Open Agenda

Licensing Sub-Committee

Wednesday 2 April 2014
10.00 am
Ground Floor Meeting Room G02A - 160 Tooley Street,
London SE1 2QH

Supplemental Agenda No.1

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Contact

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

Date: 28 March 2014

Agenda Item 5

Item No:	Classification:	Date:	Meeting Name:
5.	Open	2 April 2014	Licensing Sub-Committee
Report Title		Licensing Act 2003: Restoration Power Ministry, 70 Newington Causeway, London SE1 6DF - Temporary Event Notice	
Ward(s)or groups affected		Chaucer	
From		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the sub-committee considers whether or not to issue a counter notice in respect of a temporary event notice served by Mr Kofi Berchie, who holds a personal licence with Enfield Council, in regards to an event to be held at the Restoration Power Ministry, 70 Newington Causeway, London SE1 6DF between 5 April 2014 and 6 April 2014 from 18.00 to 02.00.

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 to five TENs in the same period. No premises may be used for more than 12 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 the 14 March 2014 a TEN was served by Mr Kofi Berchie, in respect of the event to be held at 70 Newington Causeway, London, SE1 on 5 April 2014 to 6 April 2014 from 18.00 to 02.00. 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, the provision of regulated entertainment and the provision of late night refreshment between 5 April 2014 to 6 April 2014 from 18.00 to 02.00. The maximum number of people expected at any one time at the premises is 200. Licensable activities are to take place on the premises only.

- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club does not apply.

The objection notice

15. On 18 March 2014 the council's environmental protection team (EPT) served an objection notice in respect of the TEN for 5 April 2014 to 6 April 2014. The EPT objection is to the provision of regulated entertainment. The EPT are not satisfied that the prevention of public nuisance in regard to the surrounding local residents has been properly addressed. The EPT is also concerned that the public safety factor in regard to a fire risk assessment has also not been properly addressed. A copy of the objection notice and supporting evidence is attached to this report as Appendix B.

TENs history

16. The premises known as Restoration Power Ministry, 70 Newington Causeway London SE1 6DF operates without a premises licence. The premises are not licensed for regulated entertainment or the sale of alcohol under the Licensing Act 2003.

17. A table regarding the TEN's activities is submitted below.

No.	Premises user	Date of event	Time of event	Maximum no. of persons expected at the event at any one time	Activities permitted	Objection notice served?	Counter notice served?
1	Mr. Kofi Berchie	18-19 January 2014	18.00-02.00	200	Music and late night refreshment	No	No
2	Mr. Kofi Berchie	11-12 January 2011	18.00-02.00	200	Alcohol and late night refreshment	No	No
3	Mr. Kofi Berchie	14-15 December 2013	20.00-02.00	200	Music and late night refreshment	No	No

Premises history

18. The premises are currently unlicensed for regulated entertainment under the Licensing Act 2003.

Complaints

19. The computer records show that the licensing unit has received 21 complaints from local residents between 16 April 2013 and 20 March 2014 with regards to the premises causing a noise nuisance, and parking cars on the pavement.

Inspections

20. In response to these complaints the council's night time economy team officers have visited and inspected premises on six different occasions in response to the complaints.

Map

21. A map of the area is attached to this report as Appendix C. The premises is identified by a triangle at the centre of the map. For purposes of scale-only the circle on the map has a 100 metre radius. The following licensed premises terminal hours are also shown on the map:

    - The premises known as the Ministry of Sound, 103 Gaunt Street SE1. Licensed for regulated entertainment and the sale of alcohol on the premises 24 hours 7 days per week and late night refreshment 23.00 to 05.00 7 days per week.

Policy considerations

22. 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

23. Although the applicant has been in discussions with all parties who have submitted objection notices, at the time of writing this report it has not been possible to reach a negotiated outcome in regards to this matter and therefore the sub-committee is asked to consider whether the issue of a counter notice is necessary for the promotion of the crime and disorder and prevention of public nuisance licensing objectives.

Community impact statement

24. Members are advised that under the Act, the matters to which consideration may be given in this instance are the crime and disorder and public nuisance objectives.

25. In considering the TEN in terms of community impact the sub-committee must restrict its considerations to this matter.

Resource implications

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

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

28. 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

29. The principles which sub-committee members must apply are set out below.

Principles for making the determination

30. 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.

31. 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
- Has not been withdrawn
- Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

32. 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

33. 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

34. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

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

Hearing Procedures

36. 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.

37. 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.

38. 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.

39. 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.

40. 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.

41. 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.

42. 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

43. 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

44. 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

45. 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

Name	Title
Appendix A	Copy of the temporary event notice application
Appendix B	Copy of the environmental protection team objection notice and supporting comments
Appendix C	Map of the area

AUDIT TRAIL

Lead Officer	Strategic Director of Environment and Leisure	
Report Author	David Swaby, Principle Licensing Officer	
Version	Final	
Dated	27 March 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	**Comments sought**	**Comments included**
Director of Legal Services	Yes	Yes
Director of Finance and Corporate Services	No	No
Cabinet Member	**No**	**No**
Date final report sent to Constitutional Team		27 March 2014

APPENDIX A

APPENDIX A.

Council

Environmental Health & Trading Standards
Licensing Unit
3rd Floor Hub 2
160 Tooley Street
PO Box 64529
London
SE1 5LX

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. 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. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr ☑ Mrs ☐ Miss ☐ Ms ☐ Other (please state)		
Surname	BERCHIE		
Forenames	KOFI		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day [redacted]	Month [redacted]	Year [redacted]
4. Your place of birth	[redacted]		
5. National Insurance Number	[redacted]		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
[redacted] LONDON			
Post town LONDON	Postcode [redacted]		
7. Other contact details			
Telephone numbers Daytime Evening (optional) Mobile (optional)	[redacted]		
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this			

address to correspond with you)	
70 NEWINGTON CAUSEWAY 5 FLOOR	
Post town LONDON	Postcode SE1 6DF

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime Evening (optional) Mobile (optional)	[redacted]
Fax number (optional)	
E-Mail address (if available)	

2. The premises
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)
70 NEWINGTON CAUSEWAY LONDON SE1 6DF 5 FLOOR
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)
Please describe the nature of the premises below. (Please read note 4)
THE PREMISES IS BEING USED A PLACE OF WORSHIP AND IT IS CALLED RESTORATION POWER MINISTRY
Please describe the nature of the event below. (Please read note 5)
THE PREMISES IS TO BE USED FOR SOCIAL EVENTS, SUCH AS A PARTY & SOCIAL GATHERING

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
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 the club		☑ NB
The provision of regulated entertainment		☑
The provision of late night refreshment		☑
Are you giving a late temporary event notice? (Please read note 7)		☐
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
5TH APRIL 2014		
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)		
BETWEEN 18HRS — 2AM		
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)		200
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 tick as appropriate). (Please read note 11)	On the premises only	☑
	Off the premises only	☐
	Both	☐

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes ☐	No ☑

7. Checklist: (Please read note 15) I have (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	☑
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	☑
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	☑
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	☐
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	☑
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	☐
Made or enclosed payment of the fee for the application	☐
Signed the declaration in Section 9 below	☑

8. Condition (Please read note 16)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)

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 or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding 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 summary 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.

Signature	[redacted]
Date	13.08.2014

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please tick)	Yes ☐	No ☑
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		

5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)		
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?	Yes ☑ 1	No ☐
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes ☑	No ☐

6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)		
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?	Yes ☑	No ☐
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	2	
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 b) begins 24 hours or less after the event period proposed in this notice?	Yes ☑	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?	Yes ☐	No ☑

Name of Person signing	KOFI BERCHIE

For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Southwark Licensing Team
Community Safety EHTS,
3rd Floor Hub 2
PO Box 64529
London SE1P 5LX
E-mail: *licensing@southwak.gov.uk*
Tel 020 7525 4261

The Chief Officer of Police
PC Graham White and PC Ian Clement
Southwark Police Licensing Unit
Southwark Police Station
323 Borough High Street
London, SE1 2ER
Tel: 0207 232 6756http://www.southwark.gov.uk/London2012

The Councils Environmental Protection Team
SE1P 5LX
3rd Floor Hub 2
PO Box 64529
London, **SE1P 5LX.**
Tel 020 7525 4261
E-mail: environmental.protection@southwark.gov.uk
NOTES

APPENDIX B. 15

APPENDIX B

Swaby, David

From: [redacted]
Sent: 17 March 2014 16:40
To: Swaby, David
Subject: FW: EPT objection to TEN application - 70 Newington Causeway - 5/6th April 2014

Attachments: FRA_Victorious_Restoration_Power_Ministry_231113 (2).pdf

Hi Dave,

This is for you - hearing is necessary if the applicant won't withdraw TEN

thanks

[redacted]
Principal Licensing Officer
London Borough of Southwark
Ph: 020 7525 5754, Fax: 020 7525 5705
licensing@southwark.gov.uk http://app.southwark.gov.uk/licensing/licenseregister.asp

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From: Omojomolo, Alex
Sent: 17 March 2014 16:39
To: Ashenden, Kristie
Subject: FW: EPT objection to TEN application - 70 Newington Causeway - 5/6th April 2014

From: Prickett, Mark
Sent: 17 March 2014 16:23
To: Regen, Licensing
Cc: [redacted]
Subject: EPT objection to TEN application - 70 Newington Causeway - 5/6th April 2014

Dear Licensing,

The Environmental Protection Team have reviewed the TEN application made by Mr. Kofi Berchie for a 'social event - such as party & social gathering' at Floor 5, 70 Newington Causeway, SE1 6DF on Saturday 5th April from 18:00 to 02:00 the following day. Licensable activities sought are for the sale by retail of alcohol, the provision of regulated and the provision for late night refreshment.

After reviewing the application and the premises history Environmental Protection raise **objection** to this TEN application for the following reasons;

1) Prevention of Public Nuisance

The premises is a disused office block and as such is not constructed/insulated to appropriately contain regulated entertainment noise, especially when continuing through to the sensitive times of 02:00. If this TEN goes ahead I have concerns regarding the potential noise disturbance this event could cause to surrounding residents.

2) Public safety

Southwark Council Environmental Health department have serious concerns regarding Health & Safety standards at the premises and as such the safety of visitors to the venue if this TEN is permitted.

A fire Risk Assessment was undertaken by Nigel Williams dated 23/11/2013 on behalf of Mr. Kofi Berchie for Victorious Restoration Power Ministry, 5th Floor, Lancaster House, 70 Newington Causeway, London SE1 6DF.

The following significant issues (those that have been identified as being very high priority and high priority) were stated as needing to be addressed as a matter of urgency;

Item	description

4.1	No training provided for Fire Wardens/Staff and no training records
4.3	No disabled persons policy or a Personal Emergency Evacuation Procedure (PEEPs)
4a.2	Fire Wardens have not been appointed
4a.2	No fire evacuation drills have been carried out
4a.3	No training provide for staff in basic use of fire extinguishers
4a.4	No fire evacuation policy for evacuation of people with disabilities
6.2	No portable appliance testing (PAT) has been carried out
7.1	No set occupancy figure for 5th floor against escape stair capacity for building
7.1	Insufficient exit width to east (front) escape stair to allow for number of occupants on fifth floor
7.2	Ascertain stair capacity
7.2	No control on number of occupants in building
7.4	No 'Fire Exit' signage in west (main) stair
7.4	No 'Fire Exit' signage in various locations on fifth floor
7.6	Padlocks or bolts on doors to east (front) stair
7.6	Bolts and lock on final exit doors from east (front) stair at ground floor level
7.6	Blocked escape route on stairs and fire doors to stairs left open
7.9	Door on escape route does not open in direction of travel
7.10	No intumescent strips or cold smoke seals on various doors
7.10	Excessive gap between entrance doors to fifth floor
7.11	Self closing device on kitchen door is broken
7.16	No emergency escape lighting in main hall
7.18	Faulty emergency escape lighting in fifth floor
8.4	No 'Fire Action' Notices
8.8	No verification of automatic monitoring of fire alarm signal

It is the duty of the responsible person to action any significant findings, and as far as Southwark Council's Environmental Health teams are concerned these matters have not been addressed and as such very serious public safety concerns are still held with regards to this venue continuing to be used as a licensed premises.

With regards to max occupancy of the premises, the report detailed the following;

"There is a full occupancy figure of approximately 150 persons which includes visitors and staff. This figure has not been verified against the combined escape capacity of the protected fire exits and stairs for the whole building. The building has two escape stairs, each of which discharges directly to the outside and fresh air. However, the entrance door to the fifth floor lobby of the east stair (front) is of restricted width and has will therefore have a lesser capacity than the main stair. The Responsible Person has been advised by the assessor to urgently increase the width of the exit door to the stair lobby to at least 1050 mm in order to allow sufficient escape capacity to this stair, should only one stair be available in the event of fire. ***Until this is completed the Responsible Person should limit the number of persons on the fifth floor to not more than 60."***

Despite the full occupancy figure being stated to the fire assessor as 150, this TEN application seeks to permit a max number of 200 people at the premises. This number is in excess of the previously stated max number of 150, and well in excess of the max capacity of **60** outlined in the Fire Risk Assessment. This demonstrates that the applicant has paid no attention to the content and urgent recommendations made within the Fire Risk Assessment.

To summarise, the Environmental Team raise **objection** to this TEN application on prevention of public nuisance and public safety grounds. The aforementioned Fire Risk Assessment is attached to accompany this objection.

[redacted]

Kind regards,

APPENDIX C.

70 Newington Causeway

Southwark Council

Date 26/3/2014



This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office
© Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to production or civil proceedings. ((0)100019252) 2009

Scale 1/1250
D. Swaby

APPENDIX C

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LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) **MUNICIPAL YEAR 2013-14**

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

Name	No of copies
Members	
Councillor Renata Hamvas (Chair)	1
Councillor Lorraine Lauder MBE	1
Councillor Adele Morris	1
Reserve	
Councillor Eliza Mann	1

Name	No of copies
Officers	
Debra Allday, Legal team	1
David Swaby, Licensing team	1
Mark Prickett, Environmental protection team	1
Other persons by post/email	(1)
Andrew Weir, Constitutional team	8

Total: 16

Dated: 24 March 2014