

Open Agenda



Licensing Sub-Committee

Tuesday 28 May 2019

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Morris (Vice-chair)
Councillor Sunil Chopra
Councillor Dora Dixon-Fyle MBE
Councillor Jon Hartley
Councillor Sunny Lambe
Councillor Lorraine Lauder MBE
Councillor Sirajul Islam

Councilor Maria Linforth-Hall
Councilor Eliza Mann
Councillor Margy Newens
Councillor Sandra Rhule
Councillor Charlie Smith
Councillor Kath Whittam
Councillor Ian Wingfield

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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Contact

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 17 May 2019



Licensing Sub-Committee

Tuesday 28 May 2019
10.00 am

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

Order of Business

Item No.	Title	Page No.
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PART A - OPEN BUSINESS

1. APOLOGIES

To receive any apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

5. LICENSING ACT 2003: RYE HILL TENANTS AND RESIDENTS ASSOCIATION, 241 PECKHAM RYE, LONDON, SE15 3AA

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ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Item No.	Title	Page No.
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PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

"That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution."

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 17 May 2019

Agenda Item 5

Item No. 5.	Classification: Open	Date: 28 May 2019	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Rye Hill Tenants and Residents Association, 241 Peckham Rye, London, SE15 3AA	
Ward(s) of group(s) affected		Peckham Rye	
From		Director of Environment	

RECOMMENDATION

1. That the licensing sub-committee considers whether an application submitted by Rye Hill Tenants and Residents Association for a club premises certificate be granted under the Licensing Act 2003 in respect of the premises known as Rye Hill Tenants and Residents Association, 241 Peckham Rye, London, SE15 3AA.
2. Notes:
 - a) The application is for a club premises certificate and was submitted under Section 71 of the Licensing Act 2003. The application is subject to representations and is therefore referred to the licensing sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 17 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report as Appendices B and C. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to applications made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:

- The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
- The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 4 March 2019 Rye Hill Tenants and Residents Association applied to this council for the grant of a club premises certificate in respect of Rye Hill Tenants and Residents Association, 241 Peckham Rye, London, SE15 3AA.
9. The application is summarised as follows:
- Plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, performances of dance, anything similar to live or recorded music & performances of dance
 - Monday to Sunday 09:00 – 22:00
 - Supply of alcohol for consumption on and off the premises
 - Monday to Sunday 12:00 – 22:00
 - Proposed opening hours of the premises
 - Monday to Sunday 09:00 – 22:00

The premises are described as follows:

- "Single level T&RA hall which comprises an entrance porch with security roller shutter double entrance doors opening outwards. The foyer has double swing doors into the hall to the right. There is a corridor to the left off the foyer with a small meeting room, male and female toilets both with disabled facilities all on the left. On the right-hand side of the corridor is an electric and gas intake cupboard, a door to the beer store bar and a door to the kitchen."

10. The premises licence application form provides the applicant's operating schedule. Parts A, B, C, D, E, F, G, H, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application then the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report as Appendix A.

Club Secretary

11. The club secretary is Andrea Giebeler.

Representations from responsible authorities

12. Representations have been submitted by the Metropolitan Police service and by this council's Environmental Protection Team.
13. The Metropolitan Police Service's representation suggests various control measures that the Metropolitan Police Service recommend should become conditions of any club premises certificate issued subsequent to the application.
14. The Environmental Protection Team's representation suggests various control measures that the Environmental Protection Team recommend should become conditions of any club premises certificate issued subsequent to the application.
15. Copies of the representations submitted by responsible authorities are attached to this report as Appendix B.

Representations from other persons

16. One representation has been submitted by an 'other person' who is a local resident. The representation contends that the proposed operation of the premises is likely to give rise to nuisance, crime, disorder and anti social behaviour in the locale as this has happened when the premises were previously operated as a Tenants and Resident's Association.
17. A copy of the representation submitted by the other person is attached as to this report as Appendix C.

Conciliation

18. At the time of the writing of this report all of the representations are outstanding and must be considered by the licensing sub-committee. At the hearing to determine this application the licensing sub-committee will be informed if any of the representations have been withdrawn.

Premises history

19. Rye Hill Tenants and Residents association previously held a club premises certificate in respect of the premises. This club premises certificate was issued on 15 October 2005. The club premises certificate was suspended on 14 January 2019. The licence allowed for the provision of plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, performances of dance, anything similar to live

or recorded music & performances of dance and the supply of alcohol between 12:00 and 00:00 (midnight).

20. On 4 March 2019 Rye Hill Tenants and Residents Association applied to this council for the grant of a club premises certificate in respect of Rye Hill Tenants and Residents Association, 241 Peckham Rye, London, SE15 3AA.

Deregulation of entertainment

21. On 6 April 2015 entertainment became deregulated and as a result:
 - Live unamplified music is deregulated between 08:00hrs and 23:00hrs on any premises.
 - Live amplified music and recorded music are deregulated between 08:00 and 23:00 at on licensed premises for an audience of up to 500 people.
 - Plays and the performance of dance are deregulated between 08:00 and 23:00 for an audience of up to 500 people.
 - Indoor sporting events are deregulated between 08:00 and 23:00 for an audience of up to 1000 people.
 - Live music and recorded music can become licensable in on-licensed premises if the licensing authority removes the effect of deregulation following a licence review ('licence review mechanism').

22. The showing of films has not been de-regulated.

Map

23. A map, showing the location of the premises is attached to this report as Appendix D.

Southwark council statement of licensing policy

24. Council Assembly approved Southwark's Statement of Licensing Policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and Scope of the Policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications.
 - Section 5 – Determining Applications for Premises Licences and Club Premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local Cumulative Impact Policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy

- Section 7 – Hours of Operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification. To be read in conjunction with Appendix B to the policy.
 - 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.
25. 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.
26. Within the Southwark statement of licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises as follows:
- Public houses, wine bars, other drinking establishments, restaurants, cafes, take-away establishments, cinemas, theatres and vessels
 - Monday – Sunday: 23:00

Resource implications

27. A fee of £100.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band C.

Consultations

28. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and similar notices were exhibited outside of the premises for a period of 28 consecutive days.

Community impact statement

29. 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 & Democracy

30. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.
31. The principles which sub-committee members must apply are set out below.

Principles for making the determination

32. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
33. Relevant representations are those which:
 - Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious
34. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
 - To grant the licence subject to:
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
 - Any condition which must under section 19, 20 or 21 be included in the licence
 - To exclude from the scope of the licence any of the licensable activities to which the application relates
 - To refuse to specify a person in the licence as the premises supervisor
 - To reject the application.

Conditions

35. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
36. The four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance

- The protection of children from harm.
37. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
38. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
39. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

40. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

Hearing procedures

41. 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 and 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.

42. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

43. 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.
44. 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.
45. 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.
46. 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.
47. 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.
48. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.
49. 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.
50. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee 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.

Guidance

51. Members are required to have regard to the DCMS 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

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

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	Southwark Licensing, C/O Community Safety and Enforcement, 160 Tooley Street, London, SE1 2QH	Mrs Kirby Read Tel: 020 7525 5748

APPENDICES

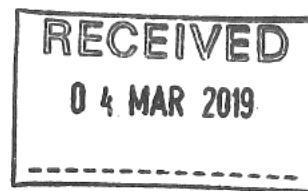
Name	Title
Appendix A	Copy of the application
Appendix B	Copies of the representations submitted by responsible authorities
Appendix C	Copy of representation submitted by an other person
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Mick Lucas, Director of Environment	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	13 May 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law & Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	15 May 2019	

Application for a club premises certificate

06/02/2019
 Application for a club premises certificate
 Ref No. 1176049



Please enter the name of the club applies for a club premises certificate under section 71 of the Licensing Act 2003. The club is making this application to you as the relevant licensing authority in accordance with section 68 of the Licensing act

	Rye Hill Tenants and Residents Association
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Postal address of premises or, if none, ordnance survey map reference or description

Name of Club	Rye Hill Tenants and Residents Association
Address Line 1	241
Address Line 2	Peckahm Rye
Town	Peckham
County	London
Post code	SE15 3AA
Ordnance survey map reference or description	
Telephone number (if any)	
E-mail address (optional)	

Name of person performing duties of a secretary to the club

	Andrea Giebeler
--	-----------------

Address of person performing duties of a secretary to the club

Address Line 1	
Address Line 2	
Town	
County	
Post code	

Contact Details

Daytime contact telephone number (if any)	
E-mail address (optional)	

Application for a club premises certificate

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

(£0.00)	£0.00
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Are the club premises occupied and habitually used by the club?

	Yes
--	-----

When do you want the club premises certificate to start?

	07/02/2019
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If you wish the certificate to be valid only for a limited period, when do you want it to end?

--	--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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General description of premises (see guidance note 1)

	Single level T&RA hall which comprises an entrance porch with security roller shutter double entrance doors opening outwards. The foyer has double swing doors into the hall to the right. There is a corridor to the left off the foyer with a small meeting room, male and female toilets both with disabled facilities all on the left. On the right-hand side of the corridor is an electric and gas intake cupboard, a door to the beer store bar and a door to the kitchen.
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Provision of regulated entertainment

a) plays
b) films
c) indoor sporting events
d) boxing or wrestling
e) live music
f) recorded music
g) performance of dance
h) anything of a similar description to that falling within (e), (f) or (g)

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

Application for a club premises certificate

	1
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The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place

	1
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Contact name (where not previously given or where it differs from the notifier) and address for correspondence associated with this notification (See Guidance note 2)

Full name	
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Address

Address Line 1	
Address Line 2	
Town	
County	
Post code	
Telephone number (if any)	
E-mail address (optional)	

Will the performance of a play take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	there is fenced outdoor space which may be used for promenade theatre.
--	--

State any seasonal variations for performing plays (Please read guidance note 4)

	Some activity may occur on the fenced green grass area around the hall during summer (weather permitting)
--	---

Standard days and timings for Plays (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00

Application for a club premises certificate

	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00
Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed. (Please read guidance note 5)

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Will the exhibition of films take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

	film evenings, art exhibitions including recorded or live music that will be either amplified or non-amplified
--	--

State any seasonal variations for the exhibition of films (Please read guidance note 4)

	Some activity may occur on the fenced green grass area around the hall during summer (weather permitting)
--	---

Standard days and timings for Films (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00
	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00

Application for a club premises certificate

Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed. (Please read guidance note 5)

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Please give further details here (Please read guidance note 3)

	Martial Arts, Yoga, Pilates, aerobics based activities, pool, dominoes, darts, Chess, backgammon, poker, computer gaming tournaments, scout cub activities. Pro wrestling which may include live or recorded music either amplified or non-amplified
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State any seasonal variations for indoor sporting events (Please read guidance note 4)

	Some events such as yoga, pilates or martial art,s, scout cub activities may take place on the grassy promenade in front of the hall during the summer months.
--	--

Standard days and timings for Indoor Sporting Events (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00
	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00
Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed. (Please read guidance note 5)

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Application for a club premises certificate

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 2)

	Both
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Please give further details here (Please read guidance note 3)

	Both live and recorded music either amplified or non amplified will be used during sporting dancing drama film and exhibition activities. This may occur during private functions where the hirer is responsible.
--	---

State any seasonal variations for the performance of live music (Please read guidance note 4)

	weather permitting, the summer months in front of the fenced green grass area in front of the hall.
--	---

Standard days and timings for Live Music (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00
	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00
Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. (Please read guidance note 5)

--	--

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 2)

	Both
--	------

Please give further details here (Please read guidance note 3)

Application for a club premises certificate

	Both live and recorded music either amplified or non amplified will be used during sporting dancing drama film and exhibition activities. This may also occur during private functions where the hirer is responsible.
--	--

State any seasonal variations for playing recorded music (Please read guidance note 4)

	weather permitting, the summer months in front of the fenced green grass area in front of the hall.
--	---

Standard days and timings for Recorded Music (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00
	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00
Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 5)

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Will the performances of dance take place indoors or outdoors or both? (Please read guidance note 2)

	Both
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Please give further details here (Please read guidance note 3)

	street dance, cultural dance, contemporary dance, capoeira or ballet with live or recorded music that will be either amplified or non-amplified.
--	--

State any seasonal variations for the performance of dance (Please read guidance note 4)

	weather permitting, the summer months in front of the fenced green grass area in front
--	--

Application for a club premises certificate

	of the hall.
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Standard days and timings for Performance of dance (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00
	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00
Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed. (Please read guidance note 5)

--	--

Please give a description of the type of entertainment you will be providing

	Themed entertainment including bingo, life drawing classes and senior citizen social events.
--	--

Will the entertainment take place indoors or outdoors or both? (Please read guidance note 2)

	Indoors
--	---------

Please give further details here (Please read guidance note 3)

	All of these events may take place with both recorded and live music that will be either amplified or non-amplified.
--	--

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 4)

--	--

Application for a club premises certificate

Standard days and timings for Anything of a similar description to that falling within (e), (f) or (g) (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00
	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00
Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. (Please read guidance note 5)

--	--

Will the supply of alcohol be for consumption (Please read guidance note 7)

	Both
--	------

State any seasonal variations for the supply of alcohol (Please read guidance 4)

--	--

Standard days and timings for Supply of alcohol (Please read guidance note 6)

Day	Start	Finish
Mon	12:00	22:00
	12:00	22:00
Tues	12:00	22:00
	12:00	22:00
Wed	12:00	22:00
	12:00	22:00
Thur	12:00	22:00
	12:00	22:00

Application for a club premises certificate

Fri	12:00	22:00
	12:00	22:00
Sat	12:00	22:00
	12:00	22:00
Sun	12:00	22:00
	12:00	22:00

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 5)

	There is a possibility that we may want late night refreshments and an extension on the consumption of alcohol on New Years Eve/Day. from 22.00 - 03.00 hrs.
--	--

State any seasonal variations (Please read guidance note 4)

	weather permitting there may be exhibitions held out on the grassy area in front of the hall for the public to view.
--	--

Hours premises are open to the public (standard timings Please read guidance note 6)

Day	Start	Finish
Mon	09:00	22:00
	09:00	22:00
Tues	09:00	22:00
	09:00	22:00
Wed	09:00	22:00
	09:00	22:00
Thur	09:00	22:00
	09:00	22:00
Fri	09:00	22:00
	09:00	22:00
Sat	09:00	22:00
	09:00	22:00
Sun	09:00	22:00
	09:00	22:00

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 5)

--	--

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 8)

Application for a club premises certificate

	Life Drawing Classes with a life model and films for restricted age groups.
--	---

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 9)

	<p>Strong management controls and effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to:</p> <ul style="list-style-type: none"> a/ no selling of alcohol to under-age people b/ no drunk and disorderly behaviour on the premises area c/ vigilance in preventing the use and sale of illegal drugs at the retail area d/ no violent and anti-social behaviour e/ Safeguarding policy in place
--	--

b) the prevention of crime and disorder

	<p>Contact with local community policing services and sharing calendars of events. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.</p> <p>Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.</p> <p>Not selling of alcohol to drunk or intoxicated customers.</p> <p>Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.</p> <p>Prevention and vigilance in illegal drug use at the retail unit area.</p> <p>Staff will be well trained in asking customers to use premises in an orderly and respectful manner.</p>
--	---

c) public safety

	<p>Internal and external lighting fixed to promote the public safety objective.</p> <p>Well trained staff adherence to environmental health requirements.</p> <p>Training and implementation of under-age ID checks.</p> <p>A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made;</p>
--	---

d) the prevention of public nuisance

	<p>Noise reduction measures to address the public nuisance objective.</p> <p>Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.</p> <p>Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to</p> <p>© Queen's Printer and Controller of HMSO 2009</p> <p>Continued from previous page...</p> <p>prevent nuisance and disturbance to nearby residents.</p> <p>The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.</p> <p>Customers will be asked not to stand around loudly talking in the street outside the premises.</p> <p>Customers will not be admitted to premises above opening hours.</p> <p>The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce</p>
--	---

Application for a club premises certificate

	<p>the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the locality.</p>
--	--

e) the protection of children from harm

	<p>"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about the requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit. Log Book will be kept on the premises all the time.</p>
--	---

Checklist

	<p>I will make payment of the fee. I have uploaded the plan of the premises. I have completed and uploaded the club declaration
and uploaded a copy of the club rules. I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my
application will be rejected.</p>
Upload the plan of the premises	<u>The5285-2.pdf</u>
Upload the club declaration	<u>1064611.pdf</u>
Upload a copy of the club rules.	<u>Rye-Hill-TRA-Information.pdf</u>

I hereby declare all the information submitted is true and accurate

	I agree
PaymentDescription	Application for a club premises certificate
PaymentAmountInM inorUnits	100
AuthCode	
LicenceReference	ks102 94212

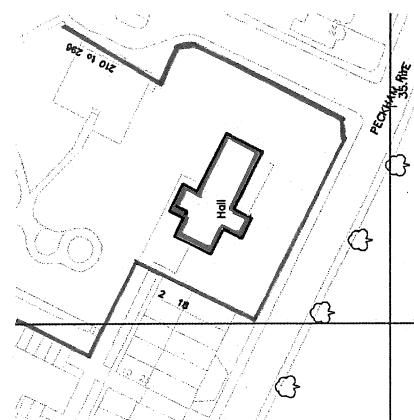
I agree to the above statement

	I agree
--	---------

Information about data collected via online forms

Site Location Plan
1:1250

Metres



**CONTRACTORS TO VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORKS OR PREPARING SHOP DRAWINGS. ALL WORK MUST COMPLY WITH RELEVANT AUTHORITIES REQUIREMENTS.
DIMENSIONS MUST NOT BE SCALED FROM THIS PRINT**

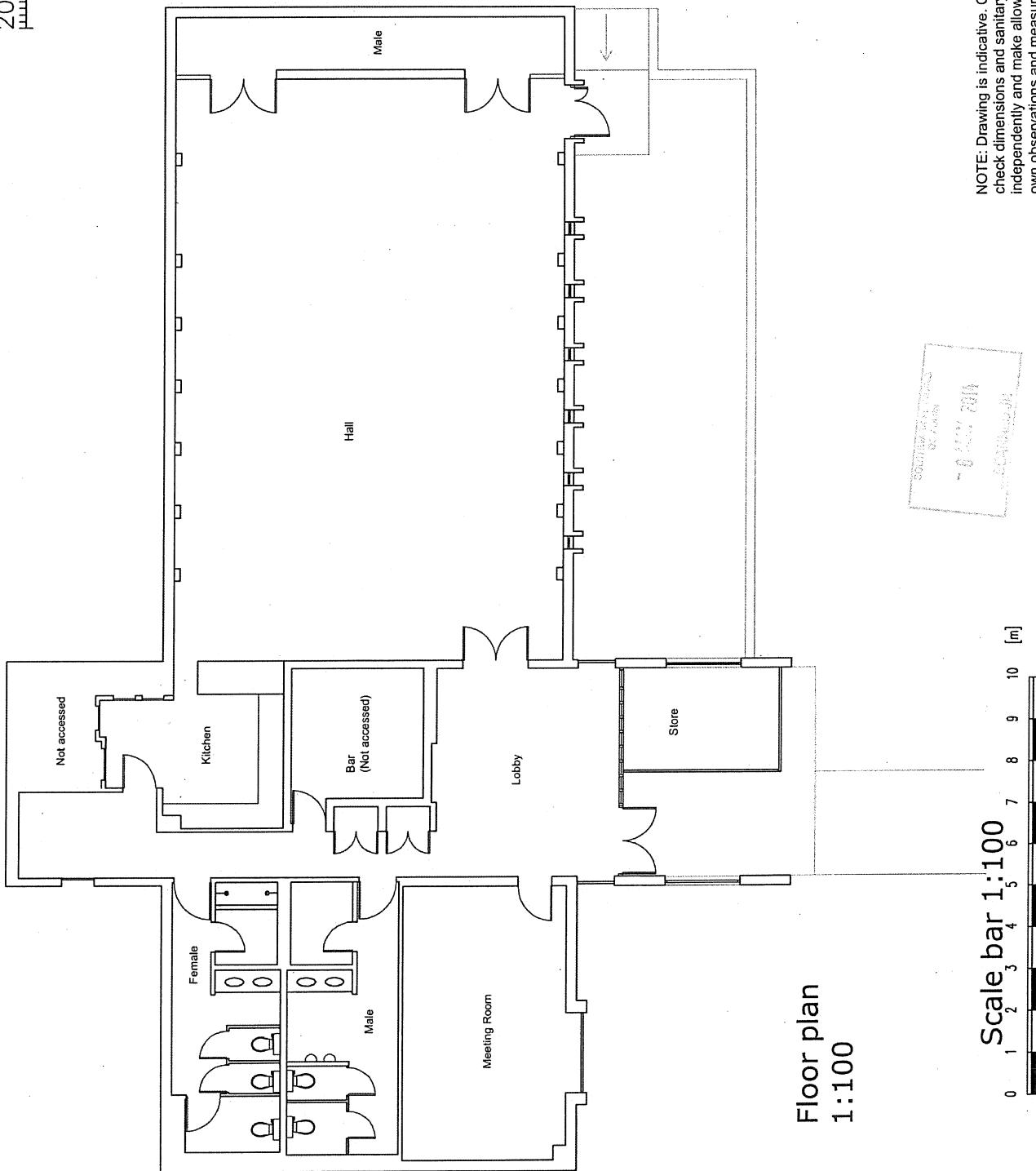
LANDERS
AND ASSOCIATES

Building Surveying, Interior Design, Building Services and Project Co-ordination

TENANTS & RESIDENTS ASSOCIATION

DRAWING		EXISTING FLOOR PLAN & LOCATION PLAN	CREATED
1-100@A3	Drafts	FFR 14	-

Drawing No. 13016/SE153JX/10.REV A



2 Appendix B - copies of the representations submitted by responsible authorities

From: mark.A.Lynch@met.police.uk [mailto:mark.A.Lynch@met.police.uk]

Sent: Wednesday, March 27, 2019 11:59 AM

To: Regen, Licensing

Subject: Rye Hill T&R Association 241 Peckham Rye SE15 3AA

Good Morning

Please find attached the police representation regarding the above application in which we object to the granting of the licence in its current format

Regards

Mark Lynch Pc 2246AS
Police Constable
Southwark Night Time Economy/ Licensing
Southwark Police Station
323 Borough High Street
SE1 1JL
0207 232 6756



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

**Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL**

Tel: 020 7232 6756
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/46

Date: 27/03/2019

Dear Sir/Madam

Re:- Rye Hill T & R Association Rye Hill Estate 241 Peckham Rye SE15 3AA

Police are in possession of an application from the above for a new Club premises licence.
The application describes the operation as a multi-use resident's hall

The operating schedule shows the following hours.

Opening Hours

Mon – Sun 0900hrs – 2200hrs

Sale of alcohol on/off

Mon – Sun 1200hrs – 2200hrs

Live Music/Recorded Music/Plays/Films/Indoors sports/Dance/

Mon-Sun

0900hrs – 2200hrs

Police object to the granting of the licence in its current format, although the applicant has provided information to address the licencing objectives it does not clearly define how they will enforce them therefore Police would recommend the following conditions to be included on the licence to promote the licensing objectives. Some of which may have been offered as part of the operating schedule but the wording is important to avoid ambiguity.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.
3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
5. Signage on entrance/exit requesting customers to respect neighbours and leave quietly.
6. All off sales of alcohol shall be made in sealed containers for consumption away from the premises.

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

Yours Sincerely

PC Mark Lynch 246MD
 Southwark Police Licensing Unit
 Tel: 0207 232 6756

From: Binya, Raymond
Sent: Friday, March 29, 2019 3:10 PM
To: Regen, Licensing
Subject: New Club Premises Certificate application for Rye Hill Estates Tenants Hall, 241 Peckham Rye London EPT ref 896363

Dear Licensing Team

Application for a premises licence to be granted under the Licensing Act 2003

Application reference number: 867093

Address: Rye Hill Estates Tenants Hall

241 Peckham Rye
London SE15 3AA

I wish to make a representation on behalf of Southwark Environmental Protection Team in our capacity as Environmental Health Responsible Authority, about the likely effect of the grant of the premises licence on the promotion of the 'prevention of public nuisance' licensing objective.

Application seeks for a New club premises certificate for;

- a) Plays films boxing or wrestling live music recorded music performances of dance all indoors and outdoors 0900-2200 Monday to Sunday
- b) Indoor sporting events 0900-2200 Monday to Sunday entertainment of a similar description indoors 0900-2200 Monday to Sunday
- c) Sale of alcohol on and off the premises 1200-2200 Monday to Sunday Opening hours 0900-2200 Monday to Sunday

EPT have reviewed the above application and wish to object on the grounds of prevention of public nuisance, because;

- a) The premises has had a long history of noise complaints from nearby residents as a results of music and people noise from what appeared to be not well managed events.
- b) Application seeks to carry out regulated entertainment both indoor and outdoor, however, the proposed outdoor area for licensable activities not marked within the submitted plans.
- c) Considering premises' location, EPT consider the proposal for having outdoor events would likely cause noise disturbance to nearest residents.

If the sub-committee is minded to grant this application, together with proposed conditions by applicants, I would ask that;

Works conditions

- A sound limiting device shall be installed, set and maintained, to control maximum levels of amplified sound inside the premises so as to ensure entertainment noise from the premises does not cause a public nuisance in the vicinity of the premises, and in particular is not audible inside any nearby noise sensitive premises.

- Acoustic door seals and brushes shall be installed to all external doors so as to minimise sound escape from the premises.
- Sound insulation shall be installed to baffle any vents or air extraction systems to prevent sound escape from the premises.
- The premises shall be adequately mechanically ventilated and comfort cooled to allow doors and windows to remain closed during licensed entertainment.

Management Conditions

- All audio and musical equipment used in the premises, shall be played through the installed sound limiting device.
- Any additional amplification equipment imported on to the premises by third parties, shall be connected to and use the installed sound limited device/circuit.
- All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.
- All live music performances shall be acoustic, other than an electric keyboard with volume control to be used for accompaniment of an artist, with no loud instruments e.g. brass, drums or pipes, permitted.
- During any licensed entertainment on the premises, all doors and windows shall remain closed (except for access or egress).
- Amplified music, song or speech shall not be broadcast in external areas at any time.
- No drinks or glassware are permitted outside at any time.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- There shall be no movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 08.00hrs.
- Suitably qualified or experienced persons shall be employed at all times, whilst licensable activity is being provided, and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.
- Announcements shall be made and notices provided to all exits used by patrons to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.
- No external areas of the premises shall be used for the purposes of licensed entertainment.
- Premises management shall regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment is kept at a level that does not cause disturbance at the closest or most exposed noise-sensitive facade to ensure the prevention of public nuisance.

- A comprehensive Dispersal Policy shall be produced, submitted to and approved by the Licensing Authority and implemented at the premises, with all staff trained on the most recent iteration of the policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request.

Kind Regards,

Raymond Binya

Principal Environmental Protection Officer

Postal address: Southwark Council | Environmental Protection Team | Environmental and Leisure | 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: 02075254809 | Fax: 020 7525 5705 | e mail: raymond.binya@southwark.gov.uk

visit:

Air Quality web pages: <http://www.southwark.gov.uk/air-quality>

Construction web pages: <http://www.southwark.gov.uk/construction>

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



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

**Appendix C - copy of the representation submitted
by an other person**

From:

Sent: Wednesday, May 01, 2019 1:28 PM

To: Regen, Licensing

Subject: club premises certificate application 867093 - objections

My name is , I am the tenant of , Rye Hill Park, SE15 3JX. I have been the tenancy holder since November 1994.

Regarding the Tenants Hall's fitness for purpose as a venue for amplified music. This is still an active issue and pertinent to the current application. The halls walls are of a single stretcher bond in brick, 10cm wide with no acoustic cladding. The ceiling to the interior is suspended with thermal insulation, not acoustic insulation. Thermal insulation has no acoustic absorption properties whatsoever.

During the build up to and during these works, I had a number of conversations through personal contact and email with the community premises officer to get a sense that the works were addressing the issue of noise nuisance which had been an on going matter for myself and some residents in the 22 flats facing out to the back of the hall in the 210-296 Rye Hill Park block for some years previously.

The officer told me that the electrical sub contractor Birchcroft had fitted a noise limiter and set the level, presumably in cooperation of the T&RA. No one asked for my comments on the level set nor am I aware of any of the other residents likely to be affected having been asked Mr Brinley also told me that the 'key' to the limiter had been left with the T&RA after installation.

The noise from amplified music should never be at a level that it penetrates closed double glazing in nearby properties. It should be barely audible directly outside the hall. That level should be set and fixed so that no resident is disturbed in any way or at any time. That should be the bench mark to aim for.in this aspect of the application to create the right relationship with all residents. The vast majority of dwellings on the Rye Hill and Rye Hill Park are well out of acoustic range of the hall and so will have no issues with the halls construction, running or usage consequently little empathy.

Even at the distance I am from the hall, the 8th floor, the volume can be invasive and distracting with windows closed and prevents me from enjoying my home life in the quiet way I choose to live it. Furthermore, both of my bedrooms face outward to the back of the hall and so both bedrooms and lounge are equally affected.

I have spoken to the case officer regarding who will see confidential medical documents that I thought to add. He has explained to me that the applicant receives a copy and so have decided against adding confidential letters lodged with my G.P detailing how these issues over the period they have gone on for have impacted on my wellbeing.

I consider my health and welfare to be a private matter known to myself, my G.P and other health care professionals, friends and family Suffice to say to this for a long while now I have hated living here and dread a party night. When I see vehicles turning up, my stomach is in knots with anxiety. Will it be quiet, will it be loud, It has caused me a great deal of worry, anxiety and annoyance. It is still a present issue causing distress and tension for me as the noise levels from parties can vary widely and so I cannot anticipate peace at home at any time, consequently, I never know what I may be returning to.

There is ample evidence of links between anti social behaviour and alcohol. In a party setting with music in a hall too near to homes that has no acoustic cladding to add alcohol to this equation makes for a very toxic combination. and I am very concerned we are going to

see more rowdiness and a down turn in anti social behaviour that is going to cause problems for residents particularly if guests are allowed to consume alcohol outside the hall as well as in the very close vicinity to homes where there is already issues with people shouting from the hall to others by cars, car horns, particularly when people leave later in the evening. when day time sounds fall away noise nuisance becomes magnified.

The application as it is I strongly oppose on grounds of prevention of public nuisance and a concern for a raised likelihood of an increase of crime and disorder.

I have sent in support of my objections short videos highlighting anti social behaviour of guests and children of guests, noise spill from the T&RA hall, traffic congestion from guests parking on double yellow lines making it difficult for traffic to flow, litter from parties.

Environmental Services noise and nuisance team have records of noise and anti social behaviours going back to 2009 at least, as do I. I have been advised though to restrict my comments to the latest T&RA tenure. I last contacted environmental services on the 16/3/19, my ref 11208931BY3, officers reference 897047

The parties I reference that were problematic for me were 1/12/18, 5/1/19 (when I could smell cannabis use as I passed), 28/1/19, 10/3/19, 16/3/19

1/12/18,	1 video titled ASB 1.mp4
28/1/19,	1 video titled hall music.mp4
16/3/19,	1 video titled parking.mp4
10/3/19,	1 video titled ASB 2.mp4

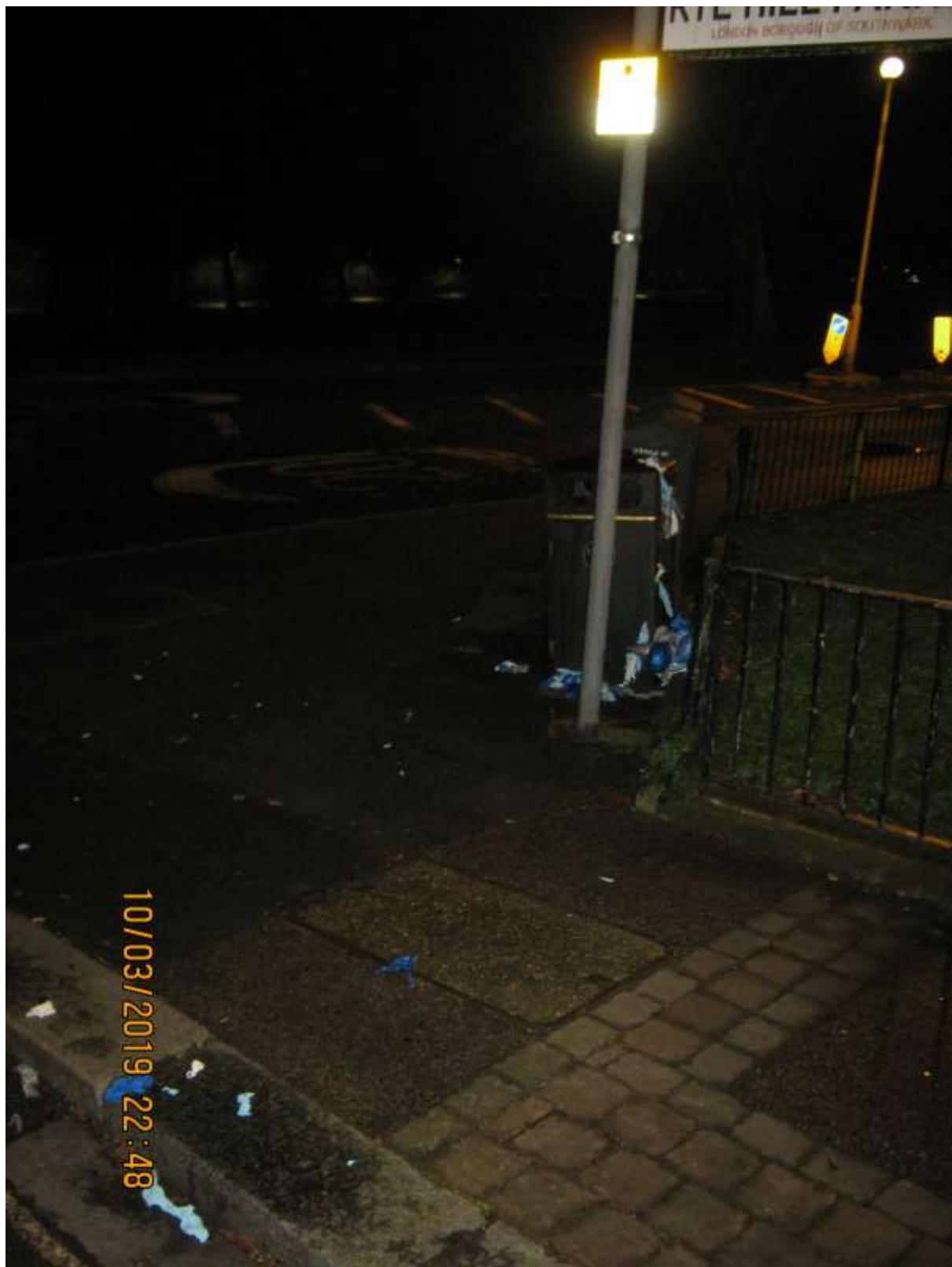
Please download the four videos within 7 days of receipt as I am sending them separately via 'We transfer' and they say they are deleted after 7 days.

Yours sincerely





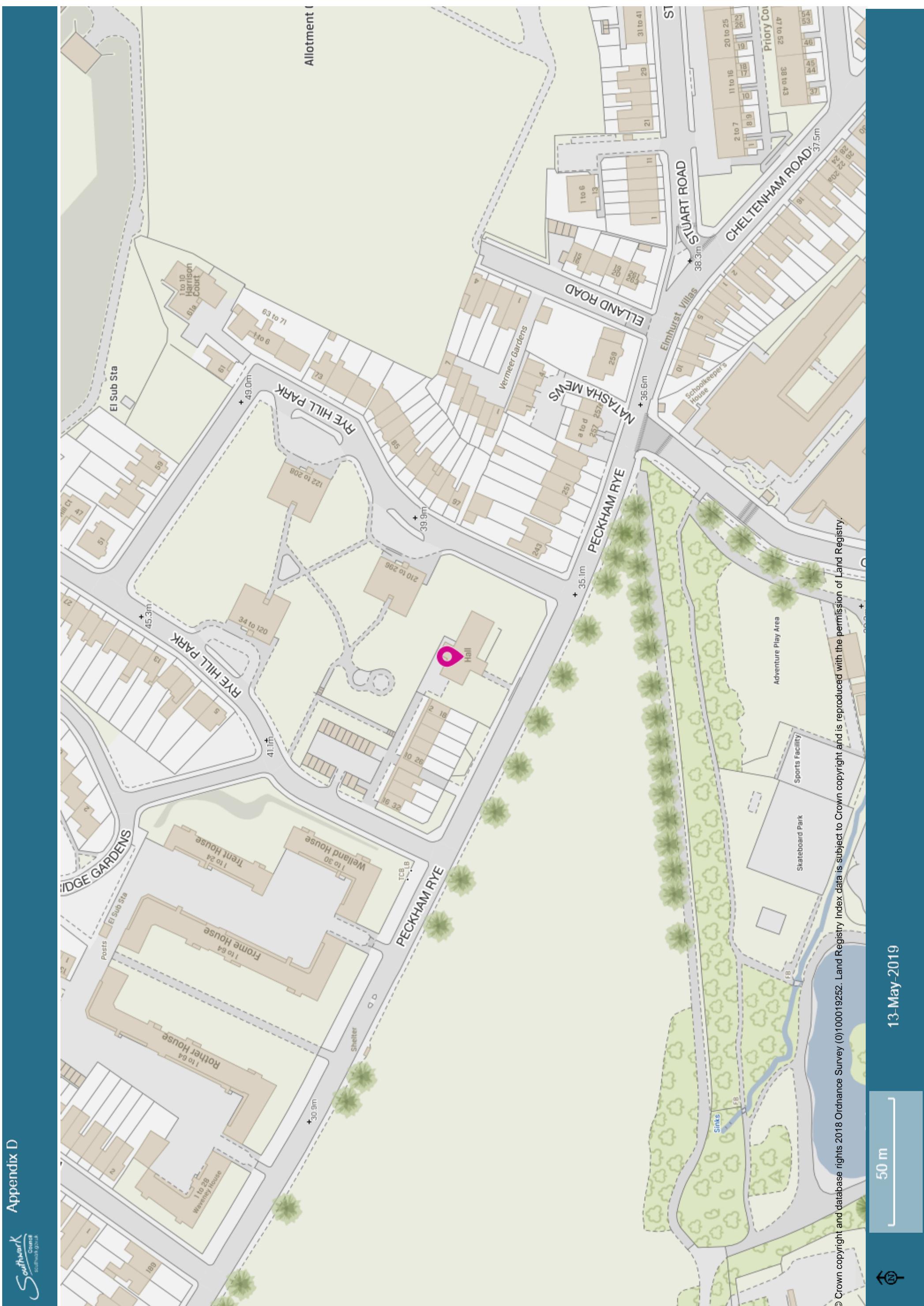




10/03/2019 22:48







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Councillor Jon Hartley	1	P.C. Ian Clements Metropolitan Police Service	By email
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