



Licensing Sub-Committee Report

Item No:

4

Title of Report:

Traders
29 North Street
London SW4 0HJ

Applicant:

Clapham Leisure Ltd

Application Type:

Premises Licence (Variation Application)

Application Date:

5th September 2019

Ward:

Clapham Town

Premises Type:

Bar/Restaurant

Policy Context:

Lambeth Statement of Licensing Policy

Report Author:

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Application Summary:

This is an application to vary the Premises Licence to extend the trading area to the basement.

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	30.9.19	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 (chapters 5 to 9, pages 12 to 20 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 & Disorder • Public Safety • Protection of Children from Harm <p><u>Special Policy Area (chapter 13 and appendix 10, pages 26 and 59 of the policy)</u> Not applicable</p> <p><u>Hours policy (chapter 14 and appendix 51, pages 27 to 28 and 46 to 50 of the policy)</u></p> <p>The premises is classified within Lambeth's Licensing Policy (the Policy) as a drinking establishment.</p> <p>The Policy recommends the earliest start time of 11:00 hours and 23:00 hours as terminal hour on Monday to Sunday for premises of this kind in a residential area</p> <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 for the variation of a Premises Licence under section 34 of the Licensing Act 2003

1.2 The application is seeking authorisation to use the basement for:

**Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol**

Monday - Sunday 10:00 - 02:00

It is proposed to open the basement of the premises to the public during the following times:

Monday – Sunday 10:00 - 02:00

The current licence authorises the above activities at the times stated in respect of the ground floor.

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

A copy of the basement plan is attached to this report as **Annex B**

2. Representations:

2.1 Two representations were received against the application from the Licensing Service and one local Councillor, which are based on all the licensing objectives. They are concerned that the application if granted, will lead to an increase in public nuisance and anti-social behaviour in a residential area when patrons depart from the premises. Copies of the representations were provided to the applicant and are attached to this report as **Annex C**

2.2 The Licensing Service has proposed conditions to be attached to the premises licence should the Committee be minded to grant the application. The proposed conditions are attached to this report as **Annex D**

2.3 The last date for making representation was 3rd October 2019

3. Current Licence:

3.1 The premises are currently licensed for the ground floor and a copy of the Premises Licence is attached to this report as **Annex E**

4. Background History:

4.1 The premises was licensed under the Licensing Act 2003 in 2005. The applicant became the licensee in 2017 and the existing designated premises was appointed in April 2019.

- 4.2 We have no record of noise complaint or enforcement action against the premises since the premises licence was granted.
- 4.3 The premises has no dedicated car parking and patrons may park on surrounding residential streets. The premises is approximately 0.4 miles from Clapham Common Station, which is frequented by public buses 24 hours a day.
- 4.4 The premises have served four Temporary Events Notices on the Licensing Service this calendar year to allow licensable hours to commence at 08:00 during the Rugby World Cup on September 28 and 29, October 5, 6, 12, 13, 19 and 20. They have also served one Temporary Event Notice to allow the basement to be used on November 2 – 4 from 12:00 hours to 02:00 hours to celebrate the Mexican Festival of day of the dead.

5. Observations:

- 5.1 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; and
 - 15 – Regulated Entertainment.
- 5.2 The parts of the Statement of Licensing Policy that are particularly relevant to this application and the representations are Sections:
- 5. The Licensing Objectives;
 - 6. General Principles
 - 14. Hours of sale and location
 - Appendix 1 – Measures to promote the prevention of crime and disorder
 - Appendix 2 – Measures to promote public safety
 - Appendix 3 - Measures to promote the prevention of public nuisance
 - Appendix 4 - Measures to promote the protection of children from harm
 - Appendix 5 – Types of premises and recommended hours by type of location
 - Appendix 6 - Types of premises and potential impact
 - Appendix 7 - Major, District and Local Town Centres and South Bank Strategic Cultural Area

6. Conclusion:

- 6.1 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.
- 6.2 The options available to Members of the Licensing Sub Committee are;

1. To modify the conditions of the licence
2. To reject the whole or part of the application

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added

Appendices:

Annex A – Application
Annex B – Plans
Annex C – Representations
Annex D – Conditions
Annex E – 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 2019 - 2024 (“the Policy”)