



Licensing Sub-Committee Report

Item No:

5a.

Title of Report:

TDA House TENS10065
211 Clapham Road London SW9 0QH

Applicant:

Metropolitan Police (Applicant)

Application Type:

Temporary Event Notice

Application Date:

15 December 2017

Ward:

Stockwell

Premises Type:

Restaurant

Policy Context:

Lambeth Statement of Licensing Policy 2014 - 2019

Report Author:

Mrs. Esther Jones

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Application Summary:

This is an application by Metropolitan Police for a counter notice to be issued against a Temporary Event Notice

Consultation Information:			
Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
<u>Internal</u>			
Noise Service	Y	-	-
<u>External</u>			
Police Licensing Unit	Applicant	20/12/2017	Yes

Policy implications:
<p><u>Licensing Objectives (chapters 6, 9, and 14, pages 12, 16 and 23 of the policy)</u></p> <p>The Licensing Objectives engaged by this application are:-</p> <p>Prevention of Crime & Disorder Public Safety and Prevention of Public Nuisance</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>

1. Application:
<p>1.1 Mr Daniel Musse on 15 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>Sale by Retail of alcohol The Provision of regulated entertainment The Provision of late night refreshment</p> <p>It is proposed to provide these activities and entertainment during the following times</p> <p>From:- 00.01 on 7 January 2018 to 04.00 on 7 January 2017 for 200 people</p> <p>The event in in celebration of the Habesha Christmas Celebration.</p> <p>A copy of the application is attached to this report as Annex A.</p>

2. Representations:

2.1 An objection notice to the TEN was received from Lambeth Police Licensing on 20th December 2017. The objections engage with the licensing objectives of:-

- Prevention of Crime & Disorder
- Public Safety and
- Prevention Public Nuisance

Officers state that they have concerns about the ability of the staff at the venue to effectively control egress and dispersal of patrons as there had been reports of disorder outside the venue. Officers have provided a copy of the objection to the applicant via email and it is appended to this report as **Annex B**.

2.2 The last date for giving an objection notice was 20 December 2017.

3. Current Licence:

3.1 There is a current premises licence in place for this venue. A copy of the premises licence is attached as **Annex C**.

4. Background History:

4.1 The premises is licensed and has been since 2011 as Prem1444. It's business name is Ibex Venue Hire & Restaurant. The premises licence holder and designated premises licence holder is Mr Daniel Musse (the notifier). It is located in close proximity to The Swan in Stockwell and within a short walking distance of the Stockwell Underground train station (Northern Line). There is no record of any enforcement action being taken against the premises from any of the responsible authorities.

4.2 The premises has given 18 TENs in the year 2017, of which 3 were counter-noticed.

5. Observations:

5.1 The parts of the Statutory Guidance (March 2015) 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 impose conditions on the TEN where those are already imposed on the premises licence
- To refuse to issue a Counter Notice.

Appendices:

Annex A – TENs Applications
Annex B – Objection Police
Annex C – Copy of Premises Licence

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”)
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