

Licensing Sub-Committee

Thursday 3 September 2020

10.00 am

Online/Virtual: please contact andrew.weir@southwark.gov.uk for a link to the meeting and the instructions for joining the online meeting

Supplemental Agenda No. 1

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Contact

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Date: 2 September 2020

Item No. 6.	Classification: Open	Date: 3 September 2020	Meeting Name Licensing Sub-Committee
Report title:		Licensing Act 2003: George Canning – 123 Grove Lane, London, SE5 8BG	
Ward(s) or groups affected:		Champion Hill Ward	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION:

1. That the licensing sub-committee considers whether it is appropriate to take interim steps pending the determination of an application for a summary review, made under Section 53A of the Licensing Act 2003 by the Chief of Police for the Metropolitan Police area, of the premises licences issued in respect of the premises known as the George Canning – 123 Grove Lane, London, SE5 8BG.

Notes

2. Under section 53A(2) of the Licensing Act 2003 the licensing authority must consider interim steps within 48 hours following the submission of an application under Section 53A of the Licensing Act 2003.
3. A copy of the full application is attached as Appendix A.

BACKGROUND INFORMATION**The Licensing Act 2003**

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

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

KEY ISSUES FOR CONSIDERATION

The premises licence

9. The premises licence issued in respect of the premises known as George Canning – 123 Grove Lane, London, SE5 8BG allows licensable activities as follows:
- The sale by retail of alcohol to be consumed on and off the premises:
 - Monday to Saturday: 11:00 to 01:00
 - Sunday 12:00 to 00:00
 - Live music and recorded music (indoors) and the sale of alcohol to be consumed on and off the premises:
 - Monday to Saturday: 11:00 to 01:00
 - Sunday 12:00 to 00:00
 - Late night refreshment (indoors):
 - Monday to Saturday: 23:00 to 01:00
 - Sunday 23:00 to 00:00
 - Opening Hours:
 - Monday to Saturday: 07:00 to 01:30
 - Sunday 08:00 to 00:30
10. A copy of the current premises licence is attached as Appendix B.

Designated premises supervisor

11. The designated premises supervisor (DPS) of the premises is Brian Coughlan.

The review application and certificate

12. On 1 September 2020 the Metropolitan Police Service applied to this licensing authority for the summary review of the premises licence issued in respect of the premises known as the George Canning – 123 Grove Lane, London, SE5 8BG.
13. On 1 September 2020 a Superintendent for the Metropolitan Police Service certified that in the Superintendent's opinion the premises are associated with serious crime, serious disorder or both.
14. On Monday 31 August 2019 at approximately 02:50hrs a fight started inside the premises, the victim received a broken jaw and was stabbed in the stomach.
15. Three suspects have been arrested at the premises shortly after the incident. One of the suspects is believed to be a member of staff.
16. The premises should have been closed to the public at 00.30hrs with alcohol ceasing at 00.00hrs. The incident was described as a lock in and a number of people present including witnesses were customers of the premises.

17. It does not appear the licence holders/management contacted police, but a witness called police stating that there was a fight at the pub. Police attended the original call and spoke to staff at the premises but nothing was disclosed to police on arrival. Just after 03.00hrs the call log was marked as no fight at location.
18. A further call to police was made by a member of the public at 03.04hrs, about the victim, who had been found lying on the pavement just outside the Lettsom Estate, Camberwell Grove SES. The informant was woken up by victim calling for help, shouting he had been stabbed.
19. On arrival of the police and ambulance, the victim stated that the incident occurred inside The George Canning public house. Officers were sent back to the premises. When officers attended the premises it was being cleaned up by the management. The victim stated that there were about 4-5 people in the pub at the time of the incident.
20. Police attended the pub and found the manager in an alley next to pub. The police made a request to view the CCTV of the incident. The manager initially denied being able to show the officers the CCTV but later admitted that he could and led the police to the office so they could view the footage. The manager appeared intoxicated.
21. The police then obtained the keys to the inside of the licensed area of the pub to examine any potential crime scene. As the officers went into the kitchen area of the pub they found two suspects hiding in the darkness. Both were arrested on suspicion of assault.
22. CCTV was viewed and seized by CID officers. It shows an incident at 02.20hrs, of a female (suspect arrested) who is the girlfriend of the victim assaulting him. Then between 02.50hrs and 03.00hrs it shows what is believed to be the victim punching a suspect, and then three people including his girlfriend attack him, dragging him to ground, in what is described by police as a melee.
23. The CCTV shows the victim emerging with a blood stained top. The weapon was not located and believed disposed of prior to police arrival. The victim then leaves the premises and is found by a member of the public after hearing his calls for help.
24. The police contend that the addition of further licence conditions as interim steps is not appropriate considering the seriousness of the disorder witnessed at the premises. The police therefore recommend that the licence is suspended pending the full review and further investigation.
25. The licensing sub-committee is not restricted to just considering this step.
26. Copies of the review application and evidence provided by the police in support of the of the review application are attached to this report as Appendix A.

The review procedure

27. The current hearing is for the purpose of considering if interim steps are needed as a result of the summary review application submitted by the police, prior to the pending full review hearing that will be held on 24 September 2020.
28. The licensing sub-committee is not obliged to hear evidence from other parties at this stage of the procedure. However the premises licence holder and DPS have been invited to attend the hearing.
29. The review is currently being consulted on and a public notice is advertised at the premises for 10 days. Responsible authorities and any other persons may make

representations that will then be considered at the full Licensing Sub-Committee hearing regarding this matter.

30. Any interim steps made by the licensing sub-committee at this hearing will cease to have effect once the review has been determined.

Operating history

31. The licence was first applied for in January 2007 by Stephen Douglas Corbett as premises licence holder and DPS; and transferred to Enterprise Inns PLC in September 2009.
32. The DPS was varied to Philip John Bagshaw in November 2009 and again to Carole Elizabeth Callnon in December 2010 and to Brian Coughlan in April 2011.
33. In February 2012, the licence was transferred to Adrian Ennis. In March 2019, Mr Ennis applied for a minor variation to alter the internal layout.
34. On 09 May 2019, Ei Group PLC applied for an Interim Authority Notice on the premises. An Interim Authority notice may be given to the licensing authority where a premises licence has lapsed owing to the death, mental incapacity or insolvency of the premises licence holder, where the holder is an individual or on the dissolution or insolvency of a company which holds a premises licence. The effect of the interim authority is to reinstate the premises licence from the time the notice is received and the person giving the notice becomes the licence holder.
35. After this date, the licence holder became Ei Group PLC, but would have lapsed if no transfer had been received by 24 August 2019. The transfer to the current licence holder, Donal Ennis was received on 6 August 2019 and remains in place.
36. The premises was last inspected by the licensing authority on 26 October 2018 and found to be fully compliant.
37. There is no recent history of complaints or TENs at the premises.
38. The current premises licence was issued in respect of the premises numbered 869338. For reference, a copy of the licence is attached to this report as Appendix B.

The local area

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

Southwark Council Statement of Licensing Policy

40. Council Assembly approved Southwark's Statement of Licensing Policy 2019 - 2021 on 27 March 2019. The policy came into effect on 28 March 2019. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 - Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 - Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas

and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.

- Section 7 - Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 - The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 - Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 - The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 - The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
41. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

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

Consultation

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

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

45. The sub-committee is asked to consider interim steps following an application to review the premises licence under Section 53A of the licensing act 2003.
46. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

47. The licensing authority must hold a hearing to consider interim steps within 48 hours of receiving an application for review of a premises licence where.
- The application is properly made in accordance with Section 53A of the Act.
 - The licensing authority has considered the ground(s) of review to be relevant to the licensing objective for prevention of crime and disorder.
48. The four licensing objectives are:

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

Reasons

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

Hearing procedures

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

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

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

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

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

62. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
63. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
64. There is no right of appeal to a Magistrates' Court against the licensing authority's decision regarding the setting of interim steps at this stage.

Guidance

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

Strategic Director of Finance and Governance

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

REASONS FOR LATENESS

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

REASONS FOR URGENCY

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Copy of the review application
Appendix B	Copy of current premises licence
Appendix C	Map showing the location of the premises

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	Andrew Heron, Principal Licensing Officer	
Version	Final	
Dated	2 September 2020	
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		2 September 2020


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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

Use additional sheets if necessary.

Insert name and address of relevant licensing authority and its reference number:
Name: Southwark Licensing Team

Address:

3rd Floor 160 Tooley Street

Post town: Southwark

Post code: SE1 2QH

Ref. No.:
I Police Constable Ian Clements

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

1. Premises details
Postal address of premises or club premises, or if none, ordnance survey map reference or description:

The George Canning Public House, 123 Grove Lane

Post town: London

Post code:
 (if known)

SE5 8BG

2. Premises licence details
Name of premises licence holder or club holding club premises certificate (if known):

Donal Ennis

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

869338

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

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

Please tick the box to confirm:


PROTECTIVE MARKING

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

(Please read guidance note 2)

On Monday the 31st August 2019 at approximately 02:50 a fight started inside the premises, the victim received a broken Jaw and was stabbed in the stomach.

Three suspect have been arrested at the premises shortly after the incident one of the suspects is believed to be a member of staff/ manager.

The premises should have been closed to the public at 00.30hrs with alcohol ceasing at 00.00hrs. The incident was described as a lock in and a number of people present including witnesses were customers of the premises.

It does not appear the Licence holders/management contacted police, but a witness called police stating that there was a fight at the pub.

Police attended the original call and spoke to staff at the premises but nothing was disclosed to police on arrival. Just after 03.00hrs the call log was marked as no fight at location.

A further call to police was made by a member of the public at 03.04hrs, the victim who had been found lying on the pavement just outside the Lettsom Estate, Camberwell Grove SE5. The informant was woken up by victim calling for help shouting he had been stabbed.

On arrival of the police and Ambulance, the victim stated that the incident occurred inside The George Canning public house, officers were sent back to the premises.

When officers initially attended the premises it was being cleaned up by the management. The victim stated that there were about 4-5 people in the pub at the time of the incident.

Police attended the pub and found the manager in an alley next to pub, The Police made a request to view the CCTV of the incident, the manager initially denied being able to show the officers the CCTV but later admitted that he could and led the police to the office so they could view the footage. It should be noted that the manager appeared intoxicated.

The Police then obtained the keys to the inside of the licensed area of the pub to examine any potential crime scene. As the officers went into the Kitchen area of the pub they found two suspects hiding in the darkness, both were arrested on suspicion of assault.

CCTV was viewed and seized by CID officers, it shows an incident at 02.20hrs, a female (suspect arrested) who is the girlfriend of the victim assaulting him. Then between 02.50hrs & 03.00hrs it shows what is believed to be the victim punching a suspect and then the three including his girlfriend attack him dragging him to ground, described by Police as a melee.

The CCTV shows the victim emerging with a blood stained top. The weapon was not located and believed disposed of prior to police arrival. The victim then leaves the premises and is found by a member of the public after hearing his calls for help.

A standard review is deemed inappropriate due to serious nature of offence and a member of staff involved and believed breaching licence. When officers attended the premises was being cleaned up.

Police have received two previous complaints re the management and running of the premises in 2018 and 2019.

I am of the opinion that action is required to prevent further crime and disorder and to protect the public and request the licence be suspended pending further investigation.

Signature of applicant

Signature:


362^{AS}

Date:

1st September 2020

Capacity:

Police Licensing Officer

Contact details for matters concerning this application

Surname:

Clements

First Names:

Ian

Address:

Southwark police station, 323 Borough High Street

Post town:

London

Post code:

SE1 1JL

Tel. No.:



Email:



Licensing Act 2003 Premises Licence



APPENDIX B

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

Premises licence number

869338

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
George Canning The George Canning 123 Grove Lane London SE5 8BG	
Ordnance survey map reference (if applicable), 533036176084	
Post town London	Post code SE5 8BG
Telephone number	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Live Music - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 07:00 - 01:30
Tuesday 07:00 - 01:30
Wednesday 07:00 - 01:30
Thursday 07:00 - 01:30
Friday 07:00 - 01:30
Saturday 07:00 - 01:30
Sunday 08:00 - 00:30

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

The times the licence authorises the carrying out of licensable activities

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

Live Music - Indoors

Monday	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	12:00 - 00:00

Recorded Music - Indoors

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	08:00 - 00:00

Late Night Refreshment - Indoors

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

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	08:00 - 00:00

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	08:00 - 00:00

Part 2

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

Donal Ennis

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Brian Coughlan

[REDACTED]
[REDACTED]
[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 London Borough of Lewisham

Licence Issue date 13/08/2019



Head of Regulatory Services
Hub 1, 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 licensed by the Security Industry Authority. This does not apply where the premises are being used primarily as a Qualifying Club under a Club Premises Certificate, under a Temporary Event Notice, or primarily as a cinema, restaurant or theatre.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

it is reasonably available.

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

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were

charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence;

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

109 Alcohol shall not be sold or supplied except during permitted hours as 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).

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

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

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

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

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

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

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

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

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

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

c.To a canteen or mess.

180 a.The premises shall be effectively ventilated.

b. Where the ventilation system is designed to maintain a positive air pressure within that part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.

255 a. Fire extinguishers and equipment as approved by the Council shall be efficiently maintained in satisfactory working order and kept available for instance use. They shall be in the charge of a suitable person specially nominated for the purpose.

b. Portable fire extinguishers shall be examined at least once a year and periodically tested in accordance with the current British Standard by a competent person and the date of such test shall be clearly marked on the appropriate extinguishers or on stout tabs securely attached to them. Extinguishers which incorporate an antifreeze agent shall be examined and recharged in compliance with manufacturer's instructions.

c. Where provided hydraulic hose reels shall be tested once a year to check that they are in working order and produce a satisfactory jet of water, and the test shall be recorded in a log book.

d. All testing of fire extinguishers and equipment shall be at the expense of the licensee.

256 a. Where an automatic/manual fire alarm system has been installed and approved by the Council it shall be efficiently maintained in satisfactory working order. The system shall be maintained and serviced in accordance with B.S. 5839 and tested regularly in accordance with rules imposed by the Council. All checks, tests and defects shall be recorded in a log book.

b. All testing of automatic/manual fire alarm systems shall be at the expense of the licensee.

263 a. The owner, occupier or any other person concerned in the conduct or management of the premises shall, in the absence of adequate daylight, ensure that adequate lighting is maintained to the satisfaction of the Council in all parts of the premises to which the public and staff have access and is in operation continuously during the whole time the premises are open to the public.

b. The general lighting shall be maintained alight and the lighting to 'EXIT' or 'WAY OUT' notices shall not in any circumstances be extinguished or dimmed while the public are on the premises, provided that so long as there is sufficient daylight in any part of the premises, artificial light need not be used in any part.

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 notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner

315 That the Front Patio at the premises shall be closed at 0000 hours each day

325 That after 2100 hours children under 16 shall not be admitted in any area where alcohol is sold and

consumed

332 All children on the premises under 18 will be accompanied by a parent or responsible adult at all times

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

340 That there shall be no gaming nor cigarette machines installed upon the premises

341 That a pest control contract shall be maintained

342 That regular glass collections shall be carried out by staff

343 There will be illuminated signs above each exit

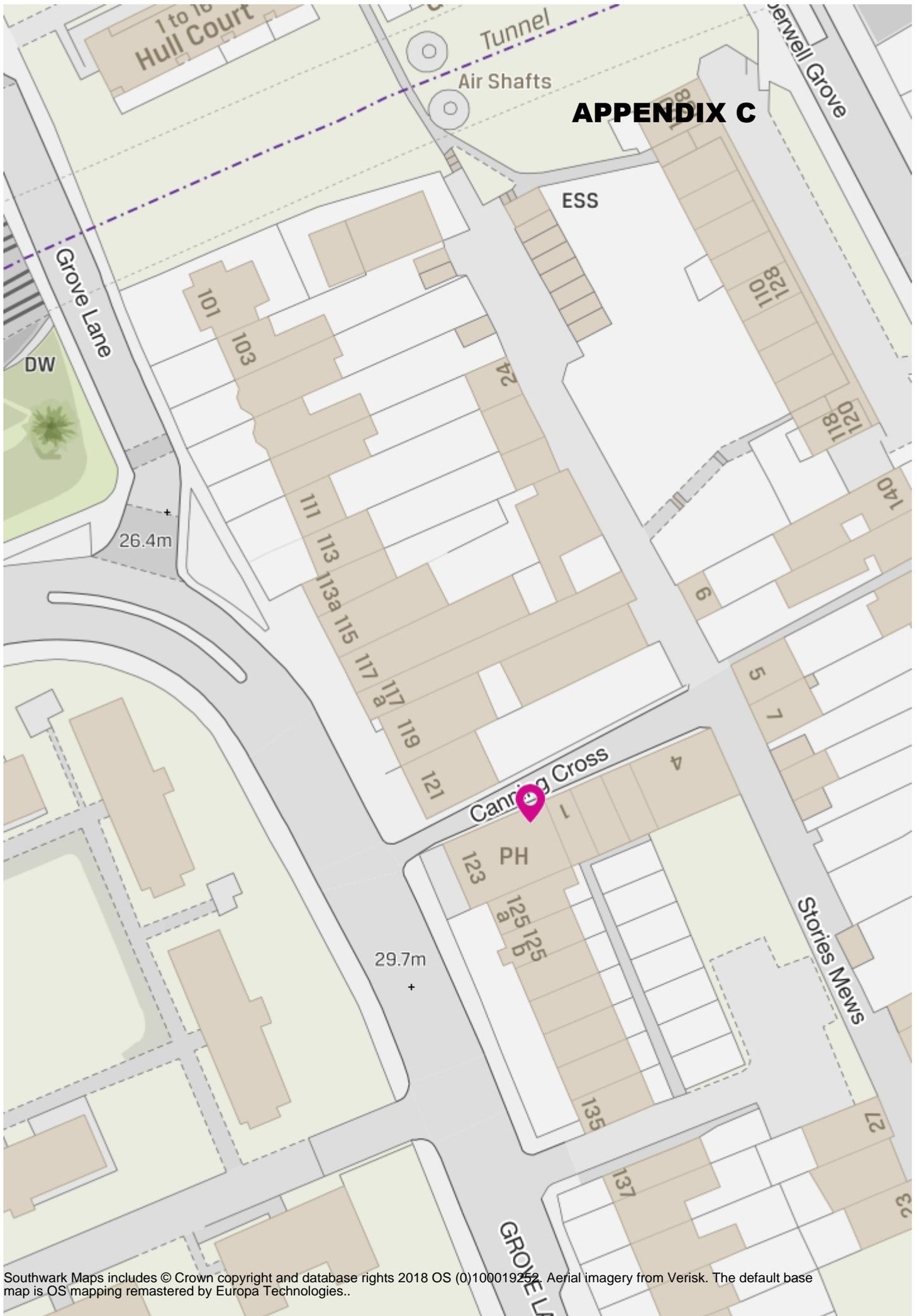
Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 869338

Plan No. 004
005

Plan Date August 2018



APPENDIX C

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LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2019-20

NOTE: Original held by Constitutional Team; all amendments/queries to Andrew Weir - Tel: 020 7525 7222

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