LICENSING SUB-COMMITTEE
THIRD DESPATCH – TEMPORARY EVENT NOTICE

Date: Friday 20 August 2021
Time: 2.00 pm
Venue: Microsoft Teams – please click here

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 Fred Cowell, Councillor Martin Tiedemann, Councillor Linda Bray, Councillor Emma Nye, Councillor Irfan Mohammed, Councillor Rezina Chowdhury, Councillor Ibrahim Dogus, Deputy Mayor, Councillor Pauline George, Councillor Becca Thackray and Councillor Philip Normal

Substitute Members
Councillor Joshua Lindsey, Councillor John Kazantzis, Councillor Jennie Mosley, Councillor Matthew Bennett, Councillor Andy Wilson, Councillor Danial Adlipyour, Councillor Donatus Anyanwu, Councillor Claire Holland, Councillor Jon Davies, Councillor Liz Atkins, Councillor Marcia Cameron, Councillor Timothy Windle, Councillor Stephen Donnelly and Councillor Clair Wilcox

Members Required for this meeting will be: Councillor Fred Cowell, Councillor Linda Bray and Councillor Jennifer Brathwaite

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

Published on: Thursday 19 August 2021

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.

@LBLdemocracy on Twitter http://twitter.com/LBLdemocracy or use #Lambeth
Lambeth Council – Democracy Live on Facebook http://www.facebook.com/
How to access the meeting:

For Members of the Public

This is a Microsoft Teams Live Event meeting. If you are new to Microsoft Teams, clicking the above link will take you to the meeting page where you will be prompted to download the app or watch on the web instead. Please follow the instructions to watch on the web. On doing so, you can join our live event anonymously.

For Members of the Committee

Please refer to the joining instructions you have already received – do not use the link above.

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)
AGENDA

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

5 Consideration of objection to Temporary Event Notice

A meeting of the Licensing Sub-Committee has been convened as a result of an objection raised by the Police regarding Temporary Event Notices (TEN). Section 105 (2)(a) (of the Licensing Act 2003 [part 5]) requires a minimum of two days' notice to be given.

*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.*

5a Mingles 260 Brixton Road London SW9 6AQ (Vassall ward)
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 three 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 Sub-Committee seeking clarification of information; and,
- The typical order of the hearing will be as follows:

1. The 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. The Applicant speaks.
5. The 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. The 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. The Chair's closing remarks.
13. The 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. The Committee announces the decision and gives reasons.
16. After the hearing officers will write to all parties to confirm the Committee's decision.
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 and Environmental Health (Public Protection) have submitted an objection notice.

Recommendation

That the notices 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(s) 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 and Selina Waife</td>
<td>Legal and Governance</td>
<td>18.08.2021</td>
<td>19.08.2021</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>18.08.2021</td>
<td>19.08.21</td>
<td>19.08.2021</td>
</tr>
</tbody>
</table>

Appendices

1. Report for Mingles 260 Brixton Road London SW9 6AQ (Vassall)
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 appended to this report is required because the notice have attracted an objection from the Police and the Council's Community Safety 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 Noise Team and/or the Police giving an objection notice to the licensing authority.

2.3 The premises user, the Police and the Community Safety 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 Environmental Health (Community Safety 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 working 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 applicants’ 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:
   a. the prevention of crime and disorder;
   b. public safety;
   c. the prevention of public nuisance; and,
   d. the protection of children from harm.

5.3 The Sub-Committee must ensure that all licensing decisions have:
   a. a direct relationship to the promotion of one or more of the four licensing objectives;
   b. regard to the statement of licensing policy;
   c. regard to the Secretary of State's Guidance; and,
   d. 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.

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

5.5 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.

5.6 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.

5.7 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.

5.8 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; or,
   c. the conditions would not be inconsistent with the carrying out of licensable activities under the TEN.
5.9. 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.

5.10. 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.

5.11. 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.
LICENSING SUB-COMMITTEE 20 AUGUST 2021

Item No: 5a.

Report title: Mingles 260 Brixton Road London SW9 6AQ

Applicant: Metropolitan Police Service and Public Protection Team

Application type: Temporary Event Notice (TEN)

Application date: 12 August 2021

Wards: Vassall

Premises type: The premises are operated as a bar and restaurant. The proposed event is for a birthday party and general trading.

Policy Context: Lambeth Statement of Licensing Policy 2019 - 2024

Report author: Mr Ola Owojori, Licensing Officer, Public Protection, Regulatory Services and Assurance, 0207 926 1649, oowojori@lambeth.gov.uk

APPLICATION SUMMARY

This is an application by the Metropolitan Police Service and Public Protection Team for a counter notice to be issued against the Temporary Event Notice.

POLICY IMPLICATIONS

Licensing Objectives (chapter 5, pages 9 to 15 of the policy and appendices 1 to 4, pages 41 to 45)
The Licensing Objectives engaged by this application are:

a. Prevention of Public Nuisance;
c. Public Safety

Temporary Events (policy 6, pages 23 to 25)
Where a TEN is given for a premises which holds an existing premises licence, it is expected that any existing conditions on the licence will be maintained for the purposes of the TEN.

Cumulative Impact Policy (policy 7, pages 26 to 27 and appendix 10, page 58 of the policy)
The premises are not situated in the Clapham Cumulative Impact Zone.
1. APPLICATION

1.1 Mr Rowland Hamilton on 12th August 2021 gave the Licensing Authority a Temporary Event Notice (TEN) under section 100 of the Licensing Act 2003.

1.2 The Notice will authorise regulated entertainment, provision of late-night refreshment and the sale by retail of alcohol for consumption on the premises.

1.3 It is proposed to provide these activities to no more than 499 persons at the premises from 22:00 hours on Friday 27 August 2021 to 04:00 hours on Saturday 28 August 2021 and from 22:00 hours on Saturday 28 August 2021 to 04:00 hours on Sunday 29 August 2021.

1.4 A copy of the notice is attached to this report as Annex A.

2. REPRESENTATION

2.1 Objection notices were received from the Metropolitan Police Service and Public Protection Team on 17 August, which engages with the licensing objectives of the prevention of public nuisance, prevention of crime and disorder and public safety.

2.2 The responsible authorities are of the view that there is insufficient information set out in the application and they are concerned that the event will lead to an increase in public nuisance, potential anti-social behaviour and have a negative impact in the area.

2.3 The last date for giving an objection notice was on 17 August 2021.

2.4 Copies of the objections have been provided to the applicant and are attached to this report as Annex B.

3. CURRENT LICENCE

3.1 The premises are currently licensed and a copy is attached to this report as Annex C.

4. BACKGROUND HISTORY

4.1 The premises have applied for three Temporary Event Notice during this calendar year on the following dates;
   26 – 27 June from 22:00 – 04:00 hours
   24 – 25 July from 22:00 – 04:00 hours
   31 July – 1 August from 22:00 – 04:00 hours

4.2 There is no record of any licensing enforcement action having been taken against the premises since the grant of the premises licence on 7 September 2021.

4.3 The premises are on a red route and has no dedicated car parking for its customers. The premises are within easy access to Brixton and Oval underground stations and 24 hours public buses.
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; and,
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
   5.11) The Prevention of Crime and Disorder
   5.20) Public Safety
   5.27) Prevention of Public Nuisance

Policy 6 - Temporary Events

Appendix 1 – The Prevention of Crime and Disorder
Appendix 2 – Public Safety
Appendix 3 – Prevention of Public Nuisance
Appendix 5 – Recommend hours by location
Appendix 6 – Types of premises
Appendix 7 – Major, District and local Town Centres

6. CONCLUSION

Members have three options when determining the Notice:

a. To issue Counter-Notice for the Notice;

b. To refuse to issue Counter Notice for the notice; or,

c. To impose one or more conditions to the Notice, from those imposed on the premises licence that has effect in respect of this premises.
## 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>Metropolitan Police (External)</td>
<td>Applicant</td>
<td>17/08/2021</td>
<td>Y</td>
</tr>
<tr>
<td>Public Protection Team (Acting as Environmental Health)</td>
<td>Applicant</td>
<td>17/08/2021</td>
<td>Y</td>
</tr>
</tbody>
</table>

## APPENDICES AND REFERENCE DOCUMENTS

<table>
<thead>
<tr>
<th>Appendices</th>
<th>Reference documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annex A – TEN Application</td>
<td>Local Government Act 1972 – Access to information documents used in the preparation of this report</td>
</tr>
</tbody>
</table>
## Personal Details of Premises User

<table>
<thead>
<tr>
<th>Your Name (please read note 1)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Title *</td>
<td>Mr</td>
</tr>
<tr>
<td>First Name *</td>
<td>Rowland</td>
</tr>
<tr>
<td>Surname *</td>
<td>Hamilton</td>
</tr>
<tr>
<td>Have you been known by any previous names, including a maiden name? *</td>
<td>No</td>
</tr>
</tbody>
</table>

## Personal Details of Premises User

<table>
<thead>
<tr>
<th>Date of Birth *</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of Birth *</td>
<td>Freetown, Sierra Leone</td>
</tr>
<tr>
<td>National Insurance Number *</td>
<td></td>
</tr>
</tbody>
</table>
## Current Address

We will use this address and contact details to correspond with you unless you specify an alternative correspondence address.

<table>
<thead>
<tr>
<th><strong>Street Address</strong> *</th>
<th>Brydale House</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Address line 2</strong></td>
<td>Rotherhithe New Road</td>
</tr>
<tr>
<td><strong>Address line 3</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Town/City</strong> *</td>
<td>London</td>
</tr>
<tr>
<td><strong>Postcode</strong> *</td>
<td>SE16 2PT</td>
</tr>
<tr>
<td><strong>Daytime Telephone Number</strong> *</td>
<td>[white]</td>
</tr>
<tr>
<td><strong>Evening Telephone Number</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Mobile Telephone Number</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Fax Number</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Email Address</strong> *</td>
<td>[white]</td>
</tr>
</tbody>
</table>

Do you have an alternative correspondence address you would like us to use? *

Yes
Alternative Correspondence Address

If you complete the details below, we will use this address to correspond with you.

Title *
Mr

First Name *
Caius

Surname *
Mills

Street Address *
Central Square

Address line 2

Address line 3

Town/City *
Cardiff

Postcode *
CF10 1FS

Daytime Telephone Number *

Evening Telephone Number

Mobile Telephone Number

Fax Number

Email Address *

The Premises

Premises Address
260 BRIXTON ROAD LONDON LAMBETH SW9 6AQ

Does a premises licence or club premises certificate have effect in relation to the premises, or any part of the premises? If so, please select and enter the Premises Licence Number or Club Premises Certificate Number.*

Yes - Premises Licence
## Premises Licence

| Premises Licence Number * | Prem2348 |

### Premises

<table>
<thead>
<tr>
<th>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. (Please read note 3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The ground floor and basement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Please describe the nature of the premises. (Please read note 4) *</th>
</tr>
</thead>
<tbody>
<tr>
<td>A licensed bar and restaurant</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Please describe the nature of the event. (Please read note 5) *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invitation birthday party together with general trading</td>
</tr>
</tbody>
</table>
## Licensable Activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6) * More than one can be selected.

- [✓] 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 the club
- [✓] The provision of regulated entertainment (Please read note 7)
- [✓] The provision of late night refreshment

Are you giving a late temporary event notice? (Please read note 8) *

No

Please state the dates on which you intend to use these premises for licensable activities (Please read note 9). * Start Date

27/08/2021

End Date

29/08/2021

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 10) *

From 22:00 hours on Friday, 27 August 2021 until 04:00 hours on Saturday, 28 August 2021
From 22:00 hours on Saturday, 28 August 2021 until 04:00 hours on Sunday, 29 August 2021

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 11) *

499

If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please read note 12). *

On the premises only

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please read note 13) *

Recorded music only

## Personal Licence Holder

Do you currently hold a valid personal licence? (please read note 14)*

Yes
### Personal Licence Details

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issuing Licensing Authority</td>
<td>Southwark</td>
</tr>
<tr>
<td>Licence number</td>
<td>859</td>
</tr>
<tr>
<td>Date of issue</td>
<td>07/10/2020</td>
</tr>
</tbody>
</table>

Please provide any further details you think may be relevant.

### Previous Temporary Event Notices

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 read note 15) *

Yes

### Previous Event Notice

Please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year. *

3

### Previous Temporary Event Notices

Have you already given a temporary event notice for the same premises in which the event period either; ends 24 hours or less before begins 24 hours or less after the event period proposed in this notice? *

No

### Associates and Business Colleagues

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 read note 16) *

No
### Associates and Business Colleagues

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? *

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? *

No

### Associates and Business Colleagues

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? *

No

### Declaration

Please ensure you submit all the information required to support your proposal. Failure to submit all the information required could result in your notice being deemed invalid. It will not be considered valid until all the information required by the licensing authority has been submitted. Please read guidance note 17 for further information. I understand that a copy of this notice will be sent to the chief officer of police for the area in which the premises are situated. I understand that a copy of this notice will be sent to the local authority exercising environmental health functions for the area in which the premises are situated. If the premises are situated in one or more licensing authority areas, I understand that the issuing authority will send at least one copy of this notice to each additional licensing authority. If the premises are situated in one or more police areas, I understand that the issuing authority will send a copy of this notice to each additional chief officer of police.

It is a condition of this temporary event notice that where the relevant licensable activities described include the supply of alcohol that all such supplies are made by or under the authority of the premises user. (please read note 18)

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 or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Name of Person Signing *

Hugh James Solicitors for the applicant

Date *

12/08/2021

✓ Declaration Made
### Email confirmation

On submission an email confirmation will be sent using the details below

<table>
<thead>
<tr>
<th>Forename</th>
<th>Caius</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname /Company Name</td>
<td>Mills</td>
</tr>
<tr>
<td>Email *</td>
<td>Redacted</td>
</tr>
<tr>
<td>Telephone</td>
<td>Redacted</td>
</tr>
</tbody>
</table>
RE: Objection — Mingles Bar & Restaurant, 260 Brixton Road, SW9 6AQ,

21/00261/TEN -27th to 29th August 2021

My name is Oladayo Bello, I am employed by London Borough of Lambeth as a Public Protection Officer within Public Protection and Regulatory Services (PPARS)

I write on behalf of the London Borough of Lambeth Public Protection Team in objection to a TEN application made by:

Mingles Bar & Restaurant, 260 Brixton Road, SW9 6AQ,
(Application Ref: 21/00261/TEN)

The Public Protection Team are entering a formal representation on the grounds of the following licensing objectives:

- The prevention of public nuisance.
- The prevention of crime and disorder
- Public safety

The applicant has requested the following activities:
From 22:00 hours on Friday, 27 August 2021 until 04:00 hours on Saturday 28 August 2021
From 22:00 hours on Saturday, 28 August 2021 until 04:00 hours on Sunday 29 August 2021
Sale of Alcohol, Late Night Refreshments & Regulated Entertainment.

Capacity – 499 on the premises

The applicant has described the event as a ‘birthday party’. Public protection’s view is that this is a very long period for a birthday party. The applicant has not provided sufficient details with regards to this event and how any risks will be mitigated.
This event also coincides with a long bank holiday where Public Protection Resources and Police resources and other emergency services will be stretched.

Furthermore, the applicant has not provided any security & dispersal plan to remedy or rectify any issues which may arise at the premises. The premises have had a previous noise nuisance complaint recorded against it and there is still the concern of potential anti-social behaviour and noise nuisance if there is an ineffective security / dispersal procedure in place for the planned event.
Conclusion

In order to promote the Licensing Objectives, Public protection’s expectations cannot be reasonably met by the current details in this application and It is for these reasons Public Protection are representing against the granting of this application,

Sincerely,

Oladayo Bello
Public Protection Officer
Miss Bina Patel  
Licensing Manager  
Lambeth Borough Council  

**RE: Objection — Mingles Bar & Restaurant, 260 Brixton Road, SW9**  

21/00261/TEN -27th to 29th August 2021  

From 22:00 hours on Friday, 27 August 2021 until 04:00 hours on Saturday 28 August 2021 From 22:00 hours on Saturday, 28 August 2021 until 04:00 hours on Sunday 29 August 2021  

Capacity – 499 On the premises.  

Sale of Alcohol, Late Night Refreshments & Regulated Entertainment.  

**Notice of objection under Section 104 (2) of the Licensing Act 2003**  

Dear Miss Patel.  

Notice of objection is hereby given on behalf of the Commissioner of Police for the Metropolis for the above Temporary Event Notice (TEN) on the grounds:  

- Prevention of crime and disorder.  
- Prevention of Public Nuisance.  
- Public Safety.  

With regards to London Borough Of Lambeth’s Statement of Licensing Policy 2019 – 2024:  

‘12.11. When a TENs is submitted the Authority expects that the following information will be provided:  

- A clear description of the area in which it is proposed to carry out the licensable activities;  
- A risk assessment and capacity determination;
Any other information that is relevant or pertinent to the TENs.

This event is over the Bank Holiday weekend and is particularly resource intensive for the Police. This is due to the numerous events licensed & unlicensed (illegally) throughout the borough of Lambeth. We would there require some security & dispersal plan in order to remedy or rectify any issues which may arise at the premises. These have not been provided. There is also the concern of potential anti-social behaviour and noise nuisance if there is an ineffective security / dispersal procedure in place.

Furthermore, this is a very long period of time for a birthday party. There is insufficient details with regards to this event and how any risks will be mitigated.

**Conclusion**

The expectation on how they would address concerns mentioned is not unreasonable, and is a necessity especially over a busy bank holiday period.

The Metropolitan Police Service recommends that this is not granted.

Yours sincerely,

Mike Constable | PC 1596 AS - Licensing & Night Time Economy Team | Lambeth Borough

Address Civic Centre, 3rd Floor, 6 Brixton Hill, SW2 1EG
# Licensing Act 2003
## Premises Licence

<table>
<thead>
<tr>
<th>Premises Licence Number</th>
<th>Version Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prem2348</td>
<td>20/00244/PRMNEW</td>
</tr>
</tbody>
</table>

### Part 1 – Premises Details

**Postal address of premises including Post Town & Post Code, or if none, ordnance survey map reference or description**

Mingles Bar & Restaurant Limited  
260 Brixton Road  
London  
SW9 6AQ

**Telephone number**

- Where the licence is time limited the dates

- **Licensable activities authorised by the licence**

  - Live Music
  - Recorded Music *(indoors only)*
  - Late Night Refreshment *(indoors and outdoors)*
  - Sale by Retail of Alcohol *(indoors only)*

**The times the licence authorises the carrying out of licensable activities**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Times</th>
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</tbody>
</table>

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

- Alcohol for consumption on the premises
Part 2

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

Mr Rowland Hamilton

Email Address contact details

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

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

Mr Rowland Hamilton

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

Personal Licence No: Licensing Authority: London

Signed: 

On behalf of the Head of Public Protection

Dated: 10th November 2020.
Annex 1 – Mandatory conditions

1  MANDATORY CONDITIONS (Alcohol - on)

Condition A1.

No supply of Alcohol may be made under the Premises Licence:

(a) At a time when 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 the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

Condition A3

(1) The responsible person must 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 paragraph, 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—

(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 in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner which carries a significant risk of undermining a licensing objective;

(d) 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;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition A4

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
Condition A5

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—
   (a) a holographic mark, or
   (b) an ultraviolet feature.

Condition A6

The responsible person must 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;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Additional Mandatory Licensing Conditions, Minimum Drinks Pricing:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1

   (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
   (b) "permitted" price is the price found by applying the formula - P=D+(DxV) where:
      (i) P is the permitted price,
      (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
   (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence
      (i) the holder of the premises licence,
      (ii) the designated premises supervisor (if any) in respect of such a licence, or
      (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

   (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
   (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
Annex 2 – Conditions consistent with the Operating Schedule

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points must be covered enabling frontal identification of every person entering in a light condition. The CCTV system shall continually record whilst the premises are open. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer of Lambeth Council.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be in the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested and within a maximum of 24 hours of the initial request.

3. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk/USB Stick for the Police or authorised officers of the Local Authority without difficulty, delay or charge.

4. Any CCTV breakdown or system failure will be notified to the police and local authority as soon as reasonably practicable and remedied as soon as reasonably practicable. Repair records and invoices shall be kept on the premises for at least 12 months and to be readily available to be viewed by a police officer or authorised local authority officer upon reasonable request.

5. Notices shall be prominently displayed within the premises stating that CCTV is in operation.

6. A direct telephone number for the management of the premises shall be available at all times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.

7. A written dispersal policy shall be kept with the premises licence and made available to counsel and/or police officers immediately upon request.

8. All staff members engaged, or to be engaged, on the premises shall receive full training pertinent to the Licensing Act, specifically in regard to age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. This shall take place every 6 months.

9. All such training is to be fully documented and signed by not only the employee but the person delivering the training. Training records shall be kept at the premises and made available upon request to either Police Officers or an authorised officer of Lambeth Council.

10. All staff member should be checked to ensure they have the right to work in the UK. These checks should be made available upon requests to all responsible authorities. All associated ‘entitlement to work’ documents:
   a) must be logged and kept on the premises for the duration of the employment; and
   b) must be retained for a minimum of 12 months after employment has ceased.

11. Customers who leave the premises temporarily to smoke shall only be permitted to smoke outside the frontage of the premises in a designated area and a maximum of five smokers shall be permitted outside the front to smoke at any one time these customers will not be permitted to drink outside the premises.
12. On Fridays and Saturdays after 2200 hours, thorough searching of all customers and employees wishing to enter, will be a requirement of entry. Each and every search will, at a minimum, consist of a metal detecting wand search and thorough frisk. All handbags and bags will 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. Searching of customers prior to entry is a requirement of entry from 2200 hours on Fridays and Saturdays. No search - No entry.

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

14. An incident log shall be kept at the premises and retained for a period of 12 months and made available on request to an authorised officer of Lambeth Council or the Police. It must be completed within 24 hours of the incident and 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
   (f) any faults in the CCTV system, searching equipment or scanning equipment
   (g) any refusal of the sale of alcohol and the name of the member of staff who refused the sale.
   (H) any visit by a relevant authority or emergency service.

15. There shall be no vertical drinking at the premises before 23:00 all week.

16. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of Lambeth Council at all times whilst the premises is open.

17. The supply of alcohol on the premises shall only be to persons seated taking a table meal there and for consumption by such persons as ancillary to their meal.

18. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

19. Signage advertising the aforementioned proof of age scheme shall be prominently displayed throughout the premises with a particular emphasis on the alcohol display area and service area.

20. All children under the age of 16 shall be accompanied by a responsible adult at all times whilst on the premises after 21:00.

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

22. During the hours of operation the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

23. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection time.
25. There shall be a personal licence holder on duty on the premises at all times that the premises are open to the public and licensable activities.

26. 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.

27. 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 7 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.

28. 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.

29. On Fridays and Saturdays after 2200 hours, thorough searching of all customers and employees wishing to enter, will be a requirement of entry. Each and every search will, at a minimum, consist of a metal detecting wand search and thorough frisk. All handbags and bags will 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. Searching of customers prior to entry is a requirement of entry from 2200 hours on Fridays and Saturdays. No search - No entry.

30. Door supervisors are to use two-way radios or other forms of electronic communication devices to communicate with each other including the use of earpieces to ensure communications can be properly heard and understood.

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

32. At all opening times at least one member of staff must have responsibility for crime prevention and will, on a regular basis, walk the customer area of bar and bring the bar manager's attention to any unattended property.

33. An ID Scanning system will be installed and maintained at the premises and be operational after 23:00 hours and reports made available to the Metropolitan Police Service on request.

34. An ID Scanning system capable of reading passports and identification cards including PASS cards shall be used from 23:00 hours on Fridays and Saturdays.

35. Lost property will be collected, and details recorded, details of identifiable property must be forwarded to police on a weekly basis.

36. No beers, ales, lagers or ciders of 6% ABV or above to be sold.

37. No person shall be allowed to leave the premises whilst in the possession of an open drinking vessel or open glass bottle, the only exception shall be those that are sealed.
38. The premises shall not be hired out to any external promoters or organisers.

39. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of Public Protection, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from Public Protection and access shall only be by persons authorised by the Premises Licence holder.

40. The limiter shall not be altered without prior agreement with Public Protection. No alteration or modification to any existing sound system(s) should be affected without prior knowledge of an authorised Officer of Public Protection. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

41. Soundproof insulation already exists within in the building this must be maintained so as to ensure of no sound leakage take place within adjoining premises.

42. The premises will not host any externally promoted events.

43. Alcohol shall only be sold for consumption by persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.
Annex 3 – Conditions attached after a hearing by the licensing authority

None
Licensing Act 2003
Premises Licence Summary

Premises Licence Number: Prem2348
Version Reference: 20/00244/PRMNEW

Premises Details

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Telephone number

Where the licence is time limited the dates

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The times the licence authorises the carrying out of licensable activities
The opening hours of the premises

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

Alcohol for consumption on the premises

Name, (registered) address of holder of premises licence

Mr Rowland Hamilton

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

N/A

Name of designated premises supervisor where the premises licence authorises the supply or sale by retail of alcohol

Mr Rowland Hamilton

State whether access to the premises by children is restricted or prohibited

Restricted

Signed: [Signature]

On behalf of the Head of Public Protection

Dated: 10th November 2020