



# SUMMONS AND AGENDA

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## LICENSING COMMITTEE

**Date: THURSDAY, 11 JULY 2024 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](mailto:clare.weaser@lewisham.gov.uk)

**MEMBERS ARE SUMMONED TO ATTEND THIS MEETING**

**Councillors:**

Councillor Yemisi Anifowose (Chair)  
Councillor Coral Howard (Vice-Chair)  
Councillor Dawn Atkinson  
Councillor Bill Brown  
Councillor Mark Jackson  
Councillor Eva Kestner  
Councillor Natasha Burgess  
Councillor Billy Harding  
Councillor Rachel Onikosi  
Councillor David Walker

Jeremy Chambers, Monitoring Officer  
Laurence House  
Catford  
London SE6 4RU  
Date: 3 July 2024

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

Item No		Page No.s
1.	Minutes	1 - 22
2.	Declarations of Interests	23 - 26
3.	The Lord Palmerston, 31 Arklow Road, Deptford, SE8 5FE	27 - 53



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## Licensing Committee

### Minutes

**Date:** 11 July 2024

**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 23 April and 8 May 2024.**

#### Recommendation

That the Minutes of the meeting of the Licensing Committee, held on 23 April and 8 May 2024 be confirmed and signed.

# Public Document Pack

## LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on 23 APRIL 2024 at 7pm and held remotely via Microsoft Teams.

### **Present**

Councillor Anifowose (Chair) Councillor Howard (Vice-Chair) Councillors Atkinson, Brown, Burgess, Harding, Jackson and Onikosi.

### **Also Present**

Rachel Lyne - Legal advisor  
Clare Chown- Safer Communities Service Officer  
Angela Mullin Murrell - Safer Communities Service Officer

### **Sip City Lounge, 189 Deptford High Street, SE8 3NT**

#### **Applicant**

Applicant Felicity Sobers  
Solicitor – Stewart Gibson

#### **Objectors**

P.C Pearce – Metropolitan Police  
Five objectors made a presentation at the meeting.

#### **1. Minutes**

RESOLVED that the minutes be agreed at the next meeting of this Committee.

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

Councillor Atkinson declared that she is the Councillor for Deptford ward.

#### **3. Sip City Lounge, 189 Deptford High Street, SE8 3NT**

- 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 Service Senior Officer for Licensing to introduce the application.

## Introduction

- 3.2 Ms Chown said this hearing was to determine the variation of a premises application made by Oreoluwa Sobers-Onipede in relation to the premises at Sip City Lounge 189 Deptford High Street which was received on 12 February 2024. The last date for receiving representations was the 12 March 2024.
- 3.3 Ms Chown outlined the current licensed activities and the proposed changes in the application. Eight representations had been received from local residents and one from a local councillor on the grounds of the prevention of public nuisance, protection of children from harm and prevention of crime and disorder.
- 3.4 The Metropolitan Police had objected to the application on the grounds of the prevention of public nuisance and prevention of crime and disorder. The Local Authority had also made an objection, but those representations were withdrawn following changes to the application that had been agreed with the applicant. The were set out on pages 60-63 in the agenda and were read out at the meeting.
- 3.5 Ms Chown advised Members that after having regard to all the representations heard, both written and verbal, they must take such steps as they considered appropriate to promote the licensing objectives. She then outlined the powers available to members when making their decision.

## Applicant

- 3.6 Mr Gibson made a presentation on behalf of the applicant. He said that the Licensing Authority had produced Lewisham's Licensing Policy and licensing officers were in support of the application. The conditions that had been agreed made the application an exception to the policy and should, therefore, be granted.
- 3.7 Objectors' main concern was that of the prevention of public nuisance, and the noise from the back yard that seemed prevalent. This area would now close at midnight; people would only be allowed in this area to smoke after midnight and only background music would be played after 11pm
- 3.8 Mr Gibson advised members that the applicant had agreed to install a sound limiter. A limit would be set by the Environmental Health Officer and then locked to ensure that it could not be tampered with. Windows and doors would be closed except for access when music was being played.
- 3.9 From 18 January to 3 March 2024 there were 21 Temporary Event Notices. Licensable activity had continued until 2am at the premises without any complaints having been received. Objectors' claims that they were suffering from noise nuisance could not be true. Environmental Health had not objected to the application.
- 3.10 Mr Gibson said that although the Police had objected, he was not sure why. They stated that they did not have any objection to the TENs. There had been noise complaints, but the Police had not received any. Other authorities had allegedly received complaints and yet they had not objected. He asked why the Police had not objected to the subsequent applications for TENs if complaints had been received.

- 3.11 In conclusion, Mr Gibson said that if members were minded to grant the application, before any late-night activity could take place under the new hours, there would be a fully documented dispersal policy lodged with the licensing authority. This document would concentrate on the duty of the door staff moving customers away from the premises quickly and quietly to ensure that residents did not suffer from noise nuisance.
- 3.12 Mr Gibson said that in the objections it stated that the previous owners who managed kick and munch, were the same as the current owners. This was not true. He also said that problems with parking was also included in the objections and should be disregarded because it was not a licensing issue.
- 3.13 Members were invited to ask questions and the responses were as follows:
- The DPS of Kick and Munch agreed to continue as DPS when Sip City originally managed the premises. There was then confusion as to who the DPS was and when the Police clarified that this was illegal, the premises closed until June 2023 when the current DPS was in place. On 31 July 2023, the Police then lifted the Section 19 closure order.
  - Mr Gibson clarified that 21 TENs were held at the premises within a period of 46 days. The events were licensed for alcohol, regulated entertainment, and late-night refreshment from 2300 hours to 0200.
  - The venue was not large. Between 25-30 patrons were expected each evening from Thursday to Sunday. The applicant expected patrons to be different each night rather than regular attenders.
  - The outside area would have mellow background music playing after 11pm. After 12 midnight the area would only be used by patrons wishing to smoke. It was a small area and covered so that the sound of the music did not travel too far; speakers were small.
  - Work had been undertaken to the roof in the yard and completed at the end of March. It had been covered with wood and the licensing team had seen it. There was air conditioning in the building.
  - Kick and Munch closed in December 2022 and became Sip City in January 2023. The current DPS for Sip City started in July 2023.
  - Six people were allowed in the smoking area at one time. There would be a sound limiter preset at an acceptable level by the Council's Environmental Health Officer.
  - Sip City was a restaurant not a night club. Between 11pm and 2am customers could drink, play board games and cards.
  - Customers would not be prevented from dancing if the music was playing.

### **Representations**

- 3.14 P.C Gillian Pearce made a representation on behalf of the Metropolitan Police. She gave the history of the previous establishment Kick and Munch and then raised the following points:
- In May 2023 the Police were advised that Sip City had taken over the premises. Since then, several closure notices had been issued; initially, the DPS had been from Kick and Munch and then the current DPS took over in

July 2023. The notices had been issued because licensable activity had taken place after hours with the shutters down and loud music playing. Complaints were received from the public. The premises had also been operating without a DPS.

- An application had been made for a TEN. This was refused but the event went ahead anyway.
- The local authority advised Police that complaints had been received from the public about noise and dispersal and she was unsure why the local authority were not upholding their complaint.
- Police had not objected to the TENs because they wanted to establish whether there were any problems in the management of events. Complaints had been received.
- Although work had been completed on the roof over the smoking area, it did not prevent sound escaping.
- The Council's licensing policy referred to preferred hours of licensable activities between 11am and midnight Mondays to Sundays for bars, restaurants and pubs. The Police considered these hours to be suitable for Sip City. On this point, members received legal advice that each application should be considered on its own merits.
- In conclusion P.C Pearce said that the premises was in a residential area within a hub as described in the Council's licensing policy. The premises had been open since June and there had already been three closure notices, breach of a TEN, and noise complaints.

- 3.15 Councillor Jackson asked P.C Pearce what the three closure notices referred to and whether any of the complaints had been sent directly to Police. For clarity, he said that his questions did not relate to Kick and Munch. P.C Pearce said that complaints had been sent to the local authority who passed them on to the Police. Closure notices had been issued for not having a DPS, lack of CCTV, and holding a TEN without permission. These issues relating to the closure notices had not reoccurred.
- 3.16 Councillor Atkinson said that the current DPS said that the venue was small and could hold 25-30 people. She asked P.C Pearce the capacity of the premises. Members were advised that the garden area was quite big; narrow and the length of approximately four cars. The venue was smaller and was long and narrow.
- 3.17 Councillor Howard asked whether the complaints received related to the later hours. P.C. Pearce said that the complaints related to events after 11pm. The legal adviser said that looking through the Police summary, there had been two reports of noise on 29 June 2023.
- 3.18 The Chair asked P.C Pearce if she had dealt with any issues relating to Sip City since June 2023. She said that in November 2023 there were 19 people in the garden area when it should not have been used. An application for a late TEN was made and refused on the grounds of potential noise.
- 3.19 Councillor Atkinson asked for the month when the premises were closed but drinks were still being served. P.C Pearce did not have the information to hand and the Chair asked her to provide the information later in the meeting.

- 3.20 Councillor Onikosi asked whether noise complaints were made at the time or after the event. P.C Pearce said that the complaints were made at the time to the local authority. The Police work closely with the local authority, and she was surprised that they had withdrawn their objection to the application.
- 3.21 Councillor Onikosi asked whether the Police agreed that if the application was granted, the suggested conditions on page 64 of the agenda would be appropriate, or whether they had not been adhering to their current hours. P.C Pearce said that they had not been adhering to their current conditions and granting the licence would be a contradiction to the licensing policy because the premises is in a residential area and a hub, and the hours applied for were too late for an outside area that should close at 10pm or earlier in a residential area.
- 3.22 Mr Gibson then raised a point of law. In the Police written representation, received in advance, and included in the agenda, there was no mention of a late TEN, or noise disturbance in November. The last timeline was 31 July 2023 when the DPS was changed to the current licence holder and the closure order was lifted. He said that anything after 31 July be disregarded at this hearing because it was not contained in the original objection, raised without evidence and the applicant had not had any opportunity to consider what had been said and make a suitable response. The Council's legal representative concurred with the point raised. All evidence should have been submitted at least 24 hours before the meeting.
- 3.23 Ms Mullin-Murrell was then invited to speak. She said that the local authority had withdrawn their objection because conditions had been agreed with the applicant. Licensing hours had been pulled back to 2am and 1am for activities on a Thursday and the other activities were included in the pack.
- 3.24 Councillor Howard asked why the local authority considered the extended hours to be appropriate when it was not in line with the licensing policy on hours relating to hubs. Ms Mullin-Murrell said that the policy referred to a preferred time. Each application was considered individually. She had visited the premises; the garden would close at 12pm; background music would play between 10pm and midnight. The premises had spent a lot of money on the outside space. The walls had been soundproofed and they had a quote for soundproofing the roof. In the conditions it stated that there must be a sound limiter and no noise or vibrations should emit from the premises to cause a nuisance. The area could not be used until the whole of the building had been soundproofed. She had not seen any complaints since the TEN in January 2024. Since the agenda was published two complaints had been received due to noise from patrons leaving the venue and she had spoken to Sip City about this. However, she could not confirm that the noise was from patrons from Sip City because there were other venues in the area with late licences. The area could not be used until it had been soundproofed.
- 3.25 Ms Mullin-Murrell clarified that there was a wooden structure over the smoking area. She visited the premises with a colleague one afternoon. As a test, the music was set at the highest volume and outside this structure she could not hear it clearly. The owner had received quotes for an acoustic cover to the roof and this would help with preventing noise nuisance.



3.26 Ms Mullin-Murrell also said that she supported a closing time of 02:30 am with licensable activities stopping at 02:00 am, when other establishments closed later, because it would help to stagger closing times and make it easier to identify where most noise nuisance was created. Following a question from Councillor Onikosi, Ms Lyne explained that each application must be considered on its own merit, and all available information must be considered.

3.27 Five objectors addressed the Committee. The first objector raised the following points:

- There had always an issue with loud music playing at Sip City which continued past 11pm. Management did not appear to care about whether neighbours were unable to sleep through this noise or enjoy a peaceful life; their priority was making money rather than contacting residents to agree a solution. During parties, the noise was so loud for residents and their families that they felt as though they were a part of these parties.
- The closure hours applied for were not considered acceptable for this residential area. There were also concerns that these late opening hours would not be managed. There had always been problems at the premises, and no one checked that the opening hours were in line with agreed conditions; music continued after hours, and patrons loitered outside the premises. Residents should not have to put themselves at risk by confronting patrons who were creating nuisance. A balanced decision should be made; one which considered the needs of all parties.
- The speakers at the premises were not small. DJs were employed, people were dancing, playing cards, and board games. After closing time, patrons were always loitering outside the premises, the sound of cabs honking their horns could be heard as patrons were getting into these cars after the premises had closed. This problem was worse during the summer months.

3.28 In response to questions from members, the first objector responded as follows:

- Events had been held at Sip City regularly but not every weekend. A complaint had been made to the licensing team but most complaints had been made to the owner of the business. In the last few months, the premises had been quieter. He believed that this was because the applicant wanted the application to be granted not because improvements had been made to the business.
- Noise nuisance was created mainly by the base music from the venue and noise from patrons drinking outside the premises. The soundproofing works to the roof had not improved the situation but there had been less events in recent months.

3.29 A second objector then spoke and raised the following points:

- The noise from the rear yard caused the most concern for this objector. Noise escaped from between the building and the roof. The noise was amplified from the back of the building towards the flats. It could not be heard so well at ground level because structures blocked the sound, and it travelled up towards 2<sup>nd</sup> and 3<sup>rd</sup> floor flats.

- The applicant stated that there had not been any complaints between January and March. This was not surprising because these were cold months and patrons would not want to be in outside areas.
- It was not considered sufficient for a contact number to be available for residents to ring if they experienced noise nuisance. She outlined how this was not acceptable and the fact that there was not a process and it was not policed. She said that the Council website did not explain how to complain if a resident experienced noise nuisance.
- Most establishments had seasonal variations. However, Nigerian Independence Day was held on a different day every year. This year it was held on a Tuesday and was unreasonable for residents to be kept awake until 3am.

3.30 The third objector addressed the committee and raised the following points.

- From her window, the objector could see that Badger Badger was further up the road and patrons did not park on the pavement outside her house. On 6.12.23, the objector had witnessed patrons in Sip City as she walked down the street at 2am. Patron's cars were parked in the area. The music was not very loud, but the premises and the bar were still open and serving customers.
- Residents suffered noise nuisance from cars revving their engines and playing music. Morley's were not responsible for this noise because they closed at midnight and only mopeds came to their premises.
- Since May 2020, nuisance was also caused as gates went up and down after closing time. Staff would come out of the premises and refill glasses to the patrons outside. There had been fights at the premises and these had been documented in the Police representation. She had also witnessed patrons of Sip City going into Morley's harassing staff.
- Attempts had been made to report noise nuisance on the Lewisham Council website, but there were many broken links, and complaints were not recorded.

3.31 In response to questions from members, the third objector responded as follows:

- Between July-December 2023, the objector had made at least six complaints about Sip City. They had been made online, and via email to Council officers and the Police.

3.32 The fourth objector spoke and made the following points:

- The base music and the sound of the DJ at the rear of the premises could be heard in the objector's bedroom. The situation was worse in the summer when windows were open. The noise nuisance lasted until 2am. He had tried to speak to the owner about this nuisance, but he said that he was just trying to make money.
- The roof at the premises was not sound proofed and barbeques were held until 2am

3.33 The fifth objector spoke and made the following points:

- The objector considered Deptford High Street to be a special and unique place because it was home to residential and commercial users and the intense proximity in which they co-exist.
- He was concerned that the current licensing officers appeared to have completely ignored the licensing policy agreed in 2020. This Policy acknowledged the special dynamic between residential and commercial properties, but it was recognised that new enterprise for late night entertainment was a risk to the residential community.
- Residents provided the backbone to Deptford's community making it a safer place in which to live. If this community was not protected, it would have a negative effect on the area.
- He did not agree that there should be some compromise between the parties and said that if this application was granted, there was a real threat that there would be real harm to the area.
- Noise nuisance was a serious issue affecting the sleep of those families living in the area. Residents were relying on members making the decision because the demographic was such that not everyone had the time or ability to raise their objections.
- Deptford could have a thriving evening economy if the businesses closed at a reasonable time and residents' sleep was not disturbed. Businesses requiring later hours should consider alternative venues where late-night licences were more appropriate.

3.34 In response to questions from members, the fifth objector responded as follows.

- The objector said that he was most affected by Sip City when they held big parties, and a lot of cars were parked in the road. It was as if the high street became the venue.
- The structure in the rear garden was of concern to residents. It was not appropriate and recent works did not help with containing the noise from within the premises.

3.35 Objectors raised concerns about planning issues. Ms Lyne advised that it was not for the Licensing Committee to make any determination with regard to planning. It was a matter for the Planning Committee.

#### Conclusion

3.36 Mr Gibson said that there had been several representations with regard to noise nuisance. These concerns had been addressed because the applicant advised that capacity was between 25 – 30 people. He believed that the reports of parties and the associated nuisance related to the previous owners. The current DPS had described the business clearly and it would not be managed as a night club. Any references to the previous business, Kick and Munch should be disregarded.

3.37 There had been reference to complaints about the premises but there had not been any evidence of these complaints either from the Police or residents. He said that members should not take complaints into account when making their determination.

3.38 In summary, objectors made the following points:

- Complaints about the management of the premises had been made to the Council and the Police and was documented in the agenda. There was reference to three complaints made after May 2023 including one at 2am in December 2023.
- If the applicant expected a capacity of between 25 -30 patrons, it was unclear as to how the business would make money with so few people.
- If every application was considered on its merit, there was nothing in this application to suggest that the licensing policy should not be adhered to. The impact of noise nuisance on residents was huge. The process for making complaints should be easier to ensure that all residents were able to use and understand the process.
- Reducing the hours applied for by one hour did not make sense and was not in line with current licensing policy.
- In conclusion, P.C.Pearce said that she had received complaints submitted to the licensing team, but she had not written the dates down. Sleep deprivation ruined people's lives. When making their decision, she asked members to consider how they would feel if they lived in close proximity to these premises that was causing disruption for local residents.

3.39 The Chair said that she was satisfied that members of this Committee had read and heard all the information required to make a decision. All members confirmed their attendance throughout the meeting.

3.40 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. Sip City Lounge, 189 Deptford High Street, SE8 3NT**

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

#### **Sip City Lounge, 189 Deptford High Street, SE8 3NT**

The Committee's decision was to refuse the application to vary the Premises Licence for the following reasons:

- a. The Committee heard evidence that the Premises became Sip City on 10 May 2023. The Police gave evidence both in its written submissions and in its oral submissions of a series of issues at the Premises in June 2023 and the issue of two Closure Notices in June 2023 for breach of conditions (no CCTV or incident log) and for operating without a Designated Premises Supervisor). The Committee did not consider evidence presented by the Police at the hearing in relation to issues after 31 July as that evidence had not been put forward by the Police in advance of the hearing, which is required by virtue of Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005. The Committee also heard evidence from the local residents who made submission that the issues they had raised were not limited to the period June-July 2023 and nor did they solely relate to issues connected with the previous ownership of the Premises but that the issues with noise nuisance and anti-social behaviour connected with the Premises had been ongoing in 2023 and into 2024.
  
- b. The Committee also heard evidence that the Applicant had operated 6 separate Temporary Event Notices events from 18 January – 3 March 2024 which allowed the Premises to trade until 02:00 hours with live and recorded music and late-night refreshments. The Committee accepts the submission of the Applicant that the events had been largely successful. However, the Committee balanced that evidence against the submissions of the residents who pointed out that the TENs events had all taken place during the winter months when windows and doors were kept closed, few people spent much time outside and therefore the impact of those late operating nights were more limited on the local residents.
  
- c. The Committee was not satisfied that the Applicant was upholding the licensing objectives, particularly public nuisance, in the way that it had been managing the Premises since they took over ownership. The TENs operated in the early part of 2024 were timed to take

place over the winter months and so were not as helpful to the Committee in determining whether the Applicant was capable of operating the Premises in accordance with the conditions of the licence and promoting the licensing objectives.

- d. The Committee heard evidence of the disturbances that had been caused to the local residents particularly the impact on their sleep and the variation applied for would, even on the basis of a reduced terminal hour of 02:00 hours Thursdays to Saturdays, have a greater impact on the local residents.
- e. The Committee did consider by reference to its own Statement of Licensing Policy if it could consider granting the variation to allow the Premises to trade until midnight Thursdays – Saturdays in accordance with its own preferred hours for public house, paragraph 15.7. However, in considering all of the evidence put forward it determined that granting the variation the earlier finish time of midnight would not uphold the licensing objective to prevent public nuisance.

The meeting ended at 9.32pm

Chair

# Public Document Pack

## LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on 8 MAY 2024 at 7pm and held remotely via Microsoft Teams.

### Present

Councillor Anifowose (Chair) Councillor Howard (Vice-Chair) and Councillor Jackson.

Apologies for absence were received from Councillors Brown, Atkinson, Burgess Harding, Kestner and Onikosi.

### Also Present

Rachel Lyne - Legal advisor  
Kennedy Obazee - Safer Communities Officer.

**Zhulin Hidden Village 2nd Floor at 100-104 Lewisham High Street, London,  
SE13 5JH**

### Applicant

Stewart Gibson – Agent representing the Applicant.  
Paul Simpson – Applicant.

### Objectors

Three objectors made a presentation at the meeting.

#### 1. Minutes

RESOLVED that the minutes of the meetings of the Licensing Committee held on 13 and 14 March and 4 April 2024 be confirmed and signed at the next meeting.

#### 2. Declarations of Interests

None.

#### 3. Zhulin Hidden Village 2nd Floor at 100-104 Lewisham High Street, London, SE13 5JH

- 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 this hearing was being held to determine a premises licence application made by Paul Simpson in relation to Zhulin Hidden Village 2nd Floor at 100-104 Lewisham High Street, London, SE13 5JH. He outlined the details of the application.
- 3.3 The application was received and served on all responsible authorities on 13 March 2024 and advertised in accordance with regulations. The last date for receipt of representations was originally 10 April, but this was extended to 15 April 2024 due to modification made by the applicant to the application.
- 3.3 During the consultation period, 11 objections were received from residents as well as the Police and Licensing Authority. Representations were received in time and were not considered vexatious or frivolous.
- 3.4 An updated list of conditions was agreed by the applicant; consequently, the licensing authority and the Police withdrew their objections. Mr Obazee then outlined the options available to members when making their decision.

### **Applicant**

- 3.5 Mr Gibson, licensing agent for the applicant, said that there had been extensive discussions between the licensing team and the applicant, and a new set of conditions had been agreed between both parties. The hours of operation had been amended and licensing activity would finish at 3am and the premises locked by 3.30am. On Sunday, activity would finish at 1am with the premises locked at 1.30am.
- 3.6 The application was for the premises to open one night a week on a Friday, Saturday or Sunday only. It would not be managed as a night club; it would be a space used for various events and would be closed before the Alpha lounge and bar below.
- 3.7 Events at Zhulin Hidden Village would be by invite or by ticket only. Tickets could be purchased before the event and on the door during the first hour only. Examples of events to be held at the premises included a Northern Soul evening, wedding receptions, anniversaries, family birthdays, and baby showers. Two SIA staff would be employed for events held after midnight, unless written notice was received by the licensing authority or the Police stating that such security was not required.
- 3.8 A written dispersal policy would be in place. Patrons would be encouraged to leave the area quickly and quietly. A premises licence holder would be always on the premises when licensable activities took place and there would not be any admittance or readmittance after 2am for an event closing at 3am.
- 3.9 Approximately 10 Temporary Events had been held at the premises over the past year. Most of the objections referred to the Alpha Lounge situated below Zhulin Hidden Village. The applicant wanted to manage a different business to the Alpha Lounge which is a nightclub. The objections were not relevant to this application;



parking, traffic cabs etc. Noise, anti-social behaviour and public nuisance, which were common occurrences, were not related to Zhulin Hidden Village. Based on all the evidence, Mr Gibson asked members of the Committee to grant the application

- 3.10 Councillor Jackson asked the applicant if he had anything further to add. Mr Simpson explained that parties had been held for NHS staff at the premises. He wanted to hold more events like this and make it a community premises.
- 3.11 Councillor Howard asked whether a Northern Soul evening was any different to a well-run nightclub or whether the only difference was the infrequency of these evenings. Mr Simpson said that the infrequency of these events at Zhulin Hidden Village was a big factor, but Northern Soul was a close community and people flew in from other countries for these events. The focal point was the music, not just alcohol. These events were well known around Europe.

### **Representation**

- 3.12 The first objector said that she was objecting because she lived close to the premises. When late night events had been held at the premises, residents had suffered from anti-social behaviour. People were shouting fighting, being sick, urinating in the street and in residents' gardens. Even though the events were to be a rare occurrence, there should be conditions in place to prevent this behaviour and there should be supervision in the car park.
- 3.13 Cars caused a lot of pollution as the cabs waited for people with their engines running and people chatting noisily.
- 3.14 The objector had concerns about the application for seasonal variation at Easter and Christmas, when events would be held until even later. She was also concerned about how loud the music would be and whether the room was sufficiently soundproofed.
- 3.15 Councillor Howard asked the objector if she agreed that the events held at the premises were only held once or twice a month. The objector referred to noise relating to other establishments. She said it was reassuring to know that events at Zhulin would only be held one night a week, but it would be helpful if she knew which night it would be. Living near a shopping centre she expected to experience some noise. The application until 3am was considered to be too late but she understood that Lewisham wanted to promote a late-night economy. She suggested that the application could be agreed for a trial period; assessment of the event could be considered and whether any complaints had been received.
- 3.16 Objector 2 then addressed the Committee. He said that he had sympathy with the applicant, but he strongly objected to this application. Lewisham had the highest rates of anti-social behaviour from an alcohol perspective and rowdy and inconsiderate behaviour. Adding another venue to this area would make the situation worse.
- 3.17 The conditions did not alleviate residents' concerns. For example, there was no information about what an acceptable dispersal policy looked like. Several

residents had been affected by these venues in and around Lewisham Town centre and the prospect of another late-night venue operating in the same building as Alpha Lounge had left residents feeling disheartened and disappointed for the future of the area.

- 3.18 The objector then outlined anti-social behaviour residents already had to endure and was keen to ensure that the same mistakes were not made again.
- 3.19 Councillor Jackson asked whether an extra event one or two nights a month would place a significant burden on residents. Objector 2 said that his concern was that if residents had a good night with one of the venues, that day of respite could turn into another noisy night if this application was granted. Although the applicant wanted to run a community venue, it was a commercial enterprise, and this would take priority over residents' need for a peaceful evening.
- 3.20 Objector 2 said that if the licence was granted in line with Council policy, the application would not be such an issue for residents. The recommended closing time for venues in town centres was 2am and he considered that this should be adhered to.
- 3.21 Objector 3 then addressed the Committee. He was representing Alpha Lounge and had the following concerns.
- There was only one entrance/exit.
  - There were health and safety issues for patrons entering and leaving the premises, and he did not know what plans were in place for managing patrons on the staircase.
  - Patrons entering Alpha Lounge were searched. If Zhulin employed two SIA doormen, he was concerned that this could put more pressure on his own staff.
  - Alpha Lounge was soundproofed, Zhulin was not and could cause noise nuisance.
- 3.22 Mr Kennedy clarified that there was one staircase up to Zhulin. He had witnessed patrons going up and down the staircase without any issues. He said that if Zhulin had a ticketed event, it would be easy for their door staff to search guests and would prevent them from going into Alpha lounge.

#### Conclusion

- 3.23 In summary, Mr Gibson said that the objections related to the current issues at the Alpha Lounge and if it was causing problems, its licence should be reviewed. Cars and pollution were not licensing issues, and there was no evidence that any of the problems were caused by the Temporary Events at Zhulin. The events would be ticketed and 3am was not an unreasonable closing time when Alpha Lounge closed at 4am. The dispersal policy would be agreed with the licensing authority before it was issued. The operation of Alpha Lounge and Zhulin were different because Zhulin would not be a nightclub. Representations made at this meeting had not been based on evidence and should be completely disregarded. The

licensing authority wrote the licensing policy. Suggested conditions had been agreed by the applicant and relevant authorities did not object to this application.

- 3.24 Objectors in their summary, referred to the noise nuisance caused by patrons leaving the premises late at night and how it had a negative effect on residents. Lewisham's nighttime economy was supported but the behaviour of some patrons was not acceptable.
- 3.25 When events were held and patrons were drinking alcohol, it was inevitable that one person would behave badly and cause a nuisance. It was considered to be ironic that the representative from Alpha Lounge complained about noise nuisance considering what residents had endured from the behaviour of his patrons over the last 5 years. The licensing policy had been written and approved for a reason and should be adhered to.
- 3.26 One objector was concerned about health and safety when both premises were in operation. Measures needed to be in place for the safe evacuation of all patrons.
- 3.27 The Chair said that she was satisfied that members of this Committee had read and heard all the information required to make a decision. All members confirmed their attendance throughout the meeting.
- 3.28 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 Zhulin Hidden Village 2nd Floor at 100-104 Lewisham High Street, London, SE13 5JH**

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

### **Zhulin Hidden Village 2nd Floor at 100-104 Lewisham High Street, London, SE13 5JH**

1. The Committee's decision is to grant the application subject to the conditions agreed with the Licensing Authority and Police which include revised terminal hours of 03:00 hours on Fridays and Saturdays and 01:00

hours on Sundays. In addition a terminal hour of 03:00 hours for days which precede a bank holiday. Its reasons are as follows:

- a. The Committee noted that the Applicant had agreed the conditions with the Licensing Authority and Police and the Committee has determined that the additional conditions recommended by the Licensing Authority support the promotion of the licensing objectives and address a number of the representations made by the local residents, in particular:
  - i. They reduce the number of events the Premises can hold to one day each week and only for ticketed or invite only events;
  - ii. The terminal hour is reduced from 04:00 hours to 03:00 hours on Fridays and Saturdays and 01:00 hours on Sundays, except for the days preceding a Bank Holiday where the terminal hour will be 03:00 hours
  - iii. A Personal Licence Holder to be on duty at all times that the premises sells alcohol – this is not a legal requirement.
  - iv. The use of SIA approved door staff.
  - v. A dispersal policy which will be agreed with the Licensing Authority and Police
- b. The Committee was not persuaded by the representations made by the operator of Alpha Lounge on the grounds of public safety and nuisance. The Committee heard from the Licensing Officer, who had visited the Premises, he did not share the concerns raised by Alpha Lounge regarding the dynamics of the staircase servicing both the Premises and the challenges that would present to the operation.
- c. The Committee did have concerns about the application, and the representations raised by the local residents, but they put weight on the fact that the Applicant had agreed extensive conditions with the Licensing Authority and the Police.

15 May 2024

## Appendix A

### Zhulin Hidden Village –Conditions agreed with the Licensing Authority

1. The licensable activity permitted by this licence shall only cover events for one day per week on either the Friday, Saturday or Sunday. Other than ticketed or 'invite only' events, the premises will not open for licensable activity.
2. Any event which includes licensable activity covered by this licence shall be ticketed or by invitation only. Patrons having to purchase tickets must do so prior to the commencement of the event, or in person from the premises within the first hour of the event commencing.
3. Any licensable activity for events that begin on a Friday or Saturday shall cease at 3am. Any licensable activity for events that begin on a Sunday, shall cease at 1am except for those days which precede a Bank Holiday, in which case they will cease at 3am.
4. The premises must maintain a comprehensive CCTV system. All entry and exit points will be covered enabling facial identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities. 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 Local Authority or Police Officer throughout the preceding 31 day period.
5. 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 carrying out licensable activity. This staff member must be able to show a Local Authority or Police Officer recent data or footage when requested.
6. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
7. Whilst carrying out licensable activity, the premises shall prominently display signage at all entrances informing customers:-
  - All persons entering this premises are liable to be searched. Agreement to search is a condition of entry. If persons do not consent entry will be refused
  - Police may be called if drugs or weapons are found.
  - CCTV is in operation throughout these premises and is made available to the police.

- Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.
  - Management reserve the right to refuse entry.
8. A minimum of 2 SIA registered door staff shall be employed on the premises when the premises are holding an event carrying out licensable activity after midnight (with the exception of wedding parties), unless prior written consent is obtained from Licensing Police or the Licensing Authority to less. SIA Door staff be present until all patrons have left the premises and must be employed by an Accredited Contractor Scheme (ACS) registered company.
  9. When the premises is hosting wedding parties, cordons will be in place over the entrance stating that it is a private event. A member of staff will carry out twice hourly checks on the entrance to the building as well as any smoking area to ensure that guests are managed.
  10. A register of security personnel employed on the premises shall be maintained in a legible format and made available to police upon reasonable request. The register should be completed by the DPS/ duty manager/ nominated staff member at the commencement of work by each member of security staff and details recorded should include; full name, SIA badge number, time of commencement and completion of duties. The security operative should then sign their name.
  11. When SIA staff are on duty, all persons entering or re-entering the premises shall be searched by an SIA trained member of staff and monitored by the premises CCTV system.
  12. SIA licensed door supervisors shall be on duty and clearly visible outside the entrance of the premises from commencement of an applicable event.
  13. All staff engaged outside the entrance to the premises, or supervising or controlling queues shall wear high visibility yellow jackets or vests.
  14. A register of security personnel employed on the premises shall be maintained in a legible format and made available to Police or Local Authority Officers on request. The register should be completed by the DPS/Duty Manager at the commencement of work by each member of security staff and details recorded should include:
    - Full name
    - Badge number

- Time of commencement of duties
- Security Operative to sign their name against these details

15. At the commencement of work, security personnel should ensure that they are recorded on the CCTV system and that a clear head and shoulders image showing their face clear of any hat, glasses or other obstruction is recorded.

16. Any designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.

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

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

19. Notices shall be displayed in an area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

20. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open for licensable activity.

21. There shall be no admittance or re-admittance to the premises after 02:00, apart from temporarily entering a designated smoking area outside the premises.

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

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

22. Polycarbonate/plastic/toughened glass drink ware is to be used by **all** persons. All alcoholic and soft drinks are to be decanted by premises staff into such drink ware at the point of sale.

23. The premises shall have a written dispersal policy All staff shall be knowledgeable of this policy and able to enforce it.
24. The Licence holder shall take all reasonable steps to ensure that any customers loitering outside the premises disperse quickly and do not congregate.
25. The premises Licence Holder and/or Designated Premises Supervisor shall keep up to date policies and staff training records in relation to the following: Requirements of the challenge 25 scheme, drugs, identification & recognition of drunks, identification recognition and responsibilities of dealing with vulnerable persons. Staff must be trained in the correct procedures to be followed when refusing service and safety initiatives such as 'Ask Angela' Regular training must be provided to all staff at least every six months, and a record of the training will be maintained for at least twelve months.

The meeting ended at 8.20pm

Chair





## Licensing Committee

### Declarations of Interest

**Date:** 11 July 2024

**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).



## Licensing Committee

**Report title:** The Lord Palmerston, 31 Arklow Road, Deptford, SE8 5FE

**Date:** 11 July 2024

**Key decision:** No.

**Class:** Part 1.

**Ward(s) affected:** Evelyn

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

### Outline and recommendations

Determination of a New application at 31 Arklow Road, SE8 5FE submitted on 17<sup>th</sup> May 2024 by Rajalingam Mathusan

After having regard to the representation 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 17 June 2024.

## 1. Summary

### 1.1. Particulars of Application

Alcohol for consumption OFF the premises

06:00 – 00:00 everyday

1.2 Representations have been received from 2 members of the public.

1.3 There are no objections from Responsible Authorities as conditions have been agreed with the applicant.

1.4 The applicant has also agreed a reduction in hours for the sale of alcohol

09:00 – 00:00 Everyday

1.5 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 the representation 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 application as applied for
- 2.) Grant the application subject to conditions modified to such extent as the authority considers appropriate for the promotion of the licensing objectives.
- 3.) Refuse to specify a person in the licence as the designated premises supervisor
- 4.) 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 17<sup>th</sup> May 2024.

9.2. Representation from 2 members of the public

9.3. Police Conditions agreed with the applicant.

## 10. Glossary

Term	Definition
Appeal	asking a court to overturn a lower court's decision. If the decision of a court is disputed it may be possible to ask a higher court to consider the case again by lodging an appeal.
Licence	an authority to do something.
Licensee	the holder of a licence to do something.
Licensing Authority	The Council (London Borough of Lewisham) Under section 3 of the 2003 Act, the licensing authority's area is the area for which the authority acts.
Licence Objectives	Under section 4 of the 2003 Act the Licensing Authority must promote the following 4 objectives <ul style="list-style-type: none"> <li>• Prevention of crime and disorder</li> <li>• Public safety</li> <li>• Prevention of public nuisance</li> </ul>

### Is this report easy to understand?

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Page 30

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	<ul style="list-style-type: none"> <li>• Protection of children from harm</li> </ul>
Interested Person	<p>A person who lives in the vicinity of the premises  A body who represents the persons who live in that vicinity  A person involved in a business in that vicinity  A body representing businesses in that vicinity  An elected member of the council</p>
Relevant Representation	<p>A representation that is specific to the premises in question, related to the four licensing objectives and/or the local licensing policy.</p>
Responsible Authorities	<p>Public bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences, as follows:</p> <ul style="list-style-type: none"> <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>

## 11. Report author and contact

11.1. Angela Mullin-Murrell Safer Communities Service Officer for Licensing Angela.mullin-murrell@lewisham.gov.uk.



\* 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.

Is the applicant's business registered outside the UK?  Yes  No

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.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Applicant Business Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

**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

**Agent Business**

Is your 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 your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**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

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**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 His Majesty's prerogative

**Section 4 of 21****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text" value="SWANLEY"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="BR2 8HN"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="CONTACT@ARKALICENSING.CO.UK"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="11"/> / <input type="text" value="09"/> / <input type="text" value="1994"/> dd mm yyyy
* Nationality	<input type="text" value="BRITISH"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)  
[Right to work share code if not submitting scanned documents](#)

## 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

*Continued from previous page...*

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.

THIS IS FORMERLY THE LORD PALMERSTON PUB (The Lord Palmerston, 81 Childers Street, Deptford, London SE8 5JR) HAS BEEN REREGISTERED AS 31 ARKLOW ROAD. THE BUILDING HAS BEEN RENOVATED AND PART OF THE BUILDING WILL BE A LITTLE SUPERMARKET. THE RATABLE VALUE HAS BEEN ESTIMATED FOR 127m2 AND IT WILL BE AROUND THAT. APPLICANT HAS BEEN AN INVESTOR IN RETAIL STORES. THE STORE WILL BE RENOVATED AND REFITTED NEWLY. THE PUB WAS OPENING UNTIL 2AM AT WEEKENDS, 1AM OTHER DAYS.

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

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

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

**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

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



Continued from previous page...

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.

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.

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

**Name**

First name

Family name

Date of birth  /    
dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	SWANLEY
County or administrative area	<input type="text"/>
Postcode	BR8 8HN
Country	United Kingdom
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	DARTFORD BOROUGH COUNCIL

**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.

**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.

Continued from previous page...

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.

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.

**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)

*Continued from previous page...*

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

1. A Comprehensive recordable CCTV system will be installed and maintained covering the trade areas whilst encompassing all ingress and egress to the premises. The system must continually record whilst the premises is open for licensable activities and during all times when customers remain at the premises. The system must be capable of providing pictures of evidential quality, in particular facial recognition. All recordings must be stored for a minimum period of 31 days with date and time. Recordings must be made available immediately upon the request of a Police or Authorised Officer.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or authorised officer recent data or footage with the absolute minimum of delay when requested.
3. A Challenge 25 proof of age scheme will be operated at all times. Anyone attempting to purchase alcohol that appears to be under 25 years of age will be asked for proof of their age.
4. The only forms of acceptable identification shall be either a valid photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo. Failure to produce satisfactory proof of age when purchasing alcohol will result in a refused sale.
5. Clear and prominent signage informing customers of the age verification policy in operation will be clearly displayed at all entrances to the premises. At the point of sale and in close proximity to the alcohol displayed.
6. A system of recording sales refused under the age verification policy will be operated at all times in a non erasable format.
7. The refusal record will be kept on the premises for production, on request, to an officer of a Responsible Authority. Deliveries of alcohol shall only be made to residential or to business addresses, where the relevant details of the purchaser have been recorded as part of the original sale.
8. Deliveries of alcohol shall not be made to public places.
9. Persons undertaking deliveries shall be over 18 years of age.
10. Information regarding refusals to sell alcohol and refusals to deliver alcohol shall be recorded and retained in useable form and made available to authorised officers upon request.
11. New staff shall receive induction training at the commencement of their employment at the premises, including dealing with incidents and prevention of crime and disorder, underage sales training, and serving to persons in drink and proxy sales prior to being allowed to sell alcohol. This training shall be recorded.
12. All staff involved in the sale/delivery of alcohol shall receive training in underage sales, serving to persons in drink and how to deal with abusive and aggressive

b) The prevention of crime and disorder

AS DETAILED ABOVE FOR ALL 4 LICENSING OBJECTIVES

c) Public safety

AS DETAILED ABOVE FOR ALL 4 LICENSING OBJECTIVES

*Continued from previous page...*

d) The prevention of public nuisance

AS DETAILED ABOVE FOR ALL 4 LICENSING OBJECTIVES

e) The protection of children from harm

AS DETAILED ABOVE FOR ALL 4 LICENSING OBJECTIVES

**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.

**Section 20 of 21**

**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

NIRA SURESH

\* Capacity

LICENSING AGENT

\* Date

17 / 05 / 2024  
dd mm yyyy

Add another signatory

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

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.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="1371"/>
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 >](#)

## Objection 1

To whom it may concern,

We have previously emailed Angela Mullin-Murrell, but we just wanted to make sure we have put in an official objection to some of the terms in the new premises license application for the Lord Palmerston, 31 Arklow Road,

We live and own a flat in Lord Palmerston, We are extremely concerned about the proposed hours of operation (06:00 – 00:00 hours - 7 days a week) - from the plan we are worried about the additional noise and increased activity below our home at late and early hours of the day and this will therefore create a public nuisance,

We also have a disabled parking space for my partner, who is registered disabled, in front of the property where the door to the commercial unit will be, we're concerned that the additional cars and footfall the commercial unit will bring may inhibit our use of the space.

There is also a lack of bins in the area, we are concerned about the additional rubbish that the shop will bring to outside our flat.

Many thanks and very best wishes,

## Objection 2

I am writing to raise a concern and a representation in opposition to the application for a license to sell alcohol off premises between 06:00 - 00:00, Monday to Sunday, at the following address: The Lord Palmerston, 31 Arklow Road, Deptford, SE8 5FE.

As a resident on Childers Street, I am concerned that granting this license would undermine the objectives set out in the Licensing Act 2003.

The address is next to Evelyn Green which is a well used park and recreation area. However, in the past few months Evelyn Green has seen an increase in criminal activity:

- Grievous bodily harm: In the past fortnight a 13-year-old boy had his hand mutilated by a machete. This is not the first instance of such violence in that park, with another stabbing earlier in the year. On both occasions an air ambulance attended to take the victim to hospital.
- Litter: There has been a distinct increase in littering in the park in recent months since new benches were installed. This is despite the council placing a dumpster in the park - every morning the green is strewn with rubbish.
- Drugs: There have also been reports of the park being used for selling of drugs.

I am concerned that an off-license on the corner of the road next to Evelyn Green has the would increase the above-mentioned crime. As the park is often used by teenagers, I am concerned that the risk of selling alcohol to them would put the children's safety at risk.

Having an off license will encourage loitering at the corner. as seen at the close by Evelyn Road shops. It would therefore likely bring the crime closer to Childers Street and put the street's residents' safety at risk. It would also increase the amount of litter on the street causing a public nuisance and making the area unattractive.

Many thanks for your consideration of this representation

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. The premises shall prominently display signage at all entrances informing customers:
  - CCTV is in operation throughout this premises and is made available to the police.
8. 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.
9. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

11. 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.
12. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that: (a) The police (and, where appropriate, the London Ambulance Service) are called without delay; (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police; (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
13. No Alcohol to be sold from the venue after midnight and before 0900 hours AM.
14. All documents of members of staff will be retained for a period of 12 months post termination of employment and will be made available to the police, immigration and/or Licensing officers upon reasonable request.
15. The premises Licence Holder and/or Designated Premises Supervisor shall keep up to date policies and staff training records in relation to the following: Requirements of the challenge 25 scheme, drugs, identification & recognition of drunks, identification recognition and responsibilities of dealing with vulnerable persons and the correct procedures to be followed when refusing service regular training must be provided to all staff at least every six months, a record of the training will be maintained for at least twelve months.
16. An incident log shall be kept at the premises, and made available on request to an authorized Local Authority or Police Officer, which will record the following:
  - a) All crimes reported to the venue.
  - b) All ejections of patrons.
  - c) Any complaints received.
  - d) Any incidents of disorder.
  - e) Any faults in the CCTV system.
  - f) Any refusal of the sale of alcohol.
  - g) Any visit by a relevant authority or emergency service.