This is an application for a Premises Licence (new application) to allow authorisation for Regulated Entertainment on special occasions, Sale by Retail of Alcohol and Late Night Refreshment in a restaurant for 24 covers.
Consultation Information:

<table>
<thead>
<tr>
<th>Department(s) or Organisation(s)</th>
<th>Consulted (Y/N)</th>
<th>Date Response Received</th>
<th>Comments summarized in report (Y/N)</th>
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<td>Internal</td>
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<td>Health Authority</td>
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Policy Implications:

Enter details under headings or delete if not required:

*Licensing Objectives (chapters 5 to 9, pages 12 to 20 of the policy)*

The Licensing Objective engaged by this application is;
The Prevention of Public Nuisance

*Special Policy Area (chapter 15 and appendix 2, pages 24 and 31 of the policy)*

Not applicable

*Hours policy (chapter 4 and appendix 1, pages 11 to 12 and 29 to 35 of the policy)*

- The premises is classified within Lambeth’s Licensing Policy (the Policy) as Restaurants and Café in Major Town Centre
- The applicant proposes to operate the premises primarily as a Restaurant with ancillary bar. The Policy recommends a terminal hour for premises of this kind in this area of **00:00** on Sunday to Thursday and **01:00** on Friday and Saturday.

Note: The hours above are not absolute and are intended as a guide for applicants to consider when completing their operating schedules. Each application will be considered on its own merits. Applicants seeking hours later than those indicated in the Policy should provide detailed evidence as to why their application will not have a negative impact on the licensing objectives.
1. Application:

1.1 This is an application for a Premises Licence (new application) under section 17 of the Licensing Act 2003

1.2 The application is seeking authorisation for the following licensable activities:

**Late Night Refreshment**
Monday - Thursday 23:00 - 00:00  
Friday & Saturday 23:00 - 00:30

**Sale by Retail of Alcohol**
Monday - Thursday 11:00 - 00:00  
Friday 11:00 - 00:30  
Saturday 08:00 - 00:30  
Sunday 08:00 - 23:00

**Regulated Entertainment (Indoors) – Sought only for special occasions**
**Recorded Music**
**Performance of Dance**
- On Xmas Eve and Bank Holidays Thursday and Sunday until 01:00
- On New Year’s Eve until the start of the next day licence hour
- On the Friday after the following Commonwealth Countries independence days (Windrush Generation) celebration if the dates falls on a weekday:
  - The Gambia - 18th February
  - Ghana - 6th March
  - Sierra Leone - 27th April
  - Jamaica - 6th August
  - Trinidad and Tobago - 31st August
  - Nigeria - 1st October
  - Kenya - 12th December

**Non Standard Timings:**
**Late Night Refreshment**
**Sale of Alcohol**
- On Xmas Eve and Bank Holidays Thursday and Sunday until 01:00
- On New Year’s Eve until the start of the next day licence hour
- On the Friday after the following Commonwealth Countries independence days (Windrush Generation) celebration if the dates falls on a weekday:
  - The Gambia - 18th February
  - Ghana - 6th March
  - Sierra Leone - 27th April
  - Jamaica - 6th August
  - Trinidad and Tobago - 31st August
  - Nigeria - 1st October
  - Kenya - 12th December

It is proposed to open the premises to the public during the following times:
Monday 07:00 - 00:30  
Tuesday 07:00 - 00:30  
Wednesday 07:00 - 00:30  
Thursday 07:00 - 00:30  
Friday 07:00 - 01:30  
Saturday 07:00 - 01:30  
Sunday 07:00 - 23:30

A copy of the application is attached to this report as **Annex A**

A copy of the plans are attached to this report as **Annex B**

## 2. Representations:

2.1 One representation was received against the application from a ward Councillor. The representation is based on the licensing objective of the prevention of public nuisance. They are concerned that the application, if granted, will lead to an increase in noise and anti-social behaviour in the area.

2.2 A copy of the representation was provided to the applicant and is attached to the report as **Annex C**. The applicant’s response to the concerns raised in the representation, including a confirmation by the case officer that the hours sought has been reduced and the agreement of conditions with the Police and the Licensing Service. They have maintained their representation against the application. A copy of the correspondence and response on behalf of the objector is attached to the report as **Annex Cii**.

The last date for making representation was 9th August 2018.

## 3. Current Licence:

3.1 There is no current premises licence in place.

## 4. Background History:

4.1 The premises is close to Brixton town centre with underground and overground stations, which is also frequented by public buses towards south and central London destinations. The premises has no dedicated car parking and patrons may park on residential streets nearby.

4.2 The premises have applied for three Temporary Event Notices for events on 28th July, 29th July, 2nd – 5th August, 24th August and 25th August until 01:00 hours. The applicant has confirmed that the events took place as proposed and no complaint was received in respect of any of the events.
## 5. Observations:

5.1 The parts of the Statutory Guidance (April 2018) which are particularly relevant to this application and the representations received are Chapters:

- 2 – The Licensing Objectives;
- 3 – Licensable Activities;
- 8 – Applications for Premises Licences;
- 9 – Determining Applications;
- 10 – Conditions Attached to Premises Licenses and Club Premises Certificates;

5.2 The parts of the Statement of Licensing Policy that are particularly relevant to this application and the representations are Sections:

- 4. Location of Premises and Hours of Operation
- 5. The Licensing Objectives
- 8. Prevention of Public Nuisance
- 16. Applications
- Appendix 4 – Premises Types
- Appendix 6 – Applications
- Appendix 9 – Public Nuisance
- Appendix 11 – Live Music Act

## 6. Conclusion:

6.1 Members are required to consider the application in light of all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.

6.2 The options available to Members of the Licensing Sub Committee are:

1. Grant the application as it currently stands.
2. Grant the application subject to such conditions as the authority considers necessary for the promotion of the licensing objectives.
3. Exclude from the scope of the licence any of the licensable activities to which the application relates.
4. To refuse to specify the individual named in the applications as the DPS
5. Reject the application.

### Appendices:

- Annex A – Application
- Annex B – Plan
- Annex C – Representation
- Annex Cii – Correspondence with Applicant and Objector
Annex D – Agreed conditions
Annex E – Premises in the Vicinity

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<thead>
<tr>
<th>Reference Documents:</th>
<th>1 The Licensing Act 2003 (“the Act”)</th>
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<tr>
<td>Local Government Act 1972 – Access to</td>
<td>2 Amended Guidance issued under</td>
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<td>information documents used in the</td>
<td>Section 182 of the Licensing Act</td>
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<tr>
<td>preparation of this report</td>
<td>2003 (April 2018) (&quot;the Guidance&quot;)</td>
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<td></td>
<td>3 Lambeth Statement of Licensing</td>
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<td>Policy 2014 (“the Policy”)</td>
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