

**Decisions taken by the Licensing Committee on Thursday, 29 August 2024**

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

<b>A1</b>	Minutes	Agreed.
<b>A2</b>	Declarations of Interests	Councillors Atkinson declared that she is ward member for Deptford.
<b>A3</b>	Jerk Haven, 118 Bromley Road, SE6 2UN	<p>1. Cleos Thompson (“<b>the Applicant</b>”) applied for the grant of a new Premises Licence for Jerk Haven, 18 Bromley Road, Catford, London, SE6 2UN (“<b>the Premises</b>”).</p> <p>2. The application was for the grant of a premises licence to allow for: the retail sale of alcohol on and off the Premises Mondays to Thursdays from: 11:00 hours – 02:30, Friday and Saturday 11:00 – 04:30 hours and Sunday 11:00 hours – 00:30 hours. The applicant also applied for late night refreshment to be permitted Monday – Thursday from 23:00 hours – 02:00 hours, Friday and Saturday from 23:00 hours – 04:00 hours and Sunday from 23:00 hours to 00:00 hours. The application also requested seasonal variations to the permitted hours for the retail sale of alcohol and the provision of late-night refreshment any day preceding a bank holiday until 02:00 hours and on Jamaican Independence Day, 6 August, until 02:00 hours.</p> <p>3. The Applicant offered several conditions as part of their application. The Licensing Authority, as a Responsible Authority, and the Police made representations to the application and because of discussion with the Applicant the representations were withdrawn following</p>

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		<p>agreement to the following amendments to the application:</p> <p><b>ADDITIONAL CONDITIONS:</b></p> <ol style="list-style-type: none"> <li>1. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.</li> <li>2. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.</li> <li>3. The premises licence holder shall ensure that any patrons drinking and/or smoking in the rear garden and the outside seating area to the front of the premises do so in an orderly manner so as not to cause a public nuisance or obstruction of the public highway.</li> <li>4. Front outside seating area to close by 22:00 and any seating removed</li> <li>5. Rear garden not to be used by patrons</li> </ol>

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		<p>6. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by a person as ancillary to their meal</p> <p>7. The supply of alcohol shall be by waiter/waitress service only.</p> <p>8. All sale of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.</p> <p>9. Smoking area solely at the front of the venue and limited to 4 people at a time after 22:00</p> <p><b>AMENDED HOURS</b></p> <p>The hours permitted for all licensable activities amended as follows:</p> <p>Monday to Thursday until 00:30 hours</p> <p>Frida and Saturday until 02:00 hours</p> <p>Sunday until 00:00 hours</p>

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		<p>4. The application also received representations from 16 residents on the grounds that the Application failed to promote the licensing objectives to prevent public nuisance, prevent crime and disorder, protection of children from harm and public safety.</p> <p>5. The Licensing Committee held a hearing on 29 August 2024 to consider the Application. An agent spoke on behalf of the Applicant. The Committee also heard from 2 of the local residents who had made written representations.</p> <p>6. In making its decision the Committee has considered all the papers contained in the report pack together with the oral submissions and evidence presented by the Applicant and Residents at the hearing. The committee has also considered the Council's own Statement of Licensing Policy and the Home Office's Statutory Guidance.</p> <p>7. The Committee's decision is to grant the application subject to the additional conditions agreed with the Licensing Authority and Police and the amended hours permitted for all licensing activities. Its reasons for granting the new premises licence are as follows:</p> <p style="padding-left: 40px;">a. The Committee noted that the Applicant had agreed the conditions with the</p>

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		<p>Licensing Authority and Police and agreed to reduce the hours permitted for all licensing activities. The Committee has determined that the additional conditions and the reduction in hours agreed by the Application support the promotion of the licensing objectives.</p> <p>b. The Committee took very careful consideration of the concerns raised by the residents, both those who attended to give their representations in person and those who had made written representations. However, the Committee determined that the conditions offered in the application, those agreed with the Licensing Authority and Police and the reduction in hours addressed the concerns raised by residents. If local residents have any concerns going forwards the Committee would remind them to make, contact with the Licensing Authority.</p>
<b>A4</b>	Dimitri Burgers Ltd 379-383 New Cross Road, SE14 6AT	<p>1. Dimitri Burgers Limited ("<b>the Applicant</b>") applied for the grant of a new Premises Licence for Dimitri Burgers, 379-383 New Cross Road, SE14 6AT ("<b>the Premises</b>").</p> <p>2. The application was for the grant of a premises licence to allow for: the retail sale of alcohol on and off the Premises for: Sunday to Thursday from: 08:00 hours – 23:30 hours, and Friday and Saturday from 08:00 hours to 00:30 hours. The applicant also applied for late night refreshment, live music, recorded music, performance of dance and anything of a similar description to live music or performance of dance for: Friday and Saturday from 23:00 hours to 00:30 hours. The application also requested seasonal variations for Christmas Eve, Christmas Day, New Years Eve and New Years Day from 23:00 hours to 02:30 hours.</p> <p>3. The Applicant offered several conditions as part of their application. The Licensing Authority, as a Responsible Authority, and the Police made representations to the</p>

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		<p>application and because of discussion with the Applicant both those representations were withdrawn following agreement to the addition of the following conditions on the Premises Licence:</p> <p><b>Additional Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered (including the internal stairs adjoining the property above), enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.</li> <li>2. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available within 48 hours upon the request of the Police or authorized officer throughout the preceding 31-day period. The CCTV system should be updated and maintained according to police recommendations.</li> <li>3. 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 authorised council officer recent data or footage with the absolute minimum of delay when requested.</li> <li>4. The CCTV must cover all areas of the premises that the public has access to. There should be no obstructions to any internal camera that creates areas that are not wholly covered by CCTV, apart from within toilet cubicles and directly covering men's urinals.</li> <li>5. A minimum of two SIA-registered door staff are to be employed through an Accredited Contractor Scheme (ACS) registered company. They must be on duty on Fridays, Saturdays, Bank Holidays, and any day preceding a Bank Holiday night from 21:00 hrs until 30 minutes after closing and when conducting licensable activities or any other advertised or private event.</li> <li>6. A register of security personnel employed on the premises shall be maintained in</li> </ol>

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		<p>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.</p> <p>7. At the commencement of work, security personnel should ensure that they are recorded on the CCTV system and that a clear head-and-shoulders image showing their face clear of any hat, glasses, or other obstruction is recorded.</p> <p>8. 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.</p> <p>9. The premises shall prominently display signage at all entrances informing customers: -                      (All persons entering this premise are liable to be searched. Agreement to search is a condition of entry on Fridays, Saturdays, Bank Holidays, and any day preceding a Bank Holiday night from 21:00 hrs. If persons do not consent, entry will be refused.)                      (Police may be called if drugs or weapons are found.)                      (CCTV is in operation throughout this 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')</p> <p>10. A proof of age scheme, such as Challenge 25, must be operated at the premises where the only acceptable forms of identification are (recognized photographic identification cards, such as a driving license or passport / Holographical marked PASS scheme identification cards) appropriate signage must be displayed.</p> <p>11. All children under the age of 16 must be accompanied by an adult.</p> <p>12. All windows and doors must be kept shut while entertainment is in progress except for patrons' immediate entrance/egress.</p> <p>13. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the</p>

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		<p>structure of the premises, which gives rise to a nuisance.</p> <p>14. Loudspeakers shall not be located within the licensed outdoor area of the premises building.</p> <p>15. No regulated entertainment is allowed in the outdoor area of the premises building.</p> <p>16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.</p> <p>17. Patrons permitted to temporarily leave and then re-enter the premises, e.g., to smoke on Fridays, Saturdays, Bank Holidays, and any day preceding a Bank Holiday night from 21:00 hrs, shall be limited to (5) persons at any one time.</p> <p>18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.</p> <p>19. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.</p> <p>20. Patrons permitted to temporarily leave and then re-enter the premises, e.g., to smoke, shall not be permitted to take drinks or glass containers with them.</p> <p>21. Stock deliveries shall be made during the day between 10am and 4pm.</p> <p>22. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.</p> <p>23. The premises shall have a written dispersal policy including addressing parked or stationary vehicles across outside the front of the premises. All door staff shall be knowledgeable of this policy and able to enforce it.</p> <p>24. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:</p> <p>(a) The police (and, where appropriate, the London Ambulance Service) are called without delay;</p> <p>(b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;</p> <p>(c) The crime scene is preserved so as to enable a full forensic investigation to be</p>



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		<p>carried out by the police; and            (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.</p> <p>25. The premises Licence Holder and/or Designated Premises Supervisor shall keep up to date policies and staff training records in relation to the following:            Requirements of the challenge 25 scheme, drugs, identification &amp; recognition of drunks, identification recognition and responsibilities of dealing with vulnerable persons and the correct procedures to be followed when refusing service regular training must be provided to all staff at least every 12 months, a record of the training will be maintained for at least twelve months.</p> <p>26. 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.</p> <p>27. An incident log shall be kept at the premises, and made available on request to an authorized Local Authority or Police Officer, which will record the following:</p> <ul style="list-style-type: none"> <li>a) All crimes reported to the venue.</li> <li>b) All ejections of patrons.</li> <li>c) Any complaints received.</li> <li>d) Any incidents of disorder.</li> <li>e) All seizure of drugs or offensive weapons.</li> <li>f) Any faults in the CCTV system.</li> <li>g) Any refusal of the sale of alcohol.</li> <li>h) Any visit by a relevant authority or emergency service.</li> </ul> <p>28. Staff or patrons are prohibited from transferring alcohol from the adjoining premises while licensable activity is in progress.</p> <p>29. Upon the grant of the licence, the licence holder must ensure the premises is compliance with other necessary legislation such as Health &amp; safety at Work, Fire Safety &amp; Regulatory Order 2005, Planning Act, etc.</p> <p>30. When the premises is open to the public for business, access to the premises above is not allowed through the adjoining stairs. 31. Upon the grant of the licence, the</p>

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		<p>shutter door at the front of the premises is to me made a fire exit door.</p> <p>4. In addition, because of an error in advertising the seasonal variations those additional hours were removed from the Application.</p> <p>5. The application also received representations from one resident on the grounds that the Application failed to promote the licensing objectives to prevent public nuisance, prevent crime and disorder, protection of children from harm and public safety.</p> <p>6. The Licensing Committee held a hearing on 29 August 2024 to consider the Application. An agent spoke on behalf of the Applicant. The Committee also heard from the local resident in support of their written representations opposing the grant of the new premises licence.</p> <p>7. In making its decision the Committee has considered all the papers contained in the report pack together with the oral submissions and evidence presented by the Applicant and Resident at the hearing. The committee has also considered the Council's own Statement of Licensing Policy and the Home Office's Statutory Guidance.</p> <p>8. The Committee's decision is to grant the application subject to the additional conditions agreed with the Licensing Authority and Police. The Committee was not asked to approve the seasonal variations due to the issue with advertising of the statutory notice. Its reasons for granting the application are as follows:</p> <p>a. The Committee noted that the Applicant had agreed extensive conditions with the Licensing Authority and Police. The Committee has determined that the additional conditions agreed by the Application support the promotion of the licensing objectives.</p> <p>b. The Committee took very careful consideration of the concerns raised by the resident. However, the Committee determined that the conditions offered in the application, those agreed with the Licensing Authority and Police, addressed a number of the concerns raised by residents and demonstrated that the Applicant would promote each of the four licensing objectives.</p> <p>9. There is a right of appeal against this decision. Any appeal should be made to the Magistrates' court within 21 days beginning with the day on which the appellant was notified of the</p>

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