

Quick Guide to Licensing

QUICK GUIDE TO LICENSING IN LAMBETH

Lambeth Council is responsible for licensing all premises within the borough that **sell or supply alcohol, provide regulated entertainment, or sell hot food or drinks between 11pm-5am** (late night refreshment). You have the right to make representations against and request reviews of licences. The Council will also investigate complaints relating to licensed and unlicensed premises.

You can see all existing licences here: <http://apps.lambeth.gov.uk/Licensed-Premises-Map/>

You can see all new licence applications here:

<http://lambeth.gov.uk/business-services-rates-and-licensing/licence-comments/current-licence-applications>

How to find out about licensing applications

Applicants will display a notice at or near the premises, which is visible from the outside. This notice will be printed on blue A4 paper, and will give details about the applicant, the activities applied for and the deadline for representations. The notice must remain in place for a period of 28 days. Details of current applications will also be displayed on Lambeth's website – search for 'current licence applications'. The applicant will also advertise in the public notices section of a local newspaper. This advert must appear within 10 working days of the application being made.

The four licensing objectives

- Preventing crime and disorder
- Public safety
- Preventing public nuisance
- Protecting children from harm

Lambeth's new licensing policy

In 2011 concerns about alcohol-related crime and disorder in Clapham High Street led to the council introducing a 'saturation zone'. This means there is a presumption that new licences in Clapham High Street will be refused, because of the 'cumulative impact' of the number of the licensed premises. People applying for a new licence need to prove that their licence won't add to the problems which already exist.

In 2014 Lambeth introduced a new policy, which recommends closing times, depending on the type of area. This can only apply to new applications. If an

applicant wants a later closing time than the one recommended for their area, they need to demonstrate how this will not cause problems.

| Type of premise | Major Town Centres and strategic cultural area. | District Town centre | Local centres Shopping parades | Residential |
|---|---|---|---|------------------------------|
| Restaurants and cafes | Friday- Saturday 01:00 Sunday-Thursday 00:00 | Friday- Saturday 01:00 Sunday-Thursday 00:00 | Friday- Saturday 00:00 Sunday-Thursday 23:00 | 23:00 daily |
| Public houses, wine bars or other drinking establishments | Friday- Saturday 02:00 Monday-Thursday 01:00 Sunday 00:00 | Friday- Saturday 01:00 Sunday-Thursday 00:00 | Friday- Saturday 00:00 Sunday-Thursday 23:00 | 23:00 daily |
| Hotel bars | No restriction for residents | No restriction for residents | No restriction for residents | No restriction for residents |

| Type of premise | Major Town Centres and strategic cultural area. | District Town centre | Local centres Shopping parades | Residential |
|---|---|---|---|--|
| Night-clubs/High Volume Vertical drinking | Friday- Saturday 02:00 Monday-Thursday 01:00 Sunday 00:00 | Friday- Saturday 01:00 Sunday-Thursday 00:00 | Not considered appropriate | Not considered appropriate |
| Off-licences In areas with an identified problem with street drinkers it may be appropriate to set a locally suitable start time for a licence. | 00:00 daily | 00:00 daily | 23:00 daily | 23:00 daily |
| Take-aways | Friday- Saturday 02:00 Monday-Thursday 01:00 Sunday 00:00 | Friday- Saturday 01:00 Sunday-Thursday 00:00 | Friday- Saturday 00:00 Sunday-Thursday 23:00 | Not considered appropriate (licence only required between 23:00-05:00) |
| Other entertainment venues | 02:00 daily | 01:00 daily | 00:00 daily | 23:00 daily |
| Qualifying clubs | 02:00 daily | 01:00 daily | 00:00 daily | 23:00 daily |

Major Town Centres: South Bank, Brixton

District Town Centres: Vauxhall, Stockwell, Camberwell Green

Local centres: Black Prince Road, Brixton Road, Camberwell New Road, Kennington Cross, Kennington Lane, Kennington Park Road/Kennington Road, Kennington Road, Lambeth Walk, Oval (Brixton Road), Oval (Clapham Road), South Lambeth Road, Vauxhall Street/Jonathan Street, Wandsworth Road, Wilcox Road

Making a representation

If applications don't attract any representations, then they are granted automatically. If you want to object to an application being granted or there are particular conditions that you would like the committee to impose you need to submit a representation for consideration. Email licensing@lambeth.gov.uk by the closing date listed on the statutory notice (which will usually be 28 days after the application was made). Late representations, or representations which are vexatious, frivolous or irrelevant, will not be considered.

You must give your name and full address in your representation – it can't be anonymous. You should be aware that the applicant will have access to any representations that are made, to allow them the opportunity to respond to the points raised. If you are concerned about this, ask your local councillor to make a representation on your behalf.

Your representation **MUST** set out why you consider the application will not promote the licensing objectives otherwise it will be considered irrelevant and the application may be granted automatically.

For example:

- **Preventing crime and disorder:** 'The police have been called to this bar seven times this year to deal with fights – I am concerned that allowing it to open late will result in more disorderly behaviour for the police to deal with.'
- **Public safety:** 'This premises front door opens onto a busy road without a pavement – it is not suitable to be a nightclub because patrons have no pavement to queue on, and they will walk straight out onto the roadway when they leave, putting them at risk of being hit by a car'.
- **Preventing public nuisance:** 'This pub is not constructed with adequate noise insulation. Noise from the pub already stops us from sleeping if we try to go to bed before 11pm. Allowing it to open later will cause serious nuisance and disturbance to residents living next door and behind.'
- **Protecting children from harm:** 'There is evidence that this shop sells cigarettes to underage teenagers – they can't be trusted to sell alcohol responsibly'.

You can refer to Lambeth's licensing policy's recommended hours. For example: 'Lambeth's Licensing Policy recognises this street as being in a residential area. The Policy recommends that pubs should not be allowed to open beyond 11pm. Opening beyond 11pm will cause serious nuisance to residents'.

Send any evidence that you have with your representation – photos (eg of rubbish dumped by the venue) and diaries (eg diaries of noise disturbance) are particularly strong evidence.

Consider whether there are conditions which might address your concerns – eg reducing the opening hours, improving noise insulation, banning drinking outside after a certain time, litter patrols. You can suggest conditions in your representation.

Making a representation at committee

If the Council accepts your representation then you have the right to attend the committee to make your case. If you can't attend, or would prefer not to – don't worry – your representation will still be considered by the committee. At the committee the applicant will have up to three minutes to speak, before answering questions from the committee. Then any people who have objected have the right to speak for up to three minutes, and answer any questions the committee has. You don't need to read out your representation in full because the committee will have already read it. Plan what you are going to say in the time you have – highlight any additional points you want to make, and emphasise the key points in your representation. You can't circulate new written or photographic evidence on the night – it needs to be sent to licensing@lambeth.gov.uk in advance.

The committee can decide to grant the licence as it was applied for, can grant the licence with conditions, or reject the licence application. The conditions can be stringent – for example reducing the opening hours.

If the committee rejects the licence the applicant can appeal the decision at court. For this reason the committee has to be confident that their decision is sound and based on evidence.

Requesting a review of a licence

If an existing licenced premises is causing problems, there are many steps you can take to try to deal with the problems, which Jamie Akinola will outline. As a last resort, you have the right to request a review of the licence. You will need to provide strong evidence for your review to be successful:
<http://lambeth.gov.uk/sites/default/files/brl-premises-licence-review.pdf>

Temporary Event Notices (TENs)

TENs allow people to hold one-off events. They're designed to make it easy to put on for small-scale, one-off or occasional events, such as community, school and charity fundraising events. However, nightclubs, bars and pubs can use them to open for longer hours on certain days of the year. A premises can use up to 12 TENs per calendar year, authorising events on no more than 21 calendar days in that year. Residents can't object to a TEN. But if the police or council noise officers object to a TEN, then it is automatically rejected. For this reason it's important that you complain to the police and the council noise service if there is a venue causing problems.

Sexual Entertainment Licensing

'Sex establishments' include:

- sex cinemas
- sex shops
- sexual entertainment venues, which are premises at which entertainment comprising live sexually stimulating performances or displays of nudity is provided in front of an audience, for the financial gain of the organiser or performers.

Most Vauxhall gay nightclubs have sexual entertainment licences. These have to be renewed every year.

Other licences

The Council also licences dangerous animals, dog breeding, performing animals, pet shops, zoos, gambling premises, hypnotism, children working in entertainment, tennis coaching on Lambeth tennis courts, personal/ physical training in parks, scrap metal dealing, gaming machines, riding establishments, skips, sports grounds, tables and chairs outside shop fronts, UV tanning, saunas, waxing, electrolysis, cosmetic piercing, acupuncture, tattooing, fireworks and explosives storage, market trading, wedding or civil partnership venues, places of worship, food premises, small lotteries, and selling poisons.