TEMPORARY EVENT NOTICE

LICENSING SUB-COMMITTEE

Date: Tuesday 5 February 2019

Time: 7.00 pm

Venue: Committee Room (B6) - Lambeth Town Hall, Brixton, London, SW2 1RW

Copies of agendas, reports, minutes and other attachments for the Council’s meetings are available on the Lambeth website. www.lambeth.gov.uk/moderngov

Members of the Committee

Councillor Linda Bray, Councillor Fred Cowell, Councillor Martin Tiedemann, Councillor Rezina Chowdhury, Councillor John Kazantzis, Councillor Joshua Lindsey, Councillor Philip Normal, Councillor Emma Nye, Councillor Becca Thackray and Councillor Irfan Mohammed

Substitute Members

Councillor Matthew Bennett, Councillor Jennie Mosley, Councillor Andy Wilson, Councillor Marcia Cameron, Councillor Jon Davies, Councillor Dr. Mahamed Hashi and Councillor Claire Holland

Members Required for this meeting will be: Councillor Philip Normal, Councillor Rezina Chowdhury, Councillor Fred Cowell

Further Information

If you require any further information or have any queries please contact:
Nazyer Choudhury, Telephone: 020 7926 0028; Email: nchoudhury@lambeth.gov.uk

Members of the public are welcome to attend this meeting. If you have any specific needs please contact Facilities Management (020 7926 1010) in advance.

Queries on reports

Please contact report authors prior to the meeting if you have questions on the reports or wish to inspect the background documents used. The contact details of the report author are shown on the front page of each report.

Security

Please be aware that you may be subject to bag searches and asked to sign in at meetings that are held in public. Failure to comply with these requirements could mean you are denied access to the meeting. There is also limited seating which is allocated on a first come first serve basis, you should aim to arrive at least 15 minutes before the meeting commences. For more details please visit: our website.

Please contact Democratic Services for further information – 020 7926 2170 – or the number on the front page.

@LBLdemocracy on Twitter http://twitter.com/LBLdemocracy or use #Lambeth
Lambeth Council – Democracy Live on Facebook http://www.facebook.com/
AGENDA

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE CHANGED AT THE MEETING

Page Nos.
1 - 4

5. Consideration of an objection for a Temporary Event Notice

Special circumstances justifying urgent consideration

A meeting of the Licensing Sub-Committee has been convened as a result of an objection raised by Public Protection regarding a Temporary Event Notice (TEN). Section 105 (2)(a) (of the Licensing Act 2003 [part5]) requires a minimum of two days' notice to be given. The first event is due to take place on 10 February 2019.

The Chair is of the opinion that although the meeting has not been convened with at least five clear days’ notice, it should proceed now as a matter of urgency to consider the objections to the TEN because of the special circumstances of the need to comply with the statutory requirements of the Licensing Act 2003.

a) The Sugar Bar, 91 Norwood High Street, London, SE27 9JS (Gipsy Hill)
Digital engagement

We encourage people to use Social Media and we normally tweet from most Council meetings. To get involved you can tweet us @LBLDemocracy.

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable. If you have any questions about this please contact Democratic Services (members of the press please contact the Press Office). Please note that the Chair of the meeting has the discretion to halt any recording for a number of reasons including disruption caused by the filming or the nature of the business being conducted.

Persons making recordings are requested not to put undue restrictions on the material produced so that it can be reused and edited by all local people and organisations on a non-commercial basis.

Representation

Ward Councillors may be contacted directly to represent your views to the Council: (details via the website www.lambeth.gov.uk)
HEARING PROCEDURE FOR LICENSING SUB-COMMITTEE

Full information on the procedure is sent to all parties to the hearing. The information below is a précis of that information.

Parties to the hearing must notify Licensing Services within prescribed timescales (these vary according to the type of hearing) that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf.

The hearing will operate as follows (subject to the discretion of the Chair)

- In the form of a discussion led by the Committee; cross examination will not normally be permitted.
- A total of 3 minutes speaking time is normally allowed for each party. Any preliminary points will be treated separately.
- Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.
- Parties to the hearing may be permitted to ask questions of any other party or witness.
- Parties to the hearing may be required to answer specific questions from members of the committee seeking clarification of information.
- The typical order of the hearing will be as follows:
  1. Chair will ask all parties and witnesses to introduce themselves and this should include a brief explanation of the purpose of their attendance.
  2. Officers present the report.
  3. Committee members ask questions of officers.
  4. Applicant speaks.
  5. Applicant's witnesses speak (with permission of Chair).
  6. Committee members ask questions of applicants and their witnesses (only applies to witnesses who have been given permission to speak).
  7. Other parties speak.
  8. Other parties' witnesses speak (with permission of Chair).
  9. Committee members ask questions of the other parties to the hearing and their witnesses (only applies to witnesses who have been given permission to speak).
  10. Applicant (with exception and with permission of Chair) asks questions of the other parties to the hearing and their witnesses.
  11. Other parties to the hearing (with exception and with permission of Chair) ask questions of the applicant/other parties to the hearing and their witnesses.
  12. Chair’s closing remarks.
  13. Committee retires to make their decision.
  14. Legal adviser informs the hearing of any advice that they have given to the committee during the decision making process.
  15. Committee announces decision and gives reasons.
  16. After the hearing officers will write to all parties to confirm the committee’s decision.
Licensing Sub-Committee 5th February 2019

Consideration of objection to Temporary Event Notice:

1. The Sugar Bar, 91 Norwood High Street, London, SE27 9JS (Gipsy Hill)

Report authorised by: Sandra Roebuck, Acting Strategic Director for Neighbourhoods and Growth

Contact for enquiries: Bina Patel, Licensing Manager, Public Protection and Regulatory Services, 020 7926 4103, bpatel@lambeth.gov.uk

Executive summary

This report sets out details of a temporary event notice which has been given to the licensing authority, in respect of which the police have submitted an objection notice.

Recommendation

That the notice set out in the Appendix to this report be considered having regard to the Council's Licensing Policy, the licensing objectives and the objection notice received.

Consultation

<table>
<thead>
<tr>
<th>Name of consultee</th>
<th>Directorate or Organisation</th>
<th>Date sent to consultee</th>
<th>Date response received from consultee</th>
<th>Comments appear in report (paragraph(s))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jean-Marc Moocarme</td>
<td>Corporate Resources</td>
<td>01/02/2019</td>
<td>01/02/2019</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Report history

<table>
<thead>
<tr>
<th>Authorised by Executive member:</th>
<th>Date report drafted:</th>
<th>Report deadline:</th>
<th>Date report sent:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>01/02/2019</td>
<td>01/02/2019</td>
<td>01/02/2019</td>
</tr>
</tbody>
</table>

Appendices

1. Report for The Sugar Bar, 91 Norwood High Street, London, SE27 9JS (Gipsy Hill)
1. **Context**

1.1 Authorisation from the Council is required for the sale or supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment.

1.2 While most large-scale or permanent businesses will hold Premises Licences to authorise their activities, the Act also provides a light-touch mechanism for smaller, infrequent events, known as Temporary Event Notices.

1.3 An individual (known as the “premises user”) may give notice of a proposal to use premises for a temporary event, engaging in one or more licensable activities for a period of no more than 168 consecutive hours. The Licensing Sub-Committee is required to consider any objection notice received, and must give the premises user a counter-notice under section 105 of the Licensing Act 2003 if it considers it appropriate for the promotion of a licensing objective to do so. The temporary event may not proceed if a counter-notice has been issued.

2. **Proposals and Reasons**

2.1 The Licensing Sub-Committee has responsibility for exercising many of the Council’s powers in respect of the Licensing Act 2003. Consideration by the Committee of the notice(s) appended to this report is required because the notice(s) have attracted an objection from the Police and Council’s Public Protection Team.

2.2 Details of the notice are set out in the Appendix to this report. The statutory consultation requirement set out in paragraph 3 below has been complied with by the premises user(s), and has resulted in the Public Protection Team and/or the Police giving an objection notice to the licensing authority.

2.3 The premises user, the Police and the Public Protection Team have been invited to attend the hearing.

2.4 The fee for giving a temporary event notice is prescribed within the Licensing Act 2003.

3. **Consultation requirements**

3.1 The premises user is required to give a copy of any temporary event notice to the Police and the Council’s Noise and Pollution Team no later than 10 working days before the first day of the proposed event. If either body is satisfied that allowing the premises to be used in accordance with the notice would undermine any of the licensing objectives, they must give an objection notice to the licensing authority and to the premises user within three days of receiving the copy of the notice. It is also possible to give a late TEN with between 5 and 10 working days notice, however if an objection notice is given the event cannot proceed.

3.2 An applicant’s’ failure to comply with the above consultation requirements would invalidate the notice. All notices set out in the appendix of this report have complied with the consultation requirements.

3.3 The Act does not make provision for further consultation with any other responsible authorities nor interested parties, and there is no requirement for the premises user to publicise their notice.

4. **Finance**

4.1 There are no direct financial implications arising from this report.
5. **Legal and Democracy**

5.1 The authorisation of premises for the supply of alcohol, regulated entertainment and late-night refreshment fall within the provisions of the Licensing Act 2003.

5.2 When carrying out its licensing functions, the Sub-Committee shall act with regard to the Council’s Licensing Policy, Statutory Guidance, and with a view to promoting the Licensing Objectives. The objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.3 The Sub-Committee must ensure that all licensing decisions have:

- a direct relationship to the promotion of one or more of the 4 licensing objectives;
- regard to the statement of licensing policy;
- regard to the Secretary of State’s Guidance;
- there must not be a ‘blanket policy’ to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded.

Applications must be considered with regard to the principles of fair process and the Human Rights Act.

5.4 The purpose of Lambeth’s Statement of Licensing Policy is to make clear to applicants and relevant representatives the considerations that will be taken into account when determining applications. It is also intended to guide the Licensing Committee when considering licensing applications; however the Licensing Committee must consider each application on its own merit and only allow exceptions to its own policy where the circumstances of the application justify it.

5.5 Subject to both the Council’s Statement of Licensing Policy and Statutory Guidance having been properly considered a Sub Committee may depart from them if there are good reasons for doing so. Full reasons must be given and Sub-Committees should be aware that such departures could give rise to an appeal or judicial review.

5.6 Section 105(2)(b) of the Act requires that the licensing authority must, having regard to the objection notice, give the premises user a counter notice under this section if it considers it, “appropriate for the promotion of a licensing objective to do so.” The temporary event may not proceed if a counter-notice has been given.

5.7 Section 106A(2) of the Act provides that the licensing authority may impose one or more conditions on the standard TEN if:

   a) it considers it appropriate for the promotion of the licensing objectives to do so;
   b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of or in any part of the same premises as the TEN;
   c) the conditions would not be inconsistent with the carrying out of licensable activities under the TEN.
5.8 It is considered inappropriate for officers involved in the administration of notices to make recommendations. However, the Committee may choose whether to have regard to any representations made by police officers or Council's Noise and Pollution Team if they believe that using the premises in accordance with the TEN will undermine the licensing objectives.

5.9 At any time prior to the hearing, the police or the Council's Noise and Pollution Team may, with the agreement of the premises user, modify the temporary event notice by making changes to the notice. The objection notice shall be treated as having been withdrawn from the time the temporary event notice is modified. The premises user may also withdraw the notice completely at any time up until 24 hours prior to the proposed start time of the notice.

5.10 In accordance with the provisions of Part 3 of Schedule 5 of the Act, where the licensing authority gives a counter-notice under section 105, the premises user may appeal against the decision. Where the authority does not give a counter-notice, the person giving the objection notice may appeal against the decision. In both cases, appeals must be made to a Magistrates Court within 21 days of receiving notification of the decision - however, no appeal can be brought less than 5 working days prior to the first proposed event day.
<table>
<thead>
<tr>
<th>Item No:</th>
<th>5a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title of Report:</td>
<td>Licensing Sub-Committee Report</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Public Protection</td>
</tr>
<tr>
<td>Application Type:</td>
<td>Temporary Event Notice</td>
</tr>
<tr>
<td>Application Date:</td>
<td>25th January 2019</td>
</tr>
<tr>
<td>Ward:</td>
<td>Gipsy Hill</td>
</tr>
<tr>
<td>Premises Type:</td>
<td>Bar</td>
</tr>
<tr>
<td>Policy Context:</td>
<td>Lambeth Statement of Licensing Policy 2019 - 2024</td>
</tr>
<tr>
<td>Report Author:</td>
<td>Mr. Tom Dunn</td>
</tr>
<tr>
<td>Contact Details:</td>
<td>020 7926 1866 <a href="mailto:tdunn@lambeth.gov.uk">tdunn@lambeth.gov.uk</a></td>
</tr>
</tbody>
</table>

**Application Summary:**
This is an application made by Public Protection for a counter notice to be issued against a Temporary Event Notice.
Consultation Information:

<table>
<thead>
<tr>
<th>Department(s) or Organisation(s)</th>
<th>Consulted (Y/N)</th>
<th>Date Response Received</th>
<th>Comments summarized in report (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noise Service</td>
<td>Applicant</td>
<td>30/01/2019</td>
<td>Yes</td>
</tr>
<tr>
<td>External</td>
<td>Yes</td>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

Policy implications:

* Licensing Objectives (chapter 5, pages 9 to 15 of the policy) *

The Licensing Objectives engaged by this application are:-

**Prevention of Public Nuisance**

1. Application:

1.1 Gil Lue-Kong on 25th January 2019 gave the Licensing Authority a Temporary Event Notice (TEN) under section 100 of the Licensing Act 2003.

1.2 The Notice will authorise the following licensable activities:

- The sale by retail of alcohol
- The provision of regulated entertainment
- The provision of late night refreshment

It is proposed to provide these activities to patrons at the venue during the following times:-

Sunday 10th February 2019 02:00 – 05:00

A copy of the application is attached to this report as Annex A

2. Representations:

2.1 An objection notice to the TEN was received from Public Protection exercising their Environmental Health function on 30th January 2019. The objections engage with the licensing objective of the Prevention of Public Nuisance.

2.2 Public Protection are concerned that the premises may cause a public nuisance due to recent complaints received from members of the public in 2019. Furthermore Public Protection aren’t satisfied that the management of the venue and/or the dispersal of patrons will be effective during the event and at its conclusion.
A copy of the objection has been provided to the applicant via email and it is appended to this report as Annex B.

The last date for giving an objection notice was 30th January 2019.

3. Current Licence:

3.1 There is a current premises licence in place for this venue, licence number Prem1208. This licence authorises licensable activities for a Saturday (into Sunday morning) as follows:

- Live Music 09:00 - 01:00;
- Late Night Refreshment 23:00 – 02:00; and
- Films, Recorded Music, Performance of Dance, Entertainment similar to music and dance, and Sale of Alcohol 09:00 - 02:00

3.2 The current licence has been in place since 17th September 2008 and Mr Lue-Kong has been the DPS since 30th October 2012.

A copy of the current premises licence is attached to this report as Annex C.

4. Background History:

4.1 Since January 2018 to January 2019, the premises licence holder has applied for 6 TENs at this venue, including this one. Each notice was to cover the period 02:00 – 05:00, which is from the end of their licensable hours as authorised by the premises licence. No counter notices were issued in respect of these earlier TEN's.

4.2 The most recent complaints received in relation to these premises were regarding an event on 25th January 2019 which according to one of the complainants allegedly continued until 3am the following morning. The two complaints received which can be seen within Public Protection’s objection, allege public nuisance.

4.3 Prior to this, on 18th September 2017, the Licensing Service received a complaint about the premises from a resident alleging public nuisance and the carrying on of unlicensed activities. An intervention meeting was conducted on 18th October 2017 with the licence holder Mr Lue-Kong to address these issues. A copy of this complaint can be seen at Annex D.

5. Observations:

5.1 The parts of the Statutory Guidance (April 2018) relevant to this application and the representations received are Chapters:

- 7 – Temporary Event Notices;
- 9 – Determining Applications;
- 15 – Regulated Entertainment.

5.2 The parts of the Statement of Licensing Policy that relevant to this application and the representations are Sections:

5. The Licensing Objectives
## 6. Conclusion:

### 6.1 Members have two options when determining this Notice,  
- To issue a Counter-Notice,  
- To refuse to issue a Counter Notice

### Appendices:

- **Annex A** – TEN Application  
- **Annex B** – Objection Notice  
- **Annex C** – Premises Licence  
- **Annex D** – Complaint received 18th September 2017

### Reference Documents:

<table>
<thead>
<tr>
<th>Document Description</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government Act 1972 – Access to information documents used in the preparation of this report</td>
<td>1 The Licensing Act 2003 (“the Act”)</td>
</tr>
<tr>
<td></td>
<td>2 Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”)</td>
</tr>
<tr>
<td></td>
<td>3 Lambeth Statement of Licensing Policy 2019 - 2024 (“the Policy”)</td>
</tr>
</tbody>
</table>
General Information
Temporary Event Notices are a form of authorisation available under the Licensing Act 2003 allowing licensable activities to be provided on a one-off or occasional basis.

TENs are the most appropriate type of authorisation for small-scale, one-off events, such as community, school and charity fundraising events, at which it is intended to sell or supply alcohol, provide regulated entertainment, or sell hot food/drink between 11pm-5am. TENs may also be used by licensed premises to increase the scope of their licence for a one-off event - for example, to allow the hosting of a live music event in a venue not usually permitted live music, or to allow an extra hour for the supply of alcohol on a special occasion.

Criteria
To prevent the TENs system being abused, notices must comply with a number of strict criteria and limitations in order to be valid. If an event does not satisfy all of these requirements, the licensing authority will not be able to accept that notice, and your event will not be able to proceed. A checklist of these criteria is given on the following page — please ensure that your event meets all of these requirements before you make your application.

Applying for a Temporary Event Notice
The attached form, prescribed under the Licensing Act 2003, can be used to give a Temporary Event Notice to the licensing authority. Your notice should be given as follows:

The attached form can be used to give a Temporary Event Notice to the licensing authority. Your notice should be given as follows:

- One copy of the completed notice, and payment for the fee of £21, should be sent to Licensing, London Borough of Lambeth, Blue Star House, 234-244 Stockwell Road, London, SW9 9SP
- One copy of the completed notice should be sent at the same time to the Metropolitan Police Licensing Unit, Brixton Police Station, 367 Brixton Road, London, SW9 7DD
- One copy of the completed notice should be sent at the same time to Noise/Pollution Enforcement, London Borough of Lambeth, 185-205 Shakespeare Road, London, SE24 OPZ

Please also ensure that you keep a copy for your own records, as you must display a copy of the notice at the premises during the event. We no longer send endorsed copies of temporary event notices.

Payment may be made by cheque/postal order (payable to ‘London Borough of Lambeth’) or credit/debit card only. We are not able to accept cash payments for Temporary Event Notices.

If the notice satisfies all of the criteria set out on the following page, your Temporary Event Notice will be accepted and an acknowledgement letter will be sent to you before the day of your event. If the police or noise officers subsequently raise objections to your proposed event, in respect of issues relating to the licensing objectives, your notice will be referred to the council’s Licensing Sub-Committee for further consideration. If the Sub-Committee uphold the police objection, they may then decide to issue a counter-notice, which would cancel your Temporary Event Notice.

Applying online
You can apply to vary a Premises Licence online. Visit our website, www.lambeth.gov.uk/licensing/ and follow the ‘Apply online’ links.

Contacts
For information on the process or assistance in giving notification of your event, please contact us:

By Post Licensing Section London Borough of Lambeth, 234 – 244 Stockwell Road, London SW9 9SP
In Person By appointment only at the above address – we are open 9:00am - 5:00pm Monday - Friday
By Phone 0207 926 6108 Website www.lambeth.gov.uk/licensing
By Fax 0207 926 6150 Email licensing@lambeth.gov.uk
Checklist does your event meet the criteria?

The table below summarises the restrictions that apply to Temporary Event Notices. If the answer to any of these questions is ‘no’, a temporary event notice cannot be used to authorise the proposed event. You may be able to apply for a Premises License to authorise larger, longer or more frequent events — please contact the Licensing Section for further information.

<table>
<thead>
<tr>
<th>Advance Notification (standard TEN’s) (if you are giving a late TEN, Please disregard this section)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Are there at least 10 complete working days before the first day of your proposed event? i.e. not including: • the day that the notice is given to/received by the licensing authority • the day(s) of your proposed event • any Saturdays or Sundays • any bank holidays or public holidays</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Advance Notification (late TEN’s) (if you are giving a standard TEN, Please disregard this section)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Are there at least 5 complete working days before the first day of your proposed event? Including this notice, has the applicant (the ‘premises user’) given no more than 2 late temporary event notices across England and Wales in this calendar year? (or 10 late temporary event notices if the applicant holds a Personal License)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size of event</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you expecting no more than 499 people (including customers, organisers, and performers) to attend your event at any one time?</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Duration of Event</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Does your temporary event notice last for 168 consecutive hours or less from start to finish?</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Separation between events</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Will this temporary event notice start at least 24 hours after any other temporary event notice for the same premises has finished?</td>
<td></td>
</tr>
<tr>
<td>Will this temporary event notice finish at least 24 hours before any other temporary event notice for the same period</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Frequency of events at premises</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Including this notice, will the premises have been the subject of no more than 12 temporary event notices in this calendar year?</td>
<td></td>
</tr>
<tr>
<td>Including this notice, will the premises have been the subject of temporary event notices on no more than 21 calendar days in this calendar year? (NB. a notice starting before midnight and ending after midnight will be counted as 2 days)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Frequency of events by applicant</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Including this notice, has the applicant (the ‘premises user’) given no more than 5 temporary event notices across England and Wales in this calendar year? (or 50 temporary event notices if the applicant holds a Personal Licence)</td>
<td></td>
</tr>
<tr>
<td>Including this notice, have the applicant and all associated persons, together, given no more than 5 temporary event notices across England and Wales in this calendar year? (or 50 temporary event notices if the applicant holds a Personal Licence) Associated persons include family members, spouses or partners, business associates, employees of the same business, and other people with similar relationships</td>
<td></td>
</tr>
</tbody>
</table>

Please note that the above table is not part of the application form and does not have to be completed or submitted to the licensing authority. It is provided to help you check whether your event will meet the legal requirements that apply to temporary event notices.
Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)

1. Your name

<table>
<thead>
<tr>
<th>Title</th>
<th>Mr ☑</th>
<th>Mrs ☐</th>
<th>Miss ☐</th>
<th>Ms ☐</th>
<th>Other (please state) __________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname</td>
<td>Lue-Kong</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forenames</td>
<td>Gil</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)

<table>
<thead>
<tr>
<th>Title</th>
<th>Mr ☐</th>
<th>Mrs ☐</th>
<th>Miss ☐</th>
<th>Ms ☐</th>
<th>Other (please state) __________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forenames</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Your date of birth

| Day | ☐ | Month | ☐ | Year | ☐ |

4. Your place of birth


5. National Insurance Number


6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)

The Sugar Bar
91 Norwood High Street

Post town | West Norwood | Post code | SE27 9JS

7. Other contact details

Telephone numbers

| Daytime | ______________________ |
| Evening (optional) | ______________________ |
| Mobile (optional) | ______________________ |

Fax number (optional)

E-Mail Address (optional)
8. Alternative address for correspondence *(If you complete the details below, we will use this address to correspond with you)*

<table>
<thead>
<tr>
<th>Post town</th>
<th>Post code</th>
</tr>
</thead>
</table>

9. Alternative contact details (if applicable)

<table>
<thead>
<tr>
<th>Telephone numbers</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Daytime</td>
<td></td>
</tr>
<tr>
<td>Evening (optional)</td>
<td></td>
</tr>
<tr>
<td>Mobile (optional)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fax number (optional)</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>E-Mail Address (optional)</th>
<th></th>
</tr>
</thead>
</table>

2. The premises

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) *(Please read note 2)*

The Sugar Bar
91 Norwood High Street
West Norwood
SE27 9JS

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. *(Please read note 3)*

Please describe the nature of the premises below. *(Please read note 4)*

Wine Bar Restaurant

Please describe the nature of the event below. *(Please read note 5)*

Sugar Bar Party consisting of regulated entertainment sale of alcohol & people dancing until 4am. 5am will allow for clean up and also allow people who are waiting for transportation (TAXI) inside the bar to leave quietly, this will minimise disturbance to our neighbours.
### 3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises:

(please mark an “X” next to the licensable activities you intend to carry on) (Please read note 6)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>The sale by retail of alcohol</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>The provision of regulated entertainment</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>The provision of late night refreshment</td>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>

Please state the dates on which you intend to use these premises for licensable activities.

(Please read note 7)

Saturday 9th - Sunday 10th February

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)

Sunday 10th February 02.00 – 05.00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)

| Maximum number of people | 80 |

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both.

(Please mark an “X” next to the appropriate box) (Please read note 10)

| On the premises only | ✔  |
| Off the premises only |    |
| Both                |    |

### 4. Personal licence holders (Please read note 11)

Do you currently hold a valid personal licence?

(Please mark an “X” in the box that applies to you)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✔</td>
</tr>
</tbody>
</table>

If “Yes” please provide the details of your personal licence below:

- **Issuing licensing authority**
  - [Redacted]
- **Licence number**
  - [Redacted]
- **Date of issue**
  - October 2012
- **Date of expiry**
  - October 2022
- **Any further relevant details**
  - [Redacted]

### 5. Previous temporary event notices you have given (Please read note 12)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an “X” in the box that applies to you)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✔</td>
</tr>
</tbody>
</table>

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

| 0  |
Have you already given a temporary event notice for the same premises in which the event period:
   a) ends 24 hours or less before; or
   b) begins 24 hours or less after
the event period proposed in this notice? (Please mark an “X” in the box that applies to you)

   Yes ☐ No ☒

6. Associates and business colleagues (Please read note 13)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an “X” in the box that applies to you)

   Yes ☐ No ☒

If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year:

Has any associate of yours already given a temporary event notice for the same premises in which the event period:
   a) ends 24 hours or less before; or
   b) begins 24 hours or less after
the event period proposed in this notice? (Please mark an “X” in the box that applies to you)

   Yes ☐ No ☒

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an “X” in the box that applies to you)

   Yes ☐ No ☒

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:
   a) ends 24 hours or less before; or
   b) begins 24 hours or less after
the event period proposed in this notice? (Please mark an “X” in the box that applies to you)

   Yes ☐ No ☒

7. Checklist (Please read note 14)

I shall: (Please mark the appropriate boxes with an “X”)

- Send two copies of this notice to the licensing authority for the area in which the premises are located ☐
- Send a copy of this notice to the chief officer of police for the area in which the premises are located ☐
  - If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority ☐
  - If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police ☐
- Make or enclose payment of the fee for the application ☐
- Sign the declaration in Section 9 below ☐

8. Condition (Please read note 15)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.
9. Declarations (Please read note 16)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:
(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.

<table>
<thead>
<tr>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Name of Person signing</td>
</tr>
</tbody>
</table>

For completion by the Licensing Authority

10. Acknowledgement (Please read note 17)

I acknowledge receipt of this temporary event notice.

<table>
<thead>
<tr>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
</tr>
<tr>
<td>On behalf of the Licensing Authority</td>
</tr>
<tr>
<td>Name of Officer signing</td>
</tr>
</tbody>
</table>

NOTES

General
The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).
Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).
Thirdly, it will issue a counter-notification if the first, second, third or fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the ‘premises user”) may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person (the “premises user”) may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 14 below explains the definition of an ‘associate’.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice acknowledged by the licensing authority is prominently displayed at the premises; or
- the temporary event notice acknowledged by the licensing authority is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where neither the temporary event notice nor a notice specifying the nominated person are displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

**Note 1**
A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9) the licensing authority may use the address to send any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

**Note 2**
For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.
If a premises licence or a club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

**Note 3**
A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

**Note 4**
A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

**Note 5**
A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

**Note 6**
The licensable activities are:
- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:
- a performance of a play;
- an exhibition of a film;
- an indoor sorting event;
- a boxing or wrestling entertainment;
- a performance of live music;
- any playing of recorded music;
- a performance of dance;
- entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of “entertainment facilities” for:
- making music;
- dancing; and
- entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

**Note 7**
Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to
which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

**Note 8**
The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

**Note 9**
You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

**Note 10**
No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

**Note 11**
If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

**Note 12**
The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

**Note 13**
As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an “associate”.

**Note 14**
An “associate” of the proposed premises user is:

a. the spouse of that person;

b. a child, parent, grandchild, grandparent, brother or sister of that person;

c. an agent or employee of that person; or

d. the spouse of a person within (b) or (c).
For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5th December 2005.

**Note 15**

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

**Note 16**

Under the Licensing Act 2003, all temporary event notices are given ‘subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

**Note 17**

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

**Note 18**

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of the receipt of the notice you have given.
This page is intentionally left blank
Memo To: Licensing  

At: Public Protection

From: Michael Anderson

Date: 30 January 2019

Pages including this one: 2

Reference: TEN 11305

Subject: Application for a Temporary Event, The Sugar Bar, 91 Norwood High Street, West Norwood, SE27 9JS

The Public Protection Team is a responsible authority for the purpose of the Licensing Act 2003, hereby makes an objection to an application made by Mr Gil Lue-Kong to hold a temporary event on Saturday 9 February – Sunday 10 February 2019 between the hours of 02:00 till 05:00 hours at the above premises, application reference TEN 11305 refers.

This objection is made on the grounds of the Prevention of Public Nuisance as the Public Protection Area Team is of the opinion that the proposed hours for licensable activities is likely to result in public nuisance.

The Public Protection Team are also mindful of concerns, raised this year by neighbouring residents relating to noise and disturbance caused by the venue:

Complainant 1

"Over the past few weekends The Sugar Bar have left open their back kitchen windows and opened tip their garden space, which to my knowledge is against their lease agreement. On Friday and Saturdays it is extremely noisy from 7pm to 3am, music and shouting that can be heard from my house. On Friday 25th of January 2019 it was especially bad I was unable to sleep and those who were in the Sugar Bar would come round to Dunkirk Street to go to the toilet in the road and shout by their cars at 2.30am."

Complainant 2

The Sugar bar has recently been taken over the Sugar Bar. My 2 year old daughter sleeps in a bedroom face out to Sugar bar. On Friday 25th January the kitchen was being used all night until 3am on Saturday 26th January. During this time there was significant noise coming from this kitchen as they had both windows open from 7pm-3am. The type of noise emanating from the Sugar Bar kitchen was loud voices, cooking sounds, washing up of large metal pots and pans and on many occasions music coming directly from the bar area when the door from the kitchen to the bar was opened and left opened. My daughter subsequently was woken from her sleep three times during this evening. I have no issue with the Sugar Bar and its rights to trade but, by having their windows open at all times it impacted hugely on my daughter and myself. The terms of their license are meant to prevent things like this happening.

As a result we are not convinced that the management of the venue and dispersal of patrons, will be effective.
Summary
The Public Protection Team asks for the issue of a counter-notice, based on the details provided above, so this event cannot go ahead.

Yours faithfully

Michael Anderson
Principal Public Protection Officer
Licensing Act 2003
Premises Licence

Premises Licence Number  Prem1208  Version Reference  13/01177/PRMVAR

Part 1 – Premises Details

Postal address of premises including Post Town & Post Code, or if none, ordnance survey map reference or description
The Sugar Bar
91 Norwood High Street
London
SE27 9JS

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence
Films  (indoors only)
Live Music  (indoors only)
Recorded Music  (indoors only)
Performances of Dance  (indoors only)
Entertainment Similar to Music/Dance  (indoors only)
Late Night Refreshment  (indoors and outdoors)
Supply of Alcohol  (indoors and outdoors)

The times the licence authorises the carrying out of licensable activities

Films
Friday & Saturday  09:00 - 02:00
Sunday - Thursday  09:00 - 00:00

Live Music
Friday & Saturday  09:00 - 01:00
Sunday - Thursday  09:00 - 23:00

Recorded Music
Friday & Saturday  09:00 - 02:00
Sunday - Thursday  09:00 - 00:00

Performances of Dance
Friday & Saturday  09:00 - 02:00
Sunday - Thursday  09:00 - 00:00

Premises Licence
**Entertainment Similar to Music/Dance**

- **Friday & Saturday**: 09:00 - 02:00
- **Sunday - Thursday**: 09:00 - 00:00

**Late Night Refreshment**

- **Friday & Saturday**: 23:00 - 02:00
- **Sunday - Thursday**: 23:00 - 00:00

**Supply of Alcohol**

- **Friday & Saturday**: 09:00 - 02:00
- **Sunday - Thursday**: 09:00 - 00:00

An extra hour added to the terminal hours on the morning that Greenwich meantime changes to British Summer time.

When Monday follows a Bank holiday Sunday to remain open until 02.00AM. When a Bank holiday weekend Friday and Saturday to remain open for one additional hour.

Mourn day Thursday, Good Friday and Easter Sunday, May Day, St Patrick's Day, St David's Day and St George's Day, Christmas Eve, Boxing Day to remain open for one additional hour.

The provision of licensable activities from the start of the permitted hours on New Year's Eve until the end of the permitted on New Year's Day.

### The opening hours of the premises

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>09:00 - 00:00</td>
</tr>
<tr>
<td>Tuesday</td>
<td>09:00 - 00:00</td>
</tr>
<tr>
<td>Wednesday</td>
<td>09:00 - 00:00</td>
</tr>
<tr>
<td>Thursday</td>
<td>09:00 - 00:00</td>
</tr>
<tr>
<td>Friday</td>
<td>09:00 - 02:00</td>
</tr>
<tr>
<td>Saturday</td>
<td>09:00 - 02:00</td>
</tr>
<tr>
<td>Sunday</td>
<td>09:00 - 00:00</td>
</tr>
</tbody>
</table>

### Opening Hours (Non-standard & Seasonal)

An extra hour added to the terminal hours on the morning that Greenwich meantime changes to British Summer time.

When Monday follows a Bank holiday Sunday to remain open until 02.00AM. When a Bank holiday weekend Friday and Saturday to remain open for one additional hour.

Mourn day Thursday, Good Friday and Easter Sunday, May Day, St Patrick's Day, St David's Day and St George's Day, Christmas Eve, Boxing Day to remain open for one additional hour.

The provision of licensable activities from the start of the permitted hours on New Year's Eve until the end of the permitted on New Year's Day.

### Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol may be supplied for consumption both on and off the premises.
Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The Sugar Bar Ltd

Registered number of holder, for example company number, charity number (where applicable)

Registered Company Number 08262133

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Lue-Kong Gilbert

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence No: [redacted] Licensing Authority: London Borough Of [redacted]

Signed: [signature]

On behalf of the Head of Consumer Protection and Sustainability

Dated: 19 November 2013

Premises Licence
Annex 1 – Mandatory conditions

1 Mandatory Conditions

1 MANDATORY CONDITIONS (Alcohol - on)

Condition A1.
No supply of alcohol may be made under this licence:

a) At a time that there is no designated premises supervisor in respect of the premises licence; or
b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Condition A2.
Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

Condition A3.
(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this condition, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
   i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
   ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
   i) the outcome of a race, competition or other event or process, or
   ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

Condition A4.
The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
Condition A5.
The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Condition A6.
(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Condition A7.
The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

i) beer or cider: ½ pint;

ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.
Annex 2 – Conditions consistent with the Operating Schedule

1 General

All staff shall receive regular training.

2 Prevention of Crime and Disorder

None

2 Public Safety

All drinks shall be served in plastic cups after 22:00 for any event running beyond midnight.

3 Prevention of Public Nuisance

No members of the public will be allowed into the rear year to smoke.

The amount of people who can stand outside the front of the premises to smoke shall be restricted to five.

The music level on the ground floor shall remain at background level only.

4 Protection of Children from Harm

None
Annex 3 – Conditions attached after a hearing by the licensing authority

Decision following the Licensing Sub Committee hearing on 22 October 2013

Compliance with police guidance
1. The management of the premises will adhere to the guidance in the Metropolitan Police’s Safe and Sound’ and ‘Counter Terrorism Protective Security Advice’ policies (or updated versions when applicable), with documented door search policy including drug seizures and disposal of same.

Drugs Safe and Log
2. A drugs safe and log system will be employed at the premises to account for the seizure of dogs from customers. The premises management will liaise with police for regular collection of seized drugs. All seized items will be placed into evidence bags provided by police. The bag’s will be sealed, signed by person taking the drugs and times and dates written.

CCTV
3. A CCTV system covering areas inside and outside of the premises should be updated and maintained according to police recommendations with properly maintained log arrangements and recordings/tapes to be kept to a minimum of 30 days.

4. CCTV system is to comply with the Data Protection Act 1998 and must be working and recording correctly at all times the venue is open to the public.

5. A staff member from the venue who is conversant with the operation of the CCTV system must be on the premises at all times that the venue is open to the public. This staff member must immediately be able to show police or local authority officer’s contemporaneous and recent data or footage on request.

6. The premises are to use all reasonable efforts to provide police and local authority officers with recordings from the CCTV system on request (e.g. by supplying recordings on DVD, CD or tape). All recordings must be readily playable on local police computers.

Incident/Refusals Books
7. An incident/refusals book will be maintained and used at the premises. Upon request, it will be readily available for inspection by the police or local authority officer.

Search policy
8. No person found with, or using, a weapon or illegal drugs may enter or remain on the premises.

9. Through searing of all customers, employees, promoters, artists and entertainers prior to entry, or re-entry, to the premises must be a requirement of entry. Each and every search must, at a minimum, consist of a metal detecting wand search and thorough frisk. All handbags and bags must be searched by hand. Police officers, local authority officers and emergency service personnel need not be searched if they are on duty. At least one of the security staff must be female.

10. Search procedures must ensure that all reasonable steps are taken to avoid weapons and illegal substances such as drugs from entering the premises. Any customer who refuses to be searched must be refused entry and a corresponding entry must be made in the incidents/refusal book within 12 hours of the refusal.
11. DPS-Managers are personally, and by use of the CCTV system, monitor the actions of the security staff at frequent, irregular intervals, and at the very least once an hour.

12. All searches must be carried out in full view of a CCTV camera.

**Police Licensing Forums**

13. A member of the premises management (whether the DPS or other owner/manager) must attend all Police Licensing Forums organised by the local police when invited.

14. The management of the premises must join a local pub-watch scheme running in the area.

**Event promoters**

15. The designated premises supervisor shall undertake a risk assessment of any significant promotion or event (as defined below) using the MPS Promotion/Event Risk Assessment (Form 696) or an equivalent and provide a copy* to the Metropolitan Police Service and the licensing authority not less than 14 days before the event is due to take place.

16. Where an event has taken place, the licensee shall complete an MPS After Promotion/Event Debrief Risk Assessment (Form 696A) and submit this* to the Metropolitan Police and the Licensing Authority, within 14 days of the conclusion of the event.

**Note: Metropolitan Police Definition of a ‘Significant Event’**

This definition relates to events that require a Promotion/Event Risk Assessment Form 696. A significant event will be deemed to be: any occasion in a premises licensed under the provisions of the Licensing Act 2003, where there will be a live performer(s) – meaning musicians, DJs, MCs or other artiste; that is promoted in some form by either the venue or an outside promoter; where entry is either free, by invitation, pay on the door or by ticket.

*Submission of electronic documents by e-mail is preferred.

**Security Personnel**

17. The details (including company name, address, telephone and SIA registration details) of any company or agency providing door supervisors to the premises, or the details of any individual employed by the premises directly as a door supervisor, must be provided to police no less than 14 days before the date they begin working at the premises. Following checks the police may, if they have good reason, veto the provider or individual door supervisor in the interests of preventing crime and disorder at the premises and the premises must comply with such a veto.

18. Security personnel, registered with the Security Industry Authority (SIA) employed at the premises will enter their full name, address, valid phone contact details, SIA badge number, employing company, along with the times they are working in a register upon commencement of their work at the premises. The Designated Premises Supervisor/manager at the time will be responsible for ensuring that this is done and for confirming the security staff’s details and permissions to work, via the public SIA website facility.

19. The management must instruct security staff and other staff members to assist police or local authority officers with any enquiries they make in the execution of their duties.
20. The club itself will directly employ the security personnel or security company responsible for supplying personnel. External promoters will not be allowed to use their own security personnel. The DPS and premises management must be responsible for the security staff at their premises.

21. At least two (2) SIA registered security staff must be employed by the management to deal with all potential reasonable expectations of trouble within the premises, or caused by the premises in the near vicinity. One member of the security staff must be female. Security must be on duty from 10 pm when club is open for licensable activities after midnight.

22. All reasonable efforts are to be employed by the management and security personnel to keep customers quiet and orderly prior to entry and upon leaving the premises.

"Private" parties

23. The premises must provide the contact name and address (including telephone number and address) of the organiser of any private party at the premises at least 14 days before the event. Following checks the police may, if they have good reason, veto the holding of the private party in the interests of preventing crime and disorder at the premises and the premises must comply with such a veto.

24. Any private party must be for pre-invited guests only and a guest list must be kept of all attendees including name, address and contact telephone number(s). These records must be kept for a minimum of 12 months and made immediately available to police and local authority council officers upon request.

25. At least two (2) SIA registered security staff must be employed by the management to deal with all potential reasonable expectations of trouble within the premises, or caused by the premises in the near vicinity. One member of the security staff must be female.

Excluded Persons

26. The premises are to permanently exclude any person found with weapons or illegal drugs at the premises as well as customers known to have contributed to crime or serious disorder in the premises.

27. The premises are to take all reasonable steps to make security and other staff members aware of the identities of excluded persons.

Co-operation with authorities

28. Any information regarding crimes committed within the premises, including suspected drug dealing and violence, should be reported to the police immediately or as soon as is reasonably practicable.

29. The premises are to keep a record of all excluded persons. This record is to be made available to police officers and local authority officers on request.

First-Aid

30. A qualified first aider must be employed on the premises at all times that the premises are open to the public. This first aider will be proactive in checking customers prior to entry to the club for signs of drug abuse. The venue will provide first aid facilities commensurate with the type of event and customers expected.
Open Bottles
31. No customers carrying open bottles shall be admitted to the premises. No customers shall be allowed to leave the premises whilst carrying open drinking vessels. (Open shall be taken to mean an opening of the original manufacturers sealing of the vessel).

Signage
32. The premises shall prominently display signage informing customers:
   ∅ To leave quietly and to respect your neighbours.
   ∅ Stating that CCTV is in operation and police have instant access to the footage.
   ∅ Searching of customers prior to entry is a requirement of entry. No search – No entry.
   ∅ Any person found carrying weapons or illegal drugs will be permanently excluded and the police will be informed.

Hours of entry and re-entry
33. No customer will be permitted to enter or re-enter the premises after midnight Monday-Sunday.

Polycarbonate glasses and glassware
34. Polycarbonate plastic glasses/containers etc are to be used by all persons after midnight, on and off the premises.
35. The Designated Premises Supervisor will ensure that no glasses (pint, half pint or other), glass containers, glass bottles or glassware of any kind are used by any patrons/customers on or off the premises when the premises are open to the public after midnight, this includes private parties.

Proof of Age
36. A policy shall be employed at the premises requiring the production of 'Proof of Age' for any sale that takes place where there is suspicion that the customer may be under 25 (Challenge 25 Scheme). The following are the only forms of identification that will be accepted by the shop staff:
   ∅ A photo driving licence
   ∅ A valid passport
   ∅ A Portman proof of age card
   If any doubt exists about whether a person has attained the age of 18 the sale will be refused.
37. An underage refusals book is provided to record every instance where age restricted goods is refused (e.g. alcohol and tobacco). The refused sale book will be available for inspection by an authorised officer of the licensing authority, Trading Standards Officer or police.
This page is intentionally left blank
Good Morning John, Helen and Jennifer

For a few weekends now the Sugar Bar has stayed open into the early hours of the morning. It seem to be more of an after party venue than anything else. I walked up there ar 3:40am on Saturday morning and there were still people walking in and out of it at this time of the morning. The reason I walked up there was that one of their customers drove through our fence and crashed into the balustrade of my sisters flat. If it wasn't for this balustrade they would have gone through the door. ( ) see attached photos.

Could something be done about this venue permanently as it seems that they go quiet for awhile and then start again.
This page is intentionally left blank