



Licensing Sub-Committee Report

Item No:

5b

Title of Report:

The RoofTop, The Arches (Tens10056)
Street Record Valentia Place London SW9 8PJ

Applicant:

Metropolitan Police

Application Type:

Temporary Event Notice

Application Date:

18 December 2017

Ward:

Coldharbour

Premises Type:

Bar

Policy Context:

Lambeth Statement of Licensing Policy 2014 - 2019

Report Author:

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Application Summary:

This is an application by the 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	18/12/2017	Y

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 style="padding-left: 40px;">Prevention of Crime and Disorder 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 Odd Events Ltd., on 13 December, 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 style="padding-left: 40px;">The Supply of Alcohol The provision of regulated entertainment; and The provision of Late Night Refreshment</p> <p>It is proposed to provide these activities and entertainment during the following times:-</p> <p style="padding-left: 40px;">From:- 00:00 (midnight) on 20 January 2018 to 11:00am on 21 January 2018 for 490 people.</p> <p>A copy of the application is attached to this report as Annex A</p>

2. Representations:

2.1 Objection to the TEN was received from the Metropolitan Police on 18 December 2017. The objection engages with the licensing objectives:-

- **The prevention of crime and disorder**
- **Prevention of public nuisance**

2.2 The objection, stated that the terminal hours of 11am for this event raised serious concerns and that the Police needed serious assurances as to how the licensing objectives will be upheld. .

2.3 A copy of the objection was provided to the applicant via email and is appended to this report as **Annex B**.

2.3 The last date for giving an objection notice was 18 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 located on the rooftop of arches in Brixton market. The licensing authority is aware from conversation with the premises during a recent application and from this TEN application that the premises is most likely relocating in the new year.

4.2 The premises has given five TENs in the year 2017.

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 from 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”)