

Licensing Sub-Committee Report

Subject of hearing: **The Vale, The Vale at Streatham, 1A Lilian Road, Streatham, SW16 5HN – Review Hearing following imposition of Interim Steps**

Date: **11 April 2022**

Time: **2.30pm**

Venue: **Zoom**

- 1. Special Policy Area (premises licences and club certificates)**
 - 1.1 The premises are not in the special policy area.
- 2. Type of hearing and powers of the sub-committee**
 - 2.1 The sub-committee is required to:
 - a) Under Section 53C, determine the application by taking such of the steps set out below as it considers appropriate for the promotion of the licensing objectives.
 - b) Under Section 53D, consider any interim steps that have been taken, consider any relevant representations and whether the interim steps are appropriate for the promotion of the licensing objectives, and determine whether to withdraw or modify the interim steps
 - 2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.
 - 2.3 Review of premises licence: s53C
 - (i) To modify the conditions of the licence
 - (ii) To exclude a licensable activity from the scope of the licence
 - (iii) To remove the designated premises supervisor
 - (iv) To suspend the licence for a period not exceeding three months
 - (v) To revoke the licence.
 - 2.4 Interim Steps: s53D
 - (i) To modify the conditions of the licence
 - (ii) To exclude the sale of alcohol by retail from the scope of the licence
 - (iii) To remove the designated premises supervisor
 - (iv) To suspend the licence

3. Hearing papers

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundle (attached) together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing and forms part of this report.

4. Legal advice to the sub-committee

4.1 A legal officer appointed by the South London Legal Partnership will attend the hearing to advise the sub-committee on statutory provision and legal matters.

5. Licensing Officer comments

5.1 This matter arises from a summary review application made by the police on the grounds of serious crime or serious disorder, and received by the Licensing Authority on the 16th March 2022.

5.2 On the 17th March the Licensing Sub-Committee considered interim steps as required under Section 53B, and suspended the Premises Licence with immediate effect.

5.3 The application was consulted on as required under the Act, and the consultation period ended on 31st March 2022

5.4 During the consultation period 5 relevant representations were received by the Licensing Authority.

5.5 One of the representations is from the Licence Holder's landlord, and who state that they are in discussions with their tenant (the Licence Holder), and it is their intention to take back the premises.

5.6 Ten representations are from local residents who support the review application, and have made comments on other incidents at the premises.

5.7 The current Premises Licence showing the permitted licensable activities is attached with the papers before the Sub-Committee

5.8 The Premises Licence has been in force since November 2005, and was transferred to the current Licence Holder in April 2018.

5.9 The most recent Variation Application was determined by the Sub-Committee in August 2018, where a variation to modify the times and conditions on the licence was granted in part

5.10 Two previous review applications have been received by the Licensing Authority in relation to the Premises Licence, in 2006 and 2007. The Licence has been transferred 3 times since the last review, (inclusive of the transfer to the current Licence Holder)

5.11 Any determination the Sub-Committee makes under Section 53C of the Act will not have effect until after the end of the appeal period, or if an appeal is made, until that appeal is disposed of.

5.12 Under Section 53D of the Act, the Sub-Committee is required to consider the interim steps previously taken. If the Sub-Committee determine that Interim Steps should continue to apply, those interim steps shall have effect until the decision made under Section 53C comes into force.

For enquiries about this hearing please contact

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Parties to the hearing

This document forms part of the notice of hearing.

The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Review Applicant
Metropolitan Police
Licence Holder
Richard Grady, North and South Leisure Ltd
Statutory Authorities
None
Interested Parties
Landlord/Freeholder - Star Pubs and Bars
10x Local Residents – Details Exempt

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