

Licensing Sub-Committee

Monday 31 July 2017

10.00 am

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

Supplemental Agenda No.1

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Contact

Andrew Weir on 020 7525 7222 or email: andrew.weir@southwark.gov.uk
Webpage: www.southwark.gov.uk

Date: 25 July 2017

Item No. 7.	Classification: Open	Date: 31 July 2017	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: The Anchor Bankside, 34 Park Street, London SE1 9EF – Temporary Event Notice	
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 a temporary event notice (TEN) 853428 served by Mr Michael Heneghan in regards to an event to be held at Anchor Bankside, 34 Park Street, London SE1 9EF on Friday 11 August 2017 between 15.00 and 23.00.

BACKGROUND INFORMATION

The Licensing Act 2003

2. On 24 November 2005 the Licensing Act 2003 established 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 15 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 19 July 2017 the TEN was served by Mr Michael Heneghan in respect of an event intended to be held at The Anchor Bankside, 34 Park Street, London, SE1 9EF. Mr Heneghan is a personal licence holder. He has not stated in his application if he is connected to the venue. A copy of the TEN is attached to this report as Appendix A.
14. The TEN is summarised as follows:
 - TEN 853428 A music event for charity that will take place both inside and outside the venue. To allow the on and off sale of alcohol between 15.00 and 23.00, and to allow the provision of regulated entertainment between 15.00 and 23.00, on Friday 11 August, 2017. The applicant has also asked for late night refreshment during these times. However, these times are not times for which an authorisation to supply food is required. The venue has a premises licence which allows it to be open and provide licensable activities before 15.00 and after 23.00, so there may be licensable activities going on both before and after the event. A maximum of 498 people are expected at the event at any one time.

The objection notices

15. On 19 June 2017 Southwark Council's environmental protection team served an objection notice in respect of the TEN.
16. The objection notice states that the application is for an outdoor stage that will be in use from 15.00 to 23.00. The environmental team is concerned that this will lead to the occurrence of public noise nuisance, contrary to the licensing objective of the prevention of public nuisance.
17. The environmental protection team make the following points in support of their objections:
 - An artist's impression has been submitted with the application, showing two large speaker stacks next to a small stage. There is no site plan showing exactly where the stage will be in relation to the outside bar area of the venue, or the pedestrian area alongside Bankside.
 - No information has been provided on how long live or amplified music will be played, how noise levels will be controlled, and what measures are in place to prevent public nuisance.
18. A copy of the environmental protection team objection notice is attached to this report in Appendix B.

TENs History

19. The Anchor Bankside has not previously applied for a TEN.

Premises history

20. The venue is a pub with restaurant facilities. It has an outside bar area.
21. The licensing department's records have been searched back to the beginning of 2015. No complaints have been made against the venue during that time. Inspections and other visits to the venue have not revealed any licensing offences.

Premises Licence

22. Details of current premises licence:
 - **Opening hours of the premises**
 - Monday to Sunday from 06.30 to 02.00 the following day.
 - **Late night refreshment**
 - Monday to Sunday from 23.00 to 00.30 the following day.
 - **Sale by retail of alcohol to be consumed on premises**
 - Monday to Sunday from 07.00 to 01.00 the following morning.

- **Sale by retail of alcohol to be consumed off premises**
 - Monday to Sunday from 07.00 to 01.00 the following day.
- **Live music**
 - Monday to Sunday from 11.00 to 01.00 the following day.
- **Recorded Music**
 - Monday to Sunday from 06.30 to 01.00 the following morning.

23. The current premises licence is attached as Appendix C.

Licensing visit history

24. None of the inspections, and visits, going back to the beginning of 2015, have revealed any licensing offences at the venue.
25. A map showing the location of the premises is attached to this report as Appendix D. The premises are shown as the shaded area on the map.

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 the 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 Home Office revised guidance on conditions.

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	Environmental protection team representations
Appendix C	Premises licence
Appendix D	Map of location

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration		
Report Author	Alexander Lisowski, Licensing Enforcement Officer		
Version	Final		
Dated	24 July 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		24 July 2017	

19/07/2017

Business - Temporary events notices

Ref No. 853428

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	Mr
If other, Please state	
Surname	Heneghan
Firstname(s)	Michael

2. Previous names

Title	
If other, Please state	
Surname	
Firstname(s)	

3. Your date of birth

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4. Your place of birth

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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	London

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	34 PARK STREET
Address Line 2	
Town	LONDON

County	
Post code	SE1 9EF

Ordnance Survey grid reference

	180395532449
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If there is no recognised Post code, please enter the address for the premises

Address Line 1	
Address Line 2	
Town	
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	840931
Club premises certificate number	N/A

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)

--	--

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

	It is a public house/restaurant with an outdoor bar.
--	--

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

	Greene King are holding a outdoor music event for charity that is going to situated in our pub and outdoors of it.
--	--

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	Radio-xGreene-King-london-28The-Charlatans-29-.jpg
Document 2	
Document 3	
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 <input type="checkbox"/> The provision of late night refreshment
--	---

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

	11th August 2017
--	------------------

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)

	15.00 - 23.00
--	---------------

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)

	498
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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)

	Both
--	------

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?

	Yes
--	-----

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

Issuing licensing authority	Borough Of Brent
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	No Issue date and no expiry date

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?

	No
--	----

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

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

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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
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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.

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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

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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	34 PARK STREET, , SE1 9EF
PaymentAmountInMinorUnits	2100
AuthCode	941225
LicenceReference	
PaymentContactEmail	

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.

From: Regen, Licensing
To: Lisowski, Alexander
Subject: FW: TEN - Anchor Bankside, EPT rep
Date: 20 July 2017 12:06:07
Attachments: 853428.pdf

From: Prickett, Mark
Sent: Thursday, July 20, 2017 11:49 AM
To: Regen, Licensing
Cc: [REDACTED] 'SouthwarkLicensing@met.police.uk'
Subject: TEN - Anchor Bankside, EPT rep

Dear Licensing,

The Environmental Protection Team (EPT) has reviewed the TEN application for The Anchor Bankside, 34 Park Street, SE1.

The application seeks the sale by retail of alcohol, the provision of regulated entertainment & provision of late night refreshment between 15:00 – 23:00 on Friday 11th August.

The event is described as *"Greene King are holding a outdoor music event for charity that is going to be situated in our pub and outdoors of it."*

SITE CONTEXT

The Anchor Bankside's premises licence can be found through the following link;
<http://app.southwark.gov.uk/Licensing/LicPremisesGrantedDetails.asp?systemkey=840931>

The premises licence only permits regulated entertainment indoors.

Condition 344, whilst relating to external bar use, requires management to draw up an operating plan for when the outdoor area will be in use by patrons.

EPT CONCERNS

The TEN application is for a outdoor music stage to be in use from 15:00 – 23:00.

The artists impression plan submitted with the application shows 2 large speaker stacks next to a small stage. There is no site plan showing exactly where this stage will be in relation to the outside bar area & the pedestrian area along Bankside/river walk.

There is also no information on how long the band will be on / how long amplified music will be playing for, nor any information relating to how noise levels will be controlled and what measures will be in place to prevent public nuisance?

It is also believed that late night refreshment need not be applied for as the event is not going beyond 23:00.

As such, EPT have concerns at present and with lack of information that public noise nuisance will likely occur if this event goes ahead. EPT therefore **raise objection** to this TEN application.

EPT will be happy to review further information if submitted in due course.

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



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MAYOR OF LONDON

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Licensing Act 2003 Premises Licence

20

Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

840931

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
THE ANCHOR BANKSIDE 34 Park Street London SE1 9EF Ordnance survey map reference (if applicable), 180395532449	
Post town London	Post code SE1 9EF
Telephone number 020 7407 1577	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Live Music
Recorded Music
Entertainment Similar to live/recorded music
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	06:30 - 02:00
Tuesday	06:30 - 02:00
Wednesday	06:30 - 02:00
Thursday	06:30 - 02:00
Friday	06:30 - 02:00
Saturday	06:30 - 02:00
Sunday	06:30 - 02:00

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

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 - 01:00

Recorded Music

Monday	06:30 - 01:00
Tuesday	06:30 - 01:00
Wednesday	06:30 - 01:00
Thursday	06:30 - 01:00
Friday	06:30 - 01:00
Saturday	06:30 - 01:00
Sunday	06:30 - 01:00

Entertainment Similar to live/recorded music

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 - 01:00

Late Night Refreshment - Indoors

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

Sale by retail of alcohol to be consumed on premises

Monday	07:00 - 01:00
Tuesday	07:00 - 01:00
Wednesday	07:00 - 01:00
Thursday	07:00 - 01:00
Friday	07:00 - 01:00
Saturday	07:00 - 01:00
Sunday	07:00 - 01:00

Sale by retail of alcohol to be consumed off premises

Monday	07:00 - 01:00
Tuesday	07:00 - 01:00
Wednesday	07:00 - 01:00
Thursday	07:00 - 01:00
Friday	07:00 - 01:00
Saturday	07:00 - 01:00
Sunday	07:00 - 01:00

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

Spirit Pub Company (Services) Limited
 Westgate Brewery
 Bury St Edmonds
 Suffolk
 IP33 1QT
 01284 763222
licensingqueries@spiritpubcompany.com

Registered number of holder, for example company number, charity number (where applicable)

[REDACTED]

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

John Gohery
 [REDACTED]
 London
 [REDACTED]

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. [REDACTED]
 Authority L.B Westminster

Licence Issue date 06/06/2013



Community Safety Enforcement
 Business Unit Manger
 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.

107 Any individual carrying out security activities at the premises must be.

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act.

485 (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children

(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(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;

(d) provision of free or discounted alcohol in relation to the viewing

on the premises of a sporting event, where that provision is dependent on-

(i) the outcome of a race, competition or other event or process; or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters 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.

486 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).

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

488 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

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: ½ pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures

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 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

112 This licence allows for the premises to remain open for late night refreshment for non standard timings - to 0300 hours - as stated on the days below:

For statutory Bank Holiday weekend periods - Friday, Saturday, Sunday and Monday
For Thursday prior to Good Friday and For Christmas Eve

113 This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings - up to 0300 hours – as stated below on the following days :

For statutory Bank Holiday weekend periods - Friday, Saturday, Sunday and Monday
For Thursday prior to Good Friday and For Christmas Eve

114 This licence allows for the premises to extend the following licensable activities for non standard timings - up to 0200 hours - as stated below on the following days: Provision of regulated entertainment - Live Music, Recorded Music, and Anything of a similar description; and Provision of Entertainment Facilities – Dancing For statutory Bank Holiday weekend periods - Friday, Saturday, Sunday and Monday For Thursday prior to Good Friday and For Christmas Eve

137 Free drinking water shall be provided at all times.

288 That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

289 That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

293 All bar staff shall be trained in the aims and objectives of the licensing laws and a record of the dates and names of the staff trained kept.

294 Toughened glass shall be used for the service of drinks

309 That all musicians and DJs must play electrically amplified music/audio/PA through a sound cut out device. The cut-out device shall be maintained at levels set to the satisfaction of the Council's Noise Team

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

311 That Suitable notices should be displayed at each exit to remind customers to leave the premises in a quiet and orderly manner.

315 That the Patio Area shall be closed and cleared by 0100 hours

323 That the management make regular checks internally and externally to limit any noise pollution when entertainment is being offered on the premises

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

337 On no more than 12 occasions per calendar year and following 10 working days notice to the Police and the Council the hours for the provision of licensable activities currently provided at the premises may be extended to such time as agreed with the Police, the Police having final veto to any such application.

340 All instances of crime and disorder will be reported to the police and will be kept in an incident log book

341 That between 0700 and 0900 hours, alcohol will only be sold to hotel residents or their bonafide guests

342 At least one SIA registered member of staff shall be on duty Monday - Sunday from 17.30 until the premises is closed. All SIA registered staff will be easily identifiable at all times whilst on duty, both inside and outside the premises. Their responsibilities will include high visibility patrols of all public areas of the premises and providing crime prevention advice to customers.

343 Staff should check all outside areas on a regular basis and ensure all unused glasses and bottles are removed or disposed of safely, this should include the areas surrounding and adjacent to the patio area including the river wall

294 That all beverages served in the external areas of the premises will be decanted into plastic / polycarbonate receptacles and that customers will not be permitted to consume beverages in the external areas of the premises via glass receptacles of any description. No glassware is to be used by customers at any time in any external area of the premises.

344 That prior to the operation of any outside bar(s) at the premises initially commencing the premises manager will draw up an operating plan for the management and use of the outside area(s) and outside bar(s).

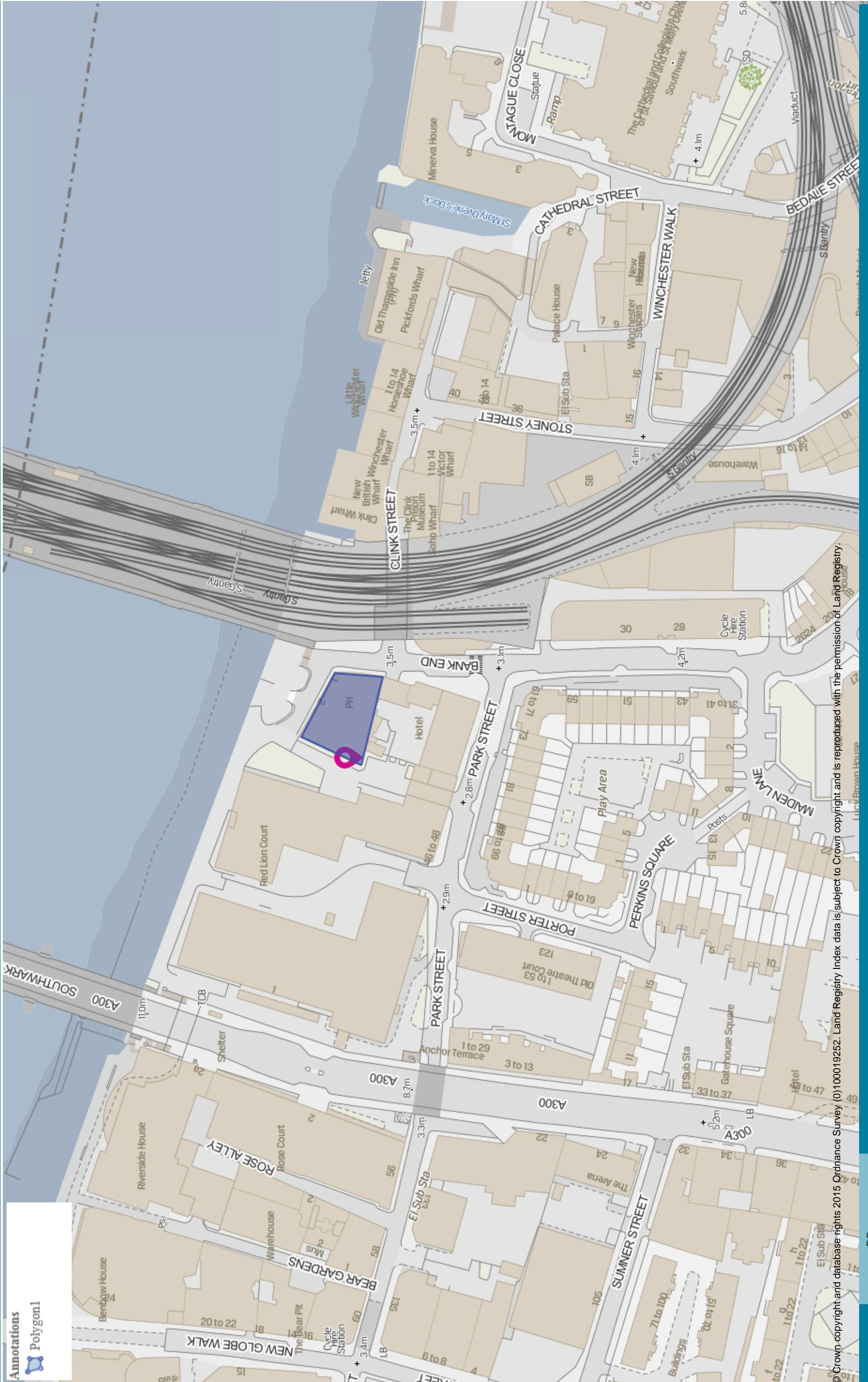
This document will include in it any conditions of this licence which relate to the use of the outside area(s) and will also detail how staff are to implement / manage those conditions. This document will be signed by the manager and staff that work in the outside area(s) to ensure that they are aware of its contents. This document will be made available to the police and licensing authority on reasonable request.

345 That all empty plastic containers are to be regularly cleared away within a 20 (twenty) minutes of becoming empty.

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

Annex 4 - Plans - Attached

Licence No.	840931
Plan No.	1954-80 220413
Plan Date	20 Dec 2007 April 2013



LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18

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