit by a relevant authority or emergency service.

### **Mandatory Conditions prescribed by the Licensing Act 2003 (Mandatory conditions where the licence authorises the sale of alcohol)**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
8. (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.



(ii) For the purposes of the condition set out in paragraph 8(i) above -

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

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

**From:**

**Date:** 16 May 2023 at 8:02:16 pm BST

**To:**

**Subject: Objects**

Dear Sirs,

RE: BEE'S FOOD AND DRINK 315 EVELYN STREET SE8 5RA

I am writing to register my objection to the application for a premises licence by Bee's Food And Drink 315 Evelyn Street SE8 5RA. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

315 Evelyn Street lies within the Council's Cumulative Impact Area, and enabling the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises between 8:00am and 11.00pm, Mon-Sat and 10.00am-11.00pm on Sundays. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully,