

Appendix 1 – Licencing Decision Letter



**Committee Officer
Governance Support**
Civic Suite
Catford Road
London SE6 4RU

Direct Line (020) 8314 7369

Date: 21 December 2021
Ref: Clare Weaser

All Interested Parties

Dear Sir/Madam,

**Licensing Committee 16 December 2021 – Badger Badger 139-145
Deptford High Street SE8 3NU**

I am writing to everyone who made a relevant representation in respect of the application made by Novel Pubs Ltd for a Premises Licence at Badger Badger 139-145 Deptford High Street SE8 3NU.

In the matter of this application for a Premises Licence, the Committee has considered all the relevant representations made by all parties.

The Committee has made the following determination with a view to ensuring the promotion of the licensing objectives in accordance with the provisions of the Secretary of State's guidance and the principles of our licensing policy:

With a view to ensuring the promotion of the licensing objectives, in accordance with the provisions of the statutory guidance and the principles of our licensing policy, the application was GRANTED with the conditions attached and hours as follows:

Live Music

| | |
|---------------|-----------|
| 23:00 – 00:00 | Monday |
| 23:00 – 00:00 | Tuesday |
| 23:00 – 00:00 | Wednesday |
| 23:00 – 01:00 | Thursday |
| 23:00 – 01:00 | Friday |
| 23:00 – 01:00 | Saturday |
| 23:00 – 00:00 | Sunday |

Recorded Music

| | |
|---------------|-----------|
| 23:00 – 00:00 | Monday |
| 23:00 – 00:00 | Tuesday |
| 23:00 – 00:00 | Wednesday |
| 23:00 – 01:00 | Thursday |
| 23:00 – 01:00 | Friday |
| 23:00 – 01:00 | Saturday |
| 23:00 – 00:00 | Sunday |

Late Night Refreshment

| | |
|---------------|-----------|
| 23:00 – 00:00 | Monday |
| 23:00 – 00:00 | Tuesday |
| 23:00 – 00:00 | Wednesday |
| 23:00 – 01:00 | Thursday |
| 23:00 – 01:00 | Friday |
| 23:00 – 01:00 | Saturday |
| 23:00 – 00:00 | Sunday |

Sale of Alcohol for consumption on the premises

| | |
|---------------|-----------|
| 09:00 – 23:30 | Monday |
| 09:00 – 23:30 | Tuesday |
| 09:00 – 23:30 | Wednesday |
| 09:00 – 00:30 | Thursday |
| 09:00 – 01:00 | Friday |
| 09:00 – 01:00 | Saturday |
| 09:00 – 23:30 | Sunday |

Seasonal Variation

Licensable activity from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

In coming to a determination the Committee considered the following matters:

1. Members of the Committee noted the representations made on behalf of the applicant. Badger Badger had been an active participant within the Deptford community engaging with local residents, charities and council initiatives.
2. The Committee noted further that Badger Badger had an excellent record for upholding their licensing responsibilities at night. The applicant acknowledged the concerns of neighbours and had engaged an extra door team member to manage noise outside the premises.
3. Members of the Committee noted management had worked with responsible authorities and accepted all recommendations made by the Crime Enforcement and Regulatory Service and Police. The applicant

believed that the High Street could be very noisy at the weekend evenings and their security team had been a positive influence on the area.

4. Members of the Committee considered representations made by a local resident and the Deptford Society who believed that the character of the area needed to be understood. The Deptford Society were of the view that Deptford High Street, although busy during the day, at night there was low ambient noise. It was their strong belief that this should be considered seriously when extending licensing hours. In addition the premises was located within a local hub as outlined in the Licensing Policy.
5. The Committee noted that residents agreed that the premises were well managed. Their main concerns were regarding the noise created by patrons leaving the area late at night as they walked through footpaths close to their homes. Local markets set up from 6am and if a licence was granted until 02.30, then residents would only have 3 ½ hours peaceful sleep.
6. Deptford was a deprived area and the Deptford Society believed that residents should be supported. There should be a balance between success of local businesses and the right of residents to lead a peaceful life.
7. Members of the Committee noted that there had not been any representations from regulatory authorities and agreed that the granting of the premises licence with the revised hours and raft of conditions, would ensure that the four licensing objectives were upheld.

An appeal against this decision may be made to the Magistrates' Court within 21 days from the date of this letter.

Yours sincerely,

Clare Weaser
Clerk to the Licensing Committee

Conditions for Badger, Badger 139-145 Deptford High Street SE8 3NU

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

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.

The CCTV must cover all areas of the venue that the public have 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.

The smoking area must be covered by CCTV that is to the same standards as the internal CCTV system.

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. If persons do not consent, entry may be refused.)

(All persons entering the premise will produce identification when asked to do so),

(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')

A minimum of 2 SIA registered door staff, of which one (1) must be female and are all employed by an Accredited Contractor Scheme (ACS) registered company. They must be on duty on Thursday, Friday and Saturday from 21:00hrs until 30 minutes past closing time, when the Business is open beyond Midnight and when conducting licensable activities or private events.

Any door staff to be responsible for numbers in smoking area and keeping it within agreed numbers as set out in this licence.

A 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.

Door staff should wear their identification badge at all times when working at the premises.

Any SIA door staff should make written record of any incidents that happen on the Premises, while they are on duty, including where Police are called upon to attend and investigate any crimes being recorded.

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.

No more than 10 customers to be allowed outside the front of the premises to smoke or drink at any time.

No customers will be allowed to take drinks outside into the front or rear outside areas after 2200hrs.

The license holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so that there is no public nuisance or obstruction to the public highway, and use barriers if required to ensure public safety or obstruction.

There shall be no admittance or re-admittance to the premises on Thursday, Friday and Saturday after Midnight unless leaving the premises to smoke.

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

Patrons permitted to temporarily leave and then re-enter the premises (including the smoking area) e.g. to smoke, shall not be permitted to take drinks or containers with them.

No customers shall be permitted to leave the premise with any glass containers. No alcohol to be sold for consumption off the premises.

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.

The smoking areas shall be kept clean and well swept to ensure environment and local areas are tidy and litter/ cigarette waste to be disposed of in correct dustbins/ashtrays provided. Door staff/ Staff should ensure compliance and monitoring of smoking areas.

No children under the age of 18 will be permitted on the premises beyond 2200hrs, unless accompanied by an adult.

An incident log shall be kept at the premises, and made available on request to an authorized officer of the Council or the Police, 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 seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system or searching equipment or scanning equipment
- (g) Any refusal of the sale of alcohol
- (h) Any visit by a relevant authority or emergency service.
- (l) advertise a number for complaints from the public and all complaints to be recorded in the incident book.

A record book of banned individuals shall be held by the SIA registered door supervisors at the front door and will be made available to Police and Council upon request.

The premises shall have a written dispersal policy including addressing parked or stationary vehicles across the outside the front of the premises, and ensuring public footpath is not blocked. All door staff shall be knowledgeable of this policy and able to enforce it.

The license holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. This to encourage dispersal at close of Business.

A noise limiter must be fitted and maintained within the premises. The level of this meter must be set in accordance with required legislation and standards by a qualified acoustic engineer, as so not to cause a noise nuisance. The limiter must be sealed in such a way that no unauthorised person can tamper with it. All amplified music played at the premises must be passed through the noise limiter. An annual calibration of the noise limiter must take place by a qualified acoustic engineer and recorded in the incident book.

An appropriately qualified acoustic engineer* must be engaged to carry out an acoustic report for both sound insulation, egress and dispersal with appropriate recommendations as to how statutory nuisance can be mitigated appropriately, within 1 month of the licence being granted. A copy of the report must be sent to the licencing authority within 2 months of the licence grant date. Any recommendations to improve noise management to ensure a

nuisance does not occur to neighbouring properties must be implemented with 3 months of the licence grant date.

*defined as a member of the Association of Noise Consultants.

Doors and windows to remain closed after 2100hrs to ensure noise is kept to levels that will not impact the local community.

Management should keep staff records/Immigration checks and ensure all employees have permitted documentation to allow them to Work and reside in the UK. When Police and LA visit staff have to produce suitable Identification when requested to show compliance.