<table>
<thead>
<tr>
<th>Item No:</th>
<th>5a</th>
</tr>
</thead>
</table>
| Title of Report: | The Sugar Bar  
91 Norwood High Street  
London, SE27 9JS |
| Applicant: | Public Protection |
| Application Type: | Temporary Event Notice |
| Application Date: | 25th January 2019 |
| Ward: | Gipsy Hill |
| Premises Type: | Bar |
| Policy Context: | Lambeth Statement of Licensing Policy 2019 - 2024 |
| Report Author: | Mr. Tom Dunn |
| Contact Details: | 020 7926 1866  
tdunn@lambeth.gov.uk |
| 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>
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<tbody>
<tr>
<td><strong>Internal</strong></td>
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<tr>
<td>Noise Service</td>
<td>Applicant</td>
<td>30/01/2019</td>
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<td><strong>External</strong></td>
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<td></td>
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<tr>
<td>Police Licensing Unit</td>
<td>Yes</td>
<td>-</td>
<td>No</td>
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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
5.27. Prevention of Public Nuisance

Policy 6 - Temporary Events

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:

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:

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 2019 - 2024 (“the Policy”)