



Licensing Sub-Committee Report

Item No:

4c.

Title of Report:

Plane Tree Hospitality
441 Coldharbour Lane
SW9 8LN

Applicant:

Plane Tree Hospitality Ltd

Application Type:

Premises Licence (variation)

Application Date:

2nd June 2019

Ward:

Coldharbour

Premises Type:

Restaurant

Policy Context:

Lambeth Statement of Licensing Policy 2019-2024

Report Author:

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Contact Details:

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Application Summary:

This is an application to vary a premises licence

Consultation Information:			
Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
<u>Internal</u>			
Health & Safety Section	Y	-	-
Noise Service	Y	-	-
Social Services	Y	-	-
Licensing Service	Y	27/06/2019	Y
Planning	Y	-	-
Trading Standards	Y	-	-
<u>External</u>			
Fire Authority	Y	-	-
Police Licensing Unit	Y	-	-
Health Authority	Y	-	-

Policy implications:
<p><u>Licensing Objectives (chapter 5, pages 9 to 15 of the policy)</u></p> <p>The Licensing Objectives engaged by this application are:</p> <ul style="list-style-type: none"> • Prevention of Public Nuisance • Prevention of Crime and Disorder • Public Safety <p><u>Special Policy Area (appendix 10, page 58)</u></p> <p>The premises is not located in the Cumulative Impact Zone.</p> <p><u>Hours policy (appendix 5, pages 46 to 47 of the policy)</u></p> <p>The premises are classified within Lambeth's Licensing Policy (the Policy) as a restaurant. The premises are located on Coldharbour Lane which is located on a busy intersection. The premises is classified as a local centres/shopping parade. The premises has a small floor space.</p> <ul style="list-style-type: none"> • The Policy recommends the following terminal hours for a premises of this kind in a Major Town Centre and strategic cultural area; Sunday to Thursday, 00:00 Midnight and Friday and Saturday 01:00 hours. <p>Note: The hours above are not absolute and are intended as a guide for applicants to consider when completing their operating schedules. Each application will be considered on its own merits. Applicants seeking hours later than those indicated in the Policy should provide detailed evidence as to why their application will not have a negative impact on the licensing objectives.</p>

1. Application:

1.1 This is an application to vary a Premises Licence under section 34 of the Licensing Act 2003.

1.2 The current licence authorises the following licensable activities:

Late Night Refreshment

Monday - Sunday 23:00 - 00:00

Supply of Alcohol

Monday - Sunday 11:00 - 23:30

The application sought to vary the permitted hours for late night refreshment to:

Late Night Refreshment

1.3 Friday – Saturday 23:00 - 04:00
Sunday - Wednesday 23:00 - 01:00
Thursday 23:00 - 02:00

1.4 Following mediation the applicant has offered to reduce the terminal hour sought as follows: 01:00 Monday to Thursday, Friday and Saturday to 02:00 and Midnight on Sunday. This is still outside the recommended hour for this area.

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

A copy of the current premises licence is attached to this report as **Annex B**

A copy of the email requesting the amendment to the variation hours. **Annex C**

2. Representations:

2.1 A total of **one (1)** representation was received against the application from the Licensing Authority.

A copy of the representation was provided to the applicant and is attached to the report as **Annex D**.

3. Background History:

3.1 The licence was recently issued a new grant premises licence on 23rd May 2019 as a restaurant. The licence authorises the sale of alcohol and late night refreshment.

4. Observations:

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

- 2 – The Licensing Objectives;
- 3 – Licensable Activities;
- 8 – Applications for Premises Licences;
- 9 – Determining Applications;
- 10 – Conditions Attached to Premises Licences and Club Premises Certificates;

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

- Chapter 5. The Licensing Objectives
- Principals and Policies 7. Applications
- Appendix 1 - The prevention of crime and disorder
- Appendix 3 - The Prevention of public Nuisance
- Appendix 2 - Public Safety
- Appendix 5 - Recommended hours
- Appendix 6 - Types of premises
- Appendix 7- Major, District and Local Town Centres and South Bank Strategic Cultural Area

5. Conclusion:

5.1 Members are required to consider the application in light of all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.

5.2 The options available to Members of the Licensing Sub Committee are;

- 1 – Grant the variation application as it currently stands.
- 2 – Grant the variation application subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives.
- 3 – Reject the variation application.

Appendices:

- Annex A** - Application form
- Annex B** - Current Premises Licence
- Annex C** - Email requesting the amendment to the hours
- Annex D** - Representations

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 (“the Policy”)