

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 7 February 2023 at 10.00 am at Online/Virtual: please contact andrew.weir@southwark.gov.uk for a link to the meeting and the instructions for joining the online meeting

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Sabina Emmanuel
Councillor Jane Salmon

OTHER MEMBERS PRESENT: Councillor Andy Simmons (observing)

OFFICER SUPPORT: Charlotte Precious, legal officer
Barry O'Callaghan, licensing officer
Andrew Weir, constitutional officer

1. APOLOGIES

This was a virtual licensing sub-committee meeting.

The chair explained to the participants and observers how the virtual meeting would run. Everyone then introduced themselves.

There were no apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

The voting members were confirmed verbally, one at a time.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were no late or urgent items of business.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: COLAB BANKSIDE, 46-48 RED LION COURT, PARK STREET, LONDON SE1 9EQ

It was noted that this item had been conciliated prior to the meeting.

6. LICENSING ACT 2003: KINGSWOOD HOUSE, SEELEY DRIVE, LONDON SE21 8QP

The licensing officer presented their report. Members had questions for the licensing officer.

The applicant and their legal representative addressed the sub-committee. Members had questions for the applicant and their legal representative.

The licensing sub-committee head from other persons (local residents) objecting to the application. Members had questions for the other persons.

All parties were given up to five minutes for summing up.

The meeting adjourned at 11.30am for the sub-committee to consider its decision.

The meeting reconvened at 12.07pm and the chair advised everyone of the decision.

RESOLVED:

That the application made by Kingswood Arts CIC for a licence to be granted under s.17 of the Licensing Act 2003 in respect of the premises known as Kingswood House, Seeley Drive, London SE21 8QN be granted as follows:

1. The supply of alcohol (on the premises):
 - Monday to Sunday: 09:00 to 22:30

2. Plays, films, recorded music, performances of dance and anything similar to live or recorded music (on the premises):
 - Monday to Sunday: 09:00 to 23:00
3. Opening hours:
 - Monday to Sunday: 09:00 to 23:00.

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form, conditions agreed during the conciliation process and the following additional conditions as agreed by the licensing sub-committee:

1. That a telephone number for the premises shall be prominently displayed where it can be easily read so that residents may contact the venue in the event of any issues arising.
2. That details of how to travel to and from the venue shall be included upon the premises' website, encouraging patrons to travel via public transport rather than to travel via car.

Reasons

On 6 December 2022 Kingswood Arts CIC applied to Southwark Council for a premises licence in respect of the premises known as Kingswood House, Seeley Drive, London SE21 8QN.

The sub-committee were informed that the environmental protection team had withdrawn their representation after conciliation with the applicant. It was noted that all responsible authorities had now withdrawn their representations after conditions were conciliated and the proposed hours for opening and supply of alcohol were reduced.

The applicant explained they are a community art centre with café and function facilities. There are various rooms throughout the premises which can be used for any of these activities. They proposed to regenerate and invest in Kingswood House as a community space with an emphasis on arts and culture, local schools and theatre. The café would be open between Wednesday and Saturday and available for local residents and other visitors to use if they wished to. It would also form part of the space that could be used by those who booked the facilities.

The applicants produced a 10 page community consultation document which suggested overwhelming support for the application. They were keen to be a part of the local community and work with local residents to allay concerns and provide

facilities they would want to utilise. They have a history of operating theatre companies and similar premises in London including Mayfair and Camden. Subject to the granting of this licence, they hoped to sign a 25 year lease to commit to the building. They were also in close contact with several nearby schools and hoped to work with them on artistic projects, exhibitions, recitals, concerts and more.

Six other persons submitted representations against the application in advance of the hearing, the sub-committee took all of these into consideration. Three of these persons were in attendance at the hearing. They lived within close proximity to the premises and detailed concerns in respect of public nuisance, protection of children from harm and crime and disorder.

The sub-committee noted that extensive conditions had been agreed with the responsible authorities and that many of these would assist in allaying the residents' concerns.

It was agreed that the premises must regularly monitor the outside of the premises and take all necessary steps to ensure that noise from patrons does not cause disturbance or public nuisance. They must also devise a comprehensive dispersal policy to assist with patrons leaving the premises in an orderly and safe manner, this will be kept on the premises and available for responsible authorities and the police to view on request.

The premises appeared to have given thought to providing parking to those who needed to drive to the venue by arranging space with a local school, alleviating the risk of patrons parking on the Kingswood Estate or surrounding residential streets. A condition requiring the premises to detail how to travel to and from the premises, encouraging them to use public transport, should assist further in addressing the residents' concerns regarding nuisance and public disorder.

The sub-committee noted the hours applied for were within those suggested by Southwark's statement of licensing policy 2021-2026 (SOLP) for this type of premises. Furthermore, one of the conciliated conditions would ensure that outside areas close at 21:00, after which no patrons would be allowed to drink outside the venue and only a maximum of 15 people would be permitted to leave to smoke, further addressing concerns regarding nuisance and crime and disorder.

The sub-committee made the applicant aware of the policy regarding single-use plastics contained with paragraph 205 of the SOLP and recommended that the applicant refrains from using single use plastics wherever possible. The applicant confirmed they follow a similar policy at their other venues using polycarbonate plastics and intended to do the same at Kingswood House.

The sub-committee considered the applicant to be a responsible premises who had reflected on the representations made and adapted to alleviate many of the concerns raised. The premises appeared keen to work with and be a part of the community around it and the sub-committee recommended the premises invite residents at least every six months to a meeting to enable any concerns or issues

to be raised in order to support this, including the tenant and resident association on the Kingswood Estate. A condition requiring the premises to display a telephone number would also assist the residents should any urgent issues arise.

It is on this basis the application was granted.

In reaching this decision, the sub-committee had regard to all of the relevant considerations and the four licensing objectives and considered this decision was appropriate and proportionate.

Appeal rights.

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desires to contend:

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting ended at 12.12pm.

CHAIR:

DATED: