

Revised August 2014

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

1 Esther Jones

*(insert name of applicant)*

Apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below. *(delete as applicable)*

### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
The Village 124 Clapham Road London SW9 0LA			
<b>Post town</b>	London	<b>Post code (if known)</b>	SW9 0LA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
CL 21 Speed Limited
<b>Number of premises licence or club premises certificate (if known)</b>
Prem119

### Part 2 – Applicant Details

- I am
- Please tick ✓ yes
- 1) an individual, body or business which is not a responsible authority   
*(please read guidance note 1, and complete (A) or (B) below)*
  - 2) a responsible authority *(please complete (C) below)* (Yes)
  - 3) a member of the club to which this application relates *(please complete (A) below)*

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title (for example, Rev.)			
<b>Surname</b>			
<b>First names</b>			
<b>I am 18 years old or over</b>		<input type="checkbox"/> Please tick ✓ yes	
<b>Current postal address</b>			
<b>Post town</b>		<b>Post code</b>	
<b>Daytime contact telephone number</b>	[REDACTED]		
<b>Email address (optional)</b>	[REDACTED]		

**(B) DETAILS OF OTHER APPLICANT**

<b>Name</b>	
<b>Address</b>	
<b>Telephone number (if any)</b>	
<b>Email address (optional)</b>	

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

<b>Name</b>	Mrs Esther F. Jones
<b>Address</b>	[REDACTED]
<b>Telephone number (if any)</b>	[REDACTED]
<b>Email address (optional)</b>	[REDACTED]

**This application to review relates to the following licensing objective(s)**

*Please tick one or more boxes ✓*

1) the prevention of public nuisance

**Please state the ground(s) for review** *(please read guidance note 2)*

This review is being brought under the licensing objective:-

### **Prevention of Public Nuisance**

The premises has the following condition on its premises licence:-

***“The premises licence holder shall install secondary glazing to all the windows on the ground floor in order to reduce the chance of noise emission from the premises.”***

The windows glazing installed at the premises are not double glazed, and the licensing authority is receiving complaints from residents about noise disturbance emanating from the premises.

A joint visit was made by a community safety and myself in the early hours of Saturday 25<sup>th</sup> March 2017 at 00:16 and the windows to the premises were found to be single glazed still.

This condition has been on the licence since the current owners CS21 Ltd., transferred the premises licence, they had ample time to apply to remove the condition but failed to do so.

The licensing authority was receiving complaints from residents in 2015 and immediately engaged with the premises. I have attached to this application evidence of complaints received from residents regarding this premises.

The licensing authority attempted to review the premises licence then but had to abandon this as the company holding the premises licence was dissolved in 2014 without any notification to the licensing authority.

The licensing authority has engaged with the premises and offered them ample opportunity to remedy this breach without any success.

The licensing authority continued to receive complaints about the premises in 2016 about noise from loud amplified music emanating from the premises.

In February 2017 a letter dated 19<sup>th</sup> February 2017 was hand delivered to the premises advising of the breach of the condition on their licence and offering a deadline of 20<sup>th</sup> of March for the condition on the licence to be complied with. The licensing authority believes this was a reasonable enough time given the fact that the condition had been on the licence when the current premises licence holder transferred the licence in 2016. Copy of the letter is attached.

On 19<sup>th</sup> March I visited the premises to check if the condition had been complied with and found that the windows are still single glazed. I spoke to the manager who I know very well and asked why he had not complied. I then gave him a letter dated 19<sup>th</sup> March requesting him to meet with us at our offices in International House on the 22<sup>nd</sup> of March 2017 at 15:45. Copy of the letter is attached.

The meeting did not take place as the premises licence holder failed to turn up. Instead, I got an email from A Shahid Associates on behalf of the premises. A copy of that email is attached with this review application.

Also attached to this letter are copies of letters sent/hand delivered to the premises in an effort to engage, advice and warn the premises.

The review is asking for the premises to have removed from its licence the provision of live and recorded music and for the premises to dis-apply the de-regulation that allows the premises to provide live and recorded music from 8am till 11pm as provided under s.177A of the Licensing Act and the statutory guidance paragraphs 15.28 and 15.33.

Reduction of the terminal hours for all regulated entertainment and activity to 12midnight everyday.

Please tick ✓ yes

Have you made an application for review relating to the premises before?

Yes, but the application had to be abandoned as the premises licence lapsed.

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

**If you have made representations before relating to the premises please state what they were and when you made them**

No.

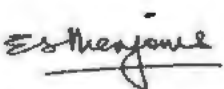
Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	April 3 2017
Capacity	Licensing Officer

**Contact name (where not previously given) and postal address for correspondence associated with this application.** (please read guidance note 6)

Mrs Esther Jones



Telephone number (if any)



If you would prefer us to correspond with you by email your email address (optional)



**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review, if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Your Ref:

Our Ref: **Prem119**

28th July 2016

**The Premises Licence Holder  
Mar Azul Restaurant Ltd aka The Village  
124 Clapham Road  
London  
SW9 0LA**

Dear Maria

**LICENSING ACT 2003 - Premises Licence  
RE: Mar Azul/aka Village Restaurant, 124 Clapham Road London SW9 0LA**

Thank you for attending the "intervention meeting" at our offices today in the company of Mr [REDACTED] when you met with Mr [REDACTED] Baldrick and myself.

We advised that the reason for the meeting was as a result of complaints from residents relating to the behaviour of visitors leaving your premises in the early hours of the morning.

You were informed that there had been previous history of complaints relating to noise from the premises but you assured us that you intent to improve relations with residents/neighbours and to get to know them and provide them with contact details so that they can contact you direct if they have any concerns.

You were provided with evidence given to the licensing authority relating to the complaints and that complaint was from more than one person.

You promised to put in place as from next Friday i.e. tomorrow the 29<sup>th</sup> of July on Fridays and Saturdays measures to ensure that visitors leaving your premises are managed in such a way that they do not create noise disturbance to residents.

You also pledged to ensure that litter within the immediate vicinity of the premises including cigarette butts are cleared at the end of each business day.

Both Mr Baldrick and I expressed our appreciation for your co-operation and positive steps to address residents' concerns.

London Borough of Lambeth  
**Consumer Protection & Sustainability**  
2<sup>nd</sup> Floor Ivor House  
1 Acre Lane  
London SW2 5BF

Telephone 020 7926 6108  
Facsimile 020 7926 2357  
[www.lambeth.gov.uk](http://www.lambeth.gov.uk)

**By post and hand delivery to the premises**

Your Ref:

Our Ref: **16/00266/PRMTRN / Prem119**

20 February 2017

**CL 21 Speed Limited  
Arch 19-20 Bondway  
Vauxhall  
London SW8 1SQ**



Dear Sir/Madam

**LICENSING ACT 2003**

**RE: The Village Restaurant, Dorset Arms, 124 Clapham Road London SW9 0LA**

I refer to my visit to your premises yesterday Sunday 19<sup>th</sup> February 2017 at about 2:30pm. Before accessing your premises I checked your windows and found that none of the windows to your premises had secondary glazing.

I had a conversation with you regarding the condition on your premises licence that requires that a secondary glazing be installed I have cited below this paragraph the condition under the licensing objective Prevention of Public Nuisance:-

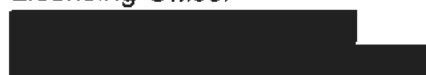
***“The premises licence holder shall install secondary glazing to all the windows on the ground floor in order to reduce the chance of noise emission from the premises.”***

I have discussed this matter with my manager and the decision has been made that your premises is afforded a four week timescale within which to comply with this condition. This means, by the close of business on 20<sup>th</sup> March 2017 the condition must be complied with. Failure to do so would lead to licensing authority considering enforcement action against the premises.

If you wish to discuss this letter and its contents with me please do not hesitate to do so using the details provided below.

Yours faithfully

**Mrs Esther F. Jones**  
Licensing Officer



Entertainment Licensing  
London Borough of Lambeth  
**Community Safeguarding**  
6<sup>th</sup> Floor International House  
Canterbury Crescent  
London SW9 7OE

Telephone 020 7926 6108  
Facsimile 020 7926 2357  
[www.lambeth.gov.uk](http://www.lambeth.gov.uk)



INVESTOR IN PEOPLE



Your Ref: By Hand

Our Ref: **Prem119**

19<sup>th</sup> March 2017

**The Village  
124 Clapham Road  
London  
SW9 0LA**

Dear Sir/Madam

**LICENSING ACT 2003 – Prevention of Public Nuisance  
RE: The Village 124 Clapham Road London SW9 0LA**

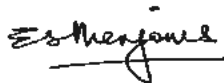
Following receipts of complaints against your premises which engages with the licensing objective above, I would like to meet with you at our offices on Wednesday the 22<sup>nd</sup> of March 2017 at 15:45pm at the address provided below in the signatory column.

Could you please bring with you the premises licence for the meeting.

You are also able to bring with you an interpreter and a legal representative at cost to you should you deem it necessary.

Could you please let us know if the date and time is not convenient for you so that a new date and time could be determined in good enough time.

Yours faithfully



**Mrs Esther F. Jones**  
Licensing Officer



**From:** A Shahid <shahid@fradalitassociates.co.uk>  
**Sent:** 22 March 2017 10:49  
**To:** Jones, Esther F  
**Subject:** The Village 124 Clapham Road SW9 0LA

Dear Mrs Jones,

We are writing on behalf of the above client who has asked us to represent them in the ongoing issues with their premises license.

We have been trying to contact you on your direct line for the last couple of days and left messages as well but no response or call back was received. We understand that you wanted to have a meeting today at 3:45 to deal with this problem. However as the case has been passed to us so we would like to get the background to this ongoing enquiry. We further understand that this was prompted by complaints you have received from the neighbourhood. In the first instance we would like to request the details of these complaints under section 51(3)(a) of the licensing act 2003 as our client has concerns that he prohibited a few patrons from his premises owing to disorderly conduct and they may be behind these complaints. Please note that we also reserve the right to request you to reject any such complaints where grounds are frivolous or vexatious etc. We have asked our client not to attend the meeting without knowing the rights and responsibilities in the situation which we will advise them once the details are made available to us.

Kindly also note that we do not have original premises license in our possession currently and that is additional ground for not being able to attend the meeting today.

We shall be grateful if you could forward the required details promptly so we can conclude this matter quickly and amicably.

We look forward to hearing from you soon.

Thanks.

With Regards  
**A Shahid Bcom, FCCA**  
**Fradalit Associates**

[REDACTED]

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately if you have received this e-mail by mistake and delete this mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message that arise as a result of e-mail transmission. If verification is required please request a hard-copy version. This message is provided for informational purposes only.

**ANTI-VIRUS**