

**COMMITTEE :**  
Licensing Sub-Committee  
10 May 2017

**REPORT OF :**  
Principal Licensing Officer

**LEGISLATION :**  
Licensing Act 2003

Agenda – Part1	Item
<b>SUBJECT :</b> Application for a new premises licence	
<b>PREMISES :</b> The Lamb P.H, 52 Church Street, LONDON, N9 9PA.	
<b>WARD :</b> Edmonton Green	

### 1.0 LICENSING HISTORY

- 1.1 The Lamb currently holds a premises licence (LN/200501732): in 2005 an application by Baracuda Pub Co Ltd to convert an existing Justices On Licence and an existing Public Entertainment Licence to a Premises Licence, which was not subject to any representations, was granted by officers in accordance with delegated powers.
- 1.2 On 6 November 2013 a transfer application was issued, naming Stonegate Pub Co Ltd the Premises Licence Holder. The Designated Premises Supervisor (DPS) on LN/200501732 has been Ms Ann-Marie Hunt since 23 September 2015, and is also the proposed DPS for the new application. These applications were not subject to any representations, and were granted by officers in accordance with delegated powers.
- 1.3 The premises has successfully applied for the following Temporary Event Notices (TENs) since the start of 2016:

Dates of TENs	Times
31/1/16	Midnight to 2am
13/2/16	Midnight to 2am
18/3/16	Midnight to 2am
25/3/16 to 27/3/16	Midnight to 2am
10/4/16	Midnight to 2am
24/4/16	Midnight to 2am
1/5/16	Midnight to 2am
29/5/16	Midnight to 2am
5/6/16	Midnight to 2am
29/6/16	Midnight to 2am
27/8/16 to 28/8/16	1am to 2.30am
25/12/16	Midnight to 2am
2/2/17	Midnight to 2am
18/3/17 to 19/3/17	Midnight to 2am
14/4/17 to 16/4/17	Midnight to 2am
29/4/17 to 30/4/17	Midnight to 2am
7/5/17	Midnight to 2am

## **2.0 CURRENT POSITION:**

### **2.1 Premises Licence LN/200501732 permits:**

- 2.1.1 Hours the premises are open to the public: 08:00 to midnight daily.**
- 2.1.2 Supply of alcohol (on and off supplies): 08:00 to midnight daily.**
- 2.1.3 Film (indoors): 10:00 to midnight daily.**
- 2.1.4 Indoor sporting events: 10:00 to midnight daily.**
- 2.1.5 Recorded music (indoors): 10:00 to midnight daily.**
- 2.1.6 Performance of dance (indoors): 10:00 to midnight daily.**
- 2.1.7 Late night refreshment (indoors): 23:00 to midnight daily.**

**2.2 A copy of a location map of the premises is attached as Annex 01.**

**2.3 A copy of the current Premises Licence is attached as Annex 02.**

## **3.0 THIS APPLICATION:**

**3.1 Application is made by Stonegate Pub Company Limited for a new premises licence. The application seeks:**

- 3.1.1 Hours the premises are open to the public: 08:00 to 00:30 Sunday to Thursday, 08:00 to 01:30 Friday and Saturday (plus seasonal variations).**
- 3.1.2 Supply of alcohol (on and off supplies): 10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday (plus seasonal variations).**
- 3.1.3 Film (indoors): 10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday (plus seasonal variations).**
- 3.1.4 Indoor sporting events: 10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday (plus seasonal variations).**
- 3.1.5 Live music (indoors): 10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday (plus seasonal variations).**
- 3.1.6 Recorded music (indoors): 10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday (plus seasonal variations).**
- 3.1.7 Performance of dance (indoors): 10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday (plus seasonal variations).**
- 3.1.8 Late night refreshment (indoors): 23:00 to midnight Sunday to Thursday, 23:00 to 01:00 Friday and Saturday (plus seasonal variations).**

**3.2 The application was advertised in accordance with the requirements of the Licensing Act 2003.**

**3.3 Each of the Responsible Authorities were consulted in respect of the application.**

**3.4 A copy of the application is attached as Annex 03 and the plan is attached as Annex 04.**

#### **4.0 RELEVANT REPRESENTATIONS:**

- 4.1 Metropolitan Police: Representation is made on the grounds of the prevention of public nuisance. The authority considers that it is appropriate, for the promotion of the licensing objectives, for the parts of the application that are within the CIP core hours to be granted and for the parts of the application variation that are outside the CIP core hours to be refused.**
- 4.2 A copy of the representation is attached as Annex 05.**
- 4.3 Licensing Authority (including Licensing Enforcement, Environmental Health, Trading Standards, Planning, Health & Safety and Children's Services): Representation is made on the grounds of the prevention of public nuisance. The authority considers that it is appropriate, for the promotion of the licensing objectives, for the parts of the application that are within the CIP core hours to be granted and for the parts of the application variation that are outside the CIP core hours to be refused.**
- 4.4 A copy of the representation is attached as Annex 06.**
- 4.5 The table below shows the hours and activities applied for, and the hours and activities proposed by the Responsible Authorities:**

<b>Activity</b>	<b>Hours Sought by Applicant</b>	<b>Hours Sought by Responsible Authorities (Core CIP hours) NB. Also matches existing hours on current licence</b>
<b>Opening Hours</b>	08:00 to 00:30 Sunday to Thursday, 08:00 to 01:30 Friday and Saturday	No change
<b>Sale of Alcohol</b>	10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday	10:00 to midnight daily
<b>Film</b>	10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday	10:00 to midnight daily
<b>Indoor sporting events</b>	10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday	10:00 to midnight daily
<b>Live music</b>	10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday	10:00 to midnight daily
<b>Recorded music</b>	10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday	10:00 to midnight daily
<b>Performance of dance</b>	10:00 to midnight Sunday to Thursday, 10:00 to 01:00 Friday and Saturday	10:00 to midnight daily
<b>Late night refreshment</b>	23:00 to midnight Sunday to Thursday, 23:00 to 01:00 Friday and Saturday	23:00 to midnight daily

## **5.0 PROPOSED LICENCE CONDITIONS**

**5.1 The applicant offered conditions in Section M of the application form. Should the licence be granted in part or in full, the Responsible Authorities seek conditions be attached to the licence. All conditions can be seen together in Annex 07. Ongoing discussions are taking place with regards to these conditions; as a result some of the conditions overlap/duplicate one another.**

## **6.0 RELEVANT LAW, GUIDANCE & POLICIES:**

**6.1 The paragraphs below are extracted from either:**

**6.1.1 the Licensing Act 2003 ('Act'); or**

**6.1.2 the Guidance issued by the Secretary of State to the Home Office of March 2015 ('Guid'); or**

**6.1.3 the London Borough of Enfield's Licensing Policy Statement of January 2015 ('Pol').**

### **General Principles:**

**6.2 The Licensing Sub-Committee must carry out its functions with a view to promoting the licensing objectives [Act s.4(1)].**

**6.3 The licensing objectives are:**

**6.3.1 the prevention of crime and disorder;**

**6.3.2 public safety;**

**6.3.3 the prevention of public nuisance; &**

**6.3.4 the protection of children from harm [Act s.4(2)].**

**6.4 In carrying out its functions, the Sub-Committee must also have regard to :**

**6.4.1 the Council's licensing policy statement; &**

**6.4.2 guidance issued by the Secretary of State [Act s.4(3)].**

### **Cumulative Impact Policy:**

**6.5 The applicant premises/club premises is located in the Edmonton Cumulative Impact Policy Area [Pol s.9.22/23].**

**6.6 The application is for a variation of a premises licence [Pol s.9.22/23].**

**6.7 The application is subject to a relevant representation [Pol s.9.22/23].**

**6.8 Therefore the Cumulative Impact Policy applies to this application [Pol s.9.22/23].**

**6.9 The Core Hours for this application are:**

**6.9.1 Sale/supply of alcohol (off supplies only): Monday to Sunday Indoors and/or outdoors 08:00 to 00:00 [Pol s.9.24.1]:**

**6.10** The Council's policy is that this application (which is outside the Core Hours set out above) is subject to the presumption against grant that is implicit in a cumulative impact policy [Pol s.9.23].

**6.11** Where the cumulative impact policy applies to an application, applicants are expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy [Guid 8.35].

Hours:

**6.12** The Sub-Committee decides licensed opening hours as part of the implementation of the licensing policy statement and is best placed to make decisions about appropriate opening hours in their area based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application. [Guid 10.13].

**6.13** Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods [Pol s.8.4].

Decision :

**6.14** As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation. [Guid 9.36].

**6.15** In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Sub-Committee must give appropriate weight to:

**6.15.1.1** the steps that are appropriate to promote the licensing objectives;

**6.15.1.2** the representations (including supporting information) presented by all the parties;

**6.15.1.3** the guidance; and

**6.15.1.4** its own statement of licensing policy [Guid 9.37].

- 6.16** Having heard all of the representations (from all parties) the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The steps are:
- 6.16.1** to grant the application subject to the mandatory conditions and such conditions as it considers necessary for the promotion of the licensing objectives;
  - 6.16.2** to exclude from the scope of the licence any of the licensable activities to which the application relates;
  - 6.16.3** to refuse to specify a person in the licence as the premises supervisor;
  - 6.16.4** to reject the application [Act s.18].

**Background Papers :**  
**None other than any identified within the report.**

**Contact Officer :**  
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