

Licensing Sub-Committee

Thursday 22 June 2017

10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street,
London SE1 2QH

Supplemental Agenda No.1

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Date: 21 June 2017

Agenda Item 6

Item No. 6.	Classification: Open	Date: 22 June 2017	Meeting Name Licensing Sub-Committee
Report title:		Licensing Act 2003: The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ – Expedited Review	
Ward(s) or groups affected:		East Walworth	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATIONS

1. That the licensing sub-committee considers whether it is appropriate to take interim steps pending the determination of an application made under Section 53A of the Licensing Act 2003 by the chief of police for the metropolitan police area for a summary review of the premises licences in respect of the premises known The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ.
2. **Notes:**
 - a) Under section 53A(2) of the licensing act 2003 the licensing authority must consider interim steps within 48-hours following the submission of an application under Section 53A of the licensing act 2003.
 - b) A copy of the full application and certificate is attached as Appendix A.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.

7. The summary review powers under sections 53A to 53C of the Act allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and the licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review.

KEY ISSUES FOR CONSIDERATION

The premises licence

8. The premises in respect of the premises licence consists of a public house on the ground floor called the Charlie Chaplin and a nightclub on the first floor called the CC Lounge, 26 New Kent Road, London SE1 6TJ.
9. The premises licence was carried over from the justices licence in the 2005 transition and varied to extend the hours.
10. The premises licence was transferred to the current premises licence holder Adrian Ennis in September 2010.
11. The premises licence was subject to a previous summary review, initiated by the Metropolitan Police on 16 March 2016. The application concerned a serious incident that took place on 16 March 2016 at approximately 22:50. It was alleged that a patron described as being extremely intoxicated became aggressive when last orders were called and left the premises, then smashed a window of the premises with a phone.
12. Another patron then left the premises and assaulted the victim causing significant facial injuries. At the hearing on 18 March 2016, interim steps were considered and two interim steps were imposed. The notice of decision it attached in Appendix B. Additional conditions were added to the operating schedule of the premises licence.
13. The details of the current premises licence that applies to both areas are:
- Opening Hours:

Monday to Saturday	11:00 to 01:30 (the following day)
Sunday	11:00 to 23:30
 - Regulated entertainment in the form of live music and recorded music (indoors):

Monday to Saturday	11:00 to 01:30 (the following day)
Thursday to Sunday	11:00 to 23:30
 - Late night refreshment (indoors):

Monday to Saturday	23:00 to 01:30 (the following day)
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 - Sale of alcohol for consumption on and off the premises

Monday to Saturday	11:00 to 01:00 (the following day)
Sunday	11:00 to 23:00
14. A copy of the current premises licence is attached as **Appendix C**.

Designated premises supervisor

15. The designated premises supervisor (DPS) is Adrian Ennis who has been DPS since July 2010 and holds a personal licence issued by the London Borough of Newham.

The review application and certificate

16. On 21 June 2017 the Metropolitan Police Service applied to the licensing authority for a summary review of the premises licence issued in respect of the premises known as The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ.
17. On 21 June 2017 a Superintendent for the Metropolitan Police Service certified that in his opinion the premises are associated with serious crime or serious disorder or both.
18. The application is concerned with a serious incident that took place on Saturday 17 June 2017 at approximately 23:30. The police attended the premises in which two males were stabbed. Both victims were reported to be heavily intoxicated. The suspect, a patron, was also believed to be intoxicated and was seen to go behind the bar and remove a knife from the counter and stab both victims before leaving. Both victims were taken to hospital; the suspect had not been identified at the point the application for review was made.
19. Staff at the venue were also reported to be intoxicated, along with the landlord. There were no persons at the venue who could operate the CCTV. At the time, the bar staff would also not provide statements concerning the events.
20. The police request that following interim steps are taken to prevent further incidents from occurring:
 - The licence is suspended until such time as the full hearing is determined
21. The licensing sub-committee is not restricted to just considering this step.
22. A copy of the application and certificate are attached to this report as Appendix A.

The review procedure

23. The current hearing is for the purpose of considering if interim steps are needed as a result of the police review and information submitted pending the full review hearing that will be held on 18 July 2017.
24. The licensing sub-committee is not obliged to hear evidence from other parties at this stage of the procedure. However the premises licence holder and DPS have been invited to attend the hearing.
25. The review is currently being consulted on and is advertised at the premises for 10 days. Responsible authorities and any other persons may make representations that will then be considered at the full hearing of the licensing sub-committee.
26. Any interim steps made by the licensing sub-committee at this hearing will cease to have effect once the review has been determined.

Operating history

27. Four full premises inspections were made under the Licensing Act 2003, the first conducted on 5 August 2011 at 23:07, the premises was found to be in breach of six conditions of the premises licence, additionally there was no fire risk assessment in place. A warning letter was sent on 8 August 2011.
28. A revisit on 30 September 2011 found the premises compliant and a fire risk assessment in place.

29. The second conducted on 13 April 2012 at 23:26, found the premises to be in breach of one condition of the premises licence, additionally there was another 9 items of concern. A warning letter was sent on 8 May 2012.
30. A revisit on 17th December 2012 found the premises compliant and a fire risk assessment in place.
31. On 1 March 2014 at 21:06 an inspection found the premises to be fully compliant with the premises licence.
32. On 7 March 2015 at 21:00 an inspection found the premises to be fully compliant with the premises licence.
33. An inspection conducted on 20 March 2015 at 21:49, the premises was found to be in breach of one condition of the premises licence; additionally the premises licence and summary were unavailable. A warning letter was sent on 23 March 2015.
34. A revisit on 17 April 2015 found the premises compliant and a fire risk assessment in place.
35. A visit took place on 29 July 2016 at 18:30 following a complaint about parents with children consuming alcohol on the premises and patrons parking in front of the premises.
36. A revisit took place on 14 April 2017 at 19:07 to further discuss the parking issue and the use of the land by the premises to place tables and chairs there. The DPS advised that the premises had the permission of the Shopping Centre management to use the land.
37. A further revisit took place on 2 June 2017 at 18:08, no issues were found with external parking.
38. Visits by council licensing officers working on the night-time economy have been made and details of these visits are provided in Appendix D.

The local area

39. A map of the local area is attached at Appendix E.

Southwark Council statement of licensing policy

40. Council assembly approved Southwark's statement of licensing policy 2016 to 20 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 - Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 - Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.

- Section 7 - Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
- Section 8 - The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
- Section 9 - Public safety. This provides general guidance on the promotion of the second licensing objective.
- Section 10 - The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
- Section 11 - The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.

41. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

42. There is no fee associated with this type of application.

Consultation

43. The premises licence holder has been informed of the application for review and of the details of the interim hearing.

Community impact statement

44. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

45. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.

46. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

47. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where.

- The application is properly made in accordance with Section 53A of the Act.
- The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.

48. The four licensing objectives are:

- The prevention of crime and disorder
- The protection of public safety

- The prevention of nuisance
 - The protection of children from harm.
49. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
- Modify the conditions of the licence by altering, omitting or adding any condition
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the premises licence
50. The steps will remain in place until the review application is determined at a full hearing of the licensing sub-committee.
51. The authority may decide to take no action if it finds no interim steps are appropriate to promote the licensing objectives.
52. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than a appropriate and proportionate response.
53. It is of particular importance that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

54. Where the authority takes interim steps an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

55. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.

- The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee
 - To the licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

56. This matter relates to the review of the premises licence under section 53A of the Licensing Act 2003.

Council's multiple roles and the role of the licensing sub-committee

57. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
58. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
59. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
60. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
61. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
62. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested

parties must live in the vicinity of the premises. This will be decided on a case to case basis.

63. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
64. There is no right of appeal to a Magistrates' Court against the licensing authority's decision regarding the setting of interim steps at this stage.

Guidance

65. Members are required to have regard to the Home Office revised guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Governance

66. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

REASONS FOR LATENESS

67. The reasons for lateness are that when an application for an expedited summary review is received from the police under section 53a of the Licensing Act 2003 the council's licensing authority has a statutory duty hold a hearing within 48 hours from receipt of the application to consider interim steps that may be placed on the premises licence until such time as the application can be fully determined.

REASONS FOR URGENCY

68. The Council has a statutory duty under section 53a to hold an interim hearing within 48 hours of receipt of a summary review.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Revised Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Mrs Kirty Read Tel:02075255748

APPENDICES

Name	Title
Appendix A	Copy of review application and certificate
Appendix B	Copy of Notice of Decision from Licensing Sub Committee 12 th April 2016
Appendix C	Copy of the existing premises licences
Appendix D	Council night time economy visits
Appendix E	Map of local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment Social Regeneration	
Report Author	Andrew Heron, Principal Licensing Officer	
Version	Final	
Dated	21 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	21 June 2017	


**METROPOLITAN
POLICE**
TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

I hereby certify that in my opinion the premises described below are associated with:
Serious Crime and Disorder

Premises (Include business name and address and any other relevant identifying details):

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

The Charlie Chaplin 26 New Kent Road

Post town: London

Post code:
(if known)

SE1 6TJ

Premises licence number (if known):

851670

Name of premises supervisor (if known):

Adrian Ennis

I am a Superintendent* in the Metropolitan Police Service.

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

On Saturday 17th June 2017 at 2330hours police attended the Charlie Chaplin 26 New Kent Road SE1 6TJ in relation to serious crime and disorder where two males had been stabbed CAD 10213 referred. It had been reported that the two victims were very intoxicated and had been talking early in the evening to the suspect who was also believed to be intoxicated. Later in the evening the victims and suspect were heard arguing before the suspect was seen to go behind the bar area and remove a knife from the counter, which he then approached the victims and stabbed them with. This resulted in a 2-3 inch gash to one of the victims arms and the other victim was stabbed in the upper chest area. The suspect then left the pub and headed towards the Bricklayers roundabout.

On police arrival medical help was being provided by LAS and medics from the Coronet, there appeared to be no first aider on duty at the venue. Both victims were taken to hospital due to the seriousness of the injuries.

It has been reported that the bar staff at the venue were inebriated along with the landlord and that the bar staff would not at the time provide statements of the events. There were no persons at the venue who could operate the CCTV system which would have assisted in identifying the suspect.

At this stage of the investigation the suspect has not been identified.

PROTECTIVE MARKING

Concern/Observations

My immediate concerns are with regard to the levels of intoxication involved with the victims and suspects. There is also serious concern that the staff were intoxicated and their ability to manage the venue in this instance was seriously impaired, proven by the fact that a member of the public could get behind the bar and remove a knife and then use it to cause serious injury, this also shows the premises are not promoting the prevention of crime and disorder licence objective.

Licence conditions 788-789-793-842 refer to CCTV at the premises and that there should be a member of staff available to operate the CCTV at all times and be able to download immediately upon request.

This incident has already involved the use of significant resource from the Police, LAS and medical staff at the hospital and will continue to do so in regards to the investigation and identification of the suspect.

Considerations

This is not the first incident involving high levels of intoxication of patrons drinking inside the venue. The premises have failed to promote the licensing objectives by not maintaining their CCTV or staff training which were given at their 2016 review.

This incident in my opinion was entirely preventable had the premises stopped serving the intoxicated males at an early stage and if they had managed their premises in a safe secure way preventing the suspect from locating the knife behind the bar.

Recommendations That the premises licence is suspended with immediate effect pending a full review

Signature

Signature:



p238827. Date:

21/6/17

Retention Period: 7 years
MP 147/12


**METROPOLITAN
POLICE**
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Form for Applying for a Summary Licence Review
Application for the review of a premises licence under section 53A of the Licensing Act 2003
 (premises associated with serious crime, serious disorder or both)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink.

Use additional sheets if necessary.

Insert name and address of relevant licensing authority and its reference number:

Name: London Borough of Southwark

Address: Licensing Team 3rd Floor 160 Tooley Street

Post town: London

Post code: SE1 5LX

Ref. No.:

I **Mark Lynch 246MD**

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

The Charlie Chaplin 26 New Kent Road

Post town: London

Post code: SE1 6TJ
(if known)

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Adrian Ennis

Number of premises licence or club premises certificate (if known):

851670

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:

PROTECTIVE MARKING

4. Details of association of the above premises with serious crime, serious disorder or both

(Please read guidance note 2)

On Saturday 17th June 2017 at 2330hours police attended the Charlie Chaplin 26 New Kent Road SE1 6TJ in regards to serious crime and disorder in which two males were stabbed CAD 10213. It has been reported that the two victims were very intoxicated and had been talking early in the evening to the suspect who was also believed to be intoxicated. Later in the evening the victims and suspect were heard to have a disagreement to which the suspect was seen to go behind the bar area and remove a knife from the counter to which he then approached the victims and stabbed them, causing a 2-3 inch gash in one of the victims arms and the other victim was stabbed in the upper chest area. The suspect then left the pub and headed towards the Bricklayers roundabout.

On police arrival medical help was being provided by LAS and medics from the Coronet, there appeared to be no first aider on duty at the venue. Both victims were taken to hospital due to the seriousness of the injuries. It has been reported that the bar staff at the venue were inebriated along with the landlord and that the bar staff would not at the time provide statements of the events. There were no persons at the venue who could operate the CCTV system which would have assisted in identifying the suspect. At this stage of the investigation the suspect has not been identified.

Concern/Observations

My immediate concerns are with regard to the levels of intoxication involved with the victims and suspects. There is also serious concern that the staff were intoxicated and their ability to manage the venue if the case was seriously impaired, proven by the fact that a member of the public could get behind the bar and remove a knife and then use it to cause serious injury, this also shows the premises are not promoting the prevention of crime and disorder licence objective.

Licence conditions 788-789-793-842 refer to CCTV at the premises and that there should be a member of staff available to operate the CCTV at all times and be able to download immediately upon request.

This incident has already involved the use of significant resource from the Police, LAS and medical staff at the hospital and will continue to do so in regards to the investigation and identification of the suspect.

Considerations

This is not the first incident involving high levels of intoxication of patrons drinking inside the venue. The premises have failed to promote the licensing objectives by not maintaining their CCTV or staff training which were given at their 2016 review.

This incident in my opinion was entirely preventable had the premises stopped serving the intoxicated males at an early stage and if they had managed their premises in a safe secure way preventing the suspect from locating the knife behind the bar.

Recommendations The premises licence is suspended with immediate effect pending a full review

Signature of applicant

Signature: 

Date: 21 06 17

Capacity: POLICE OFFICER

Contact details for matters concerning this application

Surname: LYNCH

First Names: MARK

Address:

Post town: Southwark London

Post code: SE1 19L

Tel. No.: Email: 

Notes for guidance

PROTECTIVE MARKING

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.
Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years

MP 146/12



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 12 APRIL 2016

LICENSING ACT 2003: THE CHARLIE CHAPLIN, 26 NEW KENT ROAD, LONDON SE1 6TJ

1. Decision

That the council's licensing sub-committee, having had regard to the application by the Metropolitan Police for a review of the premises licence in respect of the premises known as The Charlie Chaplin, 26 New Kent Road, London SE1 6TJ and also having had regard to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

Modify the conditions of the licence by imposing the following additional conditions:

1. That three SIA registered door supervisors will be engaged when the upstairs of the premises are in operation and a DJ or MC performing to recorded music. They will be employed at all times until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.
2. That When SIA are required they will be provided with and held metal detection units in order to ensure that searches are carried out in respect of all admissions to the upstairs of the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
3. That a member of staff should be available at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removal device on request of Police or council officer.
4. That a personal licence holder will be on the premises at all times after 20:00 and intoxicating liquor is being offered for sale.

5. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises. It should cover all areas within the premises including upstairs and the outside area to the front in all lighting conditions.
6. That all CCTV footage shall be kept for a period of 31 days and shall, upon request, be made immediately available to officers of the police and the council.
7. That a 696 form must be submitted for any occasion in a premises licensed under the provisions of the Licensing Act 2003, using a DJ or MC performing to recorded background music, operating any time between 22:00 and 06:00, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket.
8. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to officers of the police and the council.
9. That Mr Seamus Love and Mrs Nichole Love be permanently excluded from the premises.
10. That all staff working at the premises shall undertake a training course in dealing with work related violence and aggression.
11. That training records of all staff that have undertaken the training course dealing with work related violence and aggression shall be kept at the premises and available for inspection by authorised officers of the police or the council.
12. That the accommodation limit of 150 people for the ground floor shall not be exceeded.
13. That the accommodation limit of 120 people for the first floor shall not be exceeded.

2 **Reasons for the Decision.**

The reasons for this decision are as follows:

The licensing sub-committee heard from the Metropolitan Police Service representative, the applicant for the review who advised that the police had applied to the licensing authority for a summary review of the premises licence on 17 March 2017. The application concerned a serious incident that took place on 16 March 2016 at approximately 22.50. It was alleged that a patron described as being extremely intoxicated became aggressive when last orders were called and left the premises, then smashed a window of the premises with a phone. Another patron then left the premises and assaulted the victim causing significant facial injuries

At the hearing on 18 March 2016, interim steps were considered and two interim steps were imposed (6 and 10 above).

The police advised the sub-committee that they were satisfied that the conditions listed above would promote the licensing objectives.

The licensing sub-committee heard from the licensing officer representing the council as a responsible authority who had highlighted previous breaches of the premises licence. However, they had also agreed conditions with the premises and were satisfied that they would address the officer's concerns.

The licensing sub-committee noted the written representation from the health and safety officer who had also agreed conditions with the licensing officer.

The representative from the premises informed the sub-committee that they had liaised closely with the police, the licensing authority and the health and safety authority and had agreed with all the conditions recommended. They reiterated that they were apologetic that this incident had occurred at the premises and assured the sub-committee that the relief manager had been permanently excluded from the premises immediately.

The licensing sub-committee were pleased that all the parties were able to resolve their concerns through their discussions and were content that the conditions agreed would satisfy the concerns.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and felt that this decision was appropriate and proportionate in order to address the licensing objectives.

3 **Appeal rights**

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application.

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

- a) The end of the period for appealing against this decision
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The interim steps will remain in place until either:

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The premises licence holder may make representation against any interim steps imposed and a hearing to consider the representation will be held within 48 hours of receipt of the representation.

Any representation should be in writing and cannot be received outside of normal office hours.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 12 April 2016

Licensing Act 2003 Premises Licence

APPENDIX C



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

851670

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
THE CHARLIE CHAPLIN 26 New Kent Road London SE1 6TJ Ordnance survey map reference (if applicable), 179013532051	
Post town London	Post code SE1 6TJ
Telephone number [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Live Music - Indoors
 Recorded Music - Indoors
 Facilities for Dancing - Indoors
 Late Night Refreshment - Indoors
 Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

The opening hours of the premises

For any non standard timings see **Annex 2**

Monday	11:00 - 01:30
Tuesday	11:00 - 01:30
Wednesday	11:00 - 01:30
Thursday	11:00 - 01:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

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

Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Live Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Recorded Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Facilities for Dancing - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Late Night Refreshment - Indoors

Monday	23:00 - 01:30
Tuesday	23:00 - 01:30
Wednesday	23:00 - 01:30
Thursday	23:00 - 01:30
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 23:30

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

Sale by retail of alcohol to be consumed off premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Adrian Ennis
26 New Kent Road
London
SE1 6TJ

Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Adrian Ennis

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

Licence No.
Authority

Licence Issue date 07/04/2016



Head of Regulatory Services
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 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 his Personal Licence is suspended

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

485 (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, 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 carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster 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; and

(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).

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

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

489 The responsible person shall 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: 1/2 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,

491 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 purpose 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;

(iv) "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

(v) "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.

Annex 2 - Conditions consistent with the operating Schedule

109 Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means the hours stated elsewhere on this licence and:

a. On Good Friday, 1200 to 2230 hours

b. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

i) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

ii) The sale of alcohol to a trader or club for the purposes of the trade or club;

iii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

iv) The taking of alcohol from the premises by a person residing there; or

v) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or

vi) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

111 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

122 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies

a. He is the child of the holder of the premises licence

b. He resides in the premises, but is not employed there

c. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to and from which there is no other convenient means of access or egress

d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as ancillary to their table meals.

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;

c. To a canteen or mess.

298 That suitable notices shall be displayed stating "No Drugs".

310 That all doors and windows excepting any that may be required to be locked open for the purposes of means of escape, shall be kept closed whenever public entertainment is being provided upon the premises to prevent noise escaping

311 That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner. Staff are to check the outside area regularly and disperse any customers who may gather outside

324 That a notice be displayed at the premises giving the telephone numbers of local mini-cab firm. Where possible staff will phone a taxi for people who need one and will give directions to people using public transport

325 That after 2100 hours children shall not be admitted in any area where alcohol is sold and consumed

327 That signs shall be displayed informing customers and staff that sales of alcohol will not be made to under 18s and that age identification will be required

332 All children on the premises will be accompanied by a parent or responsible adult at all times

334 That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

340 Our staff will refuse to serve a person who appears to be intoxicated. They will additionally discourage binge drinking and remove anyone behaving badly from the premises

342 Staff will be trained to react quickly and effectively in evacuating the premises in case of fire

343 The volume on music provided will be reduced half an hour before the premises closes

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

788 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises. It should cover all areas within the premises including upstairs and the outside area to the front in all lighting conditions.

789 That all CCTV footage shall be kept for a period of 31 days and shall, upon request, be made immediately available to officers of the police and the council.

793 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to officers of the police and the council.

840 That three SIA registered door supervisors will be engaged when the upstairs of the premises are in operation and a DJ or MC performing to recorded music. They will be employed at all times until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection , screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.

841 That when SIA are required they will be provided with and held metal detection units in order to ensure that searches are carried out in respect of all admissions to the upstairs of the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

842 That a member of staff should be available at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removal device on request of Police or council officer.

843 That a personal licence holder will be on the premises at all times after 20:00 and intoxicating liquor is being offered for sale.

844 That a 696 form must be submitted for any occasion in a premises licensed under the provisions of the Licensing Act 2003, using a DJ or MC performing to recorded background music, operating any time between 22:00 and 06:00, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket.

845 That the 2 persons mentioned in the notice of decision be permanently excluded from the premises.

846 That all staff working at the premises shall undertake a training course in dealing with work related violence and aggression.

847 That training records of all staff that have undertaken the training course dealing with work related violence and aggression shall be kept at the premises and available for inspection by authorised officers of the police or the council.

848 That the accommodation limit of 150 people for the ground floor shall not be exceeded.

849 That the accommodation limit of 120 people for the first floor shall not be exceeded.

Annex 4 - Plans - Attached

Licence No. 851670

Plan No. 1233801/237

Plan Date 5 October 2004

Licensing Act 2003 Premises Licence Summary



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

851670

Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
THE CHARLIE CHAPLIN 26 New Kent Road London SE1 6TJ Ordnance survey map reference (if applicable), 179013532051	
Post town London	Post code SE1 6TJ
Telephone number [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Live Music - Indoors
 Recorded Music - Indoors
 Facilities for Dancing - Indoors
 Late Night Refreshment - Indoors
 Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Live Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Licensing Unit - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX

Switchboard - 020 7525 5000 Website - www.southwark.gov.uk

Strategic Director Environment & Leisure - Deborah Collins

Recorded Music - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Facilities for Dancing - Indoors

Monday	21:00 - 01:30
Tuesday	21:00 - 01:30
Wednesday	21:00 - 01:30
Thursday	21:00 - 01:30
Friday	21:00 - 01:30
Saturday	21:00 - 01:30

Late Night Refreshment - Indoors

Monday	23:00 - 01:30
Tuesday	23:00 - 01:30
Wednesday	23:00 - 01:30
Thursday	23:00 - 01:30
Friday	23:00 - 01:30
Saturday	23:00 - 01:30
Sunday	23:00 - 23:30

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

Sale by retail of alcohol to be consumed off premises

Monday	11:00 - 01:00
Tuesday	11:00 - 01:00
Wednesday	11:00 - 01:00
Thursday	11:00 - 01:00
Friday	11:00 - 01:00
Saturday	11:00 - 01:00
Sunday	11:00 - 23:00

The opening hours of the premises

For any non standard timings see **Annex 2**

Monday	11:00 - 01:30
Tuesday	11:00 - 01:30
Wednesday	11:00 - 01:30
Thursday	11:00 - 01:30
Friday	11:00 - 01:30
Saturday	11:00 - 01:30
Sunday	11:00 - 23:30

Licensing Unit - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX

Switchboard - 020 7525 5000 Website - www.southwark.gov.uk

Strategic Director Environment & Leisure - Deborah Collins

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

Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

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

Adrian Ennis
 26 New Kent Road
 London
 SE1 6TJ

Registered number of holder, for example company number, charity number (where applicable)**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Adrian Ennis

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

Licence Issue date 07/04/2016



Head of Regulatory Services
 Hub 1, 3rd Floor
 PO Box 64529
 London, SE1P 5LX
licensing@southwark.gov.uk

APPENDIX D

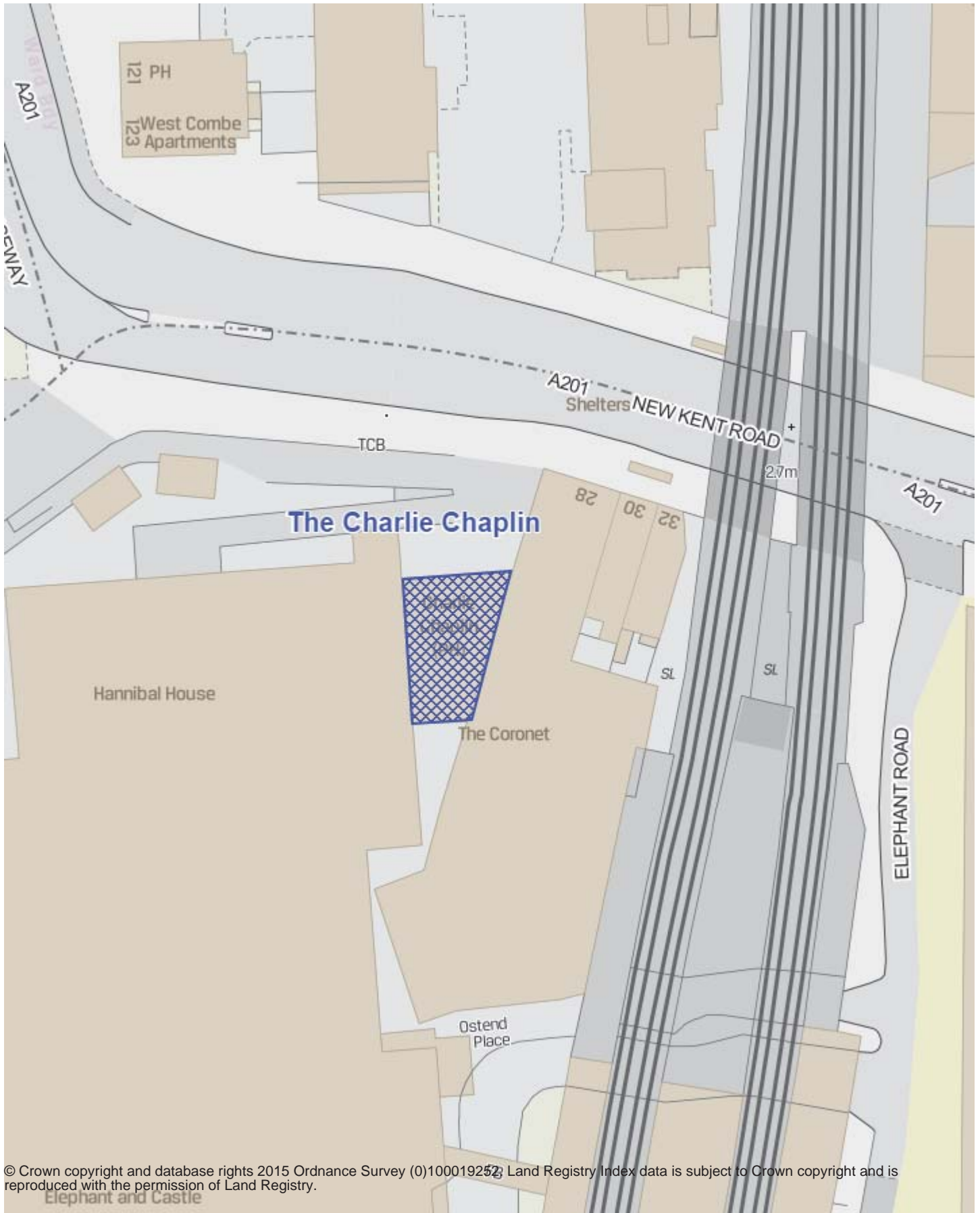
adate	desc	aofficer	name	adtext
01/03/2014	21:06 NTE Visit	Wesley McArthur	THE CHARLIE CHAPLIN	<p>1/ 3/2014 21:06 WJM Full inspection of the premises with KVD. I also undertook an induction with the premises manager. ATOV I spoke to a man who identified himself as Mr. Tarek Sidki (TS) and who stated that he was the manager of the premises. TS stated that the previous manager, Wayne Kidman, had now left the premises and confirmed that Adrian Ennis is still the DPS of the premises. TS stated that he had been working at the premises for a few months. The premises were compliant but the following issues were noted:</p> <ol style="list-style-type: none"> 1. It was not possible to ascertain if a fire risk assessment or general health and safety risk assessment had been devised in regards to the premises. TS stated that the unit housing the premises forms part of the shopping centre and to his knowledge the shopping centre management are responsible for all risk assessments in regards to the premises. I advised TS to find out whether this is the case or not ASAP, and to arrange to have a FRA undertaken if required. I also explained that a FRA was required under fire safety legislation. I advised TS that an H&S RA is required under H&S legislation and to arrange to have an H&S RA undertaken ASAP if required. 2. Some fire extinguishers at the premises had not been inspected for over 12 months. I advised TS to remove these extinguishers from service or to have them inspected. Some fire extinguishers were not in easily accessible locations. I recommended to TS that extinguishers should be wall mounted in easily accessible areas and maintained free from obstruction at all times. I also advised that staff should be made aware of where all the extinguishers in the premises are located, be trained in how to use them and be trained as to what types of flammable material(s) the extinguishers can be used on. 3. Various fire action notices at the premises had not been completed. TS stated that new fire action notices were going to be given to him by the shopping centre management and that he would ensure that the new notices are completed. 4. The fire exit to the r/o the stage on the first floor was locked. On looking between the gap between the fire exit doors it was observed that the doors were significantly obstructed on the other side by a goods trolley. I advised TS that all emergency exits must be kept unlocked and maintained free from obstruction at all times that the premises are in operation. 5. There were unpackaged (and therefore non sterile) materials in the first aid box. I advised TS that all materials in the first aid box should be kept in unopened packaging, and that any materials in opened packaging should be removed from the first aid box. 6. There was evidence of staff training in regards to the sale of alcohol, but I will send the Trading Standards age restricted sales pack in regards to alcohol to TS.
04/07/2014	21:35 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	Premises at capacity, audience appear to be well behaved
19/10/2014	02:16 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	premises closed

25/10/2014	01:55 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	Visited the premises and noted that there were 6 IC3 males located at the front of the premises talking. Looked up from street level through the windows and it did not appear that there was any activity upstairs although the lights were on. I attempted to gain entry into the premises however all doors of the premises were closed. Whilst myself and Adam Burchett were standing at the front of the premises a IC3 male walked out the premises and I asked him how was it is "was the place still open". The IC3 male stated no "they shut long time" and walked off. I approached another IC3 male outside the front of the premises and he also confirmed that the place was closed that I had missed out on a good night.
23/11/2014	00:30 NTE	Mark Orton	THE CHARLIE CHAPLIN	Visited first floor of premises, private booking for birthday party. SIA on the door, entry by invitation only. No issues, all appeared in good spirits.
13/02/2015	20:45 NTE Visit AB & MB	Mark Orton	THE CHARLIE CHAPLIN	Rockingham St issues letter delivered and signed for. Bar staff weren't happy regarding meeting, will follow up.
20/03/2015	21:49 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	spoke to Craig Morrison who said he was in charge. DPS (also premises licence holder) not available. Craig said the upstairs bar is sublet to Gabriel & operates on Fri & Sat nights. There was an ashtray in the vestibule, advised to remove and to ensure that customers do no smoke in there. Should have some 'no smoking' signs on display. There is one premises licence being used for the ground floor pub and the upstairs CC Lounge, which is a bar. Craig said CCTV isn't functioning. Old licence and summary on the premises (licence number 832464). Breach of condition 298 – no signs stating 'No Drugs'. No fire risk assessment available. Breach of condition 310 – both premises have doors open and entertainment. Advised to close doors. Gabriel is in charge upstairs-discussed with both Craig and Gabriel the issue of having one licence to cover 2 premises. Both insisted that they are all working together and they are not separate premises. Warning letter to be sent.
04/04/2015	02:32 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	Visited the premises with Sarah Newman. TEN in place premises compliant. Entrance doors closed and x2 SIA staff at the front of the premises. No noise breakout from premises. Myself and Sarah discussed submissions of TENS with the operator of the premises. Query on submission how many days a TEN could cover resolved with operator.

17/04/2015	22:27 NTE Visit	Wesley McArthur	THE CHARLIE CHAPLIN	17/ 4/2015 22:27 WJMLicensing revisit with Farhad Chowdhury (FC). I entered the premises and ID'd myself to an IC1 barman and asked to speak to the manager. The barman left the bar and came back with an IC1 male who identified himself as Craig Morrison (CM) and who identified himself as the manager of the premises. I asked CM if Mr. Ennis (the licensee stated on the premises licence issued in respect of the premises) still had an interest in the premises. CM stated that Mr. Ennis operated the CC Lounge. I asked CM if the CC Lounge was the 1st floor of the premises and CM stated that it was. CM stated that the ground floor and the 1st floor operated as two separate premises. I explained that the current premises licence had been issued in regards to the entire premises and that the licence conditions apply to the entire premises. I conducted the revisit. The premises were complaint. On our way out of the premises I noted that an IC3 D/S was controlling entries to the CC Lounge via the separate entrance to the 1st floor of the premises. I ID'd myself to the D/S and asked to see his SIA badge. The badge was valid. Compliance letter to follow.
24/04/2015	20:55 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	20:55 24/4/2015 JMT & TMM THE CHARLIE CHAPLIN, 26 New Kent Road, SE1 6TJ- Visited the premises and spoke to the person in charge Shamus Love. Explained about the meeting re the ' Business Action Group' to be held at the Coronet on 12 May 2015 at 18:00hrs and gave him a copy of the invite letter. I asked him to please give a copy to the licensee who was upstairs having a break and ask him to call RAP on the number at the top of the letter to confirm attendance
06/06/2015	21:52 NTE Visit	Kristie Ashenden	THE CHARLIE CHAPLIN	With Sue Hunter. Drove by to see if doorman was wearing E&C shopping centre hi vis. Doorman was there but not wearing hi vis from E&C.
19/09/2015	20:45 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	Visited the premises and discussed fight at the premises and why the temp personal licence holder at the premises was intoxicated. Spoke with the manager of the premises initially in the presence of Mr Love (temp personal licence holder at premises). Manager of Charlie Chaplin was not aware or should I say he had not been advised by Mr Love what had happened. I do not think Mr Love was expecting us and certainly did not envisage a conversation with his boss about this while he was stood there. I pulled the manager aside and advised him this is not what we expected from a licensed premises. I think he was genuinely taken aback and was genuinely not aware of what had happened at the premises as he was not there when this fight had occurred. He was also taken aback that one of his members of staff was 'allegedly' drunk while in charge of his premises. He has asked for some time to discuss with Mr Love to get an understanding of what has actually happened so a response can be provided. The DPS on the licence is working at the premises intermittently and it's my understanding that there may be an imminent change of DPS as a result of my visit. No lead time could be provided in relation to when we can expect the DPS to be a 'constant' at the premises. Management appear to be trying out staff possibly with a view to finding the right fit and then applying for a change of DPS. I have advised the Charlie Chaplin manager Craig Morrison -07951229121 that an officer would contact him to discuss the matter further. No compliance issues noted ATOV. No SIA staff were wearing Elephant & Castle high visibility.

24/01/2016	01:20 NTE Visit MAD & JU	Mark Orton	THE CHARLIE CHAPLIN	Met with Police at CC Lounge at 01:20 following flyer advertising hours beyond currently permitted. Spoke with manager of CC Lounge Izzy Orlukwu who stated he wasn't aware of the flyer and had planned to close at the usual time. The flyer wasn't something that the premises had approved. KD and I spoke with IO of the conditions currently in place for the CC Lounge and suggested that he submits a minor variation to add conditions to the first floor of the premises as it currently has conditions more suited to a pub and not what it currently operates as. IO stated he would liaise with the Police on this.
30/01/2016	02:04 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	02:04 on 30/01/2016 JMT & COT and PC MARK LYNCH CC LOUNGE 26 New Kent Road, London, SE16TJ – Premises closed ATOV
31/01/2016	01:58 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	01:58 on 31/01/2016 JMT & KMA at CC LOUNGE 26 New Kent Road, London, SE16TJ – Checked premises not open past its hours. Premises was closed at ov.
18/03/2016	22:03 NTE Visit ERECTED REVIEW POSTERS	Jayne Tear	THE CHARLIE CHAPLIN	18/3/2016 22:03 JMT, COT & MQ3 at The Charlie Chaplin, 26 New Kent Road, London, SE16TJ. Erected 2 premises poster regarding expedited summary review. One displayed at the beginning of the ramp going up to the shopping centre and the other displayed nearer the payment on a post. SEE ATTACHED PHOTO'S
20/03/2016	00:18 NTE Visit	Jayne Tear	THE CHARLIE CHAPLIN	20/3/2016 00:18 JMT & COT - The Charlie Chaplin, 26 New Kent Road, London, SE16TJ. EXPEDITED SUMMARY REVIEW POSTERS STILL DISPLAYED AND IN SITU.

29/07/2016	18:30 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visit to premises with Clarissa to discuss concerns about the premises allowing irresponsible parking at the front of the premises. Complaint raised about parents highly intoxicated and being allowed to sit outside the front of the premises with children. Also concerns raised about continually serving alcohol to highly intoxicated patrons and the premises allowing irresponsible parking at the front of the premises. Arrived at the premises and noted that there was a couple sat at a table at the front of the premises with two children. The couple did not appear to be drunk and were just enjoying a drink and talking to their children. Entered the premises and there were X10 patrons within the premises drinking. Myself and Clarissa identified ourselves and asked to speak to management of the premises. The manager of the premises presented himself and we discussed the allegations that had been made. The manager advised us that he did not like children on site and did not think that a pub was a place that children should be around. Advised that he actively discouraged this and this was the message that had been filtered down to staff. We advised him that there were two children sat outside and he stated that he would keep an eye on them and that they were locals who he knew. I was advised that the immediate front of the premises was not under the control of Charlie Chaplin and was in fact managed by the shopping centre. Also advised that the cars that parked up at the front of the Charlie Chaplin were not his patrons cars and were in fact market traders who were parking their cars. From the vantage point of the bar the manager stated that if he or staff had served alcohol to a customer who then headed to a vehicle that they would immediately call the police. Words of advice given about the perceptions of having young children around when adults were consuming alcohol. Was advised that he would speak to the shopping centre about putting in place some restrictions so that traders could load and unload but not park up outside the Charlie Chaplin for an indefinite period of time. Manager advised that he was becoming increasingly concerned about the street drinkers that were drinking outside the front of his premises. He confirmed that he would not sell to street drinkers but there was obviously a premises in the local vicinity that was. He advised that the street drinkers had moved from the shopping centre and were now using the road leading to the market as a place to stand and drink. When myself and Clarissa left the premises noted X6 street drinkers just along the street at the front of Charlie Chaplin with bottles of brandy and whisky drinking from the bottles. Notes to be placed against complaint reference: 837583</p>
14/04/2017	19:07 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visited premises with Adam Burtchett and discussed the parking issue at the front of the premises with the DPS of the premises MR Adrian Ennis. Advised that the parking related matter had nothing to do with the Charlie Chaplin pub and that the land was in fact owned by the Elephant & Castle Shopping Centre. We were advised that Elephant & Castle give permission to the Charlie Chaplin Pub to place tables and chairs on their land.</p>
02/06/2017	18:08 NTE Visit	Richard Kalu	THE CHARLIE CHAPLIN	<p>Visit to premises with Adam Burchett. X1 patron stood at the front of the premises smoking. No cars parked at the front of the premises. The immediate front of the premises was all clear without any obstruction or restrictions in place.</p>



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21-Jun-2017

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Item No. 7.	Classification: Open	Date: 22 June 2017	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: Mint Street Music Festival, Mint Street Park, London SE1 – Temporary Event Notices	
Ward(s) or groups affected:		Cathedrals	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee decide whether or not to issue a counter notice in respect of two temporary event notices (TEN) 859099 and 859102 served by Hannah Metcalfe in regards to an event to be held at Mint Street Park, London SE1. The TEN is between 11:00 and 19:30 on Saturday 15 July 2017.

BACKGROUND INFORMATION

The Licensing Act 2003

2. On 24 November 2005 the Licensing Act 2003 came into effect establishing a licensing regime for the following licensable activities:
 - a) The retail sale of alcohol
 - b) The supply of alcohol to club members or on behalf of a club
 - c) The provision of regulated entertainment
 - d) The provision of late night refreshments.
3. The Act established a process for the giving of “temporary event notices” (TENs).
4. Amendments to the Licensing Act 2003 were brought about by way of the Police Reform and Social Responsibility Act 2011 as of 25 April 2012.
5. A premises user may serve a TEN, where it is proposed to use the premises concerned to provide one or more licensable activities for a period not exceeding 168 hours for less than 500 persons.
6. A person holding a personal license issued under the Act may serve up to 50 TENs in a calendar year. Non personal licence holders may serve up to five TENs in the same period. No premises may be used for more than 12 TENs in a calendar year or for more than 21 days in a calendar year.
7. No premises may be used for temporary events that are less than 24 hours apart.
8. The police or environmental health authority may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their

intervention may in some cases result in the licensing authority imposing conditions on a TEN.

9. If the police or environmental health team believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. This must be given within three working days of the receipt of the TEN.
10. A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.
11. The police or environmental health may contact the premises user to discuss their objections and attempt to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.
12. If the licensing authority receives an objection notice from the police or environmental health that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions, and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and give a counter notice. This prohibits the event from taking place.

KEY ISSUES FOR CONSIDERATION

The temporary event notices

13. On 8 June 2017 two TENs were served by Hannah Metcalfe in regards to an event to be held at Mint Street Park, SE1. The TEN is between 11:00 and 19:30 on Saturday 15 July 2017. Copies of the TENs and supporting documents are attached to this report as Appendix A.
14. The TENs are summarised as follows:

To allow the sale of alcohol on and off the premises and the provision of regulated entertainment between 11:00 and 19:30 on Saturday 15 July 2017. The maximum number of people expected at any one time at the premises is 499. The activities are to take place on the premises only. Mint Street Music Festival is a free, family-friendly, non-profit community event. The area for this TEN is the area with the wooden stage where there will be bands performing live music. there will also be an Information Tent where free refreshments (including alcohol) will be served to performers. This area has been used for the same purpose on three other occasions.

The objection notices

15. On 13 June 2017 the councils Environmental Protection Team served objection notices in respect of the TENs.
16. The objection notices state that this event should have been applied for by way of a time limited premises licence and not a series of TENs, therefore creating several different events.
17. EPT make the following points in support of their objections:
18. Both TEN applications seek to licence one larger event, the Mint Street Musical Festival, for a combined total of 998 persons. This exceeds the 499 person limit for an event to be licensed under a TEN and therefore undermines the Licensing Act and associated Section.182 Guidance.
19. Exceeding the 499 event capacity limit creates a risk that licensing objectives, specifically prevention of crime and disorder, public safety, and the prevention of public nuisance will not be upheld.
20. EPT note that previous Mint Street Festival events have been permitted to take place via TEN applications in the past. EPT note that in 2015 a premises licence time limited application was also applied for initially.
21. EPT have recently raised the issue of multiple TEN applications being submitted to licence one larger event, and as such it is now agreed that all such applications should be objected to and brought before Southwark's Licensing Sub-Committee.
22. A copy of the EPT objection notice is attached to this report in Appendix B.

TENs History

23. There has been one TEN issued for this parcel of land in the past 12 months. This was an event produced by Emergency Exit Arts and was submitted by Deborah Mullins called "Follow the Phoenix" and was held on 25 November 2016. The event took place between 15:30 and 19:00. Mint St Park formed part of the overall event.

Licensing visit history

24. There are currently no issues in this area that we are investigating.

The local area.

25. A map showing the location of the premises is attached to this report as Appendix C.

Policy considerations

26. Section 4 of the Southwark statement of licensing policy on "administration, exercise and delegation of function" deals with the parameters under which TENs may be considered.

Consideration by the sub-committee

27. The sub-committee is asked to consider whether then issue of a counter notice is necessary for the promotion of the prevention of public nuisance and protection of public safety licensing objectives.

Community impact statement

28. Members are advised that under the Act, the matters to which consideration may be given in this instance are the crime and disorder and public nuisance objectives.
29. In considering the TENs in terms of community impact the sub-committee must restrict its considerations to this matter.

Resource implications

30. A fee of £21.00 has been paid by the applicant in respect of the TEN, this being the statutory fee payable.

Consultation

31. The Act provides for no consultations to take place other than the process outlined in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

32. The sub-committee is asked to determine the notification of this temporary event under Section 105 of the Licensing Act 2003 and to consider whether or not counter notice should be issued in the circumstance. It must only issue a counter notice if they believe the event would undermine the crime prevention objective set out in the Act
33. The principles which sub-committee members must apply are set out below.

Principles for making the determination

34. The general principle is that temporary event notices must be accepted unless a relevant objection is received from the police. This is subject to the proviso that the premises user has complied with regulations and submitted the notice within a prescribed time.
35. A relevant objection is that which:
- Is about the likely effect of the TEN on the promotion of the crime prevention of the licensing objectives
 - Is made by the metropolitan police
 - Has not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

36. If a relevant objection notice is received then the sub-committee must have regard to it in determining whether it is necessary for the promotion of the prevention of crime prevention and the prevention of public nuisance licensing objectives of the Licensing Act to:
- Issue a counter notice by adding to, omit, and/or alter the conditions of the licence or
 - Reject the whole or part of the application for TEN.

Conditions

37. The sub-committee may attach conditions on the carrying on of permitted licensable activities. The sub-committee's function is to determine whether a counter notice should be issued.
38. Members are also referred to the Department for Culture, Media and Sport (DCMS) guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

39. The sub-committee must give reasons for its decision to issue or not to issue a counter notice.

Hearing procedures

40. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the objection.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their submission.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular submission before the committee
 - To the licensing objectives prevention of crime and disorder.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in

doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.

- In considering the objection and notice the authority may take into account documentary or other information produced by a party in support of their objection or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
41. This matter relates to the determination of a notification for a temporary event notice under section 105 of the Licensing Act 2003. Regulation 26(1) (c) requires the sub-committee to make its determination at the conclusion of the hearing.
 42. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
 43. As a quasi-judicial body the licensing sub-committee is required to consider the temporary event notice on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of the police objection.
 44. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
 45. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making the objection to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
 46. Where the relevant counter notice under section 105(3) is given the premises user may appeal against that decision. Where a counter notice is not given, the chief officer of police may appeal against that decision. The appeal must be made to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against. No appeal may be brought later than five working days before the day on which the event begins.

Guidance

47. Members are required to have regard to the Home Office revised guidance in carrying out the functions of licensing authority. However, guidance does not cover

every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Governance

48. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

REASONS FOR URGENCY

49. The TENs process is time limited, and due to legislative time constraints it would not be possible to wait for a further meeting to be held to consider this report.

REASONS FOR LATENESS

50. The TENs process is time limited and there was not sufficient time to prepare and clear the report in time for the main agenda dispatch.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office revised guidance Secondary Regulations Statement of Licensing Policy Various papers from the premises file.	Licensing Unit Hub 2 Third Floor 160 Tooley Street SE1 2TZ	Kirty Read (020 7525 5748)

APPENDICES

No.	Title
Appendix A	The temporary event notice
Appendix B	EPT representation
Appendix C	Map of area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration	
Report Author	Mark Orton, Licensing Enforcement Officer	
Version	Final	
Dated	20 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	21 June 2017	

08/06/2017

Business - Temporary events notices

Ref No. 830381

Before completing this notice please read the guidance notes at the end of the form.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Your name

Title	Ms
If other, Please state	
Surname	Metcalfe
Firstname(s)	Hannah

2. Previous names

Title	
If other, Please state	
Surname	
Firstname(s)	

3. Your date of birth

	██████████
--	------------

4. Your place of birth

	██████████
--	------------

5. National Insurance Number

	██████████
--	------------

6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)

Address Line 1	██████████
Address Line 2	██
Town	██████████

County	
Post code	██████

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user. If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

7. Other contact details

	Telephone numbers:
Daytime	██████████
Evening (optional)	
Mobile (optional)	██████████
Fax number (optional)	
E-Mail Address	██

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)

Address Line 1	
Address Line 2	
Town	
County	
Post code	

9. Alternative contact details (if applicable)

	Telephone numbers:
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address	

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

Address Line 1	
Address Line 2	
Town	

County	
Post code	

Ordnance Survey grid reference

--	--

If there is no recognised Post code, please enter the address for the premises

Address Line 1	Mint Street Park
Address Line 2	off Marshalsea Road
Town	Borough
County	Southwark

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

	I am applying for two licences to cover the full area of the park. This licence is for the area from the path across the park from the Quilip Street entrance to the Mint Street entrance, including the Muga area. I have sent a map.
--	--

Please describe the nature of the premises below. (Please read note 4) *

	Mint Street Park is a public park. It has been used three times before for Mint Street Music Festival.
--	--

Please describe the nature of the event below. (Please read note 5)

	Mint Street Music Festival is a free, non-profit family-friendly community festival. The area covered by this TEN will include live music and dance displays on the Mint Street Muga (sports pitch) and food and drink stalls, including three stalls selling alcohol, plus some community group information stalls.
--	--

If the event is situated in a park or in part of a larger premises, please upload the site location plans. Other documents such as risk assessments can also be uploaded here

Document 1	Temporary-Event-Notice-stalls-and-muga.pdf
------------	--

Document 2	Event-Plan-Mint-Street-Music-Festival-2017.docx
Document 3	MSMF-RISK-ASSESSMENT-2017.doc
Document 4	
Document 5	

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution. In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500.

If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Please state the licensable activities that you intend to carry on at the premises (please check next to the licensable activities you intend to carry on). (Please read note 6)

	<input type="checkbox"/> The sale by retail of alcohol <input type="checkbox"/> The provision of regulated entertainment
--	---

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

	15/07/17
--	----------

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

	11:00 to 19:30
--	----------------

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

	499
--	-----

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please check next to the appropriate box). (Please read note 11)

	On the premises only
--	----------------------

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of "entertainment facilities" for:

- (a) making music;
- (b) dancing; and
- (c) entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7 (not including the date that the form is submitted and the date of the Event)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there.

If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Do you currently hold a valid personal licence?

	No
--	----

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

	Yes
--	-----

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

	1
--	---

Have you already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year. If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an "associate".

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
--	----

If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year

--	--

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
--	----

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

--	--

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 14

An “associate” of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5th December 2005.

I shall

	If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions
--	---

Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (not including the date that the form is submitted and the date of the Event) (or five working days for a late notice) (not including the date that the form is submitted and the date of the Event)before the commencement of the proposed licensable activities.

The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary.

Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

I agree to the above statement

	I agree
PaymentDescription	, ,
PaymentAmountInMinorUnits	2100
AuthCode	199392
LicenceReference	LTN-94212-1619
PaymentContactEmail	[REDACTED]

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

08/06/2017

Business - Temporary events notices

Ref No. 830438

Before completing this notice please read the guidance notes at the end of the form.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Your name

Title	Ms
If other, Please state	
Surname	Metcalfe
Firstname(s)	Hannah

2. Previous names

Title	
If other, Please state	
Surname	
Firstname(s)	

3. Your date of birth

	██████████
--	------------

4. Your place of birth

	██████████
--	------------

5. National Insurance Number

	██████████
--	------------

6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)

Address Line 1	██████████
Address Line 2	██
Town	██████████

County	
Post code	██████

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user. If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

7. Other contact details

	Telephone numbers:
Daytime	██████████
Evening (optional)	
Mobile (optional)	██████████
Fax number (optional)	
E-Mail Address	██

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)

Address Line 1	
Address Line 2	
Town	
County	
Post code	

9. Alternative contact details (if applicable)

	Telephone numbers:
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address	

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

Address Line 1	
Address Line 2	
Town	

County	
Post code	

Ordnance Survey grid reference

--	--

If there is no recognised Post code, please enter the address for the premises

Address Line 1	Mint Street Park, off Marshalsea Road
Address Line 2	Borough
Town	London
County	

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

	I am requesting two TEN licences for Mint Street Music Festival. This one is for the area from the path between Quilip Street and Mint Street to the Marshalsea Road entrance, including the wooden stage area. A map is attached.
--	--

Please describe the nature of the premises below. (Please read note 4) *

	Mint Street Park is a public park. It has been used for Mint Street Music Festival three times before.
--	--

Please describe the nature of the event below. (Please read note 5)

	Mint Street Music Festival is a free, family-friendly, non-profit community event. The area for this TEN is the area with the wooden stage where there will be bands performing live music. there will also be an Information Tent where free refreshments (including alcohol) will be served to performers.
--	--

If the event is situated in a park or in part of a larger premises, please upload the site location plans. Other documents such as risk assessments can also be uploaded here

Document 1	event-map-MSMF-2017.jpg
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Document 2	Event-Plan-Mint-Street-Music-Festival-2017.docx
Document 3	MSMF-RISK-ASSESSMENT-2017.doc
Document 4	
Document 5	

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution. In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500.

If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Please state the licensable activities that you intend to carry on at the premises (please check next to the licensable activities you intend to carry on). (Please read note 6)

	<input type="checkbox"/> The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club <input type="checkbox"/> The provision of regulated entertainment
--	--

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

	15/07/17
--	----------

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

	11:00 to 19:30
--	----------------

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

	499
--	-----

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please check next to the appropriate box). (Please read note 11)

	On the premises only
--	----------------------

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of "entertainment facilities" for:

- (a) making music;
- (b) dancing; and
- (c) entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7 (not including the date that the form is submitted and the date of the Event)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there.

If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Do you currently hold a valid personal licence?

	No
--	----

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

	Yes
--	-----

If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

	1
--	---

Have you already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year. If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an "associate".

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
--	----

If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year

--	--

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
--	----

If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

--	--

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 14

An “associate” of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5th December 2005.

I shall

	If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions
--	--

Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (not including the date that the form is submitted and the date of the Event) (or five working days for a late notice) (not including the date that the form is submitted and the date of the Event)before the commencement of the proposed licensable activities.

The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary.

Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

I agree to the above statement

	I agree
PaymentDescription	, ,
PaymentAmountInMinorUnits	2100
AuthCode	115605
LicenceReference	LTN-94212-1620
PaymentContactEmail	mintstreetmusicfestival@gmail.com

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.



TEN area 2 (orange border)

- Bin
- Cocktail Taxi
- Sponsors/community gazebos
- 'Stars' stage
- Alcohol control zone
- Food stalls
- Lost Rivers Brewery stall
- Wine stall (t.b.c.)
- Generators (marked 'G')
- Bin

Portaloos by the Quilp Street park entrance.

Market/ Stars area
Orange hi-vis x2

Quilp/Marshalsea/Mint
Black hi-vis x2

TEN area 1 (pink border)

- Fire extinguisher
- Information tent
- First Aid tent & lost child point

Organisers:
Yellow/ blue hi-vis x2
Survey volunteers:
Yellow/ green hi-vis x2

Adventure Stage area
Blue Hi-Vis x4

Waste disposal collection point
Bin 'B'

- Children's craft stall
- Adventure Playground bouncy castle
- Fire extinguisher
- Play & Dance stage, PA - powered by cable from building 14

- Bin
- Generator
- Sound-tech desk
- Cable across path, covered
- Performers' kit storage
- Main Stage & PA (under gazebo)

**MINT STREET
• MUSIC •
FESTIVAL**

Event Name	Mint Street Music Festival
Event Location	Mint Street Park
Event Date	15 July 2017
Organisation	Mint Street Music Festival Team
Document last updated	29/03/17

Contents

1. Event Description
2. Aim and Objectives
3. Evacuation Procedures
4. Severe Weather and Event Cancellation
5. First Aid
6. Fire Precautions and Equipment
7. Communications
8. Waste Management
9. Toilets
10. Lighting
11. Lost Children Policy
12. Insurance
13. Emergency Contact

Appendix 1: Event Schedule

Appendix 2: Stewarding and Security

Appendix 3: Roles and Responsibilities

Appendix 4: Key Contacts

Appendix 5: Risk Assessments

Appendix 6: Licensing Conditions

Appendix 7: Site Map

1. Event Description

Mint Street Music Festival will be a free music festival in the park. The festival will showcase the talents of local bands, musicians, choirs and children performing music of varied genres. Taking place from 11.00am to 7.30pm, the festival will be child-friendly and will include opportunities for children to participate in dancing, singing and instrument making workshops. Local community groups will be invited to participate and to help publicise the festival. An audience of local people will be invited, with care taken to include diverse communities and those with accessibility requirements.

The festival has applied for support and funding from Southwark Council Neighbourhood Fund, Peabody and will be applying to United St Saviours and other funders.

2. Aim and Objectives

- Bring the community together to celebrate their local musical talents and get more people involved in music making
- Give opportunities for people to participate in a range of musical activities
- Make a positive difference in key areas of community development, skills development, employability and health and wellbeing.
- Improve lives by empowering individuals and strengthening the community.

3. Evacuation Procedures

In event of an emergency Stewards designated to each area of the park will be informed and will be briefed to evacuate the audience in via the nearest exit to their section of the park. The four areas of the park are:

- 1) The Mint Street Adventure Playground Sports Pitch and children's play area
- 2) The area from the outdoor gym area to Quilip Street
- 3) From Quilip Street to (and including the Marshalsea Road entrance
- 4) From the Marshalsea Road entrance to the Mint Street entrance (including the main stage).

Area 1 will use the Southwark Bridge Road exit, Area 2 will use

the Quilip Street exit, Area 3 will use the Marshalsea Road exit, Area 4 will use the Mint Street exit.

5) After evacuation, the assembly point is on Marshalsea Road, on the pavement across the road from Mint Street Park, between Ayres Street and Borough High Street.

4. Severe Weather and Event Cancellation

The stage will be covered and event crew will be briefed on keeping electrical equipment covered and safe in event of rain. In event of severe weather the Event Manager will take a decision on whether to cancel the event.

5. First Aid

First Aiders will be on site at all times with appropriate first aid kits. In the event of serious injury they will be briefed to call 999 for an ambulance and inform other event crew in accordance with the communication plan. Emergency vehicle access will be kept clear.

6. Fire Precautions and Equipment

London Fire Brigade will be consulted and will ensure that CO2 and water fire extinguishers are available at appropriate stations on site. We will have a designated Fire Marshal and who will be briefed about use of the fire safety equipment. Staff and volunteers will be briefed to call 999 in the event of a fire and to evacuate audience from the area via the designated exits. We will ensure that road access at Mint Street is kept clear for emergency vehicles during the event.

7. Communications

Staff and volunteers will be briefed on the communication strategy at a meeting prior to the event (date tbc). A sheet with mobile phone numbers of all staff and crew and numbers for external agencies (such as police) will be available and all festival crew members will be given a sheet with the organisational structure and relevant contacts at the start of the event. We will ensure that all key members of the crew have a mobile phone that is charged, kept switched on and on vibrate if in a noisy area of the park. The Event Manager and Volunteer Manager will be on site at all times as key contacts.

8. Waste Management

A number of bins are situated in the park and we will ensure that extra bin bags are provided at these areas during the day if bins

become full. Volunteers will be given litter picking sticks to help clean up on the day and Better Bankside Cleaning Team will be notified to visit the site when the event is over. A team from The Challenge youth group have volunteered to promote and sort items for recycling.

9. Toilets

The Lord Clyde pub will be asked to make their toilets available during the festival. Portaloos will be available near the Quilip Street exit to the park.

10. Lighting

As the event is taking place during daylight hours additional lighting should not be needed and the park will be cleared before dark.

11. Lost Children Policy

There will a clearly advertised point for information on lost children at the information stall at the back of the park (see site map).

If a lost child is found and reported to one of the event staff a message should be communicated to all event staff as per the communication plan. Two staff will then remain with the child at this point for a period of 10 minutes to allow for a possible quick reunification.

If after 10 minutes there has been no reunification then the child should be taken to the Information gazebo where a DBS checked member of staff will have been briefed to look after lost children. Staff will try to ascertain a description of the child's guardian, their name, mobile number if known and a description.

The child and the parent/s guardian should not be reunited until a match has been established. To this if a parent comes to the lost children's point claiming they have a lost child they must provide a signature and identification along with a description of their child, this could include age, clothing, hair colour, height etc. If there is any reluctance from the child to go with the adult then the police will be informed.

All incidents need be logged, ensuring all details are recorded.

12. Electrical safety

The generator will be operated by Furkan Chouhury.

13. Insurance

The event will be covered by Public Liability Insurance cover to a maximum of £5 million. Documentation will be provided to Southwark Council prior to the event.

14. Emergency Contact

Event Manager: Hannah Metcalfe – [REDACTED]

Mint Stage Manager: Rebecca Dilg – [REDACTED]

Adventure Stage Manager: Apple Peipei, [REDACTED]

Appendix 1: Event Schedule

	Main stage (all tbc)	Adventure Playground Muga	Acoustic busking pitch
11.00			
11.10			
11.20			
11.30		Capoeira – tbc.	
11.40			
11.50			
12.00	Welcome		
12.10	Blackfriars Nightingales 12:10-12:45	tbc	Acoustic performers, names tbc.
12.20			
12.30			
12.40	12:30 - 1:00 Diddi Dance		
12.50	Vienna Ditto tbc 12:55-1:15		
1.00			
1.10			
1.20		1:10 - 1:30 tbc	
1.30	Lady P tbc 1:30 - 2:05		
1.40			
1.50		1:35 - 2:00 Gennie Joy	
2.00			
2.10	Band of Holy Joy Tbc 2:15 - 2:35		
2.20		2:10 - 2:30 tbc	
2.30			
2.40			
2.50	Tbc 2:45 - 3:20	2:40 - 3:00 tbc	
3.00			
3.10			
3.20		3:10 - 3:40 Pioneer Dance	
3.30			
3.40	Tbc 3:30 - 3:45		
3.50		3:50 - 4:10 Boppin' Bunnies	
4.00			
4.10	Johnny Freyre & Kalima Project 4:00 - 4:40		
4.20		tbc	
4.30			

4.40			
4.50	4:50 - 5:25	4:50 - 5:20 tbc	
5.00			
5.10			
5.20			
5.30		tbc	
5.40			
5.50	Tbc	tbc	
6.00			
6.10			
6.20			
6.30	Tbc	tbc	
6.40			
6.50			
7.00	TBC	tbc	
7.10			
7.20			End
7.30	End		

Appendix 2: Stewarding and Security

Two security guards will be provided by Gallowglass Security Partners LLP. In addition two Community Wardens from Better Bankside will visit the site at intervals and the local police have been made aware of the event. Teams of Stewards will patrol the park, dividing the park in to four areas: The Mint Street Adventure Playground Sports Pitch and children's play area, the area from the outdoor gym to Quilip Street, from Quilip Street to the Marshalsea Road entrance and from the Marshalsea Road entrance to the Mint Street entrance (including the main stage). Stewards will be briefed prior to the event and familiarised with the Risk assessment. They will liaise with the Community Wardens and will call 999 in the event of an emergency.

Appendix 3: Roles and Responsibilities

Name	Role	Responsibility	Contact (Mobile and email)
Hannah Metcalfe	Event Manager	Overall responsibility	[REDACTED]
Furkan Chouhury	Technician, Mint Stage	Oversee PA on the main stage	[REDACTED]

			██████████
Daniel Blackburn	Technician, Adventure stage	Oversee PA for the Adventure stage	██████████
Rebecca Dilg	Stage/Area Manager, Mint Stage	Management of volunteers	██████████
tbc	First Aid	Trained First Aider	Probably from First Aid Cover Ltd
Luke Metcalfe	Fire Marshall	Oversee fire safety and use of fire safety equipment	██████████
Richard Ferriday (tbc)	Lost children supervisor	Look after lost children whose parents are not immediately located	██████████
Giles Turnbull	Security	Event security	Gallowglas Security, ██████████
Apple Peipei	Stage/Area Manager, Adventure Stage	Management of volunteers	██████████

Appendix 4: Key Contacts

Emergency services: 999

Better Bankside Cleaning Team: ██████████

Southwark Council's Warden Control Room: ██████████

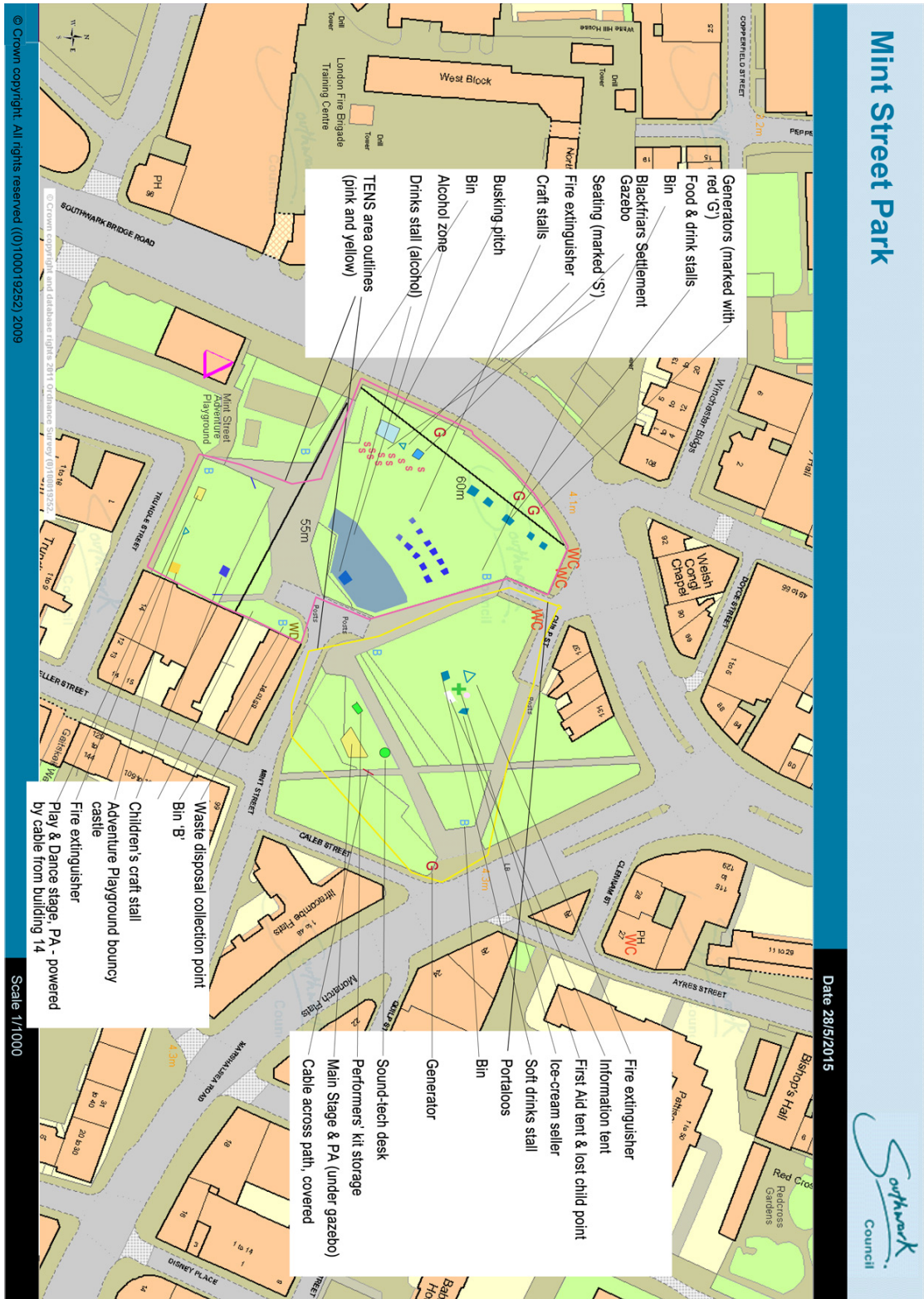
Appendix 5: Risk Assessments

See accompanying document MINT ST MUSIC FEST RISK ASSESSMENT.doc

Appendix 6: Licensing Conditions

Details to be added.

Appendix 7: Site Map



MINT STREET MUSIC FESTIVAL RISK ASSESSMENT

Date of event : 18/07/15		Date of Risk Assessment: 09/04/17	
Time of event for staff from 8am to 9.30pm. Time of event for public: 11am to 7:30pm		Prepared by: Hannah Metcalfe	
Responsible Parties: Hannah Metcalfe – Event Manager Furkan Chouhury – Technician/Stage Manager, main stage Daniel Blackburn - Technician/Stage Manager, Adventure stage Luke Metcalfe – Fire Marshall Rebecca Dilg – Stage/Area Manager First Aid – First Aid Cover Ltd 2 security wardens provided by Better Bankside	Activity: 1 day Music Event with bands, dancers and musicians performing live on the stage at Mint Street Park and music/dance performances on the sports pitch of Mint Street Adventure Playground.	Equipment: Kipor 5 kv Super Silent Diesel Generator Yamaha Stage PAS 500 Sound Stage	Work Area: Mint Street Park Southwark London SE1 1QP

Hazards & Risks	Control Measures	Calculation of Risk		
		People at Risk	Worst Outcome	Risk Factor
Set up and breakdown of PA Equipment Staff may suffer serious injury and back pain from carrying heavy equipment. Public could be harmed if they trip over objects during set up and breakdown	Area to be marshalled by staff and persons present will give due warning to general public to keep clear while PA equipment is installed and packed away. Equipment to be handled by trained event staff and performers only with no access or risk to the public. Event Manager will ensure that all event staff are trained to follow the correct procedure for lifting equipment and all other aspects of health and safety.	crew performers	Serious injury	Low
Hazards & Risks	Control Measures	Calculation of Risk		

		People at Risk	Worst Outcome	Risk Factor
<p>Trips, Slips & Falls</p> <p>Staff, musicians & public may suffer serious, possibly fatal, injuries if they fall or trip, or suffer injuries such as sprains and fractures if they slip on spillages, trip over objects etc.</p>	<p>Musicians and events staff will be briefed on the dangers of trip hazards and all cables will be fully secured at all times. The general public will not be able to access the stage area.</p> <p>The musicians will be told to take extra care when accessing the stage.</p> <p>The stage is a permanent low fixed platform and is regularly inspected and tested for safety.</p> <p>The Stage Managers will ensure that no liquids are allowed near the stage and equipment</p> <p>Electrical cables will be managed & secured so as not to pose a trip hazard</p>	crew performers	Serious injury	low
<p>Electric Shock</p> <p>Staff and public may suffer serious and possibly fatal electric shock/burns injuries from faulty electrical equipment or installation.</p>	<p>Trained Technicians only will be using the electrical equipment and members of the public will have no access to the generator and PA equipment.</p> <p>Electrical installation and all equipment inspected by a competent person according to a planned inspection programme, and maintained as necessary.</p> <p>Staff trained to spot and report any defective plugs, discoloured sockets, damaged cable and on/off switches and to take defective equipment out of use.</p> <p>Staff will know how to safely turn the electricity off in an emergency.</p> <p>Electrical equipment PAT (12 monthly) Visual checks on condition of cables and connectors. RCD protected.</p>	crew performers	fatality	low
<p>Fire</p> <p>Staff and public may suffer serious, possibly fatal, injuries from smoke inhalation, burns, structural collapse.</p>	<p>Fire extinguishers (dry powder) provided- minimum 13A rating. Luke Metcalfe is the Fire Marshall and responsible for making assessments of any fire and directing staff, performers and the public accordingly. He will assess any outbreak of fire and will call the emergency services if deemed necessary.</p> <p>There will be constant checks to ensure all control measures in fire risk assessment are in place.</p>	crew performers public	fatality	low
<p>Minor injuries / First Aid</p> <p>Staff, musicians and public may suffer from illness or accidents.</p>	<p>Our first aiders will be in attendance in designated areas at all times and will attend to any injury or accident. They will assess the seriousness and call emergency services if deemed necessary. First Aiders will wear hi-visibility jackets.</p>	crew performers public	minor	low

Persons at Risk	Potential Worst Outcome	Estimation of residual Risk		
<p>Security</p> <p>Staff and the public risk serious injury, if assaulted. Personal items could be stolen.</p>	<p>We will have 2 professional security guards. Local police will be notified and invited to attend the event.</p> <p>Security staff are trained to spot potential trouble makers, defuse tense situations etc.</p> <p>Security staff are watchful and vigilant and will minimize the risk of theft.</p>	crew performers public	minor	low
<p>Identification of Personnel & PPE</p> <p>Staff need to be visible to public and musicians</p>	<p>Hannah Metcalfe, the Event Manager, will be on site at all times to monitor risks and ensure that the correct safety procedure is carried out at all times.</p> <p>First Aid Cover Ltd will provide the on-site the Registered First Aider.</p> <p>They will all be carrying ID at all times. Stage Managers, First Aiders & Wardens will be wearing High Vis jackets.</p>	crew	minor	low
<p>Noise</p> <p>Staff may suffer permanent or temporary hearing damage from loud music</p>	<p>Noise levels will be monitored by Stage Managers and kept within safe levels. Staff trained in noise risks and the protective measures needed. Staff considered to be particularly at risk identified and provided with ear plugs.</p>	crew performers public	minor	low
<p>Weather</p> <p>Heavy rain could make equipment and stage areas unsafe</p> <p>Hot weather raises the risk of sunburn and heatstroke</p>	<p>Installation and performances will be stopped if conditions are extreme and not suitable for the safety of the performers, crew and public.</p> <p>First Aiders and stewards will be notified to look out for those at risk. Stewards will be able to direct festival goers to the drinking fountain and to find shade.</p>	crew performers	Serious	Low
		public	Serious	Low

Taking photographs	Designated volunteers to ask adults permission to take any photos of children and use in publicity material. Parents to sign permission form.	Public	minor	Low
Abuse or allegation of abuse of children	No staff/volunteers to be in secluded area alone with children.	Public	Serious	Low

Persons at Risk		Potential Worst Outcome		Estimation of residual Risk	
Crew	Event staff	Fatality	Accident resulting in death from injuries sustained	Medium	If imminent danger exists the work activity should be stopped immediately
Public	Members of the public, visitors, guests	Serious	Major injury, damage to health, serious property damage or fire	Low	Hazards will be controlled and minor injury unlikely
Performers	Performers other users of the stage	Minor	Minor Injury, minor property damage	Low	Hazards will be controlled and minor injury unlikely

Comments:

I can confirm that these risks have been assessed by us and we agree that they are acceptable.

We are able to confirm that the set up and breakdown will be done in accordance with the above Risk Assessment.

Risk Assessment written by

Approved by line manager:

Hannah Metcalfe

RECORD OF RECEIPT

I, the undersigned, hereby certify that I have received information relating to the attached risk assessment, that I understand the contents thereof, and will comply with and use the control measures as stated. I will raise any issues relating to the assessment with my line manager.

Name	Signature	Date	Comments

Orton, Mark

Subject: FW: x2 TENS Mint Street Festival. EPT representation
Attachments: Event-Plan-Mint-Street-Music-Festival-2017.docx

From: Prickett, Mark
Sent: Tuesday, June 13, 2017 1:12 PM
To: Regen, Licensing
Cc: Mills, Dorcas; Orton, Mark; [REDACTED]
Subject: x2 TENS Mint Street Festival. EPT representation

Dear Licensing,

The Environmental Protection Team have reviewed the x2 TEN applications applied for by Hannah Metcalfe for the Mint Street Musical Festival.

The applicant is “applying for two licences to cover the full area of the park”. The event is described as “Mint Street Music Festival is a free, non-profit family-friendly community festival. The area covered by this TEN will include live music and dance displays on the Mint Street Muga (sports pitch) and food and drink stalls, including three stalls selling alcohol, plus some community group information stalls”.

One TEN application “is for the area from the path across the park from the Quilip Street entrance to the Mint Street entrance, including the Muga area”. The other “is for the area from the path between Quilip Street and Mint Street to the Marshalsea Road entrance, including the wooden stage area”. A map is attached at the end of the management plan attached.

Both TEN applications seek the sale by retail of alcohol and the provision of regulated entertainment between 11:30 – 19:30 on Saturday 15th July 2017 for 499 persons.

EPT STANCE

Both TEN applications seek to licence 1 larger event, the Mint Street Musical Festival, for a combined total of 998 persons. This exceeds the 499 person limit for an event to be licensed under a TEN and therefore undermines the Licensing Act and associated s.182 Guidance.

Exceeding the 499 event capacity limit crates a risk that licensing objectives, specifically prevention of crime and disorder, public safety, and the prevention of public nuisance will not be upheld.

As such EPT **raise objection** to the x2 TEN applications.

EPT note that previous Mint Street Festival events have been permitted to take place via TEN applications in the past. EPT note that in 2015 a premises licence time limited application was also applied for initially.

EPT have recently raised the issue of multiple TEN applications being submitted to licence one larger event, and as such it is now agreed that all such applications should be objected to and brought before Southwark’s Licensing Sub-Committee.

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
Tel: 020 7525 0023

Postal address: Southwark Council, Environmental Protection Team, Regulatory Services, 3rd Floor Hub 1, PO Box 64529, London, SE1P 5LX

Office address (By appointment only): Southwark Council, 160 Tooley Street, London, SE1 2QH

visit: <http://www.southwark.gov.uk/air-quality>

<http://www.llecp.org.uk/> - London Low Emission Construction Partnership



Please consider the environment - do you really need to print this email?



TEN area 2 (orange border)
 Bin
 Cocktail Taxi
 Sponsors/community gazebos
 'Stars' stage
 Alcohol control zone
 Food stalls
 Lost Rivers Brewery stall
 Wine stall (t.b.c.)
 Generators (marked 'G')
 Bin
 Portaloos by the Quilip Street park entrance.

**Quilip/Marshalsea/Mint
 Black hi-vis x2**

**Market/ Stars area
 Orange hi-vis x2**

TEN area 1 (pink border)
 Fire extinguisher
 Information tent
 First Aid tent & lost child point
 Organisers:
 Yellow/ blue hi-vis x2
 Survey volunteers:
 Yellow/ green hi-vis x2
 Bin
 Generator
 Sound-tech desk
 Cable across path, covered
 Performers' kit storage
 Main Stage & PA (under gazebo)

**Waste disposal collection point
 Bin 'B'**
 Children's craft stall
 Adventure Playground bouncy castle
 Fire extinguisher
 Play & Dance stage, PA - powered by cable from building 14

**Adventure Stage area
 Blue Hi-Vis x4**

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