

Licensing Act 2003 Premises Licence

Premises Licence Number

Prem2061

Version Reference

17/00143/PRMNEW

Part 1 – Premises Details

Postal address of premises including Post Town & Post Code, or if none, ordnance survey map reference or description

Habesha
256 - 258 Brixton Road
London
SW9 6AQ

Telephone number

Where the licence is time limited the dates

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Licensable activities authorised by the licence

Live Music (*indoors only*)
Recorded Music (*indoors only*)
Performances of Dance (*indoors only*)
Late Night Refreshment (*indoors and outdoors*)
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Live Music

Friday & Saturday	17:00 - 01:00
Sunday	17:00 - 00:00

Recorded Music

Sunday - Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday & Saturday	23:00 - 02:00

Performances of Dance

Sunday - Wednesday	17:00 - 23:00
Thursday	17:00 - 00:00
Friday & Saturday	17:00 - 01:30

Late Night Refreshment

Sunday - Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00

Annex E

Friday & Saturday	23:00 - 02:00
Supply of Alcohol	
Sunday - Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday & Saturday	11:00 - 02:00

The opening hours of the premises	
Sunday - Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday & Saturday	11:00 - 02:00

<p>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</p> <p>Alcohol may be supplied for consumption on the premises</p>
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Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

LMA Enterprise Limited
256 Brixton Road
LONDON
SW9 6AQ

Registered number of holder, for example company number, charity number

Registered Charity Number 08414447

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Tewodros Mesmer

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence No: 17/01160/LAPER Licensing Authority: Chiltern District Council



Signed:-

On behalf of the Head of Community Safety

Dated:- 18th September 2017.

Annex 1 – Mandatory conditions

1 MANDATORY CONDITIONS (Alcohol - on)

Condition A1

No supply of Alcohol may be made under the Premises Licence:

- (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or is suspended.

Condition A2

Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

Condition A3

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Condition A4

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Condition A5

- (1) The premises licence holder or club premises certificate holder must ensure that

Annex E

an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Condition A6

The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Additional Mandatory Licensing Conditions, Minimum Drinks Pricing:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted" price is the price found by applying the formula - $P=D+(D \times V)$ where:
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

MANDATORY CONDITIONS - Door Supervision - except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex E

Annex 2 – Conditions consistent with the Operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

LSC 20th July 2017

DECISION-HABESHA

The application is therefore granted for the hours sought by the applicant and subject to the following conditions:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Lambeth Police Licensing Officer. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the reasonable request of Police or authorised officer of the licensing authority for a period of 31 days.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when reasonably requested to do so.
3. The premises shall operate primarily as a restaurant offering table meals.
4. Other than in the area edged and hatched in blue as shown on the approved layout drawings, the sale and supply of alcohol shall be ancillary to a table meal and where the service of alcohol shall be by way of waiter/waitress service to persons who are seated.
5. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall not be permitted to take drinks or glass containers with them and shall be directed to the dedicated smoking area.
6. An incident log shall be kept at the premises and made available on request to an authorised officer of the licensing authority or the Police, which will record the following:-
 - a. all crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any incidents of disorder;
 - d. all seizures of drugs or offensive weapons;
 - e. any significant refusal of the sale of alcohol; and
 - f. any visit by a relevant authority or emergency service.
7. Notices shall be displayed at the exit of the premises requesting customers leaving the premises to respect the needs of local residents and businesses and leave the area quietly.
8. Customers shall be proactively encouraged to leave the premises in an orderly and respectful manner and steps shall be taken to encourage customers not to loiter outside the premises.
9. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram. All members of staff whose role involves the sale or supply of alcohol or who are involved in the supervision or management of such employees shall receive suitable training in relation to this scheme with such training to be refreshed at least annually.
10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance in any neighbouring noise sensitive premises.
11. On Thursdays, Fridays and Saturdays there shall be no admission or re-admission to the premises after midnight (other than those allowed to leave the premises to smoke in the dedicated smoking area).

Annex E

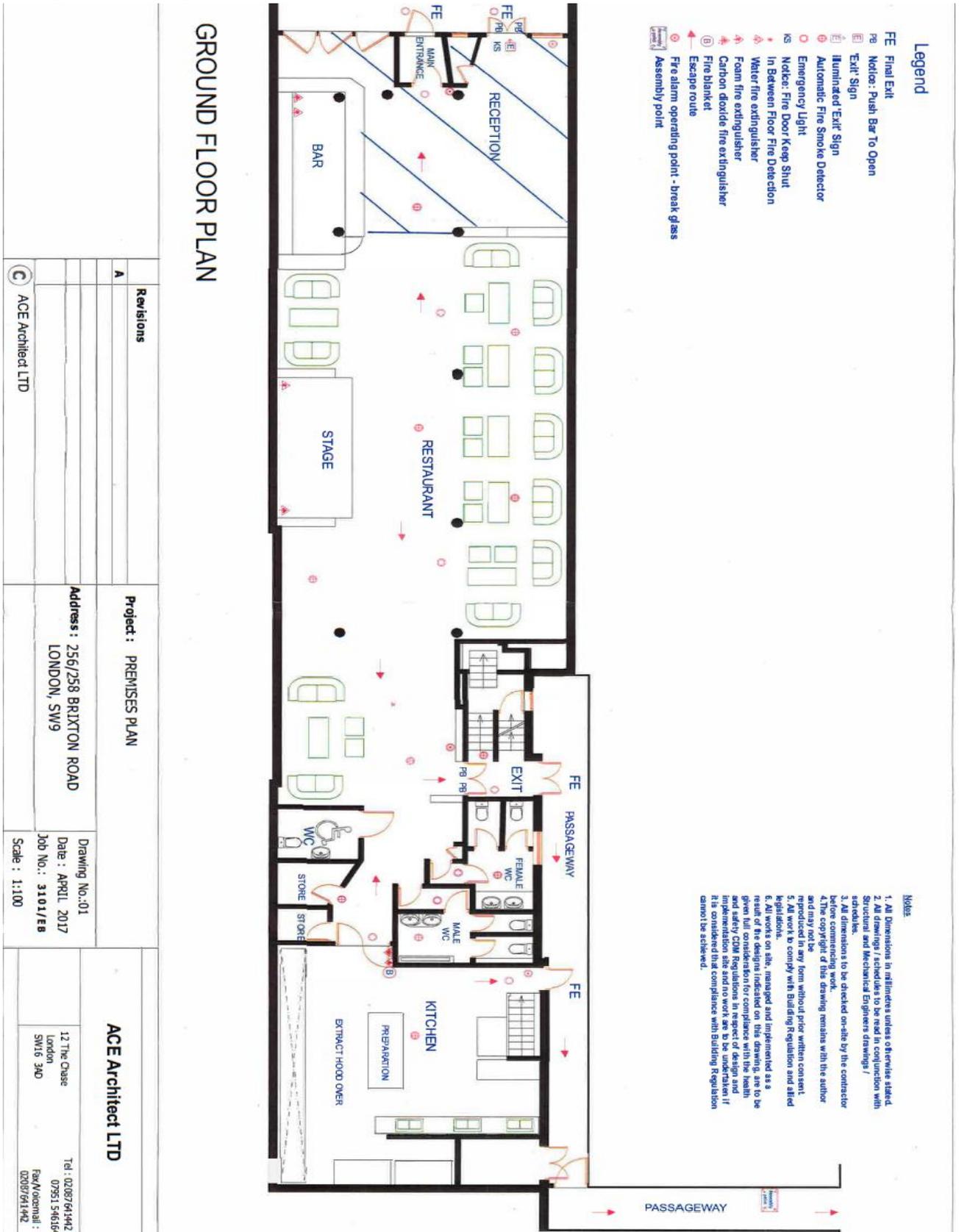
12. Mr Ammanuel Tesfay shall not be employed at the premises in any capacity, nor shall he be on the premises at any times licensable activities are taking place. Whilst this premises licence has effect Mr. Tesfay shall not be appointed as a director or secretary of the company.
13. Entry and exit shall be from the front elevation of the premises on Brixton Road. There shall be no dispersal from the rear elevation side passageway to safeguard the peaceful amenities of neighbouring residential properties.
14. Whenever amplified live music or recorded music is played or provided then the Premises Licence Holder (PLH) shall comply with the requirements:
 - a. all such music shall be played through the premises own speaker and amplification system/public address system (together the "Sound System");
 - b. the premises' Sound System shall include a sound limiting device and graphic equalizer to control all amplified music, speech and vocals and the limiting device shall be set to levels pre-approved by Community Safety Officers and thereafter maintained at the approved level for the duration of use;
 - c. the sound limiting device shall be housed in a cage/secure enclosure to prevent tampering, adjustment or bypassing of the system once it has been set to the satisfaction of the Community Safety Team. The front of the device should remain clearly visible to enable Officers to visually inspect and substantiate the device is operating at all times during the provision of Regulated Entertainment;
 - d. the Sound System shall not include speakers placed or situated to the front entrance of the building nor shall they otherwise be provided for on the premises, nor shall any speakers inside the premises project out to the frontage;
 - e. any person(s) hiring out the premises for a private function or event shall be prohibited from bringing in and utilising their own sound system for the provision of Regulated Entertainment (excluding musical instruments used for the performance of Live Music) and shall only use the Sound System; and
 - f. the Sound System shall not include bass subwoofers and they shall not be used on the premises or included within the Sound System unless the Community Safety Team has provided its express written consent to such use.
15. The premises shall not be hired out to external DJs or promoters.
16. The doors and windows shall be kept closed during the provision of Live and Recorded music, or in any event between 22:00hrs and 09.00 hours, save for the ingress & egress of persons.
17. All tables and chairs within the premises to remain in-situ at all times when licensable activities are being provided under the authority of this premises licence.
18. The premises shall devise, implement and adhere to policies in relation to:-
 - a. responsible retailing and consumption of alcohol; and
 - b. dispersal from the premises;

Staff shall receive appropriate training in relation to such policies and they shall be robustly monitored to ensure implementation. Copies of such policies shall be made available to the police or licensing authority upon reasonable request.
19. The PLH shall create a cordoned, designated smoking area shall to the frontage of the premises, and be restricted to a maximum of 10 persons at any one time.
20. From 21:00hrs Friday and Saturday, the PLH shall employ at least two (2) SIA registered security staff and those SIA security staff shall remain on site until all patrons have dispersed from the premises. One member of the security staff must be female. Those SIA security staff shall carry out the following duties:
 - a. to search persons pre-admittance to the premises should there be any concerns/suspicion of an individual(s) concealing weaponry/illegal paraphernalia or drugs on their person;

Annex E

- b. to proactively monitor and engage with patrons to ensure no anti-social behaviour, public nuisance or crime & disorder issues on the premises;
 - c. ensure an orderly queuing system should the need arise;
 - d. to monitor the conduct and behaviour of patrons to the designated smoking area (including permitted numbers) and public highway; and
 - e. ensure efficient dispersal from the premises in line with the dispersal policy for the premises.
21. No patrons shall be allowed to leave the premises with alcoholic beverages.
22. After 23.00 hours, any person attending the premises who has ordered a cab or is awaiting a private collection from the premises shall be advised that they are able to and encouraged to wait inside the premises until their vehicle/cab has arrived.
23. The premises shall monitor the highway area outside the premises and ensure that checks are made to identify any litter which may have come from the premises' customers and where it has such litter shall be removed (including cigarette butts).
24. There shall be no external emptying of bottle banks between the hours of 23:00 - 09:00hrs Monday to Sunday.
25. The terminal hours approved for the provision of licensable activities by the LB Lambeth Licensing Sub-Committee on 26th July 2017 and as set out in its decision letter of 27th July 2017 shall only apply for a period of 8 months and then shall revert to the terminal hours for restaurants and cafes as set out in the LB Lambeth Licensing Policy in Appendix 1 as applicable to "Local Centres Shopping Parades" at the date of the decision letter (11pm on Sundays to Thursdays and midnight on Fridays and Saturdays) unless before the expiry of the 8 month period this condition has been removed by the grant of a full variation application specifically seeking to remove it.

Annex 4 – Plans



Licensing Act 2003 Premises Licence Summary

Premises Licence Number

Prem2061

Version Reference

17/00143/PRMNEW

Premises Details

Postal address of premises including Post Town & Post Code, or if none, ordnance survey map reference or description

Habesha
256 - 258 Brixton Road
London
SW9 6AQ

Telephone number

Where the licence is time limited the dates

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Licensable activities authorised by the licence

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Recorded Music (*indoors only*)
Performances of Dance (*indoors only*)
Late Night Refreshment (*indoors and outdoors*)
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Live Music

Friday & Saturday	17:00 - 01:00
Sunday	17:00 - 00:00

Recorded Music

Sunday - Wednesday	23:00 - 00:00
Thursday	23:00 - 01:00
Friday & Saturday	23:00 - 02:00

Performances of Dance

Sunday - Wednesday	17:00 - 23:00
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Late Night Refreshment

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Supply of Alcohol

Sunday - Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday & Saturday	11:00 - 02:00

The opening hours of the premises

Sunday - Wednesday	11:00 - 00:00
Thursday	11:00 - 01:00
Friday - Saturday	11:00 - 02:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol may be supplied for consumption on the premises

Name, (registered) address of holder of premises licence

LMA Enterprise Limited
256 Brixton Road
LONDON
SW9 6AQ

Registered number of holder, for example company number, charity number

Registered Charity Number	08414447
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Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Tewodros Mesmer

State whether access to the premises by children is restricted or prohibited