

From: Newman, Paul

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

To: Regen, Licensing

Cc: xxxxxxxxx

Subject: TENs

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

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

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

Objection of the grounds of the crime prevention objective:

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

Objection on grounds of the prevention of public nuisance objective:

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

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

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

Kind regards

Paul Newman

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