

Licensing Sub-Committee

Thursday 24 March 2022

10.00 am

Online/Virtual: please contact andrew.weir@southwark.gov.uk for a link to the meeting and the instructions for joining the online meeting

Membership

Councillor Renata Hamvas (Chair)
Councillor Sunil Chopra
Councillor Sunny Lambe

Reserves

Councillor Dora Dixon-Fyle MBE

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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If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

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Contact

Andrew Weir by email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 15 March 2022



Licensing Sub-Committee

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10.00 am

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Order of Business

Item No.	Title	Page No.
	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: BELAIR HOUSE, BEAUBERRY HOUSE, GALLERY ROAD, LONDON SE21 7AB	1 - 68
	ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.	

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: 15 March 2022

Agenda Item 5

Item No. 5.	Classification: Open	Date: 24 March 2022	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Belair House, Beauberry House, Gallery Road, London SE21 7AB	
Ward(s) or groups affected:		Dulwich Village	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application submitted by an 'other person' under Section 51 of the Licensing Act 2003 (the Act) for the review of the premises licence held by Belair Mansion Limited in respect of the premises known as Belair House, Beauberry House, Gallery Road, London, SE21 7AB.
2. Notes:
 - a) The grounds for the review are stated in paragraphs 12 to 14 of this report. A copy of the premises licence review application is attached as Appendix A.
 - b) The review application is supported by representations submitted by Responsible Authorities in Appendix B and by other persons in Appendix C. Details of the representations are provided in paragraphs 15 to 18.
 - c) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix D. A map of the area that the premises are located in is attached as Appendix E.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application 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 applications 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. 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.

8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 51 of the Act it remains open to any Responsible Authority or other person to apply to the local Licensing Authority for a review of the premises licence where there are ongoing concerns regarding one or more of the four stated licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence

9. The premises licence allows the provision of licensable activities as follows:
 - The sale of alcohol to be consumed on and off the premises:
 - Monday to Thursday 10:00 to 00:00
 - Friday and Saturday 10:00 to 02:00
 - Sunday 10:00 to 23:30

 - The provision of late night refreshment (indoors):
 - Monday to Thursday 23:00 to 00:00
 - Friday and Saturday 23:00 to 02:00
 - Sunday 23:00 to 23:30

- The provision of regulated entertainment in the form of live and recorded music and the performances of dance(indoors):
 - Monday to Thursday 10:00 to 00:00
 - Friday and Saturday 10:00 to 02:00
 - Sunday 10:00 to 23:30
- Opening hours:
 - Monday to Thursday 10:00 to 00:30
 - Friday and Saturday 10:00 to 02:30
 - Sunday 10:00 to 23:30.

10. The licence is subject to the mandatory conditions set down under the Act and further conditions consistent with the operating schedule submitted with the application for the licence. A copy of the full premises licence is attached as Appendix D.

Designated premises supervisor (DPS)

11. The current designated premises supervisor (DPS) named on the licence is Manoj Mohandas, who holds a personal licence with Croydon.

The review application

12. On 2 February 2022, an application was submitted by an 'other person' under Section 51 of the Licensing Act 2003, for the review of the premises known as Belair House, Beauberry House, Gallery Road, London SE21 7AB.

13. The review application was submitted in respect of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm licensing objectives and in summary states that the following has been witnessed and / or taken place at the premises:

- Premises operating beyond its permitted hours
- Patrons congregating outside of the premises
- Excessive noise from patrons and loud music
- Drug taking
- Littering;
- The proximity to local residents.

14. Full details of the grounds for the review are provided within review the application. A copy of the review application and stills from the applicant's CCTV is attached as Appendix A. There are four short CCTV clips that the applicant will wish to be shown at the Hearing.

Representations from responsible authorities

15. There are supporting representations submitted in support of the review application by the Metropolitan Police Service and the licensing authority.

16. The representation from the police is made under the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. It outlines

potential licence condition breaches, externally promoted events, irresponsible alcohol promotions and complaints from local residents. This representation is available in Appendix B.

17. The licensing authority's representation is made in support of the review under the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance; and draws attention to the history of complaints emanating from the premises, including a number of licence breaches found during an inspection on 22 November 2021. This representation together with a schedule of licensing visits to the premises and temporary event notices is available in Appendix B.

Representations from other persons

18. A supporting representation has been received from the Dulwich Society, citing excessive numbers of patrons, excessive noise from patrons, music, opening hours being contrary to the Southwark statement of licensing policy and breaches of the premises licence. The representation is attached as Appendix C.

Operating History

19. A previous premises licence had been in place under Belair House Limited since 2013. However, the company dissolved on 18 June 2019. A transfer had been applied for on 23 July 2019, but was out of time. Therefore a new premises licence had to be applied for.
20. The current premises licence was issued on 30 September 2019 to Belair Mansion Limited with Leigh Michelle Norris as DPS, following a review hearing of the licensing sub-committee. The premises also has a Marriage Licence, currently issued on 6 September 2019, expiring on 21 August 2022.
21. A vary DPS application was made on 01 December 2021, varying it to Manoj Mohandas and issued on 08 December 2021. This is the current licence, available in Appendix D.
22. The premises were subject to government restrictions in response to the coronavirus pandemic. During this time, the operation of the premises was severely curtailed. All restrictions relating to coronavirus restrictions were lifted on 24 February 2022.
23. On 31 January 2022, an application was submitted by Christine Jones under Section 51 of the Licensing Act 2003.
24. The following is a list of recent temporary events notices issued for the premises:

Applicant	Dates	Activities	Counter Notice
Leigh Norris	30/10/2021 to 31/10/2021 from 20:00 to 04:00	Alcohol, regulated entertainment and late night refreshment for 300 persons	No
Leigh Norris	20/11/2021 to 21/11/2021 from 20:00 to 04:00	Alcohol, regulated entertainment and late night refreshment for 400 persons	No

Applicant	Dates	Activities	Counter Notice
Leigh Norris	03/12/2021 to 04/12/2021	Alcohol, regulated entertainment and late night refreshment for 350 persons	No
Leigh Norris	18/12/2021 to 19/12/2021 from 20:00 to 04:00	Alcohol, regulated entertainment and late night refreshment for 350 persons	No
Leigh Norris	26/12/2021 to 27/12/2021 from 21:00 to 04:00	Alcohol, regulated entertainment and late night refreshment for 350 persons	No
Leigh Norris	31/12/2021 to 01/01/2022 from 21:00 to 04:00	Alcohol, regulated entertainment and late night refreshment for 400 persons	No
Leigh Norris	01/01/2022 to 02/01/2022 from 20:00 to 04:00	Alcohol, regulated entertainment and late night refreshment for 350 persons	No

25. The following is a table of most recent complaints regarding the premises:

Date	Complainant	Complaint	Outcome
05/07/2020	Local Resident	Out of control crowds, screaming and running all over the front carpark and spilling onto the roads causing obstructions and beeping of car horns ensuing insults and crowd intimidation. Scary stuff. Police. Music and still continuous crowd since lockdown rules lifted and I dread the further months of any functions as they cannot cope with the party goers. No security and no road traffic measures. Noise. I can't live like this. First function	Observations of premises and eventual inspection
31/10/2021	Local Resident	Noise Team: The music is incredibly loud tonight at Belair House. I have concerns also that most partygoers are outside. It's insufferable.	Southwark Noise Team investigation – no further information
22/11/2021	Local Resident	I write to bring to your attention that since the club next to us (5 Gallery Road) started business over the past 4-5 weeks nothing seems to have changed as the management started to hire the place to the promoters where very large number of young people come in at night with their own drinks in their hands and hang around outside in the park and the street with no security guards to be seen anywhere, the music is thumping loudly certainly till after 3am in the	Inspection

		<p>morning with no closed windows as recommended by the licensing authorities. And the next day as you will see from the videos and pictures attached for your kind consideration both the park and gallery road become an absolute rubbish dump with empty bottles, food cartons and just general rubbish. Which is totally in violation of the terms and conditions of the renewed license, last Friday and Saturday in particular apart from the music and the rubbish there was a massive brawl outside after 3am with people shouting and screaming which terribly scared my children again with no security guard to be seen anywhere. I shall be very grateful if you could write to the management of Bel Air Club/ restaurant to remind them of the terms and conditions of their renewed weekend late night license and to ask them to ensure that they clean the park and Gallery Road in order to avoid their licence suspended or withdrawn after their functions and to ensure they have security guards for such big events as recommended by the licensing authorities. It is important to note also that they have started to put the barriers in the entrance to bel air park so mums can't park in the car park to take their children to school. And this causes mayhem especially on Saturday and Sunday where a lot of the families bring their kids to play in the park. (Photographs included in Licensing Authority representation).</p>	
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The local area

26. A map of the local area is attached as Appendix D. There are no other licensed premises in the immediate vicinity (100 metres):

Southwark Council statement of licensing policy

27. Council assembly approved Southwark's statement of licensing policy 2021-2026 on 25 November 2020 and it came into effect on 1 January 2021. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
28. 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.
 - 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.
29. 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.

Cumulative impact area (CIA)

30. Within Southwark’s statement of licensing policy, the premises is not situated in a cumulative impact area. Under the Southwark statement of licensing policy 2021 – 2026, the following closing times are recommended as appropriate within this area for this categories of premises indicated:
- Closing time for restaurants and cafes is 23:00 daily
 - Closing time for public houses is 23:00 daily
 - Closing time for night clubs (with 'sui generis' planning classification) are not considered appropriate for this area.

Climate Change Implications

31. Following council assembly on 14 July 2021, the council is committed to considering the climate change implications of any decisions.
32. Climate change is not a legal factor in the consideration of a grant of a premises license under the current licensing objectives, however members can make enquiries and request an agreement from applicants to promote the reduction of the impact of climate change that may be caused by the operation of the premises.
33. Examples of such an undertaking may be:
 - Not use single use plastics, such as disposable plastic glasses, when selling alcohol at the premises.
 - Encourage patrons not to drive to venues by providing details of public transport on their webpages/tickets.
34. The council's climate change strategy is available:
<https://www.southwark.gov.uk/assets/attach/48607/Climate-Change-Strategy-July-2021-.pdf>

Community, equalities (including socio-economic) and health impacts

Community impact statement

35. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

Equalities (including socio-economic) impact statement

36. This report does not result in a policy decision and each application is required to be considered upon its own individual merits with all relevant matters taken into account. In considering the recommendations of this report, due regard must be given to the public sector equality duty set out in section 149 of the Equality Act 2010. This requires the Council to consider all individuals when carrying out its functions.
37. Importantly, the council must have due regard to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The public sector equality duty also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation, or other prohibited conduct.
38. The equalities impact statement for licensing decisions is contained within the Southwark statement of licensing policy 2021-2026.:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>.

Health impact statement

39. Health impacts cannot be considered by law when making decisions under the Licensing Act 2003.

Resource implications

40. There is no fee associated with this type of application.

Consultation

41. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

42. The sub-committee is asked to determine, under Section 51 of the Licensing Act 2003, following an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
43. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

44. Under Section 52, the licensing authority must hold a hearing to determine the review and any relevant representations.
45. The four licensing objectives are:
- The prevention of crime and disorder
 - The protection of public safety
 - The prevention of nuisance
 - The protection of children from harm.
46. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
- Modify the conditions of the licence by altering, omitting or adding any condition
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence.

47. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:
- Are relevant to one or more of the licensing objectives.
 - Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period.
 - Have not been withdrawn.
 - If made by another person (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.
48. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
49. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
50. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
51. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

52. Where the authority determines an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
 - The applicant
 - Any person who made relevant representations
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

53. 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.
54. This matter relates to the review of the premises licence under section 51 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

55. 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.
56. 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.
57. 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.

58. 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.
59. 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.
60. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities.
61. 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.
62. 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

63. Members are required to have regard to the Home Office 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

64. The head of community safety and enforcement has confirmed that the costs of this process 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 & Enforcement, 160 Tooley Street, London, SE1 2QH	Kirty Read Phone number: 020 7525 5748

APPENDICES

No.	Title
Appendix A	Copy of the review application
Appendix B	Representation from responsible authorities
Appendix C	Representation from one other person
Appendix D	Copy of the current premises licence
Appendix E	Map of local area

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	Andrew Heron, Principal Licensing Officer	
Version	Final	
Dated	9 March 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		9 March 2022

[Insert name and address of relevant licensing authority and its reference number (optional)]

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I

.....
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Belair house
5 Gallery Road
London

Post town Dulwich

Post code (if known) SE21 7AB

Name of premises licence holder or club holding club premises certificate (if known)

Belair Mansions Limited

Number of premises licence or club premises certificate (if known)

876282

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

Jones

First names

Christine

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

██████████
██████████████
██████████

Post town

Dulwich

Post Code

██████████

Daytime contact telephone number

██████████████

**E-mail address
(optional)**

████████████████████

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- | | |
|---|--------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

I am writing to complain about Belair House. I have noticed a deterioration in clientele and to abiding by the licensing conditions imposed on them and their guests. I will keep it brief but do have a year of CCTV if anyone cares to view the nonsense we have to put up with week after week. On Saturday night my household was kept awake from 10pm - 3am and on occasions until 4am. What we are experiencing is unfair and totally unacceptable. We have found that the guests set up a bar and drug deposit outside my flat keeping booze and edibles stuffed in my window boxes. I will attach a video for your perusal. I have told Mr Patel weekly to do a clean up after events at Gallery Road, the front of the Park, the front of my house and bin area is left disgustingly with debris of partying. I've told Belair management time and time again to automatically clear the empties from my window sils and down the street after every event to no avail. More worryingly though is the level of violence which I fear will end in someone losing their life. We have heard from my daughter's friend of a gun being pulled on New Years and last Saturday 29th January 2022 a fight which is recorded on my CCTV. My children have their sleep disrupted EVERY single weekend which has the knock on effect of affecting sleep patterns, disrupting a healthy life and school work is being affected. I have a disabled daughter who suffers with anxiety over the noise as it terrifies her to wake up to screaming, laughing, arguing, shouting and just talking outside her window. The disturbance even upsets the birds and they think its morning and start singing again I have ample video evidence. All of this affects every single person in my household and trying to get back to sleep is very difficult, I'm missing one nights sleep per week. Totally unacceptable. Sometimes its on a Sunday as well so we have no peace at all. Also attached are a few stills from my CCTV all outside my house. Setting up the 'drinks' bar in my window boxes. Can you imagine the noise??? I will be asking for the cost of renewal of all plants from Mr Patel as they are also ruined.

Please provide as much information as possible to support the application (please read guidance note 3)

I have photos, CCTV & video evidence to prove my allegations -not uploading here but I will send in an email.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 2/02/2022

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Please submit the completed form and dispatch to the following address below.

**Environment and Leisure
Regulatory Services – Licensing Team
160 Tooley Street
3rd Floor Hub 1
PO Box 64529
London
SE1P 5LX
E-mail: licensing@southwark.gov.uk**

29-01-2022 Sat 23:22:30



Entrance Cam

30-01-2022 Sun 03:08:19



Entrance Cam



Intrusion Detection

23:22

Entrance Cam



Intrusion Detection



Time

2022-01-29 23:07:10

Source

Home Cctv Entrance Cam



Live View



Playback



Intrusion Detection

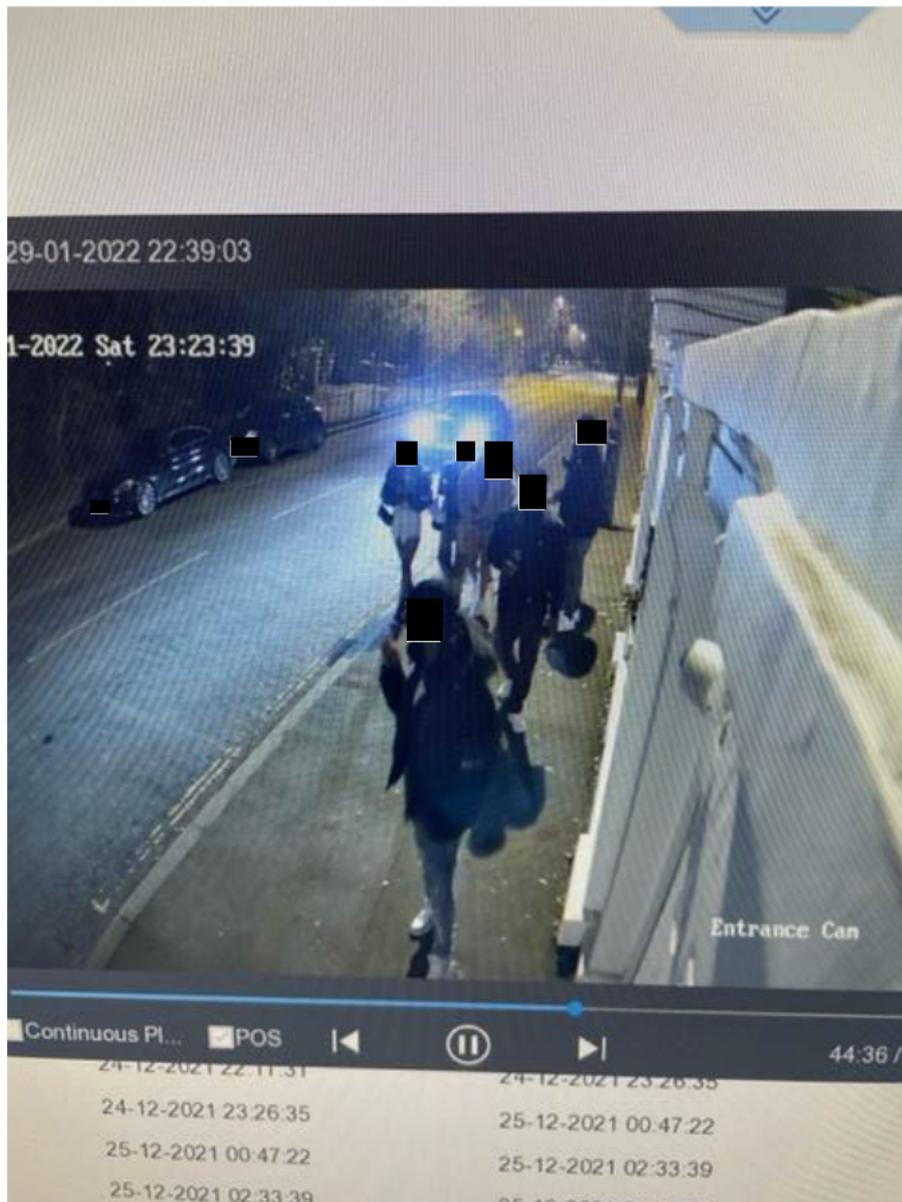
23:04

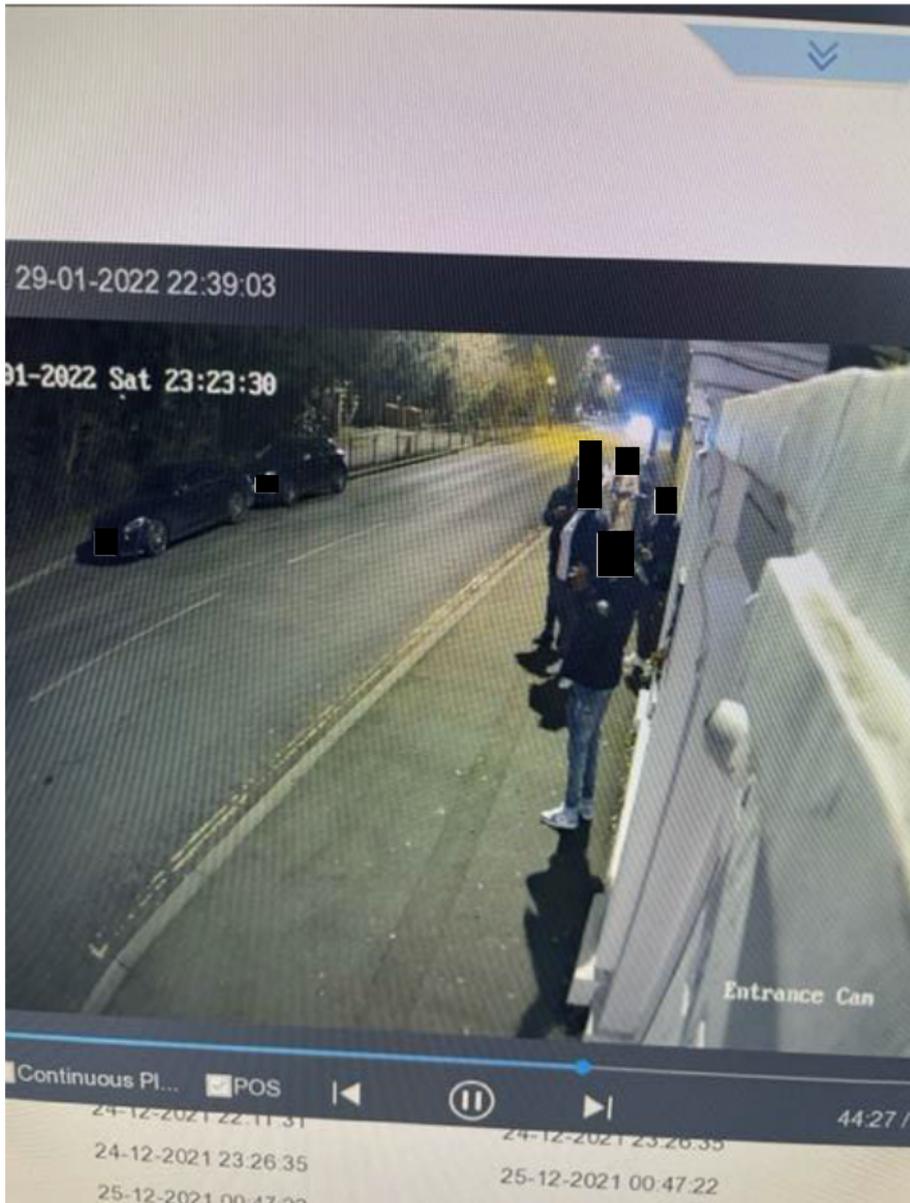
Entrance Cam

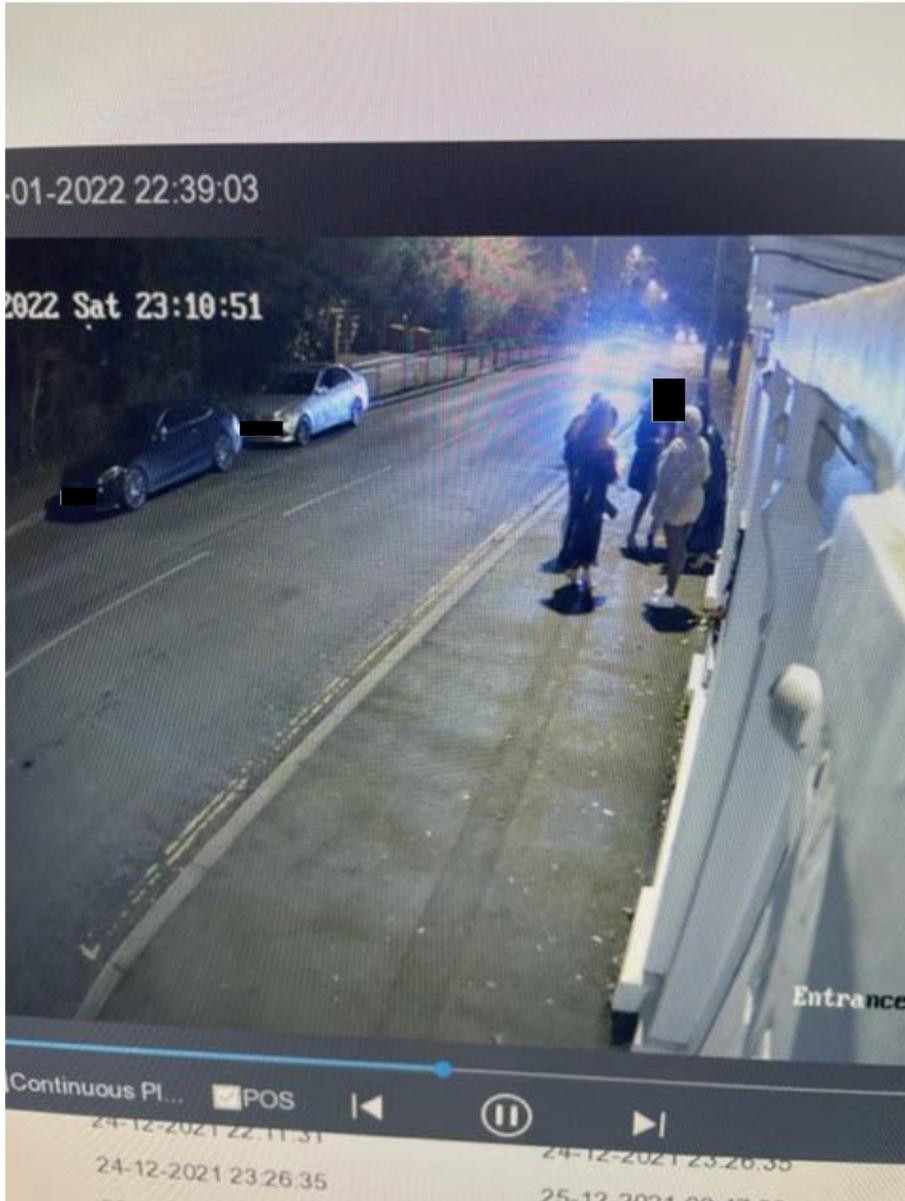


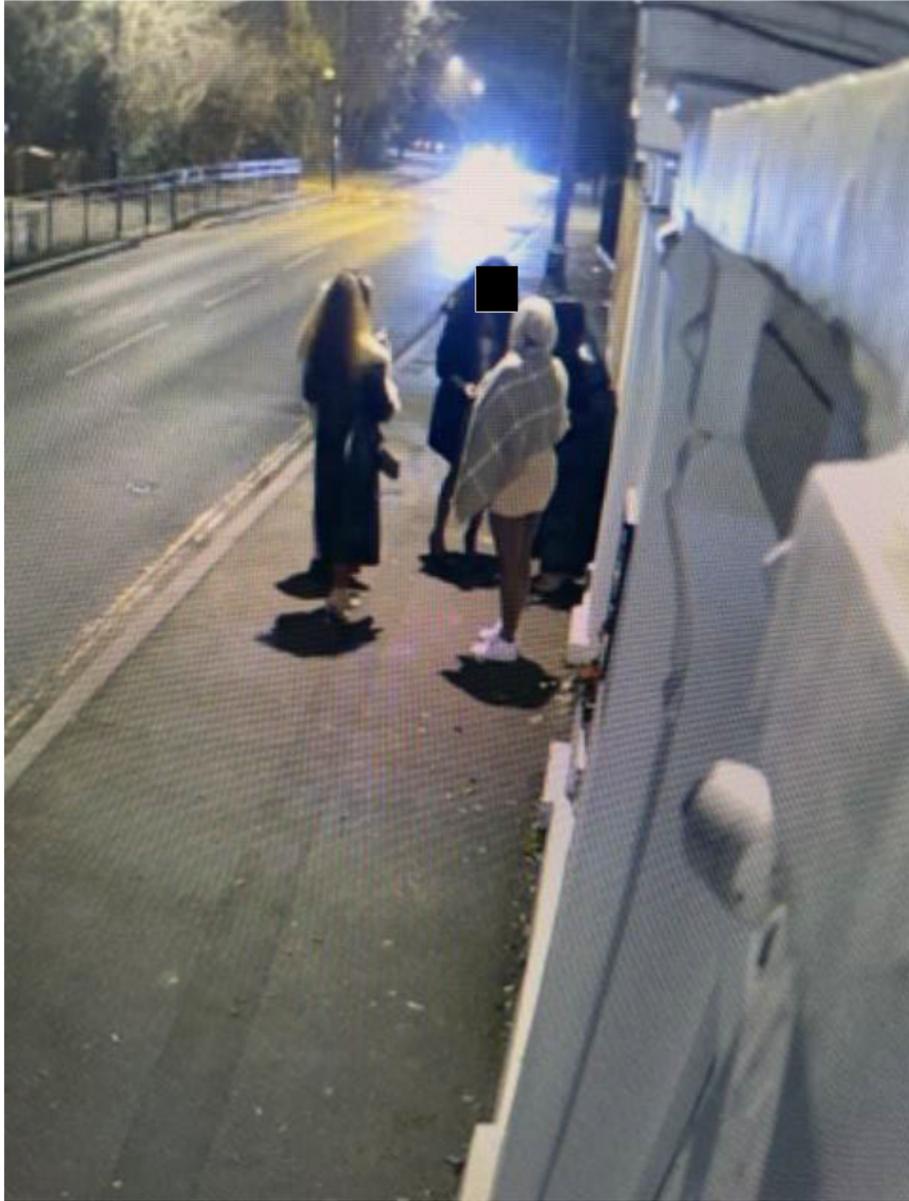
Additional Photographs

I only went back a few weeks and took some more stills off the CCTV - I have many more but not sure you need as most look the same just a different nights - 31st October 2021 and the 1st Feb 2020:

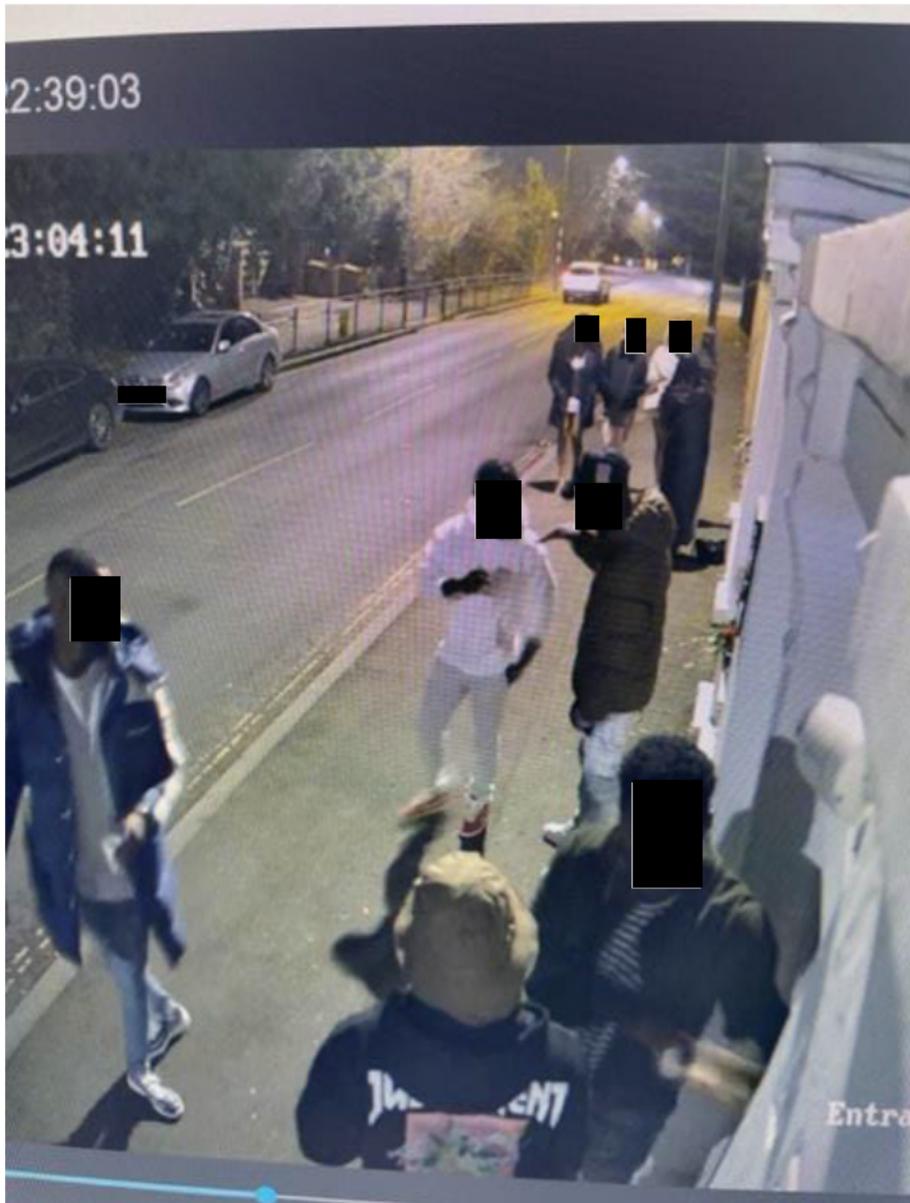




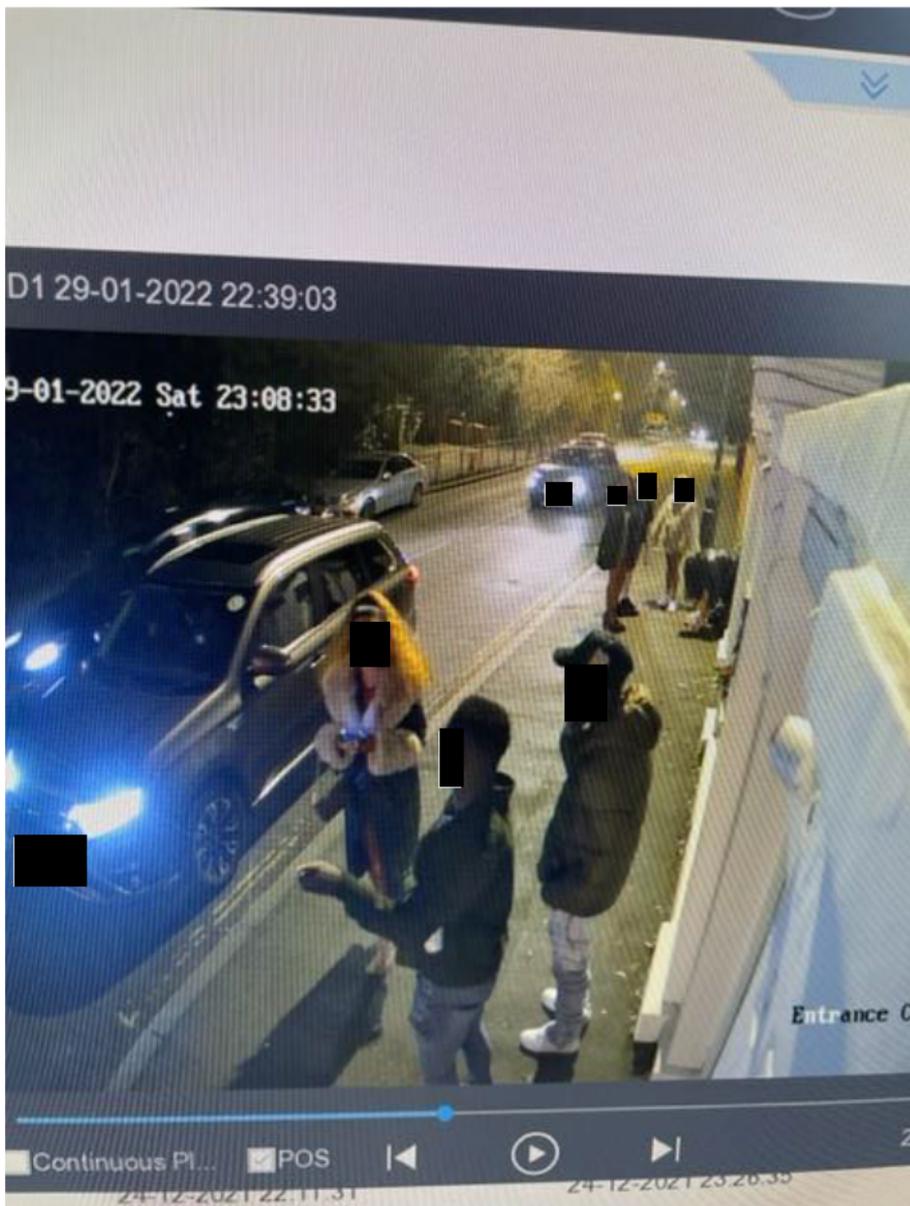




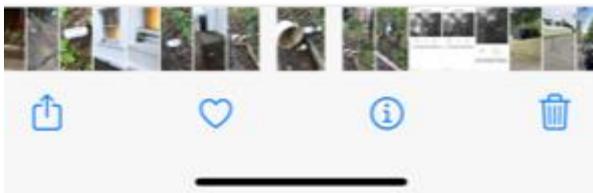
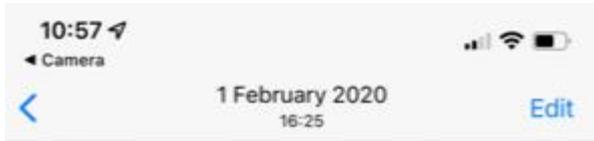








I take videos so took a few stills of rubbish to show how it can be after events:









**APPENDIX B
POLICE**

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/21/029/22

Date: 1st March 2022

Dear Sir/Madam

Re:- Belair House, Beauberry House, Gallery Road SE21 7AB (876282)

Police are in possession of an application for a review of the above premises licence in relation to all four of the licensing objectives.

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The application provides details of the concerns they have with regard to the operation of the premises, the continued noise and nuisance disturbance caused by patrons most weekends and allegations of potential crime and disorder associated with the premises.

In support of this application to review the premises licence I can provide the following evidence.

The current premises licence was granted on 8th December 2021 following the application for a new premises licence after the previous licence lapsed. Police initially made representations against the application due to the hours being substantially greater than those recommended by Southwark's statement of licensing policy, although it was noted that this premises had previously held a licence with similar hours.

During the consultation period it was agreed that if the licence were to be granted then a number of additional control measures would be needed. These were agreed and placed on the new premises licence and all the conditions on the previous licence would be transferred across to the new licence. The purpose of some of these control measures was in order to minimise the disturbance to local residents as follows.

845 - That when the premises are in operation under its premises licence and licensable activities conclude after 00:00, the premises shall employ a minimum of two SIA registered door supervisors. They will be responsible for the screening of patrons entering the premises and monitor patrons insider. On the cessation of licensable activities they shall provide a high visibility presence out side the premises to assist with the timely dispersal of patrons as to minimise any disturbance to local residents.

Having looked at the evidence provided by the applicant for the review it would appear that either this condition is not being complied with or the condition itself is not strong enough to control the dispersal.

841 - That there shall be no more than 15 DJ led promoted events per calendar year.

842 - That at least seven days before any DJ or externally promoted event where licensable activities take place past 00:00, the licence holder must notify the police and licensing authority in writing.

843 - That a register of the DJ/externally promoted events must be maintained and made available upon request immediately to the police and/or council officers.

This premises licence was granted not long before the covid pandemic prevented such venues from opening to the public and as a result there was a period of time when the premises were not operating as they are now.

Since opening I am aware that a number of promoted events have taken place at the premises, we as a service have not been informed of any of these events prior to the taking place as per condition 842 above.

From the evidence provided by the applicant for the review it would also seem that this venue is open most weekends and on Friday & Saturday nights and for promoted events. As per condition 841 above only 15 DJ led events are permitted each year.

On or before the 13th November 2021 Police received credible information that several rival gangs will be attending a promoted event at the venue with the intent of causing significant harm to others. This information related to two promoted events taking place on the 13th & 20th of November 2021.

The venue were contacted and thankfully agreed to cancel both these events and therefore any disorder was avoided. I mention these two events for several reasons. They were back to back weekends and Police were not informed of these events as per condition 842.

A brief look at social media platforms show that for March 2022 there two externally promoted events scheduled for 6th March & 12th March. At the time of writing this report we have not been informed of either event. Also of concern is the language used to promote these events. Both events are advertised with what they describe as bottomless tickets. Essentially a glass of prosecco is on offer on arrival followed by a whole hour of unlimited drinks, these events are promoting unlimited cocktails and or Rum Punch for an hour. The events promotors also make a point to potential

customers that limited seating is available as this is an all day party and not a seated brunch. I point out the following conditions of the premises licence.

296 - Only responsible drinks promotions will be allowed at the premises.

485 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises ♦ (a) games or other activities which require or encourage, or are designed to require, encourage, individuals to - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

This in my opinion would constitute an irresponsible drinks promotion, to encourage patrons to drink alcohol within a limited period of time, leading to the possibility of patrons becoming heavily intoxicated or causing illness or injury to that person. I also note that this was an undertaking given within the application for the new premises licence in 2019

The applicant will not tolerate binge drinking and there have never been any problems associated with the liquor licence in respect of these premises.

The premises appear to be operating in breach of their premises licence on a regular basis, this is clearly having a detrimental effect on the daily lives of the applicant and probably others living in the location. Before the new licence application in 2019 I conducted a search of reported crime and or serious incidents reported to Police. As far as I am aware the venue was being run as a wedding venue with occasional other events. This is most likely why the premises did not come to the notice of Police much before the start up of the new operation.

Since November 2021 we have received complaints from local residents with regard to nuisance and possible violence from patrons of this premises. Two potential events were rival gangs were going to attend intent to cause serious harm to others. A police report was generated on the 19th March 2022 with regard to a large fight at the premises, security have lost control and the fight is continuing outside. This report was generated at 02:09 Sunday morning.

I had started to engage with the premises prior to the application for the review was received, this was as a result of the two potential gang related events. However for a number of reasons a meeting was not arranged before this application was received.

The premises has clearly changed its operating model and seems to be more and more reliant on outside promoted club or DJ led events. This venue is located within a residential area and night club venues are not suitable for this environment. The reason for allowing a maximum of 15 DJ led events per year was to allow the premises some flexibility to the type of events they hold on an occasional basis.

The premises have been operating in breach of the premises licence on a regular basis, failing to inform the Police of any promoted events at the premises and promoting irresponsible drinks promotions. The dispersal policy clearly isn't working, this is having a detrimental effect of the lives of the applicant and those she lives with.

I ask the licensing sub committee to consider all options including revocation of the premises licence, modification of the premises licence including the removal of the current DPS.

For this particular venue I am inclined to recommend modification of the premises licence, to reduce the hours of operation, to remove the concession that allows for promoted events and anything else of a similar nature.

This is submitted in support of the residents review application, additional evidence may be submitted prior to any sub committee hearing.

The Following is submitted for your consideration.
Yours Sincerely

PC Ian Clements 2362AS
Southwark Police Licensing Unit
Tel: 0207 232 6756



**METROPOLITAN
POLICE**

big

Police Copy

Notification of alleged offences under the Licensing Act 2003

Venue Name: BELAIR HOUSE REF: (CAD/CRIS etc.) _____

Address: BEAUBERRY HOUSE GALLERY EAST _____

SE21 7AB Date: 05/03/22 Time: 00:50hrs

Details of person in charge at the relevant time: _____

MANOJ MAHANDAS. DPS Personal Licence Holder

Summary of alleged offences identified

08/00409/LIPERS. CREY DEN

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy.
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y No Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y No Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y No Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

344 - VENUE OPEN AFTER OCCASIONS FOR PRIVATE BIRTHDAY PARTY ONLY ONE W SIA ON DUTY.

293 - NO TRAINING RECORDS FOR STAFF AVAILABLE TO INSPECT

SAT - NO RESULTS FOR AVAILABLE

Issuing officer: 2246AS Print: HNCH

I acknowledge receipt of this form: (venue)

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001

MEMO: Licensing Unit

To Licensing Unit Date 2 March 2022
From Jayne Tear
Email jayne.tear@southwark.gov.uk

Subject Re: Belair House, Beauberry House, Gallery Road, London, SE21 7AB
- Application to review the premises licence.

I write with regards to the application to review the premises licence submitted by Christine Jones under the Licensing Act 2003.

The application is submitted under the prevention of crime and disorder; the prevention of public nuisance, public safety and the protection of children from harm licensing objectives and the grounds for the review are stated in the application as follows:

'I am writing to complain about Belair House. I have noticed a deterioration in clientele and to abiding by the licensing conditions imposed on them and their guests. I will keep it brief but do have a year of CCTV if anyone cares to view the nonsense we have to put up with week after week. On Saturday night my household was kept awake from 10pm - 3am and on occasions until 4am. What we are experiencing is unfair and totally unacceptable. We have found that the guests set up a bar and drug deposit outside my flat keeping booze and edibles stuffed in my window boxes. I will attach a video for your perusal. I have told Mr Patel weekly to do a clean up after events at Gallery Road, the front of the Park, the front of my house and bin area is left disgustingly with debris of partying. I've told Belair management time and time again to automatically clear the empties from my window sills and down the street after every event to no avail. More worryingly though is the level of violence which I fear will end in someone losing their life. We have heard from my daughter's friend of a gun being pulled on New Years and last Saturday 29th January 2022 a fight which is recorded on my CCTV. My children have their sleep disrupted EVERY single weekend which has the knock on effect of affecting sleep patterns, disrupting a healthy life and school work is being affected. I have a disabled daughter who suffers with anxiety over the noise as it terrifies her to wake up to screaming, laughing, arguing, shouting and just talking outside her window. The disturbance even upsets the birds and they think its morning and start singing again I have ample video evidence. All of this affects every single person in my household and trying to get back to sleep is very difficult, I'm missing one nights sleep per week. Totally unacceptable. Sometimes its on a Sunday as well so we have no peace at all. Also attached are a few stills from my CCTV all outside my house. Setting up the 'drinks' bar in my window boxes. Can you imagine the noise??? I will be asking for the cost of renewal of all plants from Mr Patel as they are also ruined. I have photos, CCTV & video evidence to prove my allegations -not uploading here but I will send in an email'.

My representation is based on the Southwark Statement of Licensing policy 2021- 2026 and relates to the licensing objective for the prevention of crime and disorder and the prevention of public nuisance and is in support of this review submitted by the local resident.

Following a complaint submitted on 22 November 2021 a licensing officer visited the premises and found the following 9 breaches of the premises licence conditions:

309 - That the level of amplified entertainments shall be controlled by means of limiting device set at a level agreed with the Noise and Air Quality Team.

288 - 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.

289 - All CCTV footage will be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.

293 - That all staff involved in the supply of alcohol will be 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.

239 - 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.

346 - The premises shall have documented, and effectively employ the Belair Dispersal Policy including the engagement of parking marshals with high visible uniform for dispersal of patrons.

347 - Belair House will create an event management dispersal plan and engage in hiring parking marshals with high visible uniform for dispersal of patrons after 23:30

843 - That a register of the DJ/externally promoted events must be maintained and made available upon request immediately to the police and/or council officers.

8AB - That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the stall. A record of such training shall be kept / be accessible at the stall at all times and be made immediately available for inspection at the stall to council or police officers on request. The training record shall include the trainees name (in block capitals), the trainers name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.

The applicant has provided video footage of the premises with this application and they have confirmed with the licensing unit that the footage was taken on 30th January 2022 at 02:09.

It would seem from the video evidence supplied that there is a possibility that further breaches of the premises licence conditions could have been committed at the time the footage was taken such as:

344 - When the premises are in operation under its premises licence and the terminal hour is greater than midnight, the premises will employ a minimum of 2 (two) SIA registered door supervisors. They will be responsible for the screening of patrons entering the premises and monitor patrons inside. Upon the cessation of licensable activities they will provide a high visibility presence outside of the premises to assist with the timely dispersal of patrons as to minimise any disturbance to local residents.

346 - The premises shall have documented, and effectively employ the Belair Dispersal Policy including the engagement of parking marshals with high visible uniform for dispersal of patrons.

347 - Belair House will create an event management dispersal plan and engage in hiring parking marshals with high visible uniform for dispersal of patrons after 23:30

840 - That after 22:00, smokers shall be directed to the North Terrace where there shall be a maximum of 10 smokers at any one time.

842 - That at least seven days before any DJ or externally promoted event where licensable activities take place past 00:00, the licence holder must notify the police and licensing authority in writing.

845 - That when the premises are in operation under its premises licence and licensable activities conclude after 00:00, the premises shall employ a minimum of two SIA registered door supervisors. They will be responsible for the screening of patrons entering the premises and monitor patrons inside. On the cessation of licensable activities they shall provide a high visibility presence outside the premises to assist with the timely dispersal of patrons as to minimise any disturbance to local residents.

I have concerns that the licensee/DPS are not promoting the prevention of crime and disorder and the prevention of public nuisance licensing objectives and they are not taking dispersal of their patrons from the area seriously.

I can see no evidence from the video footage of any SIA door supervisors or parking marshals with high visible uniform for dispersal of patrons and to the best of my knowledge the police were not informed prior to this event taking place.

I will provide further supporting information to this representation at a later stage namely a log of licensing officer visits to the premises and a log of Temporary Events Notices submitted for the premises.

Southward's Statement of Licensing Policy 2021 – 2026 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

Jayne Tear

Principal Licensing officer

In the capacity of Licensing Authority as a Responsible Authority

Licensing visits to Belair House Beauberry House, Gallery Road, London, SE21 7AB

adate	desc	aofficer	adtext
19/07/2019	21:20 NTE Visit	Richard Kalu	<p>Visit to premises with Ray Moore (Principal Trading Standards Officer) in respect of complaints about loud amplified music being played which has been disturbing local residents. When we arrived at the premises all doors and windows of the premises were open and people on the balconies singing and dancing. With the added sound of amplified music and people noise sound was travelling with no barrier or hindrance which would have the likely effect of causing a public nuisance to local residents. Visited the premises and discussed the complaint with a Mr Gabriel Lita – Mr Lita believed that a sound limiter was in place at the premises however upon inspection I clarified to Mr Lita that no sound limiter was in fact in place or set up and that what he was showing me was just the control unit for music to be played through. I advised Mr Lita that he needed to enlist the help of an acoustic engineer or someone who could fit and install a sound limiter device to control the sound output from the music system which they had installed in the premises. Mr Lita advised me that in the next two weeks that a sound engineer who was employed by the company would be visiting the premises to do this. I enquired with Mr Lita why he had requested a sound engineer to come install a sound limiter device as when I had initially asked him if he had a sound limiter device installed he advised me that one was in place. I advised Mr Lita that a re-inspection would be completed at the premises to ensure that the sound limiter device had been installed and was compliant. I also pointed out to Mr Lita that the actual premises licence condition requirement requested that the sound limit needed to be done and with the approval of Southwark Council noise team and that he should make contact with the noise team in relation to this matter. I discussed the issue with open windows at the premises when there was loud amplified music being played and pointed out to him that windows and doors needed to be kept close as per the condition on his premises licence at certain operational times. I advised him that if there was an issue of temperature and it being very hot within the premises then the option of obtaining and installing further air conditioning needed to be looked into so as to not have to open doors and windows which was allowing sound escape.</p>
04/08/2019	00:35 NTE Visit	Charlie Jerrom	<p>Visit to the premises with Kentura Dundas, we approached the premises and I noticed the balcony door was open and the music was very audible. I then went upstairs to the bar and asked for the manager. I advised the manager that he had conditions on the licence which means the balcony doors should be closed during regulated entertainment. I also advised him that a sound limiting device should be installed. The manager explained that one is due to be installed and he will inform Justin Williams once that is in place. Action: Append to APP/send to Justin Williams</p>

09/08/2019	23:25 NTE Visit	Richard Kalu	Visit to premises with Farhad Chowdhury (Principal Health & Safety Officer) to carry out a Blue Site Notice check. Blue Site Notice on display and compliant.
22/09/2019	01:30 NTE Visit	Charlie Jerrom	Visit to the premises with Roy Fielding, 2 men and one woman observed drinking outside the premises. Music could be heard from outside however it was very minimal sound. We first observed and then entered to chat with the onsite manager. The manger was able to show me a temporary events notice that covers the premises until 02:00 Sunday morning. We then left the premises and continued to observe, no issues found. Action: Append to APP
07/02/2020	20:00 NTE Visit	Charlie Jerrom	Visit to the premises with Ken Andrews, to check the premises was displaying there number and email, so residents can contact should they have a problem. A photo was taken of the notice board that stated the website and number to contact. Action: Append to APP
12/09/2020	22:00 NTE Visit	Justin Williams	Attended premises spoke to John Prior of the premises a follow up visit as a complaint had been received that there was a huge fight where police were called and customers had double parked on the main road. Mr Prior explained that he was not aware of this incident and that he usually closes the entrance gates so admitted that usually causes people to double park outside. Mr Prior explained that the premises is currently operating as a bar and that the premises has starting to do a brunch. Mr Prior explained that the premises will be closing at midnight. Mr Prior explained that he is mindful of the local residents especially their neighbor so doesn't use the PA system. The premises appeared quiet despite there being a few patrons in attendance. Mr Prior also explained for wedding functions he usually employs an SIA staff member and that he intends to have the premise licence varied to become the new DPS.
25/11/2021	Visit to premises	Justin Williams	The premises was inspected at 13:00 hours and the following breaches were witnessed: 309; 288, 289, 293, 239, 346, 347, 843, 8AB Action: Warning Letter/Re-visit.
25/11/2021	Visit to premises	Justin Williams	Attended premises at 13:00 hours spoke to OJ about complaint, stated that he was not aware of any noise complaints. OJ denied that there was never any SIA staff stating that he always has SIA staff for events he shared an invoice for their last event. The bill was over £800.00. In relation to the windows being open when regulated entertainment is on OJ denied that the windows were ever open he pointed out to me that the windows have bolts preventing the windows from being opened. A full premises licence inspection was carried out and there were number of significant licence condition breaches, a few examples: 309 Sound Limiter, 288 CCTV, 289 CCTV recordings. Warning letter to go out and revisit premises in the New Year.
26/11/2021	20:17 NTE Visit	Andrew Heron	NTE with Carlie. Event on at premises, no noise heard externally.
01/02/2022	Visit to premises	Justin Williams	Attended premises at 15:00 hours for a re-inspection following the first inspection made on the 25/11/2021 where notable licence breaches were witnessed.

01/02/2022	Visit to premises (re-visit)	Justin Williams	Visit to premises at 15:00 hours full inspection was carried out, compliance letter to be sent out. Please see INU: 091319

Complaints Re: Belair House Beauberry House, Gallery Road, London, SE21 7AB

rdate	unit	catg	ioff	cmpname
18/05/2019	Noise Team	Loud Music	Omomayowa Alabi	Customer reports loud music coming from a nightclub called "Bel Air House".
09/07/2019	Southwark Licensing	Public nuisance	Justin Williams	<p>Since moving in, I have noticed that the Belair Property House at No. 5 Gallery Road regularly closes the In and the Out gates to the Belair Park and on many occasions, they employ doormen to stop people going to the park through the gates.</p> <p>Whenever the Belair Restaurant hosts such events, the gates are closed thus restricting members of the public from accessing the park. Music is played at an extremely loud volume and with a deep base, and this will play until the early hours of the morning (until at least 4am). As I have I have had no choice but to contact the local authorities to intervene and control the noise level.</p> <p>The next morning, when these events at the Belair Restaurant are over, the park area is usually flooded with laughing-gas cannisters, used drug needles, used durex, and remnants of further drug use. children who should not be exposed to such things, I have regularly had to go out and clean the area myself. This does not just impact me, but this unpleasantness is the same for all the other parents who wish to use the parking facilities in the morning to take their children to the prep school and should not have to witness such scenes. As a holder of a Personal Alcohol Use License in the Borough of Kensington and Chelsea for many years, I believe the terms of the Alcohol and Music Licences at the Belair Property House are being breached by the management of Belair House at No. 5 Gallery Road.</p> <p>To this end, I would ask you to suspend the late music licence until such a time as you complete your investigations. I am happy to attend any hearing in respect to this matter. For the record, I have taken the liberty of including, for your kind attention, a copy of the correspondence I have had with The Dulwich Estate and The Dulwich Society with regards to this matter, and I hope you find some of the information useful for your inquiry.</p>
31/01/2020	Southwark Licensing	Public nuisance	Andrew Heron	<p>I believe that one of the conditions on license of the sub-leaseholder at Belair House was to provide contact details - telephone number and email address - for neighbours to call in the event of nuisance.</p> <p>Last weekend there was rubbish scattered all over the ground in front of Belair House, however, I am told that these contact details have not been made available.</p> <p>Could you kindly contact the premises about this breach and ask them how residents may get in touch with the management to report further problems?</p>
05/07/2020	Southwark Licensing	Public nuisance	Justin Williams	Out of control crowds, screaming and running all over the front carpark and spilling onto the roads causing obstructions and beeping of car horns ensuing insults and crowd intimidation. Scary stuff. Police. Music and still continuous crowd noise. I can't live like this. First function

				since lockdown rules lifted and I dread the further months of any functions as they cannot cope with the partygoers. No security and no road traffic measures.
31/10/2021	Noise Team	Loud Music	Curth Henry	Music - NR: The music is incredibly loud tonight at Belair House. I have concerns also that most partygoers are outside. It's insufferable.
22/11/2021	Southwark Licensing	Public nuisance	Justin Williams	<p>I write to bring to your attention that since the club next to us (5 Gallery Road) started business over the past 4-5 weeks nothing seems to have changed as the management started to hire the place to the promoters where very large number of young people come in at night with their own drinks in their hands and hang around outside in the park and the street with no security guards to be seen anywhere, the music is thumping loudly certainly till after 3am in the morning with no closed windows as recommended by the licensing authorities.</p> <p>And the next day as you will see from the videos and pictures attached for your kind consideration both the park and gallery road become an absolute rubbish dump with empty bottles, food cartons and just general rubbish.</p> <p>Which is totally in violation of the terms and conditions of the renewed license, last Friday and Saturday in particular apart from the music and the rubbish there was a massive brawl outside after 3am with people shouting and screaming which terribly scared my children again with no security guard to be seen anywhere.</p> <p>I shall be very grateful if you could write to the management of Bel Air Club/ restaurant to remind them of the terms and conditions of their renewed weekend late night license and to ask them to ensure that they clean the park and Gallery Road in order to avoid their licence suspended or withdrawn after their functions and to ensure they have security guards for such big events as recommended by the licensing authorities.</p> <p>It is important to note also that they have started to put the barriers in the entrance to bel air park so mums can't park in the car park to take their children to school. And this causes mayhem especially on Saturday and Sunday where a lot of the families bring their kids to play in the park.</p>



Temporary Event Notices for Belair House Beauberry House, Gallery Road, London, SE21 7AB

received date	refno	start_date	end_date	times	max no people	sale of alcohol	ent	late night refreshment	police obj	ept obj
05/08/2019	869301	16/08/2019	19/08/2019	1400-00 16th, 18-0200 17th, 10-1400 18th, 1400-21 19th	200	Yes	Yes	Yes	No	No
07/08/2019	869363	22/08/2019	24/08/2019	22/08/2019 - 14:00 - 22:00 23/08/2019 - 16:00 - 02:00	300	Yes	Yes	Yes	No	No
07/08/2019	869365	25/08/2019	25/08/2019	15:00 - 23:59	180	Yes	Yes	Yes	No	No
15/08/2019	869501	30/08/2019	01/09/2019	30/(18:00 - 02:00) 31/(18:00 - 02:00) 01/(12:00 - 17:00)	250	Yes	Yes	Yes	No	No
22/08/2019	869628	06/09/2019	06/09/2019	11:00 - 18:00	100	Yes	Yes	Yes	No	No
05/09/2019	869862	14/09/2019	15/09/2019	11:00 - 18:00	200	Yes	Yes	Yes	No	No
16/09/2019	870028	20/09/2019	22/09/2019	20/(17:00 - 02:00) 21/(18:00 - 02:00) 22/(12:00 - 20:00)	200	Yes	Yes	Yes	No	No
17/09/2019	870046	27/09/2019	29/09/2019	27/(12:00 - 17:00) 28/(15:00 - 00:00) 29/(11:00 - 17:00)	200	Yes	Yes	Yes	No	No
02/10/2019	870275	12/10/2019	13/10/2019	18:00 - 02:00	100	Yes	Yes	Yes	No	No
02/10/2019	870276	19/10/2019	20/10/2019	10:00 - 02:00	150	Yes	Yes	Yes	No	No
11/12/2019	871300	19/12/2019	20/12/2019	18:00 - 03:00	200	Yes	Yes	Yes	No	No
18/12/2019	871368	28/12/2019	29/12/2019	18:00-03:30	200	Yes	Yes	Yes	No	No
16/01/2020	871583	01/02/2020	02/02/2020	18:00 - 03.30	150	Yes	Yes	Yes	No	No
20/01/2020	871611	01/02/2020	02/02/2020	18:00-03:30	200	Yes	Yes	Yes	No	No
22/01/2020	871655	15/02/2020	16/02/2020	18:00-03:30	300	Yes	Yes	Yes	No	No
03/03/2020	872196	14/03/2020	15/03/2020	19:00-03:30	200	Yes	Yes	Yes	No	No
03/10/2021	875682	30/10/2021	31/10/2021	20:00 - 04:00	300	Yes	Yes	Yes	No	No
03/10/2021	875683	18/12/2021	19/12/2021	20:00 - 04:00	350	Yes	Yes	Yes	No	No
04/10/2021	875684	26/12/2021	27/12/2021	21:00 - 04:00	350	Yes	Yes	Yes	No	No

04/10/2021	875685	31/12/2021	01/01/2022	21:00 - 04:00	400	Yes	Yes	Yes	No	No
05/11/2021	875988	20/11/2021	21/11/2021	20:00 - 04:00	400	Yes	Yes	Yes	No	No
05/11/2021	875989	03/12/2021	04/12/2021	20:00 - 04:00	350	Yes	Yes	Yes	No	No
05/11/2021	875993	01/01/2022	02/01/2022	20:00 - 04:00	350	Yes	Yes	Yes	No	No

APPENDIX C OTHER PERSONS

Beauberry House/ Belair House : Licence Review

Representation on behalf of The Dulwich Society

It is concerning that an application for premises licence review should be needed only 2 months after the premises licence No 876282 was granted on 8th December 2021.

The reported details of instances of late-night noise nuisance, drugs and even a fight occurring in the grounds of Belair House described in the Application are in strong contrast to the image Belair portrays in its advertising of being an up-market restaurant and wedding venue. However, the conditions in Belair's premises licence show Belair is also aiming at a different clientele, one to whom DJ led promoted events and late night refreshment and drinking appeals.

Belair's closing hours exceed Southwark Council's recommended closing times for restaurants by 2 hours daily (closing time 02.30 am Friday and Saturday) and 1 hour on the other 5 days. A recent advertisement in February 2022 for a DJ promoted, sold out event (for a crowd of 300) from 21-00 – 03.00 am indicates that Belair has at least on one occasion breached this licence condition.

The Belair licence does not contain a safe capacity limit; its publicity material states that the first floor has a standing capacity of 120. Assuming the same capacity for the ground floor, a crowd of 300 (plus DJ and staff) may have resulted in serious, dangerous overcrowding.

If the view of the Responsible Authorities is that the premises licence should not be revoked, the Society would support a variation of the premises licence conditions including the following:

- (i) The premises should close at Southwark Council's recommended closing time for restaurants in Dulwich Village/residential areas, namely Mon-Thursday 23.30; Friday- Saturday 00.30 and 23.00 Sunday.
- (ii) The number of DJ-led promoted events be reduced to 10 per year with no more than one in any one month (Condition 841)
- (iii) The occupancy limit (excluding Belair staff) for private parties and DJ-led promoted events be set at 150.
- (iv) For all private parties and DJ-promoted events at least 3 SIA supervisors should be on duty.

██████████
On behalf of The Dulwich Society

March 2nd 2022

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

876282

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Belair House Beauberry House Gallery Road London SE21 7AB	
Ordnance survey map reference (if applicable), 532872173144	
Post town London	Post code SE21 7AB
Telephone number [REDACTED]	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises Live Music - Indoors Recorded Music - Indoors Performance of Dance - Indoors Late Night Refreshment - Indoors

The opening hours of the premises
For any non standard timings see Annex 2
Monday 10:00 - 00:30
Tuesday 10:00 - 00:30
Wednesday 10:00 - 00:30
Thursday 10:00 - 00:30
Friday 10:00 - 02:30
Saturday 10:00 - 02:30
Sunday 12:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Sale by retail of alcohol to be consumed on premises

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 02:00
Saturday	10:00 - 02:00
Sunday	12:00 - 23:30

Sale by retail of alcohol to be consumed off premises

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 02:00
Saturday	10:00 - 02:00
Sunday	12:00 - 23:30

Live Music - Indoors

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 02:00
Saturday	10:00 - 02:00
Sunday	12:00 - 23:30

Recorded Music - Indoors

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 02:00
Saturday	10:00 - 02:00
Sunday	12:00 - 23:30

Performance of Dance - Indoors

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 02:00
Saturday	10:00 - 02:00
Sunday	12:00 - 23:30

Late Night Refreshment - Indoors

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 02:00
Saturday	23:00 - 02:00
Sunday	23:00 - 23:30

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Belair Mansion Limited
16 Gibbs Couch,
Watford,
WD19 5EQ
[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

11046870

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Manoj Mohandas
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. [REDACTED]
Authority L.B Croydon

Licence Issue date 08/12/2021

[REDACTED]

Head of Regulatory Services
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- (a). At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- (b). At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

485 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

487 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V),$$

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

112 This licence allows for the premises to remain open for non standard timings as stated on the days below. Sundays before Bank Holidays: 10:00 to 02:30 New Years Eve: 10:00 to 03:00

113 This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings as stated below on the following days: Sundays before Bank Holidays: 10:00 to 02:30
New Years Eve: 10:00 to 03:00

114 This licence allows for the premises to extend the following licensable activities for non standard timings as stated below on the following days: Provision of regulated entertainment, Live Music, Recorded Music, Performances of Dance Sundays before Bank Holidays: 10:00 to 02:30 New Years Eve: 10:00 to 03:00

109 Alcohol shall not be sold or supplied except during permitted hours as stated on elsewhere on this licence and on:

a. On Good Friday, 1200 to 2230 hours

b. On Christmas Day, 1200 to 1500 hours, and 1900 to 2230 hours

c. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

i) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;

ii) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

iii) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;

iv) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

v) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;

vi) The sale of alcohol to a trader or club for the purposes of the trade or club;

vii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

viii) The taking of alcohol from the premises by a person residing there; or

ix) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or

x) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if

the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises.

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

111 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

116 a.Alcohol may be sold or supplied until midnight to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes, or in other parts of the premises, the hours set out above shall continue to apply.

b.Alcohol may be sold or supplied on Christmas Day from 3.00pm to 7.00pm to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes, or in other parts of the premises, the hours set out above shall continue to apply.

122 No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies

a.He is the child of the holder of the premises licence

b.He resides in the premises, but is not employed there

c.He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to and from which there is no other convenient means of access or egress

d.The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as ancillary to their table meals.

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

a.With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

b.For consumption by a person residing in the premises or his guest and paid for together with his accommodation;

c.To a canteen or mess.

136 Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals supplied in the premises.

138 Substantial food and suitable beverages other than intoxicating liquor (including free drinking water) shall be available during the whole of the permitted hours in all parts of the premises.

255 a. Fire extinguishers and equipment as approved by the Council shall be efficiently maintained in satisfactory working order and kept available for instance use. They shall be in the charge of a suitable person specially nominated for the purpose.

b. Portable fire extinguishers shall be examined at least once a year and periodically tested in accordance with the current British Standard by a competent person and the date of such test shall be clearly marked on the appropriate extinguishers or on stout tabs securely attached to them. Extinguishers which incorporate an antifreeze agent shall be examined and recharged in compliance with manufacturer's instructions.

c. Where provided hydraulic hose reels shall be tested once a year to check that they are in working order and produce a satisfactory jet of water, and the test shall be recorded in a log book.

d. All testing of fire extinguishers and equipment shall be at the expense of the licensee.

296 Only responsible drinks promotions will be allowed at the premises.

316 Delivery and removal of goods, equipment and waste shall not take place between the hours of 12 midnight and 7 am.

4AA That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol.

340 Intoxicating liquor is not to be supplied in the restaurant area shown edged pink hatched green other than to a person to whom table meals are being provided in that area.

312 That the outside areas will not be used for the provision of live and / or recorded music or for fireworks displays.

310 That all doors and windows will remain closed whilst regulated entertainment is in progress. Where a door is used for patrons to enter or leave the premises, including all doors giving access to the north and south terraces and the balcony of the first floor, the door will be fitted with a self-closing device and staff told to ensure that it is not propped open.

341 That patrons shall not use the first floor balcony whilst regulated entertainment is taking place on this level of the premises.

342 That all entertainments shall utilise the in-house amplification system, the maximum output of which is controlled by the duty manager.

309 That the level of amplified entertainments shall be controlled by means of limiting device set at a level agreed with the Noise and Air Quality Team.

288 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.

289 All CCTV footage will be kept for a period of 31 days and shall on request be made immediately

available to officers of the police and the council.

343 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.

344 When the premises are in operation under its premises licence and the terminal hour is greater than midnight, the premises will employ a minimum of 2 (two) SIA registered door supervisors. They will be responsible for the screening of patrons entering the premises and monitor patrons inside. Upon the cessation of licensable activities they will provide a high visibility presence outside of the premises to assist with the timely dispersal of patrons as to minimise any disturbance to local residents.

293 That all staff involved in the supply of alcohol will be 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.

239 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.

306 The installation of the new air conditioning system and sound system to be installed in the premises by the 1st December 2019.

345 Self-closers (in accordance with BS 6459 Pt. 1 1984) shall be installed to every fire exit door on the ground and first floor.

346 The premises shall have documented, and effectively employ the Belair Dispersal Policy including the engagement of parking marshals with high visible uniform for dispersal of patrons.

304 The premises shall maintain a communication package to enable residents to contact Belair House, if there are any complaints during licensed entertainment events.

347 Belair House will create an event management dispersal plan and engage in hiring parking marshals with high visible uniform for dispersal of patrons after 23:30

348 Belair House will create an email address such as residents@belairhouse.co.uk for better communications with local residents for any complaints they may have, any emails sent to this address will automatically be forwarded to all Belair House Managers and the Director. We will also publish a telephone number in due course for residents to be in touch if they have any concerns and would have the ability to contact Belair House via, Email, Telephone, Message and WhatsApp. We believe this will help bridge the gap for any resident who may have any concerns about Belair House and allow a clear line of communication from Residents to Belair House.

Annex 3 - Conditions attached after a hearing by the licensing authority

815 That no licensable activities to take place after 22:00 in the outside areas. This includes the terraces.

840 That after 22:00, smokers shall be directed to the North Terrace where there shall be a maximum of 10 smokers at any one time.

816 That there shall be no deliveries nor collections of waste or recycling materials (including bottles) from the premises between 20:00 and 08.00 the following day.

841 That there shall be no more than 15 DJ led promoted events per calendar year.

842 That at least seven days before any DJ or externally promoted event where licensable activities take place past 00:00, the licence holder must notify the police and licensing authority in writing.

843 That a register of the DJ/externally promoted events must be maintained and made available upon request immediately to the police and/or council officers.

844 That a written dispersal policy shall be kept at the premises with the licence and made available for inspection by authorised officers. All staff shall be trained in the use of the dispersal policy.

845 That when the premises are in operation under its premises licence and licensable activities conclude after 00:00, the premises shall employ a minimum of two SIA registered door supervisors. They will be responsible for the screening of patrons entering the premises and monitor patrons inside. On the cessation of licensable activities they shall provide a high visibility presence outside the premises to assist with the timely dispersal of patrons as to minimise any disturbance to local residents.

846 That there shall be no amplified music or spoken word in the outside area, including marquees at anytime.

8AA That a challenge 25 scheme shall be maintained at the stalls selling alcohol requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.

8AB That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the stall. A record of such training shall be kept / be accessible at the stall at all times and be made immediately available for inspection at the stall to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.

8AC That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.

8AI That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request

Annex 4 - Plans - Attached

Licence No. 876282
Plan No. BH901
Plan Date March 2006



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