

## LICENSING SUB-COMMITTEE 20<sup>TH</sup> JULY 2021

**Item No:** 4a

**Report title:** Tea House Theatre 139 Vauxhall Walk London SE11 5HL

**Applicant:** Metropolitan Police Service and Public Protection Team

**Application type:** Temporary Event Notice (TEN)

**Application date:** 13<sup>th</sup> July 2021

**Wards:** Princes

**Premises type:** The premises host regular events such as poetry nights, debates and live music. They wish to provide live music by a band performing on the roof of the premises and for patrons to be able to buy alcohol to be consumed in the nearby Vauxhall Pleasure Gardens

**Policy Context:** Lambeth Statement of Licensing Policy 2019 - 2024

**Report author:** Mr Ola Owojori, Licensing Officer, Public Protection, Regulatory Services and Assurance, 0207 926 1649, owojori@lambeth.gov.uk

### APPLICATION SUMMARY

This is an application by the Metropolitan Police Service and Public Protection Team for a counter notice to be issued against the Temporary Event Notice.

### POLICY IMPLICATIONS

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

The Licensing Objectives engaged by this application are:

- a. Prevention of Public Nuisance;
- b. Prevention of Crime & Disorder.
- c. Public Safety

**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.

## 1. APPLICATION

- 1.1 Mr Nicholls-Iggulden on 13th July 2021 gave the Licensing Authority a Temporary Event Notice (TEN) under section 100 of the Licensing Act 2003.
- 1.2 The Notice will authorise regulated entertainment and the sale by retail of alcohol for consumption on and off the premises.
- 1.3 It is proposed to provide this activity to no more than 499 persons at the premises and Vauxhall Pleasure Gardens from 12:00 – 00:00 hours on 20<sup>th</sup> August 2021.
- 1.4 A copy of the notice is attached to this report as **Annex A**.

## 2. REPRESENTATION

- 2.1 Objection notices were received from the Metropolitan Police Service and Public Protection Team on 16<sup>th</sup> July 2021, which engages with the licensing objectives of the prevention of public nuisance, prevention of crime and disorder and public safety
- 2.2 The responsible authorities are of the view that there is insufficient information set out in the application and they are concerned that the event will lead to an increase in public nuisance, which will have a negative impact on residents in the area..
- 2.3 The last date for giving an objection notice was on 16<sup>th</sup> July 2021.
- 2.4 Copies of the objections have been provided to the applicant and are attached to this report as **Annex B**.
- 2.5 In response to the objection made by the Police, the applicant has indicated that additional information will be provided as soon as possible. A copy of the correspondence is attached to this report as **Annex C**.

## 3. CURRENT LICENCE

- 3.1 The premises are currently licensed and a copy is attached to this report as **Annex D**.

## 4. BACKGROUND HISTORY

- 4.1 The premises have not applied for a Temporary Event Notice during this calendar year.
- 4.2 There is a history of noise complaints against the premises as stated in the objections from the Police and Public Protection team.
- 4.3 A breach of conditions on the premises licence in respect to CCTV were identified following a licensing inspection on 23<sup>rd</sup> April 2021. A copy of the correspondence sent to the licence holder is attached to this report as **Annex E**.

## 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; and,
- 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
  - 5.11) The Prevention of Crime and Disorder
  - 5.20) Public Safety
  - 5.27) Prevention of Public Nuisance

Policy 6 - Temporary Events

Appendix 1 – The Prevention of Crime and Disorder

Appendix 2 – Public Safety

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

Members have three options when determining the Notice:

- a. To issue Counter-Notice for the Notice;
- b. To refuse to issue Counter Notice for the notice; or,
- c. To impose one or more conditions to the Notice, from those imposed on the premises licence that has effect in respect of this premises.

## CONSULTATION INFORMATION

Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
Metropolitan Police (External)	Applicant	16/07/21	Y
Public Protection Team (Acting as Environmental Health)	Applicant	16/07/21	Y

## APPENDICES AND REFERENCE DOCUMENTS

<b>Appendices</b>	<p><b>Annex A</b> – TEN Application</p> <p><b>Annex B</b> – Objection Notices</p> <p><b>Annex C</b> – Correspondence from the applicant</p> <p><b>Annex D</b> – Premises Licence</p> <p><b>Annex E</b> – Correspondence in respect of licence breach</p>
<p><b>Reference documents</b></p> <p>Local Government Act 1972 – Access to information documents used in the preparation of this report</p>	<ol style="list-style-type: none"> <li>1. The Licensing Act 2003 (“the Act”).</li> <li>2. Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”).</li> <li>3. Lambeth Statement of Licensing Policy 2019 - 2024 (“the Policy”).</li> </ol>