

Licensing Sub-Committee

Friday 18 March 2016

10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London
SE1 2QH

Supplemental Agenda No.1

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Contact

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Date: 11 March 2016

Item No. 8.	Classification: Open	Date: 18 March 2016	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: 02 Banqueting Hall, 2 nd Floor, Chatelaine House, 186 Walworth Road, London SE17 1JJ	
Ward(s) or groups affected:		Newington	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the sub-committee decide whether or not to issue a counter notice in respect of a temporary event notice (TEN) served by Mr. Philip Johnson Snr, in regards to an event to be held at 02 Banqueting Hall, 2nd Floor, Chatelaine House, 186 Walworth Road, London, SE17 1JJ between 21:00 on 27 March 2016 and 04:00 on 28 March 2016.

BACKGROUND INFORMATION

The Licensing Act 2003

2. On 24 November 2005 the Licensing Act 2003 came into effect establishing a licensing regime for the following licensable activities:
 - a) The retail sale of alcohol
 - b) The supply of alcohol to club members or on behalf of a club
 - c) The provision of regulated entertainment
 - d) The provision of late night refreshments.
3. The Act establishes a process for the giving of “temporary event notices” (TENs).
4. Amendments to the Licensing Act 2003 were brought about by way of the Police Reform and Social Responsibility Act 2011 as of 25 April 2012.
5. A premises user may serve a TEN, where it is proposed to use the premises concerned to provide one or more licensable activities for a period not exceeding 168 hours for less than 500 persons.
6. A person holding a personal license issued under the Act may serve up to 50 TENs in a calendar year. Non personal licence holders may serve up five 5 TENs in the same period. No premises may be used for more than 15 TENs in a calendar year or for more than 21 days in a calendar year.
7. No premises may be used for temporary events that are less than 24 hours apart.
8. The police or environmental health authority may intervene to prevent such an event taking place or agree a modification of the proposed arrangements, and their

intervention may in some cases result in the licensing authority imposing conditions on a TEN.

9. If the police or environmental health team believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. This must be given within three working days of the receipt of the TEN.
10. A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.
11. The police or environmental health may contact the premises user to discuss their objections and attempt to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified. If there is no agreement, the licensing authority must hold a hearing to consider the notice.
12. If the licensing authority receives an objection notice from the police or environmental health that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions, and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and give a counter notice. This prohibits the event from taking place.

KEY ISSUES FOR CONSIDERATION

The temporary event notice

13. On 4 March 2016 a TEN was served by Mr. Philip Johnson Snr, in regards to an event to be held at 02 Banqueting Hall, 2nd Floor, Chatelaine House, 186 Walworth Road, London SE17 1JJ between 21:00 on 27 March 2016 and 04:00 on 28 March 2016. A copy of the TEN is attached to this report as Appendix A.
14. The TEN is summarised as follows:
 - To permit the sale of alcohol and the provision of regulated entertainment between 21:00 on 27 March 2016 and 04:00 on 28 March 2016.
 - To permit the provision of late night refreshment between 23:00 on 27 March 2016 and 04:00 on 28 March 2016.
 - The maximum number of people expected at any one time at the premises is 450.
 - The supply of alcohol is in respect of consumption on the premises only.

The objection notices

15. On 7 March 2016 this council's environmental protection team (EPT) submitted an objection notice in respect of the above TEN. The EPT are concerned that previous use of the premises has resulted in noise nuisance complaints from 28 October 2010 to 29 December 2015. The EPT contend that allowing the event to take place will not promote the prevention of public nuisance licensing objective. A copy of the EPT's objection notice and supporting evidence are attached to this report in Appendix B.
16. On 8 March 2016 the Metropolitan Police Service submitted an objection notice in respect of the above TEN. The police objection notice states that use of churches in the building has led to complaints being made by local residents. On 21 December 2015 a serious disturbance took place that required police attendance and intervention. The police contend that the premises are not suited to the type of event proposed and that the use of the premises has contributed to noise nuisance and public nuisance in the area. The police contend that allowing the event to take place will undermine the prevention of crime and disorder licensing objective. A copy of the police's objection notice and photographs of the local area submitted with the objection notice are attached to this report in Appendix B.

TENs History

17. No TENs have previously been submitted in respect of the premises. A church known as The Kingdom Church previously operated from 2nd Floor, Chatelaine House, 186 Walworth Road, London SE17 1JJ however no TEN had previously been submitted in respect of The Kingdom Church either.

Premises history

18. No premises licence or other similar authorisation under prior licensing legislation has been or is held in respect of the premises.

Complaint and visit history

19. No complaints in respect of the premises have been received by this council's licensing service. No visits to the premises have been undertaken by this council's licensing service.

Map

20. A showing the location of the premises is attached to this report as Appendix C. The premises are identified at the center of the map by a black diamond.

Policy considerations

21. Section 4 of the Southwark statement of licensing policy on "administration, exercise and delegation of function" deals with the parameters under which TENs may be considered.

Consideration by the sub-committee

22. The sub-committee is asked to consider whether the issue of a counter notice is necessary for the promotion of the licensing objectives.

Community impact statement

23. Members are advised that under the Act, the matters to which consideration may be given in this instance are the licensing objectives.
24. In considering the TEN in terms of community impact the sub-committee must restrict its considerations to this matter.

Resource implications

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

Consultation

26. The Act provides for no consultations to take place other than the process outlined in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

27. The sub-committee is asked to determine the notification of this temporary event under Section 105 of the Licensing Act 2003 and to consider whether or not counter notice should be issued in the circumstance. It must only issue a counter notice if they believe the event would undermine the crime prevention objective set out in the Act
28. The principles which sub-committee members must apply are set out below.

Principles for making the determination

29. The general principle is that temporary event notices must be accepted unless a relevant objection is received from the police. This is subject to the proviso that the premises user has complied with regulations and submitted the notice within a prescribed time.
30. A relevant objection is that which:
- Is about the likely effect of the TEN on the promotion of the crime prevention of the licensing objectives
 - Is made by the Metropolitan Police Service or environmental protection team
 - Has not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

31. If a relevant objection notice is received then the sub-committee must have regard to it in determining whether it is necessary for the promotion of the prevention of crime prevention and the prevention of public nuisance licensing objectives of the Licensing Act to:
- Issue a counter notice by adding to, omit, and/or alter the conditions of the licence or
 - Reject the whole or part of the application for TEN.

Conditions

32. The sub-committee may attach conditions on the carrying on of permitted licensable activities. The sub-committee's function is to determine whether a counter notice should be issued
33. Members are also referred to the Department of Culture, Media and Sport guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

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

Hearing procedures

35. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the objection.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their submission.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular submission before the committee
 - To the licensing objectives prevention of crime and disorder.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in

doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.

- In considering the objection and notice the authority may take into account documentary or other information produced by a party in support of their objection or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
36. This matter relates to the determination of a notification for a temporary event notice under section 105 of the Licensing Act 2003. Regulation 26(1) (c) requires the sub-committee to make its determination at the conclusion of the hearing.
 37. 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.
 38. As a quasi-judicial body the licensing sub-committee is required to consider the temporary event notice on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of the police objection.
 39. 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.
 40. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making the objection to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
 41. Where the relevant counter notice under section 105(3) is given the premises user may appeal against that decision. Where a counter notice is not given, the chief officer of police may appeal against that decision. The appeal must be made to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against. No appeal may be brought later than five working days before the day on which the event begins.

Guidance

42. 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.

REASONS FOR URGENCY

43. The TENs process is time limited, and due to legislative time constraints it would not be possible to wait for a further meeting to be held to consider this report.

REASONS FOR LATENESS

44. This report was not available for circulation within five clear days before the meeting due to legislative time constraints.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance Secondary Regulations Statement of Licensing Policy Various papers from the premises file.	Licensing Unit Hub 2 Third Floor 160 Tooley Street SE1 2TZ	Kirty Read: 020 7525 5748

APPENDICES

No.	Title
Appendix A	Copy of the temporary event notice
Appendix B	Copies of the objection notices and supporting documentation
Appendix C	Map

AUDIT TRAIL

Lead Officer	Strategic Director of Environment and Leisure	
Report Author	Wesley McArthur, Licensing Enforcement Officer	
Version	Final	
Dated	9 March 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	9 March 2016	

04/03/2016

Business - Temporary events notices

Ref No. 583408

Before completing this notice please read the guidance notes at the end of the form.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Your name

Title	Mr
If other, Please state	London
Surname	Johnson Snr
Firstname(s)	Philip

2. Previous names

Title	
If other, Please state	London
Surname	Johnson Snr
Firstname(s)	Philip

3. Your date of birth

	██████████
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4. Your place of birth

	██████
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5. National Insurance Number

	██████████
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6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)

Address Line 1	██
Address Line 2	██████████
Town	██████

County	
Post code	██████████

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user. If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

7. Other contact details

	Telephone numbers:
Daytime	██████████
Evening (optional)	
Mobile (optional)	
Fax number (optional)	██████████
E-Mail Address	████████████████████████████████████████

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)

Address Line 1	
Address Line 2	
Town	
County	
Post code	

9. Alternative contact details (if applicable)

	Telephone numbers:
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address	

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)

Address Line 1	186 WALWORTH ROAD
Address Line 2	
Town	LONDON

County	
Post code	SE17 1JJ

Ordnance Survey grid reference

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

Address Line 1	
Address Line 2	
Town	
County	

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

	O2 Banqueting Hall 2nd Floor Chartlain House
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Please describe the nature of the premises below. (Please read note 4) *

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

	Discotheque
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If the event is situated in a park or in part of a larger premises, please upload the site location plans. Other documents such as risk assessments can also be uploaded here

Document 1	
Document 2	
Document 3	
Document 4	

Document 5	
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Note 2

For the purposes of the Licensing Act 2003, "premises" means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500.

If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Please state the licensable activities that you intend to carry on at the premises (please check next to the licensable activities you intend to carry on). (Please read note 6)

	The sale by retail of alcohol The provision of regulated entertainment The provision of late night refreshment Are you giving a late temporary event notice ? (Please see note 7)
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Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

	21:00 Sunday 27th March 2016 To 04:00 Monday 28th March 2016
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Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)

	21:00 27/03/2016 To 04:00 28/03/2016
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Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

	450
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If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please check next to the appropriate box). (Please read note 11)

	On the premises only
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Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of "entertainment facilities" for:

- (a) making music;
- (b) dancing; and
- (c) entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7 (not including the date that the form is submitted and the date of the Event)

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there.

If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Do you currently hold a valid personal licence?

	No
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If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

	No
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If answering yes, please state the number of temporary event notices you have given for events in that same calendar year

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Have you already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year. If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an "associate".

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
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If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year

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Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

	No
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If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.

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Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

a) ends 24 hours or less before; or	No
b) begins 24 hours or less after	No

Note 14

An “associate” of the proposed premises user is:

- a. the spouse of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5th December 2005.

I shall

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Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (not including the date that the form is submitted and the date of the Event) (or five working days for a late notice) (not including the date that the form is submitted and the date of the Event)before the commencement of the proposed licensable activities.

The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary.

Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

I agree to the above statement

	I agree
PaymentDescription	186 WALWORTH ROAD, , SE17 1JJ
PaymentAmountInMinorUnits	2100
AuthCode	██████
LicenceReference	LTN-94212-45
PaymentContactEmail	████████████████████████████████████████

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

Objection notices served by the EPT and the police

From: Turay, Michael
Sent: Monday, March 07, 2016 1:45 PM
To: [REDACTED]
Cc: Regen, Licensing
Subject: Temporary Event Notice-186 Walworth Road, London, SE17 1JJ

Dear Philip Johnson Snr,

The Environmental Protection Team (EPT) has reviewed the Temporary Event Notice (TEN) application for **Sunday 27 March 2016 from 21:00-04:00 hours for the Sale by Retail of Alcohol, the Provision of Regulated Entertainment and the Provision of Late Night Refreshment**, after reviewing the compliance history of the premises, the EPT object to this TEN on Noise/Public Nuisance grounds

Reason for Objections

Our complaints database shows that the Council received noise nuisance complaints from **28 October 2010-29 December 2015**, therefore granting the requested TEN will not promote the prevention of Public Nuisance

Michael Turay
Principal Environmental Protection Officer
Environmental Protection Team

From: Turay, Michael
Sent: Wednesday, March 09, 2016 1:42 PM
To: [REDACTED]
Cc: Regen, Licensing; McArthur, Wesley
Subject: TEN-Mountain Movers Church-186 Walworth Road, London, SE17 1JJ

Dear Mr Philip Johnson,

Further to my email of 7 March 2016 notifying you that the Environmental Protection Team object to the Temporary Event Notice for Sunday 27 March 2016 and cited noise nuisance complaints the reason for recommending refusal/objection, herewith attached to this email an inventory of noise complaint for your information.

Please contact me if you have any queries or wish to discuss the matter.

Regards

Michael Turay
Principal Environmental Protection Officer
Environmental Protection Team

Noise complaints Inventory- 186 Walworth Road, London, SE17 1JJ

28 October 2010 at 13:26, a local resident contacted the noise team about loud music from the premises.

On 18 August 2012 at 01:50, a local resident contacted the noise team about loud music from the premises/church

24 June 2014 at 13:12, a local resident contacted the noise team regarding loud music from the premises.

22 July 2014, at 17:37, a local resident contacted the noise team regarding loud music from the premises.

On 13 August 2014, a local resident contacted the noise team regarding loud music from the premises.

On 14 September 2014 at 17:21 hours, a local resident contacted the noise team regarding loud music from the premises

On 16 September 2014, a local resident contacted the noise team about loud music from the church.

24 May 2015 at about 11:49, a local resident contacted the noise team about people noise.

27 May 2015 at 15:22 hours, a local resident contacted the noise team about loud music from the music.

30 May 2015 at 03:05 hours, a local contacted the noise team loud music from the church.

31 May 2015 at 14:42, a local resident contacted the noise team regarding loud amplified music from the church

7 July 2015 at 11:03, a local resident contacted the noise team regarding loud amplified music from the church

9 July 2015 at 19:52, a local resident contacted the noise team regarding loud music from the church.

10 July 2015 at 16:29 hours, a local resident contacted the noise team regarding the noise from the church.

On 29 September 2015 at 14:45, a local resident contacted the noise team regarding loud music from the church



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: [REDACTED]

Date: 8th March 2016

Dear Sir/Madam

O2 Banqueting, 2nd Floor, Chartlain House, 186 Walworth Road, London
SE17 1JJ

Police are in receipt of an application from the above for a Temporary Event Notice (TEN) to be granted for Sunday the 27th march 2016 between 21.00hrs to 04.00hrs.

The premises are situated on the second floor of what appears to be an ex office building with the main entrance on the Walworth Road the rear is off Amelia street with an exit onto the car park. Amelia Street has had substantial redevelopment over the last few years with a number of very large residential blocks which over look Chartlain House. I visited the premises today in the company of PC Spedding. Access to the 2nd floor is by a narrow staircase and a small lift that moves extremely slowly and appears in need of maintenance. The fire escape leads onto a flat roof and onto Manor place next to the police station which is also a residential street.

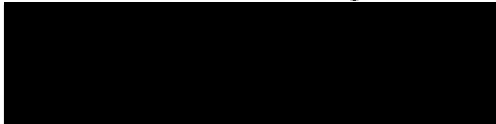
A number of churches are situated within the premises, and have caused a number of complaints from local residence. On the 21st December 2015 a party was held within the building which resulted in a serious disturbance involving at least 40 people. Police officers whilst dealing with a potential victim had to call for urgent assistance and draw their batons and baton strike a number of people to defend themselves. During the disturbance a male sustained a serious head injury after being hit with a bottle.

The premises are not suited to this type of activity and the above premises have been a major contributing factor to an increase of complaints of noise and public nuisance.

The Police object to the granting of the Notices on the grounds that any event involving large numbers of people drinking alcohol and playing music in the premises will undermine the crime and disorder objective of the Licensing Act 2003 as previous events at the venue have resulted in serious violence.

The Following is submitted for your consideration,

PC Graham White 288MD
Southwark Police Licensing Unit



Google Maps Walworth Rd



Image capture: Apr 2015 © 2016 Google

Google Maps Amelia St



Google

Image capture: Apr 2015 © 2016 Google

Google Maps Manor Pl

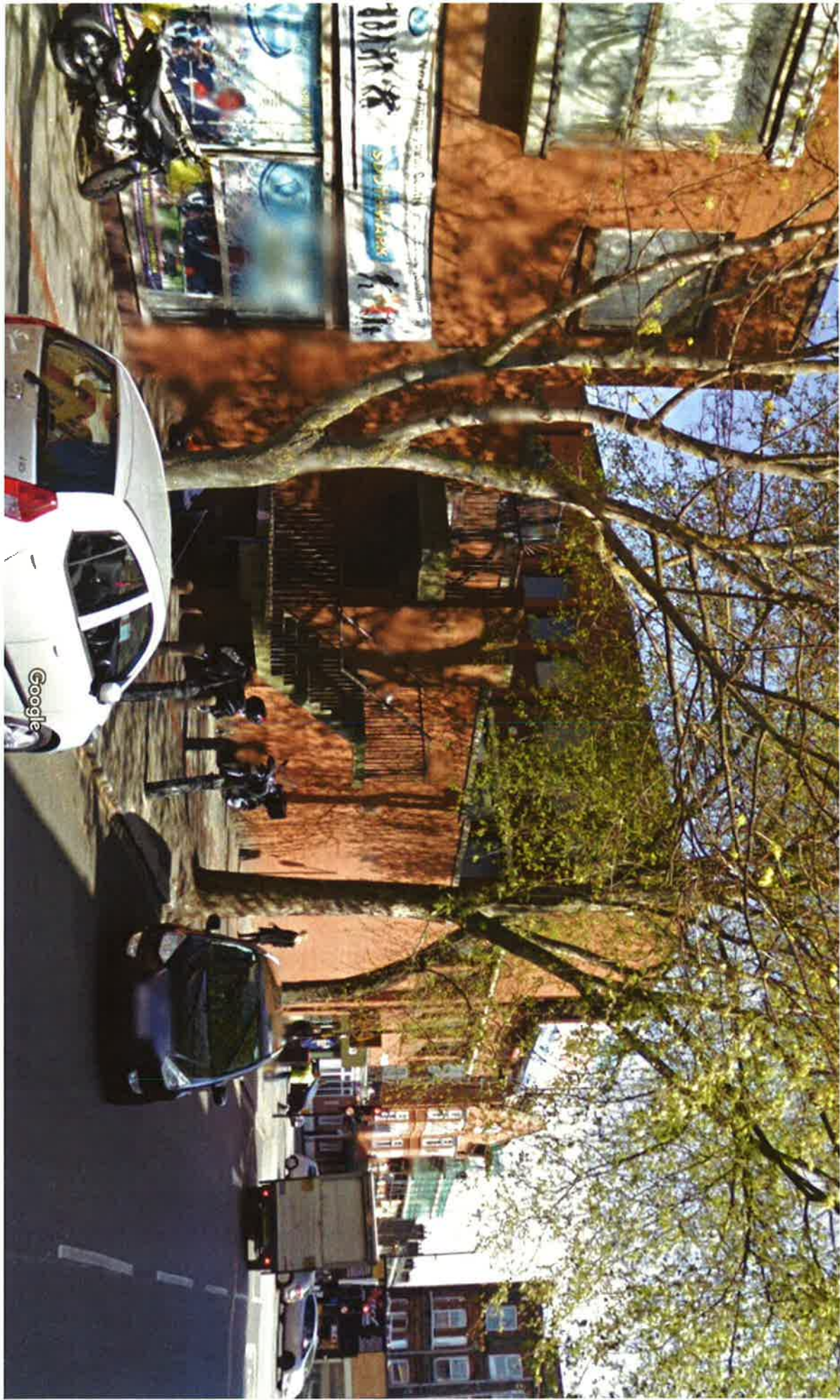
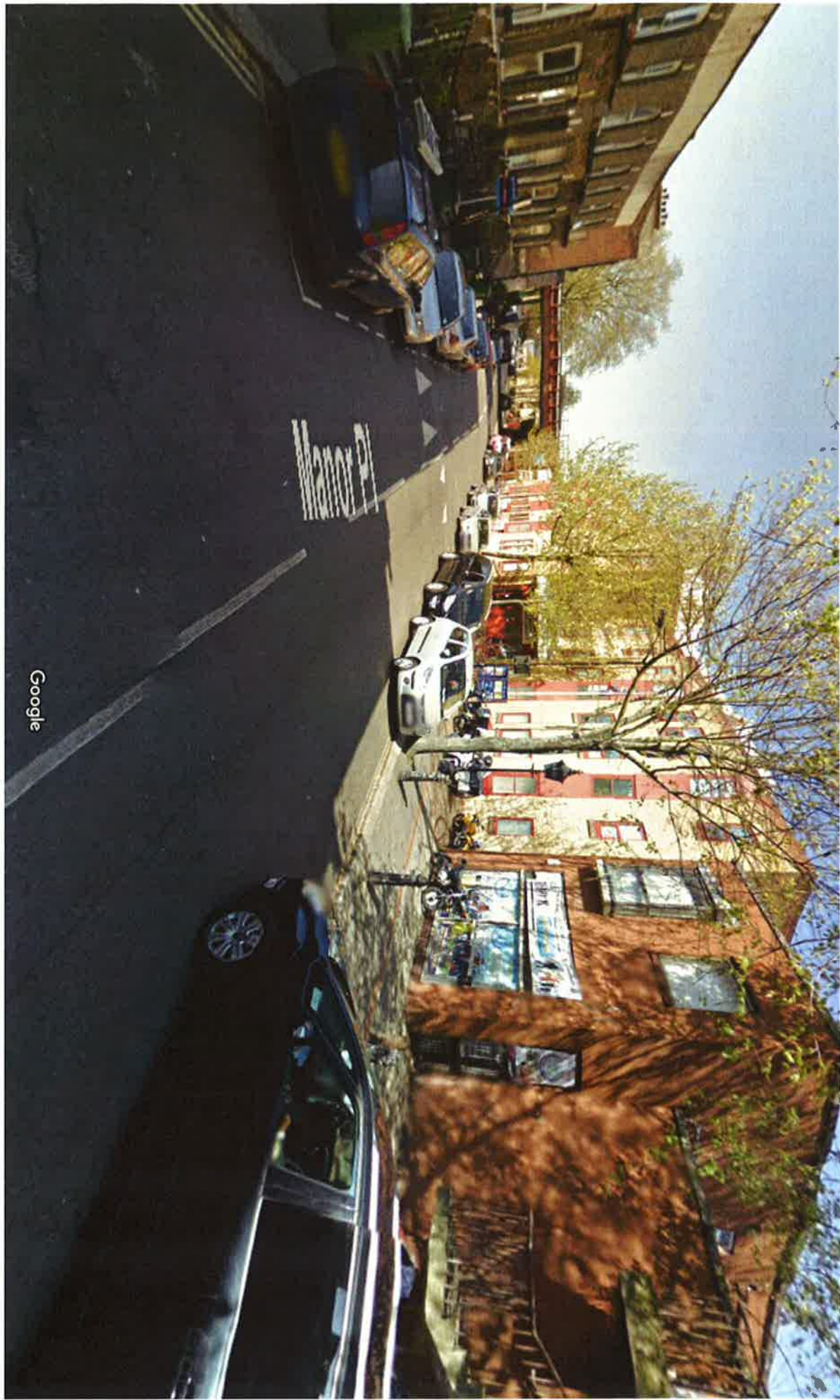


Image capture: Apr 2015 © 2016 Google

Google Maps Manor PI



Google

Image capture: Apr 2015 © 2016 Google

Google Maps Amelia St



Image capture: Apr 2015 © 2016 Google



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