



# Licensing Sub-Committee Report

**Item No:**

4a

**Title of Report:**

The Exhibition Room,  
69-71 Westow Hill, London, SE19 1TX

**Applicant:**

Metropolitan Police (Applicant)

**Application Type:**

Temporary Event Notice

**Application Date:**

3rd January 2019

**Ward:**

Gipsy Hill

**Premises Type:**

Bar/Restaurant with Entertainment

**Policy Context:**

Lambeth Statement of Licensing Policy 2014 - 2019

**Report Author:**

Mr. Ola Owojori

**Contact Details:**

020 7926 1649

oowojori@lambeth.gov.uk

**Application Summary:**

This is an application by Metropolitan Police for a counter notice to be issued against a Temporary Event Notice

<b>Consultation Information:</b>			
Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
<b><u>Internal</u></b>			
Noise Service	Y	-	-
<b><u>External</u></b>			
Police Licensing Unit	Applicant	07/01/19	Yes

<b>Policy implications:</b>
<p><b><u>Licensing Objectives (chapters 6, 9, and 14, pages 12, 16 and 23 of the policy)</u></b></p> <p>The Licensing Objectives engaged by this application are:-</p> <p><b>Prevention of Crime &amp; Disorder and Prevention of Public Nuisance</b></p> <p>The policy on page 23, paragraph 14.2 strongly recommends that those giving TENs for premises already holding a premises licence in order to extend the hours of operation, should carefully consider applying any conditions on their licence to the TEN. This, it states, is particularly relevant for conditions relating to noise control as any noise sensitive area is likely to become more noise sensitive with later hours.</p>

<b>1. Application:</b>
<p>1.1 Mr Geoffrey Ridgeon on 3<sup>rd</sup> January 2019 gave the Licensing Authority a Temporary Event Notice (TEN) under section 100 of the Licensing Act 2003</p> <p>1.2 The Notice will authorise for the following licensable activities:</p> <p><b>Sale by Retail of alcohol</b>  <b>The Provision of regulated entertainment</b>  <b>The Provision of late night refreshment</b></p> <p>It is proposed to provide these activities and entertainment during the following times:-</p> <p>Friday 18 January 17:00 to 00.00  Saturday 19 January 00:00 to 02:00 and 12:00 to 23.59  Sunday 20 January 00:00 to 02:00 and 12:00 to 22:00</p> <p>The event is for private parties and to serve alcohol to guests in the restaurant with their food</p> <p>A copy of the application is attached to this report as <b>Annex A</b></p>

<b>2. Representations:</b>
<p>2.1 An objection notice to the TEN was received from Lambeth Police Licensing on 7<sup>th</sup> January 2019. The objection engage with the licensing objectives of:</p>

Prevention of Crime and Disorder and  
Prevention of Public Nuisance

- 2.2 They are concerned that the premises had operated without appropriate authorisation since March 2018 and have been unable to effectively control egress and dispersal of patrons which has had a negative impact on the local community. They are also concerned about an alleged sexual assault at the premises which is currently under investigation.

A copy of the objection has been provided by the Police to the applicant via email and it is appended to this report as **Annex B**.

The last date for giving an objection notice was 8 January 2019.

### **3. Current Licence:**

- 3.1 There is currently no premises licence in place for this venue, after its licence lapsed on 20<sup>th</sup> March 2018

### **4. Background History:**

- 4.1 The premises had operated as a licensed premises since 2005. The premises previously had a licence in 2005, which lapsed in March 2017 and another premises licence was granted in July 2017, which also lapsed in March 2018. The Licensing Authority was notified in September 2018 that the company that held the recent premises licence was dissolved and the premises was advised that the premises licence had lapsed and should cease the provision of licensable activities immediately. A copy of the letter is attached to this report as **Annex C**
- 4.2 There were noise complaints from one resident in October 2017, May 2018 and September 2018 in respect of loud music from the premises. The premises management was advised to put measures in place to ensure no public nuisance is caused at the premises.
- 4.3 The premises was visited by Public Protection officers on 5<sup>th</sup> October 2018 at 00:23 hours and by a Licensing officer on 10<sup>th</sup> October 2018 at 17:18 hours, the premises was found to be opened but no sale of alcohol was observed. Copies of officers' inspection sheets were attached to this report as **Annex D**
- 4.4 The premises had applied for eight TENs (three of which were Late TENs) over 21 days in 2018 from October to December, but there was no authorisation in place on New Year's Eve/New Year's Day when it was alleged that a patron was sexual assaulted at the premises.
- 4.5 The premises had applied for two TENs in 2019 (one of which was a late TEN) including this one. An objection was made against the Late TEN by the Police and a counter notice was issued by the Licensing Authority on 8<sup>th</sup> January. A copy of the counter notice is attached to this report as **Annex E**.

## **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. The Prevention of Crime and Disorder
- 8. Prevention of Public Nuisance
- 14. Temporary Events

- Appendix 6 – Applications
- Appendix 7 – Crime and Disorder
- Appendix 9 – Public Nuisance

## **6. Conclusion:**

6.1 Members have two options when determining this Notice,

- To issue a Counter-Notice or
- To refuse to issue a Counter Notice

## **Appendices:**

**Annex A** – TEN Application

**Annex B** – Police objection notice

**Annex C** – Copy of letter sent to the premises licence holder

**Annex D** – Copies of officers' inspection records

**Annex E** – Copy of Counter Notice

**Annex F** - Lapsed premises licence

## **Reference Documents:**

Local Government Act 1972 – Access to information documents used in the preparation of this report

1 The Licensing Act 2003 (“the Act”)

2 Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”)

3 Lambeth Statement of Licensing Policy 2014 - 2019 (“the Policy”)