

Dear Angela.

Introduction

1. Under section 13 of the Licensing Act 2003, the licensing authority is a 'responsible authority' and is entitled to make a relevant representation regarding an application for a premises licence.
2. Under section 4 of the Licensing Act 2003, the licensing authority must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 (The Guidance), when carrying out its functions.
3. I have had regard to paragraphs 9.13 to 9.19 of the Guidance and can confirm that I am acting for the responsible authority and I have not discussed the merits of this application with those involved in making the determination of this premises licence application, or with the officer handling the application.
4. Acting as the responsibility authority, I have considered the Licensing Act 2003 and the associated regulations, the Council's licensing policy, and The Guidance when assessing the application and the supporting documents given by Louis Armand Tchanagoum Tchatchouang (the applicant)

Observations

5. The applicant has not offered steps on how they would promote the four licensing objectives in part M of the application form. Please see a list of conditions attached we feel are appropriate and proportionate in accordance with section M, to promote the licensing objectives.
6. If this application is granted as requested, we are concerned that the licensing objectives may not be met. The addition of the suggested conditions and the hours remaining the same as they currently are will alleviate our concerns.

Please accept this as an objection to Maestro's full variation application.

Maestro PLH has applied for a variation to the existing licence to include additional hours.

The applicant proposes to operate a restaurant daily with the following hours:

23:30 – 01:00 Monday
23:30 – 01:00 Tuesday
23:30 – 01:00 Wednesday
23:30 – 01:00 Thursday
01:30 – 03:00 Friday
01:30 – 03:00 Saturday
23:30 – 02:00 Sunday

Safer Communities Service has received recent complaints from a neighbour relating to noise stating that the premises went beyond their licensable hours to host a music event. CCTV was requested and it clearly shows there was a party with music after licensable hours without a TEN over the bank holiday weekend in August.

As the Licensing Authority we object to the extension of hours on this application. It is evident the PLH is already not adhering to the licence and we do not feel longer hours would be beneficial to the neighbours who are currently experiencing noise nuisance primarily due to the live music events held at Maestro.

I have also amended the conditions I have previously recommended, namely condition 6.

Kind regards

Alfene Rhodes
Safer Communities Officer (Licensing Team)
Safer Communities Service
Community Services Directorate
Lewisham Council,

Direct Line: 0208 314 6098

Objection and Suggested conditions for Maestro, Deptford Broadway.

The Licensing Authority has reviewed the full variation application and objects to the request to an extension for licensable hours at this venue, as well as the proposed removal of conditions, on the grounds of prevention of public nuisance and the prevention of crime and disorder.

Following a number of recent noise complaints and allegations of breaches, which have been corroborated by CCTV footage, the licensing authority have concerns over the licensee's ability to promote the licensing objectives. This follows reports of loud music from the premises after 11pm over the August Bank Holiday weekend, which was unlicensed.

We do, however, acknowledge the need to amend the existing condition relating to SIA door staff (Annex 3, condition 6) due to the cost this incurs for the licence holder and the impact that this has during quieter periods of the week. With this in mind, I suggest that this condition read:

- One SIA registered door staff who is independent of and in addition to the Maestro staff working that day, to be on duty while the premises is open to the public on Friday and Saturday nights as well as any day preceding a bank holiday, between 22:00 and close of business, and until all customers have left the premises and vicinity. When there are more than 50 customers on the premises, there will be two SIA registered door staff on duty. 1 SIA registered staff member will be outside the premises during these times.

Despite the fact that the Licensing Authority object to any extension of licensable activity, we believe the current premises licence would benefit from these additional conditions, in addition to the amended condition around door staff:

- 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 (to replace Annex 2, condition 5).
- All windows and doors must be kept shut whilst entertainment is in progress except for the immediate entrance/egress of patrons (to replace Annex 2, Condition 6).
- 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.
- Loudspeakers shall not be in the entrance lobby or outside the premises building.
- 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.

- No waste or recyclable materials, including bottles, shall be moved, removed from, or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
- The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff to ensure that there is no public nuisance or obstruction of the public highway.
- 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.