

From: Prickett, Mark
Sent: Monday, August 13, 2018 4:12 PM
To: Regen, Licensing
Cc: [REDACTED]; Mills, Dorcas; 'SouthwarkLicensing@met.pnn.police.uk'
Subject: EPT objection - x3 TEN applications Pulse Nightclub

Dear Licensing,

Southwark's Environmental Protection Team have reviewed the x3 TENs for Pulse Nightclub, 1-4 Invicta Plaza, SE1.

The TENs seek the supply of alcohol, provision of regulated entertainment and late night refreshment between 09:00 on Thursday 6th September through to 05:00 the following morning on Friday 7th September 2018.

1. TEN application attached - 1073058.pdf

"Use of Areas 1 & 2 to allow the use of glassware for corporate event - immersive event with different areas sectioned off and capacity controlled". "Corporate event For Flavourology Up to 499 persons in Areas 1 & 2".

2. TEN application attached - 1073059.pdf

"Arch 5 - space adjacent to Pulse To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled". "Unlicensed Arch attached to licensed venue".

"Corporate event for flavourology to allow up to 300 persons in Arch 5 To allow sound & glassware use - immersive event - with different areas sectioned off and capacity controlled".

3. TEN application attached - 1073060.pdf

"Use of Areas 3-5 to allow glassware for corporate event - immersive event with different areas sectioned off and capacity controlled". "Corporate event for Flavourlogy up to 499 pers in Areas 3-5".

The x3 TEN applications are all applied for by Mr Gareth Roberts and seek to licence 1 large event (Flavourology) at the premises which will be for 1298 persons. An event for 500+ people should be applied for using a time limited premises licence

After numerous instances of multiple TENs being used to licence larger events in Southwark over the past few years, draft amendments to Southwark's Licensing Policy have been proposed to address this. The draft amendments can be found through the following link and the relevant paragraphs are as follows:

<https://www.southwark.gov.uk/business/licences/licensing-and-gambling-act-policy>

Multiple TENs for a single event

69. Section 171 of the explanatory notes to the Licensing Act 2003 with regards to Section 101 of the Act, "Minimum of 24 hours between event periods", states that:

"This section provides that there must be a minimum period of 24 hours between temporary events held on the same premises by a premises user, or held by that user and another person who is related to, associated with or in business with that user. This prevents a premises user holding numerous consecutive temporary events as a means of avoiding an application for a premises licence. If a temporary event takes place on premises that are included within or include other premises where another temporary event takes place, then the two events are deemed to take place on the same premises."

70. In addition to section 101 of the Licensing Act 2003, the Licensing Authority considers that the use of more than one TEN within the same or adjacent premises at similar times to allow an event of over 499 persons attending at any one time is likely to give rise to the an increase in public nuisance and crime and disorder. Additionally the increased number of patrons over 499 persons gives a greater concern on the impact of the event on public safety and the prevention of harm to children.

71. Organisers of events whereby patrons will exceed 499 must not use the "light touch" approach with multiple TENS. Such events should be licensed by application for a time-limited premises licence. This will allow for full consultation of the proposal and the measures to promote the licensing objectives and allows greater opportunities to grant the application with appropriate conditions to promote the licensing objectives.

72. Therefore multiple TENS that receive objections from a relevant person will be considered by the Licensing Sub-Committee with the rebuttable position that only one TEN will be granted.

73. Premises users for multiple TENS will be given opportunity to provide evidence that the separate TENS are not related to a single event and that their grant will not have an adverse affect on the licensing objectives. This will be balanced against evidence provided by the Police and/or Environmental Health Officers.

EPT therefore **raise objection** to the x3 TEN applications for Pulse Nightclub as the applicant seeks to licence 1 large event for 1298 people. There is concern that such a large event running throughout the night, without full consultation that would be required through a time limited premises licence application, could lead to public nuisance.

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
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