



PC Gillian Pearce
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Email:
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Your ref: Sip City
Our ref : Sip City
12st March 2024

Dear Licensing Sub-Committee,

I'm writing on behalf of the Metropolitan Police with regards to a Full Variation of a premise licence submitted by Sip City 189 Deptford High Street SE8 3NT.

The current licence allows for Alcohol (for consumption ON the premises)

11:00 – 23:00 Monday

11:00 – 23:00 Tuesday

11:00 – 23:00 Wednesday

11:00 – 23:00 Thursday

11:00 – 23:00 Friday

11:00 – 23:00 Saturday

11:00 – 23:00 Sunday

Particulars of Application

Applied for:

- Extension for sale of alcohol on the premises
23:00 – 03:00 Thursday – Saturday
- Addition of Recorded and Live Music
23:00 – 03:00 Thursday – Saturday

- Addition of Late Night Refreshment
23:00 – 03:00 Thursday – Saturday
- Removal of conditions 14, 15 and 16 from Annex 2

The outside seating area at the rear of the premises must be closed by 21:00hrs and must not re-open until the start of the next day's trading.

After 21:00, the designated smoking area shall not exceed four (4) people.

No live music shall be played at the premises. Music played must only take the form of recorded background music set at a level that no noise or vibration shall be detectible outside or at any neighbouring premises.

- Amendment of opening hours 23:00 – 03:30
- Addition of Seasonal Variations
Christmas Eve, New Years Even, Nigerian Independence Day (1st October), any day proceeding bank holidays

Alcohol, Recorded and Live Music and Late night refreshment 23:00 – 03:00

Summary of Objection

- The venue has had Temporary Event Notices mainly on weekends which allowed (alcohol, regulated entertainment and late night refreshment until 3am .)
- The police have become aware that the local authority have received noise complaints in the local area but the police haven't.
- The finish time is 03.30 Thursday to Saturday which is likely to impact on residents.
- The application requests the addition of recorded and live music. Noise complaints are already being received by the council without this condition being added.

Police object to this application under the following Licensing Objectives:

- Prevent crime and disorder
- Prevent public nuisance

Time line of events for this premise

This premise was formally Kick 'N' Munch and came to police and local authority notice on a regular basis due to noise complaints re loud music in the covered garden area and lack of dispersal. An arrest was made of an employee with no legal status working in the kitchen and a closure notice was issued in 2022.

20/06/2023 -Incident on the 10th June 2023 at 0214hrs that police have recorded on Crime ref 3214994/23, CAD 859/10jun23 Domestic incident) . CCTV request made to PLH and DPS via email and also on a visit on 15th June to the duty manager. Request was ignored. No TEN was in place, Closing time should have been 11pm.

22/6/23 Email sent to PLH asking who the DPS is for the premise as there seems to be confusion over whether the named DPS is willing to act as DPS for this premise.

23/6/23 Email received stating PLH and DPS not ignoring police but the CCTV was not working and new system installed on 8th June following a burglary at the premise but hard drive was corrupted also no incident log filled in as they stated no incident had taken place on the premise.

23/6/23 Section 19 closure notice issued for breach of conditions. No CCTV, No incident log.

29/6 23 – Council receive 2 noise complaints regarding Sip City. The complaints state noise and music after 11pm when the premise should have been closed. The complaints occurred while the shutters were down but people were inside.

29/6/23 Email sent to PLH asking who the DPS is for the premise as there seems to be confusion over whether the named DPS is willing to act as DPS for this premise.

29/6/23 Another email sent asking who the DPS is for the premise and if the named DPS is still willing to act. Previous email ignored.

2/7/23 On site visit to Sip City by LA.

23:05 Two people enter, drinks served possibly alcohol.

23:07 – Three more people enter, music playing which was heard when the door was opened. Serving cocktails.

00:25 - People outside with drinks in hand, shutters not down. Employee observed earlier pour alcohol from bottle taken from shelf behind.

3/7/23 PLH replies to email requesting who the DPS is and states it is still Michaela who was DPS of Kick 'N' Munch

3/7/23 Police contact Michaela the DPS at 1100hrs on 3rd July 2023 and asked her if she is DPS and she stated that she initially helped and said yes but when transfer was completed she thought her name would be removed and it appears not. She stated that she will notify the Licensing@lewisham.gov.uk that she wishes her name to be removed and is not DPS. Advised by police to contact the LA and tell them she is not the DPS.

3/7/23 Michaela DPS resigned as DPS at 1402hrs on 3/7/2023

3/7/23 Section 19 closure notice issued by police for breach of conditions and no DPS in place.

5/7/23 PLH contacts police licensing and states Sip City will be closed until the CCTV is up and working, a face to face meeting is arranged for 6th July 2023.

5/7/23 Michaela makes contact and states she would like to be DPS. She will need to undergo application process again.

6/7/23 Police licensing conduct on site visit at Sip City. It becomes evident that the PLH does not fully understand the running of the premise and adhering to the licence conditions for the premise. Closure notice remains in place.

31/7/23 DPS now in place, CCTV in Place and breaches sorted out. Closure notice lifted. PLH is now DPS.

Location

Sip City is in a terraced row of shops and restaurants along Deptford's busy High Street. The shops have residential flats above them on both sides of the street.

Behind Sip City is Hamilton Street which is a densely populated residential street with several blocks of flats.

Deptford High Street itself is a busy high street with numerous night time economy venues. Police receive regular noise complaints and dispersal complaints from this street concerning several venues.

Statement of licensing policy

As per the Borough statement of licensing policy (24.1) there is a strong link between vertical drinking and violent and disorderly behaviour. Longer drinking hours will exacerbate this issue and have an impact on both the immediate vicinity but also police resources in the borough as a whole.

Prevention of noise from outside the premises (7.13) The hours of operation of any licensed external area requiring patrons to return back into the premises at a specific time. Licensing Authority deems that a closing time of 22.00 for external areas is appropriate to promote the licensing objectives, and in dense residential areas this may need to be earlier. Any music played into the external area should also cease.

Proximity to residential accommodation is a significant concern with regards to prevention of public nuisance. (7.18) Each case will be decided on its own merits, however, stricter conditions will generally apply to those applications with denser levels of residential accommodation or greater proximity to residential accommodation. This may include the authority considering a terminal hour that is earlier than that proposed by the applicant.

Prevention of Crime and Disorder

Whilst the police accept that the venue has had TENs allowing additional hours without causing crime or disorder, it needs to be noted that these are one off events. There is a concern that by allowing this extension of vertical drinking it could cause crime or disorder at the venue.

Prevent public nuisance

Again the police except the venue has used TENs these have been for parties, DJ events and similar which have ended at 3am.

However, it has come to police attention that there have been complaints to the local authority regarding noise within the local area.

As such the police request the hours remain at 23.00 hours.

Conclusion

After considering the application, conditions offered by the applicant, taking into account the location of the proposed premises and its environs, the Metropolitan Police believe that the proposed premises variation will undermine not only the licensing objectives but also greatly affect the local residents. The applicant has failed to take into account and address the negative impact the extensive proposed hours will have on the licensing objectives.

As a new premise of less than a year old they have not displayed a full understanding or compliance of the licensing conditions and objectives.

Yours sincerely,

PC Gillian Pearce
South East BCU Police Licensing Officer
On behalf of the Commissioner of the Metropolitan Police.