



Licensing Sub-Committee Report

Item No:

2

Title of Report:

Lounge 41, 25 Leigham Court Road, London SW16 2ND

Applicant:

Lounge 41

Application Type:

Premises Licence (New application)

Application Date:

1st October 2020

Ward:

Streatham Wells

Premises Type:

Café and bar

Policy Context:

Lambeth Statement of Licensing Policy 2019 - 2024

Report Author:

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Application Summary:

This is an application for a premises licence to allow authorisation for the provision of late night refreshment and the sale of alcohol

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	3/10/2020	Y
Planning	Y	03/11/2020	N
Trading Standards	Y		
<u>External</u>			
Fire Authority	Y	06/10/2020	N
Police Licensing Unit	Y	28/10/2020	N
Health Authority	Y		

Policy implications:
<p><u>Licensing Objectives (chapter 5, pages 9 to 15 and Appendices 1 to 4, pages 41 to 45 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>Cumulative Impact Policy (policy 7, pages 26 to 27 and appendix 10, page 58 of the policy)</u></p> <p>Not applicable</p> <p><u>Types of Premises and Recommend Hours (appendix 5, pages 46 to 47 and appendix 6, pages 48 to 50 of the policy)</u></p> <p>The premises is located in a major town centre. The premises wish to operate as a cafe and bar. These are classified as two separate activity types within the policy and further clarification would be required. The hours recommended in the licensing policy for a café are Sunday to Thursday until 00:00 (Midnight), Friday and Saturday until 1am. The policy does not recommend any particular start time for such a premises.</p> <p>The terminal hours recommended in the licensing policy for a bar in a major town centre are midnight on Sunday, 01:00 hours Monday to Thursday and 02:00 hours Friday and Saturday. The recommended start time for licensable activity is 11:00 hours every day. The premises</p>

are comprised of a customer area, serving counter, toilet, food preparation area and a covered garden 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 (new application) under section 17 of the Licensing Act 2003

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

Late Night Refreshment

Monday to Sunday 23:00 – 23:30 on the premises

Sale by Retail of Alcohol

Monday to Sunday 12:00 - 23:30 on the premises

Hours of opening

Monday to Sunday 08:00 – 00:00 (midnight)

A copy of the application and plan are attached to this report as **Annex A**

Following discussions between the applicant and the Licensing Authority the applicant agreed to add a set of conditions to the application should the Committee be minded to grant the application.

A copy of the agreed conditions is attached to this report as **Annex B**

2. Representations:

2.1 A representation was received against the application from a resident based on the four licensing objectives.

2.2 A redacted copy of the representation has been provided to the applicant and is attached to the report as **Annex C**. The last date for making representations was 29th October 2020.

3. Current Licence:

3.1 There is no current premises licence.

4. Background History:

4.1 The premises are located within a parade of shops in close proximity to Streatham High Road and Streatham Hill.

4.2 The premises are on a red route and there is a limited number of red route parking bays outside the premises. The Premises is in walking distance of Streatham Hill Station and there are several bus routes leading to different areas of south London or central London.

4.3 There is no record of the premises giving a temporary event notice this year. There is no record of any enforcement action taken against them by any of the responsible authorities.

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; and

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 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 and Plan
- Annex B – Agreed Condition
- Annex C – 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 - 2024 (“the Policy”)