



# Licensing Sub-Committee Report

**Item No:**

6

**Title of Report:**

Bureau of Silly Ideas  
Arch 555 18 Valentia Place London SW9 8PJ

**Applicant:**

Community Safety (for Environmental Health)

**Application Type:**

Temporary Event Notice (TENs10037)

**Application Date:**

8th December 2017

**Ward:**

Coldharbour

**Premises Type:**

Unlicensed Premises

**Policy Context:**

Lambeth Statement of Licensing Policy 2014 - 2019

**Report Author:**

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**Application Summary:**

This is an application by Lambeth Community Safety service (discharging the Council's Environmental Health function) for a Counter Notice to be issued against a Temporary Event Notice served on the Licensing Authority.

<b>Consultation Information:</b>			
Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
<b><u>Internal</u></b>			
Noise Service	Applicant	12/12/2017	Y
<b><u>External</u></b>			
Police Licensing Unit	-	-	-

<b>Policy implications:</b>
<p><b><u>Licensing Objectives (chapters 6, 9, and 14, pages 12, 16 and 23 of the policy)</u></b></p> <p>The Licensing Objectives engaged by this application are:-</p> <p><b>Prevention of Public nuisance</b></p> <p>The policy on page 23, paragraph 14.2 strongly recommends that those giving TENs for premises already holding a premises licence in order to extend the hours of operation, should carefully consider applying any conditions on their licence to the TEN. This, it states, is particularly relevant for conditions relating to noise control as any noise sensitive area is likely to become more noise sensitive with later hours.</p>

<b>1. Application:</b>
<p>1.1 Mr. Roger Hartley (Personal Licence Holder Pers4492) on the 8<sup>th</sup> of December 2017 gave the Licensing Authority a Temporary Event Notice (TEN) under section 100 of the Licensing Act 2003</p> <p>1.2 The Notice will authorise the following licensable activities:</p> <p>The sale of retail of alcohol (on and off)  The provision of Late Night Refreshment; and  The provision of regulated entertainment</p> <p>It is proposed to provide these activities and entertainment during the following times:-  From:- <b>Sunday 31st December 2017 between 21:00 and 00:00 and Monday 1st January 2018 between 00:01 and 04:00 hours</b> (for 120 people)</p> <p>A copy of the application is attached to this report as <b>Annex A</b></p>

## **2. Representations:**

- 2.1 An objection to the TEN was received on 12<sup>th</sup> December 2017 from Community Safety. The objection engages with the licensing objective:-

### **Prevention of public nuisance**

- 2.2 The objection states that officers from this responsible authority had received several complaints about noise nuisance emanating from this and the surrounding premises in this area between the hours of 23:00 and 03:00hrs, and that permitting this event to proceed as proposed would undermine the licensing objective

Officers provided a copy of the objection to the premises user via email on the 12<sup>th</sup> of December 2017, is appended to this report as **Annex B**.

- 2.3 Noise officers have indicated that they intend to provide further supporting information in the form of a video footage with regard to their objection. **Annex C**.

The last date for giving an objection notice was **13<sup>th</sup> of December 2017**.

## **3. Current Licence:**

- 3.1 There is no current premises licence in place for this venue no pending application, as it is unlicensed.

## **4. Background History:**

- 4.1 The premises is located very close to Brixton Market and in close proximity to other licensed premises. There is a list of these premises which is attached to this report as report as **Annex D**

- 4.2 The applicant has put in 6 notices this Calendar year.

## **5. Observations:**

- 5.1 The parts of the Statutory Guidance (April 2017) relevant to this application and the representations received are Chapters:

7 – Temporary Event Notices;  
9 –Determining Applications;  
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  
6. The Prevention of Crime and Disorder  
8. Prevention of Public Nuisance  
14. Temporary Events  
Appendix 6 – Applications  
Appendix 7 – Crime and Disorder  
Appendix 9 – Public Nuisance

**6. Conclusion:**

6.1 Section 106A(2) of the Act provides that the licensing authority may impose one or more conditions on the standard TEN if:

- it considers it appropriate for the promotion of the licensing objectives to do so;
- the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of or in any part of the same premises as the TEN;
- the conditions would not be inconsistent with the carrying out of licensable activities under the TEN.

6.2 Members have three options when determining this Notice,

- To issue a Counter-Notice,
- To refuse to issue a Counter Notice

**Appendices:**

**Annex A – TENs Applications**

**Annex B – Objection from Community Safety (for Environmental Health)**

**Annex C – Supporting Video**

**Annex D – Copy of premises in close proximity**

**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 2017) (“the Guidance”)

3 Lambeth Statement of Licensing Policy 2014 - 2019 (“the Policy”)