



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/877049

Date: 07/April/2022

Dear Sir/Madam

Re: Luna Cinema Dulwich Park College Road SE217BQ

Police are in possession of an application from the above for a new premises licence for an outside event

Sale of alcohol on the premises	Mon-Sun 0930-0000
Standard days and timings for Films	Mon-Sun 0930-0015
Standard days and timings for Recorded Music	Mon-Sun 0930-2130

The terminal hours as requested are outside the Southwark Statement of Licensing Policy.

The application contains minimal enforceable control measures within the operating schedule. The Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

The application contains No drinking up time for alcohol on sales and there is a lack of information on how they would prevent alcohol being taken from the venue. There is also a lack of a dispersal policy or clear event management policy.

I object to the granting of this licence as the applicant has not fully addressed the licensing objectives, in particular the Prevention of crime and Disorder licensing objective and Prevention of nuisance and without any dispersal and management plan I cannot at this time comment any further

Southwark Police licensing would invite the applicant to consider the concerns mentioned and would welcome the opportunity to conciliate with the applicant should the need arise.

Submitted for your consideration.
Yours faithfully

PC Mark Lynch 2246AS
Southwark Police Licensing Unit
Tel: 0207 232 6756

MEMO: Licensing Unit

To Licensing Unit Date 13 April 2022
From Jayne Tear
Email jayne.tear@southwark.gov.uk

Subject Re: Dulwich Park, College Road, London, SE21 7BQ
- Application for a premises licence

I write with regards to the above application for a premises licence submitted by The Luna Cinema Limited under the Licensing Act 2003, which seeks the following licensable activities:

- Films, (outdoors) on Monday to Sunday from 09:30 to 00:15 the following day
- Recorded music (outdoors) on Monday to Sunday from 09:30 to 21:30
- Supply of alcohol (on the premises) on Monday to Sunday from 09:30 to 00:00
- Opening times on Monday to Sunday from 09:30 to 00:30 the following day

The premises is described within the application as a *'Public Park with 30.85-hectares of green space'*. Further details are given about the events within the application as follows: *'We will be using the public grounds at Dulwich Park. Two areas of the park will be utilised for different events. The Luna Cinema Evening events will take place on the West Lawn adjacent to the Cafe and will screen one film a day at dusk and will be open between 18:00 - 00:00. The Luna Kids Event will take place during the day on Lower section of the East Lawn adjacent to the Playground and the Jogging Track, and will be screening multiple family films during the day and will be open 09:30 - 18:30. Both events will have a full bar and food provision for consumption on site. The entrances will be strictly limited to ticket sales and any social distancing regulations and government guidance that is relevant at the time of screenings will be followed. The entrance and exit points will be established within a fenced arena perimeter. Licensable activities will be only applied to 7 days for The Luna Kids events and 5 days for The Luna Cinema Event annually. The Luna Cinema and Luna Kids events will not be held on the same days'*.

My representation is based on the Southwark Statement of Licensing policy 2021 – 2026 and relates to the licensing objectives for the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

The premises is situated in a residential area and under the Southwark Statement of Licensing policy 2021 - 2026 the appropriate closing times for events in outdoor premises is 22:00. Section 10 Paragraph 278 states: *'Date /hours of operation. It is suggested a finishing time of 22:00hrs is appropriate; however an earlier finish time may be requested subject to local circumstances'*.

Based on the information provided with this application and to promote the licensing objectives I recommend to the licensing sub- committee to consider bringing the closing times in line with the appropriate hours in the licensing policy for this outside premises, and as such to also reduce the licensable activities to finish an hour before the closing times (this will allow an hour for dispersal of a possible 5000 patrons) as follows:

- Opening times on Monday to Sunday to cease at 22:00
- All licensable activities to cease at 21:00 daily

The operating schedule is lacking and although a risk assessment has been provided, there is no event management plan or dispersal policy provided with the application it is difficult to suggest appropriate control measures to reduce the impact of crime and disorder or public nuisance that could affect the local residential area. For instance how will patrons be prevented from leaving the premises with alcohol and drinking it in other areas of the park or the street?

Due to the limited information provided with the application and to promote the licensing objectives I ask the applicant to provide the following information:

- A copy of the event management plan (to be conditioned)
- A written dispersal policy for the premises (to be conditioned)
- To confirm the accommodation limit (to be conditioned)

Furthermore, under box K on the application form the following question is asked *'Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to these of the premises that may give rise to concern in respect of children'* and the applicant states the following *'All film certifications will be adhered to at all times. Any films shown that are rated above 12a will only be shown in the evening at The Luna Events'*. I ask the applicant how this will be controlled and how children will be prevented from viewing films above 12a/U if they are unaccompanied by an adult and may be on other areas of the park but can still view the films shown.

I may submit further comments once all of the information is received.

I therefore submit this representation and welcome any discussion with the applicant.

Southwark'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

**TRADING
STANDARDS**

From: Moore, Ray <Ray.Moore@southwark.gov.uk>

Sent: Tuesday, April 12, 2022 2:24 PM

To: [REDACTED] Regen, Licensing

<Licensing.Regen@southwark.gov.uk>

Subject: Application for a premises license for Dulwich Park by The Luna Cinema Ltd
ref: 877049

Trading Standards as a responsible authority are in receipt of a premises license application by The Luna Cinema Ltd in respect of a premises license for Dulwich Park starting 01/06/2022. Trading Standards as a responsible authority are making representation in respect of this application under all the licensing objectives, but primarily the protection of children from harm.

In the general description this is to be:-

“We will be using the public grounds at Dulwich Park. Two areas of the park will be utilised for different events. The Luna Cinema Evening events will take place on the West Lawn adjacent to the Cafe and will screen one film a day at dusk and will be open between 18:00 - 00:00. The Luna Kids Event will take place during the day on Lower

section of the East Lawn adjacent to the Playground and the Jogging Track, and will be screening multiple family films during the day and will be open 09:30 - 18:30. Both events will have a full bar and food provision for consumption on site. The entrances will be strictly limited to ticket sales and any social distancing regulations and government guidance that is relevant at the time of screenings will be followed. The entrance and exit points will be established within a fenced arena perimeter.

Licensable

activities will be only applied to 7 days for The Luna Kids events and 5 days for The Luna Cinema Event annually. The Luna Cinema and Luna Kids events will not be held on the same days.”

The application is for on sales of alcohol only. The hours for the sale of alcohol are to be Monday to Sundays 09:00hrs to 00:00hrs. The number of days that this will be limited but it does not state what days these will be.

The intended Designated Premises Supervisor is the Daniel LEMAN of 69 Wrentham Avenue, Herne Bay, Kent, CT6 7UX. He is not a director of The Luna Cinema Ltd. The majority shareholder of the company is Sony Music Entertainment UK Ltd although the directors are as follows:-

Mark Simon CAVELL

Joshua LERMAN

James David PLUMMER

And George Lester WOOD (who is also a part owner of the company).

All the directors given addresses are as for the registered office of the company.

Under the general – all four licensing objectives M(a) it doesn't mention any under- age sales matters.

Under the licensing objective the protection of children from harm it states:-

We will have a full child safety plan as well as a lost child meeting point. We will fully enforce certification of films that require it as well as have a challenge 25 policy for alcohol sale. Signage shall be displayed at the bar advising customers that this policy will be in place. The Luna Kids Cinema events have been specifically designed based on family audiences, they will have a full heras fenced arena with branded scrim. There will only be one permanently monitored entrance to the event sites.

This is good in that it address the core issues around age verification. Trading Standards as a responsible authority would simply ask that the applicant agrees to these matters being tidied up into the following conditions which more comprehensively deals with these matters.

- **The organisers will have a full child safety plan as well as a lost child meeting point.**

4AA - The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

4AB - All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

4AC - Age check or 'Challenge 25' signage shall be displayed at areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

4AI - A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council authorised officers or the Police.

- **Films which carry age restrictions will also be covered by the site challenge 25policy whereby suitable proof of age, as described with respect to conditions applying to the sale of alcohol will require anyone**

appearing to be under 25 years of age to provide valid proof of age to show that they are of the approved age for the film concerned.

This authority can provide suitable training records and training materials for the business upon request at no cost. An easy to use refusals register can also be provided – again at no cost to the business. I attach electronic versions of these for the business that can be used.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

**TRADING STANDARDS
WITHDRAWAL**

From: Moore, Ray <Ray.Moore@southwark.gov.uk>
Sent: Tuesday, April 12, 2022 4:43 PM
To: [REDACTED] Regen, Licensing
<Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: RE: Application for a premises license for Dulwich Park by The Luna Cinema Ltd ref: 877049

On the basis of the e-mail below Trading Standards as a responsible authority now withdraw the representation.

Ray MOORE
Principal Trading Standards Enforcement Officer

From: [REDACTED]
Sent: Tuesday, April 12, 2022 4:41 PM
To: Moore, Ray <Ray.Moore@southwark.gov.uk>; Regen, Licensing
<Licensing.Regen@southwark.gov.uk>
Subject: Re: Application for a premises license for Dulwich Park by The Luna Cinema Ltd ref: 877049

To Ray,

Thank you for your email, we accept the conditioned proposed by Trading Standards listed below.

If you need anything else please let me know.

Many thanks

Lucy

Lucy Hall
Assistant Operations Manager