<table>
<thead>
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<th>Item No:</th>
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</thead>
<tbody>
<tr>
<td>Title of Report:</td>
<td>Zone C, Market Row, London, SW9 8LD</td>
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<tr>
<td>Applicant:</td>
<td>AG Hondo Market Row BV</td>
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<tr>
<td>Application Type:</td>
<td>Premises Licence (Grant)</td>
</tr>
<tr>
<td>Application Date:</td>
<td>26th March 2020</td>
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<tr>
<td>Ward:</td>
<td>Coldharbour</td>
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<tr>
<td>Premises Type:</td>
<td>Non-diversified alcohol led venue</td>
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<tr>
<td>Policy Context:</td>
<td>Lambeth Statement of Licensing Policy 2019-2024</td>
</tr>
<tr>
<td>Report Author:</td>
<td>Tom Dunn</td>
</tr>
<tr>
<td>Contact Details:</td>
<td>020 7926 1866  <a href="mailto:tdunn@lambeth.gov.uk">tdunn@lambeth.gov.uk</a></td>
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</tbody>
</table>
| Application Summary: | This is an application for a new premises licence authorising the following licensable activities:  
Plays, Films, Live & Recorded Music, Performances of Dance, anything of a similar description to Music or Dance and Late Night Refreshment (indoors and outdoors)  
Sale of Alcohol (consumption on and off the 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>
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<tbody>
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<td><strong>Internal</strong></td>
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<td>Health &amp; Safety Section</td>
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<td>Noise Service</td>
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<td><strong>External</strong></td>
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<td>Police Licensing Unit</td>
<td>Y</td>
<td>17/04/2020</td>
<td>Y</td>
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<td>Health Authority</td>
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Policy implications:

**Licensing Objectives (chapter 5, pages 9 to 15 and Appendices 1 to 4, pages 41 to 45 of the policy)**

The Licensing Objectives engaged by this application are;

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

**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.

**Types of Premises and Recommend Hours (appendix 5, pages 46 to 47 and appendix 6, pages 48 to 50 of the policy)**

The premises are unique in nature and do not fully meet a classification under Lambeth’s Licensing Policy (2019 - 2024), however the proposed operation is most like a non-diversified alcohol led venue due to the limited seating available and the limited offering of food facilities as per the plan submitted.

Market Row is located within Brixton Major Town Centre. These areas usually have more than 50,000m2 of retail floor space, a sizeable catchment area and established cultural and entertainment facilities to keep them busy in the evenings. Although the premises are located in a Major Town Centre, they are also in close proximity to residential properties on Coldharbour...
Lane and Electric Avenue.

The recommended times within the policy for this type of premises in a Major Town Centre is Monday to Thursday 11:00 – 01:00, Friday and Saturday 11:00 – 02:00 and Sunday 11:00 – 00:00 (midnight).

The policy does not consider this type of premises to be appropriate in a residential area.

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.

1. Application:

1.1 This is an application for a premises licence under section 17 of the Licensing Act 2003.

1.2 The application is seeking authorisation for the following licensable activities:

**Plays, Films, Live & Recorded Music, Performances of Dance and anything of a similar description to Music or Dance (indoors and outdoors)**

Monday to Sunday 10:00 – 01:00

From the end of permitted hours on New Year’s Eve to the commencement of permitted hours on New Year’s Day.

**Late Night Refreshment (indoors and outdoors)**

Monday to Sunday 23:00 – 01:00

From the end of permitted hours on New Year’s Eve to the commencement of permitted hours on New Year’s Day.

**Sale of Alcohol (consumption on and off the premises)**

Monday to Sunday 08:00 – 01:00

From the end of permitted hours on New Year’s Eve to the commencement of permitted hours on New Year’s Day.

1.3 The opening hours for the premises are proposed as Monday – Sunday 06:00 – 01:00, with a non-standard timing from the end of permitted hours on New Year’s Day to the commencement of permitted hours on New Year’s Day.

A copy of the application form, operating schedule and plan are attached as Annex A.

1.4 The applicant has provided a Dispersal Policy, Noise Impact Assessment, Fire Emergency Procedure, Brixton Village Management Structure, Security Service Risk Assessment and Brixton Market Table Snappr as supporting documentation. These have been circulated to those who made representations and are attached to the report as Annex B.
2. **Representations:**

2.1 Three representations were received against this application, from the Metropolitan Police Service, Lambeth Licensing Authority and Public Protection Team.

2.2 The representations are based on the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, the protection of children from harm and public safety.

2.3 Copies of the representations were provided to the applicant and are attached at Annex C.

2.4 The last date for making representations was the 23rd April 2020.

3. **Current Licence:**

3.1 There isn’t a current premises licence in place for this area of Market Row.

4. **Background History:**

4.1 The applicant also submitted another two applications to Lambeth at the same time as this application, these were concerning Brixton Village (Zone B) and the Courtyard area of Brixton Village. The Courtyard application has now been withdrawn but the Brixton Village (Zone B) application remains, representations have also been received for this application. Copies of the application form and plan relating to Brixton Village (Zone B) can be seen at Annex D.

4.2 Although this area within Market Row isn’t current licensed, there are a total of 65 existing units indicated on the plan and 12 of these are licensed premises. Those currently licensed can be seen at Annex E.

4.3 The Planning Authority didn’t make a representation; however, they did make the following comments which have been passed to the applicant:

   Planning permission was granted in August 2019 for "Change of use of the ground floor units and ancillary first floor units that share the same access as the ground floor to provide 50 percent as Class A1 (shops) and no more than 50 percent as Class A3 (food and drink) use". Condition 7 of this permission restricted the general operation of the Market to 0600-0100 Mon-Sun and restricted public access to 0600-2400 Mon-Sun.

4.4 The premises are in Market Row, Brixton, which is well serviced by public transport, with both Brixton mainline and Underground Station in close walking distance. The area also has good access to bus routes and some of these services operate 24/7.
## 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 Licenses and Club Premises Certificates;
- 16 – 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

  Policy 1: Process for applications
  Policy 3: Partnership working
  Policy 4: Enforcement approach
  Policy 8: Hours of sale and locations

  Appendix 1: Prevention of Crime and Disorder
  Appendix 2: Public Safety
  Appendix 3: Prevention of Public Nuisance
  Appendix 4: Protection of Children from Harm
  Appendix 5: Types of premises and recommended hours
  Appendix 6: Types of premises and potential impact
  Appendix 8: What to expect from a Licensing Sub-Committee Hearing
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 – Grant the application as it currently stands.

2 – Grant the application subject to such conditions as the authority considers necessary for the promotion of the licensing objectives.

3 – Exclude from the scope of the licence any of the licensable activities to which the application relates.

4 - To refuse to specify the individual named in the applications as the DPS

5 – Reject the application.

Appendices:

Annex A – Application form, operating schedule and plan
Annex B – Supporting Documentation
Annex C – Representations
Annex D – Application Form and Plan for Brixton Village
Annex E – List of current licensed premises in Market Row

Reference Documents:

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

<table>
<thead>
<tr>
<th></th>
<th>1 The Licensing Act 2003 (“the Act”)</th>
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<tbody>
<tr>
<td></td>
<td>2 Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”)</td>
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<tr>
<td></td>
<td>3 Lambeth Statement of Licensing Policy 2019 - 2024 (“the Policy”)</td>
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