

LICENSING SUB-COMMITTEE 20 AUGUST 2021

Item No: 5a.

Report title: Mingles 260 Brixton Road London SW9 6AQ

Applicant: Metropolitan Police Service and Public Protection Team

Application type: Temporary Event Notice (TEN)

Application date: 12 August 2021

Wards: Vassall

Premises type: The premises are operated as a bar and restaurant. The proposed event is for a birthday party and general trading.

Policy Context: Lambeth Statement of Licensing Policy 2019 - 2024

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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 and Disorder.
- c. Public Safety

Temporary Events (policy 6, pages 23 to 25)

Where a TEN is given for a premises which holds an existing premises licence, it is expected that any existing conditions on the licence will be maintained for the purposes of the TEN.

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 Rowland Hamilton on 12th August 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, provision of late-night refreshment and the sale by retail of alcohol for consumption on the premises.
- 1.3 It is proposed to provide these activities to no more than 499 persons at the premises from 22:00 hours on Friday 27 August 2021 to 04:00 hours on Saturday 28 August 2021 and from 22:00 hours on Saturday 28 August 2021 to 04:00 hours on Sunday 29 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 17 August, 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, potential anti-social behaviour and have a negative impact in the area.
- 2.3 The last date for giving an objection notice was on 17 August 2021.
- 2.4 Copies of the objections have been provided to the applicant and are attached to this report as **Annex B**.

3. CURRENT LICENCE

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

4. BACKGROUND HISTORY

- 4.1 The premises have applied for three Temporary Event Notice during this calendar year on the following dates;
26 – 27 June from 22:00 – 04:00 hours
24 – 25 July from 22:00 – 04:00 hours
31 July – 1 August from 22:00 – 04:00 hours
- 4.2 There is no record of any licensing enforcement action having been taken against the premises since the grant of the premises licence on 7 September 2021.
- 4.3 The premises are on a red route and has no dedicated car parking for its customers. The premises are within easy access to Brixton and Oval underground stations and 24 hours public buses.

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	17/08/2021	Y
Public Protection Team (Acting as Environmental Health)	Applicant	17/08/2021	Y

APPENDICES AND REFERENCE DOCUMENTS

Appendices	Annex A – TEN Application Annex B – Objection Notices Annex C – Premises Licence
Reference documents Local Government Act 1972 – Access to information documents used in the preparation of this report	<ol style="list-style-type: none">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”).