

## Licensing Sub-Committee

Monday 11 September 2017

10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1  
2QH

## Supplemental Agenda No.1

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### Contact

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Date: 8 September 2017

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 11 September 2017	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: 133 Copeland Road, London SE15 3SN – Temporary Event Notices	
<b>Ward(s) or groups affected:</b>		The Lane	
<b>From:</b>		Strategic Director of Environment and Social Regeneration	

### RECOMMENDATION

1. That the sub-committee decide whether or not to issue counter notices in respect of two temporary event notices (TENs) 860028, 860030 served by Miss Kelly Stewart & Mrs Lori Wilson, in regards to events to be held at two individual locations at 133 Copeland Road, London, SE15 3SN.

#### Notes:

2. Temporary Event Notice 860028 has been submitted for 133 Copeland Road, London SE15 3SN (Copeland Square) on 15 September from 17:00 to 22:00 and on 16 and 17 September 2017 from 12:00 to 22:00.
3. Temporary Event Notice 860030 has been submitted for Copeland Gallery, 133 Copeland Road, London SE15 3SN on 15 September 2017 from 18:00 to 02:00, 16 September 2017 from 12:00 to 02:00 and 17 September 2017 from 12:00 to 00:00.

### BACKGROUND INFORMATION

#### The Licensing Act 2003

4. 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.
5. The Act established a process for the giving of “temporary event notices” (TENs).
6. 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.
7. 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.

8. 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.
9. No premises may be used for temporary events that are less than 24 hours apart.
10. 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.
11. 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.
12. A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.
13. 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.
14. 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**

15. On 11 August 2017 two separate TENs were served by Miss Kelly Stewart & Mrs Lori Wilson in respect of an event intended to be held at various sites located at Copeland Road Industrial Park.
16. The site locations as per the TENs which have been submitted to Southwark Council Licensing are detailed in TENs applications as 133 Copeland Road, London, SE15 3SN (Copeland Square) and Copeland Gallery, 133 Copeland Road, London SE15 3SN.

17. Copies of the TENs are attached to this report as Appendix A and B.
18. The TENs are summarised as follows:
  - 133 Copeland Road, London, SE15 3SN (Copeland Square) - TEN 860028: To allow the sale of alcohol to be consumed On the premises and the provision of regulated entertainment on 15 September - 17:00hrs to 22:00hrs on 16 and 17 September 2017 – 12:00hrs to 22:00hrs. 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.
  - Copeland Gallery,133 Copeland Road, London, SE15 3SN - TEN 860030: To allow the sale of alcohol to be consumed On the premises, the provision of regulated entertainment and the provision of late night refreshment on 15 September 2017 -18:00hrs to 02:00hrs, 16 September 2017 -12:00hrs to 02:00hrs and 17 September 2017 – 12:00hrs to 00:00hrs. The maximum number of people expected at any one time at the premises is 499. The activities are to take place On & Off the premises only.

### **The objection notices**

19. On 14 August 2017 the environmental protection team (EPT) served objection in respect of the TENs.
20. The EPT objection has been made on the grounds crime prevention objective EPT state that if granted in the current format, there would be more than 499 people in the audience for outdoor entertainment on Copeland Square, and therefore it is likely that licensing offences would be committed.
21. EPT also state that they object on the grounds of the prevention of public nuisance objective that the TENs requested to authorise activities in respect of what is clearly one event (see attached event plan). Artificially dividing the area into smaller plots of 499 people each as a device to avoid the need for a premises licence, prevents public consultation taking place, and as all relevant considerations in respect of an event of over 499 capacity may not have been considered, increases the risk of public nuisance.
22. A copy of the EPT objection is attached to this report in Appendix C.

### **TENs History**

23. On 9 June 2017 a TENs was served in respect of an event intended to be held at Copeland Gallery, 133 Copeland Road, London, SE15 3SN.
24. The TEN is summarised as follows:
  - Copeland Gallery (9L), Unit 9L, 133 Copeland Road, London, SE15 3SN - TEN 859126: To allow the sale of alcohol to be consumed on & off the premises, provision of regulated entertainment on 21 July 2017 between 12:00hrs – 00:00hrs, 22 July 2017 between 12:00hrs – 02:00hrs and the 23 July 2017 between 00:00hrs and 02:00hrs. The maximum number of people

expected at any one time at the premises is 499. The activities are to take place on & off the premises only.

25. On 13 June 2017 the environmental protection team (EPT) served objection in respect of the TENs.
26. The EPT objection was made on the grounds that the TEN submitted was as a way to exceed the 499 capacity limit, which therefore undermines the Licensing Act.
27. EPT also stated that the TEN submitted exceeded 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.
28. The objected TENs application went before licensing sub-committee on 27 June 2017.
29. The TEN was granted at licensing sub –committee on 27 June 2017. A copy of the licensing sub – committee decision notice is attached to this report as Appendix E.
30. Below is the recent history of TENs which have been submitted over the last year for locations specified by the applicant in TENs applications at the site of 133 Copeland Road, London, SE15 3SN.

**Copeland Gallery (9L), Unit 9L, 133 Copeland Road, London, SE15 3SN**

No.	Premises user	Date of event	Time of event and activities
1	Simon Cotton	22/07/2017 to 23/07/2017	12:00hrs - 02:00hrs  Sale by retail of alcohol to be consumed on & off the premises  Provision of Regulated Entertainment
2	Simon Cotton	21/07/2017 to 23/07/2017	21st 12:00hrs - 00:00hrs 22nd 12:00hrs- 02:00hrs 23rd 00:00hrs - 02:00hrs  Sale by retail of alcohol to be consumed on & off the premises Provision of Regulated Entertainment.

3	Sophie Nathan	20/05/2017 to 21/05/2017	00:00hrs - 02:00hrs (Each Day)  Sale by retail of alcohol to be consumed on the premises  Provision of Regulated Entertainment
4	Jack Callum Wilkinson	12/05/2017 to 16/05/2017	Start - Friday 12th May 2017 - 1200hrs End - Tuesday 16th May 2017 - 01:00hrs  Sale by retail of alcohol to be consumed on & off the premises  Provision of Regulated Entertainment  Provision of Late night Refreshment
5	Tom Joseph Middleton	From 22/04/2017 to 23/04/2017	12:00hrs to 04:00hrs  Sale by retail of alcohol to be consumed on the premises  Provision of Regulated Entertainment  Provision of Late night Refreshment
6	Joao Soares Neto	01/10/2016 to 02/10/2016	11:00hrs - 18:00hrs both days  Sale by retail of alcohol to be consumed on & off the premises
7	Christopher Vaughan	08/07/2016 to 08/07/2016	18:00hrs – 00:00hrs  Sale by retail of alcohol to be consumed on premises  Provision of Regulated Entertainment  Provision of Late night Refreshment

8	Glenn Middleditch	13/05/2016 to 15/05/2016	<p>13/05/2016 11:00hrs - 04:00hrs  14/05/2016 11:00hrs - 23:00hrs  15/05/2016 11:00hrs - 22:00hrs</p> <p>Sale by retail of alcohol to be consumed on the premises</p> <p>Provision of Regulated Entertainment</p> <p>Provision of Late night Refreshment</p>
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### Premises history

31. The premises licence for Roof A, Bussey Building, Rear 133 Rye Lane, London, SE15 4ST was granted on 1 July 2013. The premises operates as a bar located on the rooftop of the Bussey Building.
32. The current premises licence holder is a Mr Jonathan Wilson and Mrs Lorelie Wilson. The designated premises supervisor of the premises is a Mr Gerry Cottle.

### Premises Licence

33. 133 Copeland Road, London, SE15 3SN (Carpark) and Copeland Gallery (9L), Unit 9L, 133 Copeland Road, London, SE15 3SN do not currently benefit from a premises licence.
34. Details of the current premises licence for Bussey Building (D), Block A Roof Top Rear of D, 133 Copeland Road, London, SE15 3SN is detailed below;
  - **Licensable activities authorised by the licence**
    - Plays – Outdoors
    - Films - Outdoors
    - Live Music - Outdoors
    - Sale by retail of alcohol to be consumed on premises
  - **Opening hours of the premises**
    - Monday to Sunday 12:00 - 00:00
  - **Plays – Outdoors**
    - Monday to Sunday 12:00 - 00:00
  - **Films - Outdoors**
    - Monday to Sunday 12:00 - 00:00
  - **Live Music - Outdoors**
    - Monday to Sunday 12:00 - 22:00
  - **Sale by retail of alcohol to be consumed on premises**
    - Monday to Sunday 17:00 - 23:00

35. This current premises licence for Bussey Building (D), Block A Roof Top Rear of D, 133 Copeland Road, London, SE15 3SN is attached as Appendix D.

### Licensing visit history

36. No licensing enforcing visits have been made to the premises in the last 12 months.

### The local area

37. A map of the area is attached to this report as Appendix F. The premises are identified at the centre of the map in hatch blocking. The following licensed premises are also shown on the map:

- **PECKHAMPLEX, 95A Rye Lane, SE15 4ST** licensed for:

The provision of films on Sunday to Thursday between 09:00 and 00:00 (midnight) and on Friday and Saturday between 09:00 and 02:00.

Sale of alcohol to be consumed on the premises on Monday to Thursday between 14:00 and 22:00 and on Friday to Sunday between 12:00 and 23:00.

- **Roof B (Bussey Building), 133 Copeland Road SE15 3SN** licensed for:

The sale of alcohol to be consumed on the premises on Monday to Friday between 17:00 and 22:30 and on Saturday between 12:00 and 22:30.

The provision of films on Monday to Sunday between 12:00 and 00:00.

The provision of live music on Monday to Sunday between 12:00 and 22:00.

The provision of plays on Monday to Sunday between 12:00 and 23:00.

- **CLF Art Café, 133 Copeland Road, London, SE15 3SN** licensed for:

The sale of alcohol to be consumed on the premises Monday to Wednesday between 09:00 and 23:00, Thursday 09:00 to 02:30 and Friday and Saturday 09:00 to 06:00.

Late Night Refreshment on Thursday 23:00 to 02:30 and Friday and Saturday 23:00 to 06:00.

The provision of films premises Monday to Wednesday between 09:00 and 23:00, Thursday 09:00 to 02:30 and Friday and Saturday 09:00 to 06:00.

Recorded music Monday to Wednesday between 09:00 and 23:00, Thursday 09:00 to 02:30 and Friday and Saturday 09:00 to 06:00.

Performance of Dance Monday to Wednesday between 09:00 and 23:00, Thursday 09:00 to 02:30 and Friday and Saturday 09:00 to 06:00.



Entertainment Similar to live/recorded music Monday to Wednesday between 09:00 and 23:00, Thursday 09:00 to 02:30 and Friday and Saturday 09:00 to 06:00.

The provision of live music Monday to Wednesday between 09:00 and 23:00, Thursday 09:00 to 02:30 and Friday and Saturday 09:00 to 06:00.

The provision of plays Monday to Wednesday between 09:00 and 23:00, Thursday 09:00 to 02:30 and Friday and Saturday 09:00 to 06:00.

- **Forza Win Ltd, Unit 4.1, Copeland Industrial Park, 133 Copeland Road, SE15 3SN** licensed for:

The sale of alcohol to be consumed on the premises on Wednesday to Saturday between 12:00 and 23:30 and on Saturday between 12:00 and 22:30.

- **The Last Refuge Arts, 133 Unit, 9a Copeland Road, SE15 3SN** licensed for:

The provision of films on Monday to Friday between 18:00 and 00:00 and on Saturday and Sunday between 12:00 and 00:00.

The sale of alcohol and the provision of live music and recorded music on Monday to Friday between 17:30 and 00:00 and on Saturday and Sunday between 14:30 and 00:00.

The provision of plays on Monday to Friday between 19:30 and 22:30 and on Saturday and Sunday between 14:30 and 22:30.

- **Frank's Café, Levels 9 & 10, Peckham Multi Story Car Park, 95A Rye Lane, London, SE15 4ST** licensed for:

The sale of alcohol to be consumed on the premises on Monday to Sunday between 11:00 and 23:00.

- **Frank's Café, Levels 7 & 8, Peckham Multi Story Car Park, 95A Rye Lane, London, SE15 4ST** licensed for:

The sale of alcohol to be consumed on the premises Tuesday to Friday 17:00 to 23:00 Saturday 12:00 to 23:00 and Sunday 12:00 to 22:00.

- **Bold Tendencies, Levels 7 & 8, Peckham Multi Story Car Park, 95A Rye Lane, London, SE15 4ST** licensed for:

The provision of live and recorded music to Friday 17:00 to 23:00 Saturday 12:00 to 23:00 and Sunday 12:00 to 22:00.

- **Rye Express, 137-139 Unit 1 Rye Lane SE15 4ST** licensed for:

The sale of alcohol to be consumed off the premises Monday to Sunday 08:00 to 00:00.

- **John The Unicorn, 157-159 Rye Lane, SE15 4TL** licensed for:

The sale of alcohol to be consumed on the premises Sunday to Thursday 11:00 to 00:00 and Friday to Saturday 11:00 to 01:00.

The provision of late night refreshment Sunday to Thursday 23:00 to 00:00 and Friday to Saturday 23:00 to 01:00.

- **Iceland Frozen Foods, 74 Rye Lane, SE15 5DQ** licensed for:

The sale of alcohol to be consumed off the premises Monday to Saturday 08:00 to 23:00 and Friday to Saturday 10:00 to 22:30.

- **Ali Baba Bar, 133 Copeland Road** licensed for:

The sale of alcohol to be consumed on the premises Friday 16:00 to 22:45 and Saturday and Sunday 12:00 to 22:45.

The provision of live and recorded music Friday and Saturday 18:00 to 23:00 and on Sunday 12:00 to 22:30.

### **Policy considerations**

38. 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**

39. 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**

40. 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.
41. In considering the TENs in terms of community impact the sub-committee must restrict its considerations to this matter.

### **Resource implications**

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

### **Consultation**

43. 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**

44. 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.
45. The principles which sub-committee members must apply are set out below.

### **Principles for making the determination**

46. 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.
47. 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.
48. 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**

49. 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
50. 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**

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

### **Hearing procedures**

52. 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.
53. 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.
54. 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.

55. 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.
56. 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.
57. 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.
58. 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

59. 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

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

### 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**

<b>No.</b>	<b>Title</b>
Appendix A	Temporary event notice - 133 Copeland Road, London, SE15 3SN (Copeland Square)
Appendix B	Temporary event notice - Copeland Gallery, 133 Copeland Road, London, SE15 3SN
Appendix C	Environmental protection team objection
Appendix D	Copy of current premises licence (Bussey Building (D), Block A Roof Top Rear of D, 133 Copeland Road, London, SE15 3SN)
Appendix E	Licensing sub-committee decision from 27 June 2017
Appendix F	Map of the area

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Social Regeneration	
<b>Report Author</b>	Richard Kalu, Licensing Enforcement Officer	
<b>Version</b>	Final	
<b>Dated</b>	24 August 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	<b>No</b>	<b>No</b>
<b>Date final report sent to Constitutional Team</b>	24 August 2017	

11/08/2017

Business - Temporary events notices

Ref No. 866326

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	Miss
If other, Please state	
Surname	Stewart
Firstname(s)	Kelly

## 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

	██████████
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## 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	Site Office, Copeland Park
Address Line 2	R/O 133 Rye Lane
Town	Peckham
County	London
Post code	SE15 4ST

## 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

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

Address Line 1	Copeland Square
Address Line 2	R/O 133 Rye Lane
Town	Peckham, London SE15 4ST
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)

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

	Copeland square is central to the site and is beginning to be a hub for markets with a number of small independent food traders applying to trade on a weekly basis. It is a multi use outdoor event space enclosed on all 4 sides by Copeland Park property and has been used in the past for performances.
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Please describe the nature of the event below. (Please read note 5)

	Copeland Square Live. A mini cultural/music festival, incorporating local musicians/performers.
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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	
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
--	---

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

	15th September 2017 - 17th September 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)

	15th September - 17:00 - 22:00 (5 hours) 16th September - 12:00 - 22:00 (5 hours) 17th September - 12:00 - 22:00 (10 hours)  20 hours in total
--	--

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?

	Yes
--	-----

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

	2
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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
--	----

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	██████
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.

11/08/2017

Business - Temporary events notices

Ref No. 866329

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	Mrs
If other, Please state	
Surname	Wilson
Firstname(s)	Lori

## 2. Previous names

Title	
If other, Please state	
Surname	Bell
Firstname(s)	

## 3. Your date of birth

	██████████
--	------------

## 4. Your place of birth

	London
--	--------

## 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	Site Office
Address Line 2	Copeland Park R/O 133 Rye Lane
Town	Peckham, London



County	
Post code	SE15 4ST

## 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	Copeland Gallery, R/O 133 Rye Lane
Address Line 2	Peckham
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)

--	--

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

	Copeland Gallery is an industrial warehouse space used predominantly as a gallery for art exhibitions, some 400 metres from the main road of Rye lane and used as a multi-purpose events space incorporating markets, musical performances including Opera, film shoots, community outreach projects, charity and bespoke events.
--	---

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

	Peckham Festival. A local community event with musicians, artists, and creative groups.
--	---

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	
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)

	15th September 2017 - 17th September 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)

	15th September - 18:00 - 02:00 (8 hours) 16th September - 12:00 - 02:00 (14 hours) 17th September - 12:00 - 00:00 (14 hours)  Total 36 hours
--	--

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

	4
--	---

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	██████
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: Newman, Paul

Sent: Monday, August 14, 2017 3:42 PM

To: Regen, Licensing

Cc: xxxxxxxxx

Subject: TENs

I wish to object to the two attached TENs, EPT refs 860448 (Copeland Square), and 860451 (Copeland Gallery); a third TEN for Bussey roof D applied for earlier, has already been issued.

These TENs are planned as part of Peckham Festival. I have been shown an event plan and email correspondence (attached) from the organiser and Neil Kirby, which indicates that this event is expected to have an attendance of over 1,200, and acknowledges that a Time Limited Premises Licence is the appropriate way of authorising temporary licensable activities at this event.

There is currently still sufficient time for the notice giver to apply for a Time Limited Premises Licence (28 days).

Objection of the grounds of the crime prevention objective:

If granted in the current format, there would be more than 499 people in the audience for outdoor entertainment on Copeland Square, and therefore it is likely that licensing offences would be committed.

Objection on grounds of the prevention of public nuisance objective:

The TENs are requested to authorise activities in respect of what is clearly one event (see attached event plan). Artificially dividing the area into smaller plots of 499 people each as a device to avoid the need for a Premises Licence, prevents public consultation taking place, and as all relevant considerations in respect of an event of over 499 capacity may not have been considered, increases the risk of public nuisance.

I refer to the recent House of Lords Select Committee report on the Licensing Act which covered this issue and which concluded: 'Where it appears that notices are being given for TENs simultaneously on adjacent plots of land, resulting in effect in the maximum number attending exceeding the 500 person limit, we would expect the police or environmental health officers to object, and the licensing authority to issue a counter-notice. We recommend that the section 182 guidance be amended to make this clear.'

The sub committee will also be aware of their own decision in respect of a recent beer festival at these premises, where they directed on decision notices dated 27 June 2017, that any future TENs application utilised in a similar manner (by either the premises user or others) should be decided by a licensing sub-committee. In future, events of this nature and number must be made by time limited premises licence applications.

Kind regards

Paul Newman

Principal Environmental Health Officer

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 |  
Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1  
| 160 Tooley Street | London | SE1 2QH

Tel: 020 7525 3551 | Fax: 020 7525 5705 | e mail:

paul.newman@southwark.gov.uk

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

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

# Licensing Act 2003 Premises Licence

35



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

Premises licence number

840930

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Roof A, Bussey Building Rear 133 Rye Lane London SE15 4ST	
Ordnance survey map reference (if applicable), 176330534362	
<b>Post town</b> London	<b>Post code</b> SE15 4ST
<b>Telephone number</b>	

<b>Where the licence is time limited the dates</b>
--

<b>Licensable activities authorised by the licence</b>
Plays - Outdoors Films - Outdoors Live Music - Outdoors Sale by retail of alcohol to be consumed on premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            12:00 - 00:00
Tuesday          12:00 - 00:00
Wednesday       12:00 - 00:00
Thursday         12:00 - 00:00
Friday            12:00 - 00:00
Saturday          12:00 - 00:00
Sunday            12:00 - 00:00

<b>Where the licence authorises supplies of alcohol whether these are on and/ or off supplies</b>
Sale by retail of alcohol to be consumed on 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

**Plays - Outdoors**

Monday	12:00 - 00:00
Tuesday	12:00 - 00:00
Wednesday	12:00 - 00:00
Thursday	12:00 - 00:00
Friday	12:00 - 00:00
Saturday	12:00 - 00:00
Sunday	12:00 - 00:00

**Films - Outdoors**

Monday	12:00 - 00:00
Tuesday	12:00 - 00:00
Wednesday	12:00 - 00:00
Thursday	12:00 - 00:00
Friday	12:00 - 00:00
Saturday	12:00 - 00:00
Sunday	12:00 - 00:00

**Live Music - Outdoors**

Monday	12:00 - 22:00
Tuesday	12:00 - 22:00
Wednesday	12:00 - 22:00
Thursday	12:00 - 22:00
Friday	12:00 - 22:00
Saturday	12:00 - 22:00
Sunday	12:00 - 22:00

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

Monday	17:00 - 23:00
Tuesday	17:00 - 23:00
Wednesday	17:00 - 23:00
Thursday	17:00 - 23:00
Friday	17:00 - 23:00
Saturday	17:00 - 23:00
Sunday	17:00 - 22:30

Part 2

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

██████████	██████████
██████████	██████████
██████████	██████████
██████████	██████████
██████████	██████████
██████████	██████████
██████████	██████████
██████████	██████████

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

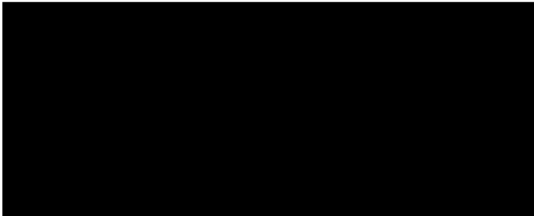
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

██████████  
██████████  
██████████  
██████████  
██████████

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 Issue date 01/07/2013



Community Safety Enforcement  
Business Unit Manger  
Hub 2, 3rd Floor  
PO Box 64529  
London, SE1P 5LX  
020 7525 5748  
[licensing@southwark.gov.uk](mailto: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

**102** The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself

**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**

**288** CCTV shall be installed and have the ability to capture a clear identifiable facial image of all patrons entering the venue. Images will be stored for a minimum of 31 days and will be made available to Police or other relevant authority upon request.

**336** A personal licence holder will be on duty at the premises at all times that intoxicating liquor being supplied. Should there be an occasion where a personal licence holder cannot be present, a member of staff suitably trained with regards to their responsibilities under the Licensing Act 2003 will be on duty, A record of the date and time of training will be kept and updated every 6 months and will be made available for inspection by the Police or other relevant authorities on request.

**340** Entry and or exit to the premises via the corridor between Rye Lane and the court yard to the front of the Bussey Building is restricted and will only be used up until 21:30. After 21:30 entry and egress from the premises will be via the entrance on Copeland Road.

**341** That clear signage shall be displayed directing customers to the entrance.

**342** All beverages shall be consumed from plastic/polycarbonate glasses or bottles i.e. no glassware to be used by customers at any time.

**343** That live music will be acoustic only. Any loud instrumentation, drums and brass shall be muted or damped.

**344** That after 20.00hrs live acoustic music will be played at background volume, on any day.

**345** That the closing time shall be 30mins after the cessation of licensable activities.

**346** That cleaning/vacuuming will take place during daylight hours to reduce noise.

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

**Annex 4 - Plans - Attached**

Licence No. 840930

Plan No. N/A

Plan Date 03 APR 2013



## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 27 JUNE 2017

#### LICENSING ACT 2003: LICENSING ACT 2003: COPELAND ROAD BEER FESTIVAL, 133 COPELAND ROAD, LONDON, SE15 3SN (CARPARK) – TEMPORARY EVENT NOTICE 859128

#### 1. Decision

That a counter notice not be issued under Section 105 of the Licensing Act 2003 in respect of

- i. Temporary event notice (859128) served by Simon Cotton in relation to an event to be held at 133 Copeland Road, London, SE15 3SN (Carpark), between 12:00hrs on the 22 July 2017 and 02:00hrs on the 23 July 2017;
- ii. Temporary event notice (859128) served by Simon Cotton in relation to an event to be held at Bussey Building (D), Block A Roof Top Rear of D, 133 Copeland Road, London, SE15 3SN between 12:00hrs and 23:00hrs on the 21 July and 22 July 2017; and
- iii. Temporary event notice (859126) served by Simon Cotton in relation to an event to be held at Copeland Gallery (9I), Unit 9L, Caravan Unit, 133 Copeland Road, London, SE15 3SN on the 21 July 2017 between 12:00hrs – 02:00hrs. 22 July 2017 between 12:00hrs and 02:00hrs and on the 23 July 2017 between 23:00hrs and 02:00hrs.

#### 2. Reasons

This was a temporary event notice (TEN 859128) given by, Simon Cotton, the premises user, in respect of an event to be held at 133 Copeland Road, London, SE15 3SN (Carpark), between 12:00hrs on the 22 July 2017 and 02:00hrs on the 23 July 2017 for 499 people, who also applied for a temporary event notice (TEN 859129) in respect of an event to be held at Bussey Building (D), Block A Roof Top Rear of D, 133 Copeland Road, London, SE15 3SN between 12:00hrs and 23:00hrs on the 21 July and 22 July 2017 for 250 people and finally, a temporary event notice (859126) in relation to an event to be held at Copeland Gallery (9I), Unit 9L, Caravan Unit, 133 Copeland Road, London, SE15 3SN on the 21 July 2017 between 12:00hrs – 02:00hrs. 22 July 2017 between 12:00hrs and 02:00hrs and on the 23 July 2017 between 23:00hrs and 02:00hrs for 499 people.

The licensing sub-committee heard evidence from the premises user who advised that the event was being organised by the London Beer Factory who were founded 3-years ago and distribute to small pubs and clubs and have undertaken a number of small beer festivals. There had recently been a huge rise in craft beers in the area, but there was no substantial beer festival in South London. This was the first craft beer festival in Peckham The event was therefore to celebrate craft breweries and use the event as a show case for the same.

The premises user agreed to amend temporary event notice (859128) in relation to the car park so that the event ends at 23:00 hours in 22 July 2017 in addition to removing the provision of regulated entertainment as only background music would be played. The premises user agreed to amend temporary event notice, (859126) in relation to Copeland Gallery, so that the events on 21, 22 and 23 July end at 01:00 hours.

The licensing sub-committee heard evidence from the environmental protection officer who advised that the three TENs artificially circumvented the 499-person limit for TENs by splitting what clearly was a single premises, covered by a single premises license, into multiple 'areas'. This was a single event and in practice, it would be impossible for the premises supervisor to reasonably control the movement of potentially 1,248 people through the premises to be assured that no single area exceeded 499 people at any one time whilst licensable activities take place. The TENs would be consenting to something known to be unachievable in practice. The officer referred to the recent House of Lords Select Committee report on the Licensing Act which covered this issue and which concluded: *'Where it appears that notices are being given for TENs simultaneously on adjacent plots of land, resulting in effect in the maximum number attending exceeding the 500 person limit, we would expect the police or environmental health officers to object, and the licensing authority to issue a counter-notice. We recommend that the section 182 Guidance be amended to make this clear.'*

The licensing sub-committee considered all of the oral and written representations before it and were of the opinion that The licensing sub-committee accepted that the provision of TENs within the Licensing Act 2003 were vague as was the s.182 guidance which specifically prohibited the applicant utilising the TENs in the way sought. The sub-committee were sympathetic to concerns raised by the responsible authorities and the recommendations made by the House of Lords Select Committee and concur with their views. At this stage, the details in the report were recommendations only. Any future TENs application utilised in a similar manner (by either the premises user or others) should be decided by a licensing sub-committee. In future, events of this nature and number must be made by either time-limited premises licence applications.

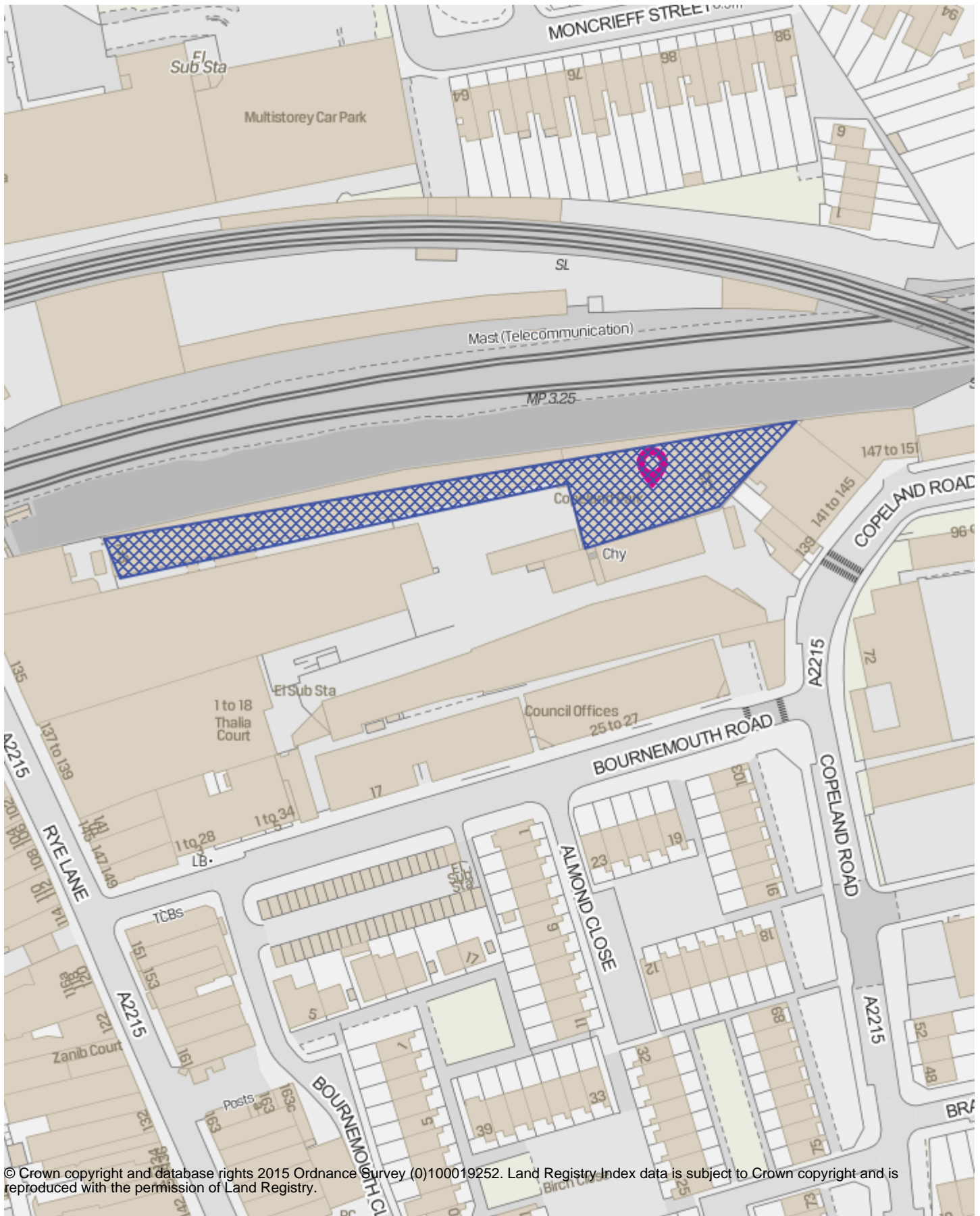
In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

### **3. Appeal rights**

Where the relevant counter notice under Section 105(3) is given the premises user may appeal against the decision. Where counter notice is not given, the chief officer of the environmental protection team 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.

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

Date: 27 June 2017



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