

## Service request: Case sheet

Received: <b>11th November 2014 11:12 by E-Mail</b>		<b>14/12264/LICPRM</b>
Receiving officer: <b>Mr John Sylvester</b>	Allocated to: <b>Mrs Pamela Riley</b>	Service request type: <b>Complaint relating to alcohol, entertainment or LNR (premises)</b>

### Customer details

Name of customer: <b>Owen Gundry</b>	Address of customer: ..
Contact details: <b>EMAIL xxxxxxxx</b>	
Type of customer: <b>Member of public (Local resident)</b>	
Acknowledgement letter sent:	

### Subject details

<p>Subject of service request: <b>The Cambria The Cambria 40 Kemerton Road London SE5 9AR</b></p>	<p>Details of enquiry/complaint:</p> <p><b>Regarding the garden. I have looked at a few examples of pubs in Lambeth and it seems the trend (correct me if Im wrong) is for outside areas to close at 10pm. This is not the case with The Cambria with a license for outside area till 11pm. Are licenses ever reviewed and under what circumstances?</b></p> <p><b>In terms of the landlords responsibility to his neighbours. At the Cambrai there is often noise from smokers and party's remaining out side when leaving. Given that they have a licesense till 1pm this can be as late as 1.30/2pm any evening of the week. The Manager has told me he is not repsonible for customers outside. Is there anything more official detailed in the landlords duty to his neighbours other than making visible a sign that customers should respect neighbours when leaving? And are there any examples in Lambeth where the relationship between Neighbour and Landlord has broken down and what is their usual conclusion?</b></p> <p><b>And finally, In regard to the guide line for the function room below. My fear is that most if not all of these guide lines are not currently being adhered to. How can they be enforced?</b></p> <p><b>1 LICENSING SUB-COMMITTEE 22/06/2010</b></p> <p><b>Conditions apply for the 1st floor function room.</b></p> <p><b>1. Noise limiter to be installed and set to the satisfaction of the noise officer before use of the function room commences.</b></p> <p><b>2. Windows to be closed during the course of any function.</b></p> <p><b>3. Air conditioning to be installed.</b></p>
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**Officer's observations and actions**

No.	Date	Observation / action	Complete
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
Date of last action / date request closed:		/ /20	IVA's recorded and SR record closed? <b>Yes/No</b>

Your Ref:

Our Ref: LA03//Prem73



**Punch Taverns Plc.  
Jubilee House  
Second Avenue  
Burton Upon Trent  
Staffordshire  
DE14 2WF**

15 February 2016

Dear Sirs,

**Licensing Act 2003: Re: The Cambria, 40 Kemerton Road, London SE5 9AR**

I refer to the meeting which took place between Sharon Bamborough (Licensing Officer), Calvin McLean, (Noise Team manager) Ron Barnes (Punch Taverns Ltd) and Genevieve Achille (pub tenant).

The meeting took place following receipt of information from Lambeth's Noise team who had investigated a noise complaint the preceding weekend in the early hours of Sunday 7<sup>th</sup> February 2016, the detailed officer notes of which were as follows:

*I checked their license (Prem73) before leaving office and found that all licensable activities should have ceased by 00:30 hours and the place closed to the public by 01:00 hours.*

*We visited the Cambria at 01:35 hours and observed on arrival that there were patrons outside, music was being played so loud that we could hear it in the car as we parked across the road from the pub.*

*When we entered the pub, we found that the bar was opened and people being served alcohol by an IC3(M) - dread locked hair; and an IC1(F) - blond hair. We asked to speak to the PLH or DPS and an IC1(M) who gave his name as Paul Kelly said he was the DPS and that the licensee was not around.*

*I explained the purpose of our visit to Mr Kelly and informed him that opening so late and serving alcohol and playing recorded Loud Amplified Music at the time were clear breaches of their licence conditions and that these will be reported to our licensing team. He apologised and informed me that it was a private birthday party going on and that they should have closed earlier but the guests were not leaving.*

*I advised against a recurrence and that they stopped all activities immediately and ensure the guests vacate the premises quietly.*

*We left the place at 01:41 hours while people were still in and music still playing.*

There were two main issues discussed – the noise complaints/issues and the sale of alcohol beyond the hours licensed (when no temporary event notice was in place)

**Noise Issues:**

There had been a history of noise complaints which had lead to resolution November 2015. Having discussed the conditions on the licence it was found that the noise limiter had not been set as required due to the advice received from the noise officer at the time. Mr McLean confirmed he would visit weekend of 19<sup>th</sup>/20<sup>th</sup> Feb to give advice on setting the noise limiter and other measures which could be taken. It was acknowledged that whilst the 1<sup>st</sup> floor continued to have single glazing only this would continue to cause problems (the cost of installing double glazing would fall to the tenant, not

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the licensee Punch Taverns). It was a condition of the licence that 1<sup>st</sup> floor windows must remain shut during functions and when that condition was breached in the past it had led to the noise complaints (as well as the complaints about breach of the licence condition). The tenant advised that locks had now been placed on the windows to prevent customers opening them. As to the street noise caused by customers standing outside, the licensee and tenant were advised this would have to be managed by staff specially employed for the purpose.

**Sale of Alcohol:**

The premises licence permits the sale of alcohol from 10:00 until 00:30 Monday to Saturday and from 12:00 until 00:30 on Sundays. On the night in question there was a clear and serious breach of the terms and conditions of the licence. Through discussion it transpired that the DPS, Colum McGinn, had been on sick leave since the week before Christmas. Mr Kelly was not the DPS or licence holder despite the stating he was to the officer who visited the premises. (Genevieve advised that he was currently suspended following this incident which he had not reported to her, and the first she had known about this was after Licensing had contacted Punch Taverns)

As the holder of a Premises licence premises, it is your responsibility to ensure that your tenant and all staff employed at the premises are fully aware of their legal responsibilities in respect of the hours for alcohol sales.

Please be advised that your premises licence could be called for review by any of the responsible authorities or a local resident at any time. If your premises licence does go to a Licensing Sub Committee hearing as a result of a review, your licence may be restricted, suspended or revoked in its entirety. It is in your best interests to ensure you comply with the premises licensing hours you currently have and do not undermine the licensing objectives, which are:

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

**You are hereby warned to comply with the terms and conditions of your licence in future.**

**Recommendations:**

1. Turn the bass down as an interim measure – Mr McLean will visit this coming weekend to give advice and inspect
2. Define a smoking area outside
3. After 23:00 – on busy weekend nights/function nights employ SIA registered door staff to manage the outside /door, who will ensure that no drinks are taken outside, doors are not propped open, and that the smoking area is managed so that people are not shouting/causing noise
4. If it is anticipated that the DPS will be on sick leave a while longer. consider temporarily replacing the DPS as it is imperative that you have someone in place who will take the responsibilities of the role seriously and ensure compliance with the licence.

A copy of this letter will be kept on file, and in the event of further breaches it will be referred to as evidence of previous warnings issued.

If you have any questions regarding the above matters, or would like to discuss applying for a variation of your premises licence, please do not hesitate to contact me using the contact details below.

Yours faithfully

**Miss Sharon Bamborough**

**Licensing Officer**

Direct line: 020 7926 2698

E-mail: [SBamborough@lambeth.gov.uk](mailto:SBamborough@lambeth.gov.uk)

cc Noise Team (Lambeth)

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**From:** [Owojori,Ola](#)  
**To:** [REDACTED]  
**Subject:** FW: The Cambria 40 Kemerton Road SE5 9AR Prem73  
**Date:** 27 January 2018 10:03:14  
**Attachments:** [image001.jpg](#)

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**From:** Owojori,Ola  
**Sent:** 27 January 2018 10:02  
**To:** [REDACTED]  
**Subject:** The Cambria 40 Kemerton Road SE5 9AR Prem73

Dear Catherine,

On 25<sup>th</sup> November 2017, we received a complaint with regards to noise, threatening behaviour and noise nuisance from the above named premises. It was alleged that the public nuisance occurred in the garden area around midnight which was a breach of one of the conditions on the premises licence.

It was stated that the incidence was raised with the management of the premises as it occurred and no action was taken.

As we have no email contact of the licensee or the designated premises supervisor, can you please provide this information for our records and forward this correspondence to them, as we want to know whether the incidence took place and what measures have been put in place to ensure it doesn't happen again.

If you have any questions regarding the above matters, please do not hesitate to contact me.

Regards

Ola Owojori

Licensing Officer

London Borough of Lambeth

6th Floor International House, Canterbury Crescent, Brixton, London, SW9 7QE

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**Mobile:** 077 1240 2152

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