

Report No.
ES20337

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: LICENSING SUB-COMMITTEE

Date: 20th November 2023

Decision Type: Non-Urgent Non-Executive Non-Key

Title: SUBMISSION OF A TEMPORARY EVENT NOTICE FOR FETHR LOUNGE LTD 145 – 147 CROYDON ROAD BECKENHAM BR3 3RB FOR 30TH – 31ST DECEMBER 2023

Contact Officer: Steve Phillips, Nuisance, ASB, Health & Safety and Licensing Manager
Tel: 020 8313 4659 E-mail: steve.phillips@bromley.gov.uk

Chief Officer: Colin Brand Director: Environment and Community Services

Ward: Kelsey and Eden Park

1. Reason for report

- 1.1 To provide the Licensing Sub-Committee with information supporting them to determine whether to uphold or dismiss objections made against this Temporary Events Notice.

2. **RECOMMENDATIONS**

- 2.1 The Licensing Sub-Committee are asked to determine this application having taken into account the Council's Statement of Licensing Policy 2021 to 2026 and written and oral representations by the person submitting the TEN and objectors.

Members can

1. Grant the temporary event notice as submitted.
2. Impose conditions to the TEN from the existing conditions on the premises licence at the venue.
3. Uphold the objections made and refuse the TEN by authorising the service of a Counter Notice.

Impact on Vulnerable Adults and Children

1. Summary of Impact:

When making decisions under the Licensing Act 2003 the Council is required to promote the licensing objectives, one of which is the protection of children from harm.

Corporate Policy

1. Policy Status: Existing Policy:

The Council has adopted a statement of its licensing policy under the Licensing Act 2003 for the period 2021 to 2026.

2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration

Financial

1. Cost of proposal: Licensing statutes allow for an appeal to the Magistrates Court against the Council's decision. Should an appeal be made, costs are likely to be incurred but it is not possible to quantify these.
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Public Protection and Portfolio
 4. Total current budget for this head: £1.6M
 5. Source of funding: 2023/2024
-

Personnel

1. Number of staff (current and additional): 1 Licensing Officer supported by 3.5 FTE admin
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The Council is the Licensing Authority for the Licensing Act 2003. This is a Non-Executive function and is delegated to the General Purposes and Licensing Committee. Where representations are received about a licence application, it is referred to the Licensing Sub Committee for a hearing and decision.
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Property

1. No property implications for this application/licence.
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: There are no significant implications.
-

Customer Impact

1. When considering and making a determination on this application Members need to balance the benefits of holding the licence against any adverse effects to the Public, Local Residents and Businesses by considering its impact against the licensing objectives
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments **N/A**
 2. Summary of Ward Councillors' comments: **N/A**
-

Responsible Authorities Views

1. Have Responsible Authorities been asked for comments? **Yes**. The Police and Environmental Health Service were notified about the application by email on 9th November 2023.
2. Summary of Responsible Authorities comments: **Objections** were received from both the Police and Environmental Health Service on the grounds of Public Nuisance.

These objections can be found in **Appendix 2**.

3. COMMENTARY

3.1. Licensing Act 2003.

The Licensing Act 2003 states that any premises requires a licence/certificate issued by the Council (premises licence/club premises certificate) where the following activities occur:-

Provision of regulated entertainment

- a) Plays. (Where the audience exceeds 500 people)
- b) Films.
- c) Indoor sporting events. (Where the audience exceeds 1000 people)
- d) Boxing or wrestling entertainment.
- e) Live music. (subject to the Live Music Act 2013 exemptions)
- f) Recorded music.
- g) Performances of dance. (Where the audience exceeds 500 people)

Provision of late-night refreshment (between 2300hrs and 0500hrs).

Supply of alcohol (on and off sales).

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place.

Licences/Certificates may be issued subject to any terms, conditions or restrictions the Council feels are appropriate to address any or all of the four licensing objectives.

The Council has previously agreed Bromley's Statement of Licensing Policy for the Period 2021 – 2026.

The Licensing Sub-Committee must consider the Statement of Licensing Policy and any Special Policy of Cumulative Impact currently in force when making any decisions in respect of these applications.

Where any premises are not licensed or their licence does not permit any of the above activities or a premises wishes to have an activity outside of the times stated on the existing licence, the Act provides for a person to give a Temporary Event Notice (TEN).

3.2 TENs are subject to certain restrictions including the following;

- a. Standard applications must be made a minimum of 10 clear working days before the event.
- b. Up to 10 late applications (restrictions apply) can be made between 9 and 5 clear working days before an event.
- c. 15 TENs can be submitted for the same premises in a year (Jan to Dec).
- d. A single event can last no longer than 7 days.
- e. There must be a minimum of 24hrs between events.
- f. The maximum number of days in a year that can be permitted by TENs at the same premises is 21.
- g. The maximum number of people that can attend the event is 499.

- 3.3 Where these provisions are met the Council must acknowledge the submission within 48 hours.
- 3.4 Copies of a submission are served on both the Police and the Environmental Health, Public Health Nuisance Team. These Responsible Authorities have 3 working days after the date of receipt to object to a submission of a TEN.
- 3.5 Where an objection is made to a standard TEN the Council must hold a hearing to determine the application within 7 days of the end of the consultation period and at least 24 hours before the start of the period covered by the TEN.
- 3.6 The Licensing Sub Committee must consider both written and verbal representations made at the hearing and have the following options available to them:
1. Grant the temporary event notice as submitted.
 2. Impose conditions to the TEN from the existing conditions on the premises licence at the venue.
 3. Uphold the objections made and refuse the TEN by authorising the service of a Counter Notice.
- 3.7 The 2003 Act provides that the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:
- if the police or the EHA have objected to the TEN;
 - if that objection has not been withdrawn;
 - if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
 - if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

Members' attention is drawn to the following parts of the policy which are relevant to this submission.

Description of the Premises

The premises is a restaurant on the ground floor of a 3 storey building with residential accommodation above. The property is situated on the corner of Croydon Road, Eden Park Avenue and Dunbar Avenue.

A satellite image and street view of the premises can be found in **Appendix 4**.

Licensing History

The premises licence was transferred to the current holder in May 2023. Historically there has been noise nuisance issues with the premises mainly due to there being residential flats directly above.

Since the current licence holders have been running the business there have been a number of noise complaints and a Noise Abatement Notice was served on the premises on 9th August 2023. Since the abatement notice was served a number of noise complaints have been received stating that loud music is being played after 11pm. A copy of current premises licence can be found in **Appendix 3**.

Details of the Application

A TEN has been submitted to hold a leaving party for 100 people on 30th December 2023 until 03:00hrs. The licensable activities include the provision of late night refreshment, the provision of regulated entertainment (a DJ) and the sale of alcohol on the premises. A full copy of the TEN can be found in **Appendix 1**.

Representations

Objections were received from both the Police and Environmental Health Service on the grounds of Public Nuisance. Full details of both objections can be found in **Appendix 2**.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Licensing regimes provide for additional controls through specific permissions to undertake activities. Both the Licensing Act 2003 and Gambling Act 2005 contain licensing objectives which seek to protect particular vulnerable groups. In the case of the Licensing Act 2003 it seeks to protect children from harm whereas the licensing objectives under the Gambling Act 2005 are wider and seek to protect children and vulnerable adults from being harmed or exploited.
- 4.2 Businesses and the Council are required to promote these objectives in the way they operate or make decisions.
- 4.3 Details of applications under both Acts are referred to the appropriate safeguarding teams for comment. The Child Protection Team asked for a Challenge 25 policy condition to be added.

5. TRANSFORMATION / POLICY IMPLICATIONS

- 5.1 Both the Licensing Act 2003 and the Gambling Act 2005 require the Council to prepare, consult on and publish statements of their licensing policy. These must be reviewed at least every 5 years under the Licensing Act and 3 years under the Gambling Act.
- 5.2 Members should make decisions in accordance with these policies but are free to depart from them with good reason.
- 5.3 The current policies are -
 - Statement of Licensing Policy 2021 - 2026
 - Statement of gambling policy 2022 - 2025

6. FINANCIAL IMPLICATIONS

- 6.1 There are rights of Judicial Review and appeal to the Magistrates Court against the decision of the Sub-Committee under both the Licensing and Gambling Acts. If an appeal were to be lodged there are costs associated with defending it. These are difficult to quantify and the Courts can award costs. In the event of a successful appeal we could pay the costs of the appellant as well as our own. Equally if we successfully defended an appeal, it is open to the Court to order our costs to be paid by the appellant.

7. PERSONNEL IMPLICATIONS

- 7.1 Number of staff (current and additional): 1 Licensing Officers supported by 3.5 FTE Administration Staff.
- 7.2 If from existing staff resources, number of staff hours: A licensing application typically takes 7hrs professional officer time and 5hrs administration time.

8. LEGAL IMPLICATIONS

- 8.1 Any Parties involved in a hearing before a Sub-Committee can seek a Judicial Review if the Local Authority has failed to administer the hearing in accordance with proper procedures.
- 8.2 Any Party involved with the hearing before licensing subcommittee can appeal any decision made at that hearing to the magistrate’s court.
- 8.3 The Council has adopted a procedure for the conduct of hearings.

9. PROCUREMENT IMPLICATIONS

There are no procurement implications.

10. EQUALITIES IMPLICATIONS

- 10.1 The Equality Act (2010) requires public bodies to have due regard to the need to:
 - *eliminate unlawful discrimination, harassment, victimization and any other conduct prohibited by the Act.*
 - *advance equality of opportunity between people who share a protected characteristic and people who do not share it; and*
 - *foster good relations between people who share a protected characteristic and people who do not share it.*

10.2 The protected characteristics covered by the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

10.3 There is no indication that the proposed recommendations will have a disproportionate impact on any individuals or groups with a shared protected characteristic.

11. ENVIRONMENTAL IMPLICATIONS

There are neutral environmental and carbon reduction implications from the proposals contained in this report.

Non-Applicable Sections:	Property & Procurement
Background Documents: (Access via Contact Officer)	Soft File Computer based records

Appendix 1

Temporary Event Notice

Page 1

Temporary Event Notice

Important new legislation on COVID-19 available [here](#).

Information on the Licensing Act 2003 is available [here](#).

Before completing this form please read the guidance notes.

You may wish to keep a copy of the completed form for your records.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details <i>(Please read note 1)</i>			
Your name			
Title	Forenames	Surname	
Mr	Lirjan	Sufaj	
Previous names <i>(if relevant)</i>			
Have you used any previous names?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have you used any other previous names?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Have you used any other previous names?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Your date of birth	14/07/1987		
Your place of birth	Albania		
National Insurance No.	SP537059D		

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Your current address	
x	
65 Moore Road London SE19 3RB	
Other contact details	
Telephone numbers	
Daytime telephone	07557046691
Evening telephone (optional)	
Mobile telephone (optional)	
Fax number (optional)	
Email address	Fethrmanager@gmail.com
Are you an agent applying on behalf of the applicant? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Title	
Forenames	
Surname	
Email address	
Main telephone number	
Other telephone number	
<p>Are you</p> <p>An agent that is a business or organisation, including a sole trader <input type="checkbox"/></p> <p>A private individual acting as an agent <input type="checkbox"/></p> <p>Business/organisation name</p> <p>Please confirm who the acknowledgement email and future correspondence should be sent to:</p> <p>The applicant <input type="checkbox"/></p> <p>The agent <input type="checkbox"/></p>	

Page 3 (now hidden)

Alternative address for correspondence (<i>Address for correspondence associated with this application, if different to the previous address</i>)	
Alternative contact details (<i>if applicable</i>)	
Telephone numbers	
Daytime (optional)	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
Email address (optional)	

The Premises	
Please select the address of the premises where you intend to carry out the licensable activities. If there is no address, please select the street record in the address lookup and supply further details of the location (including ordnance Survey references) (Please read note 2)	
<p>145 - 147 Croydon Road Beckenham BR3 3RB</p>	
Trading name	Fethr Lounge Ltd
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	18/00544/LAPRE
Additional address information	

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Do you intend to use the whole of the premises at this address (Please read note 3) Yes No

Please give a description and details below

Please describe the nature of the premises below (Please read note 4).

Restaurant/ bar

Please describe the nature of the event below (Please read note 5).

Leaving party

The Licensable Activities		
Please state the licensable activities that you intend to carry on at the premises (Please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field) (Please read note 6)		
The sale by retail of alcohol		<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		<input type="checkbox"/>
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (Please read note 12)	On the premises	<input checked="" type="checkbox"/>
	Off the premises	<input type="checkbox"/>
	Both	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)		<input checked="" type="checkbox"/>
The provision of late night refreshment		<input checked="" type="checkbox"/>
Select this box if you are giving a late temporary event notice (Please read note 8)		<input type="checkbox"/>

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Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 8) Please give times in 24 hour clock. e.g. 19:00. (Please read note 9)							
Start Date	30/12/2023	Time	20:00	End Date	31/12/2023	Time	03:00
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)							100

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State if the licensable activities will include the provision of relevant entertainment. Note:
Relevant Entertainment is defined as any live performance or any live display of nudity etc.

If you are applying for the relevant entertainment activity, please state the times during the event period that you propose to provide the relevant entertainment. (Please read note 13)

Food, drink & DJ

Personal Licence Holders <i>(Please read note 14)</i>	
Do you currently hold a valid personal licence?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Please provide the details of your personal licence below.	
Issuing licencing authority	Croydon
Licence number	23/0161/LIPERS
Date of issue	17/07/2023
Date of expiry	
Any further relevant details	

Previous Temporary Event Notices you have given <i>(Please read note 15)</i>		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please state the number of temporary event notices you have given for events in the same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Associates and business colleagues		
Has any associate of yours given a temporary event notice in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 4 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Condition *(Please read note 17)*

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Custom Process Configuration

XML Specific

Application type

Licence Case Type

Licence Status

XML Template

CAPS Reference

Payments request

CallingAppID

CallingAppRef

PaymentSourceCode

Response response

PaymentAuthorisationCode

IncomeManagementReceiptNumber

Originators Reference

CardScheme

CardType

PaymentAmount

ResponseCode

ResponseDescription

Number of payment lines

Process ID From External

Payment 1

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue

Paid

Payment Date

Fund

Reference

Form Calculations

Title Casing

Sentence Casing

UPRN for address lookup

Boolean to "hide" page

Form Reference

User Classification

Email body text

Bank Hols Array calculation

Other Custom Calculations

Calculation for late ten

Calculation for licensable activities

Number of Days TEN Covers

Subject Line for Email Out

Body for Internal Email

Body for External Email

Start Date in XML format

End Date in XML Format

Hours the TEN covers

DOB

Customer Email Acknowledgment

App Day Tel:

App Eve Tel:

App Mobile:

App Fax:

App Email:

Agnt Tel:

Agnt Email:

TEN Notice:

Declarations <i>(Please read note 18)</i>	
<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is offence:</p> <p>To knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and</p> <p>To permit an unauthorised licensable activity to be carried on at any place an that a person is liable on conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.</p>	
Please tick the box if you agree with the declarations above	<input checked="" type="checkbox"/>
Date	09/11/2023
Name of person signing	Mr Lirjan Sufaj

Appendix 2

Objections

-----Original Message-----

From: White, Graham

Sent: 09 November 2023 16:56

To: Licensing <

Subject: FW: Temporary Event Notice Ref: 23/01419/LATEMP

Licensing,

I have been passed the above TEN to review.

I object to the Notice served on the grounds of the prevention of public Nuisance.

The premises was served a noise abatement notice under the Environmental Protection Act 1990 section 80 on the 9th August 2023. Since then, we have received further complaints from residents in possible breach of the abatement notice.

The Temporary Event Notice is to open till 3am including regulated entertainment and I believe that this will lead to further nuisance to residents.

The premises already holds a premises licence and should operate within the limits of the licence.

Kind regards

Graham White

Statutory Nuisance & Anti-Social Behaviour Enforcement Officer
Statutory Nuisance & Anti-Social Behaviour Team



From: Police Licensing Team,
Bromley Police Station
High Street
Bromley BR1 1ER

To: The Licensing Committee
Civic Centre, Stockwell Close
BR1 3UH
13/11/23

Re: TEN Objection FETHR LOUNGE.

Dear Mr Sufaj

On Thursday 9th November 2023 Police received a TEN application ref 23/01419/LATEMP which relates to FETHR LOUNGE, 145 – 147 Croydon Road, Beckenham, BR3 3RB. The TEN requested that on Saturday the 30TH December 2023 the following licensable activities will take place between the hours of 2000 hrs and 0300hrs: Sale of Alcohol on the premises, the provision of regulated entertainment and late night refreshment. The event is described as a leaving party with food, drink and a DJ for 100 people.

I spoke to you on the telephone and you confirmed that the TEN was a party booking and that you would have SIA on duty however the number of SIA was not confirmed.

I am satisfied that allowing this event to go ahead would undermine the Licensing objective of Public Nuisance. I am aware that a noise abatement notice has been served on the premises by the Council and despite this there continues to be complaints about noise from local residents.

Yours Sincerely,

PC Tina Dandridge 3560SN

Bromley Police Licensing Team

Appendix 3

Current Licence



LICENSING ACT 2003

Premises Licence London Borough of Bromley

Premises licence number

18/00544/LAPRE

S Phillips

Steve Phillips
Nuisance, ASB, Health, Safety and Licensing Manager

Licence Granted 24th November 2005

Issue Number

009

This licence consists of 9 pages (Including Licence Summary)

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Fethr Lounge
145 – 147 Croydon Road
Beckenham
Kent
BR3 3RB

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence

Sale or Supply of Alcohol
Late Night Refreshment

Where the licence authorises supplies of alcohol whether these are on and/or off sales

On Sales Only (Subject to Mandatory Conditions)



The opening hours of the premises

Hours open to the public on Monday-Saturday from 10:00 to 00:30

Hours open to the public on Sunday from 12:00 to 00:00

The times the licence authorises the carrying out of licensable activities

Sale or Supply of Alcohol on Monday-Saturday from 10:00 to 00:00

Sale or Supply of Alcohol on Sunday from 12:00 to 23:30

Late Night Refreshment on Every Day same as above

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Fethr Lounge Ltd
of
145 - 147 Croydon Road
Beckenham
BR3 3RB

Registered number of holder, for example company number, charity number (where applicable)

Registered under 14828163 Limited Company

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Full Name: Mr Lirjan Sufaj
Address:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

DPS Licence Ref:



Mandatory Conditions

1. Supply of Alcohol:

(1). No supply of alcohol may be made at a time when no designated premises supervisor has been specified in the licence or at a time when the designated premises supervisor does not hold a personal licence or the personal licence has been suspended.

(2). Every sale of alcohol under the premises licence must be authorised by a personal licence holder.

2. Irresponsible Promotions:

(1). The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2). In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to— .

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or .

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).



3. Free Potable Water

(1). The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

4. Age Verification:

(1). The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2). The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3). The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

5. Minimum Measures:

(1). The responsible person must ensure that —

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures— .

- (i) beer or cider: ½ pint; .
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and .
- (iii) still wine in a glass: 125 ml; .

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and .

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

6. Permitted Price:

(1). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2). For the purposes of the condition set out in paragraph 1 -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -



$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3). Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4). (1). Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2). The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



7. Films:

(1). The admission of children must be restricted in accordance with the recommendations laid down by the British Board of Film Classification.

OR

(2). In circumstances where the licensing authority has reclassified a film. Then access of children should be restricted to meet this reclassification standard.

Note:- "Children" means any person under 18 years of age.

8. Door Supervision:

- (1). Any individual employed at the premises as a door supervisor must
- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.

Conditions consistent with the Operating Schedule

9. Alcohol and food may be consumed during the first 30 minutes after the end of the above periods, provided the alcohol was sold for consumption as an ancillary to their meals

10. Alcohol may be sold or supplied:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 10.00 . to 00.00.
- (b) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 1200 to 23.30.
- (c) On Christmas Day: 1200 to 23.30.
- (d) On New Year's Eve, except on a Sunday, 11.00 to 00.00.
- (e) On New Year's Eve on a Sunday, 1200 to 23.30 .
- (f) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

11. Alcohol shall not be sold :

- (a) unless the premises have been structurally and bona fide used, or intended to be used for the purpose of habitually providing the customary main meal at midday or in the evening, or both for the accommodation of persons frequenting the premises;
- (b) on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
- (c) unless suitable beverages other than alcohol (including drinking water) are equally available for consumption with or otherwise as an ancillary to meals served in the premises.



12. Entertainment may be provided by the reproduction of wireless (including television) broadcasts or of programmes included in any other service (within the meaning of the Broadcasting Act 1990)

or

Entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound, the purpose of which is to provide background entertainment only

or

The incidental performance of live music. This is where it is incidental to another activity which itself is not entertainment or provision of entertainment facilities

Conditions attached after a hearing by the Licensing Authority

Not Applicable

Plans

Held by the Licensing Authority Ref Number: **18/00544/LAPRE**

Dated – **8th August 2018**



LICENSING ACT 2003

Premises Licence Summary

Premises licence number

18/00544/LAPRE

S Phillips

Steve Phillips
Nuisance, ASB, Health, Safety and Licensing Manager

Licence Granted 24th November 2005

Issue Number

009

This licence summary consists of **2** pages

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Fethr Lounge
145 – 147 Croydon Road
Beckenham
Kent
BR3 3RB

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence

Sale or Supply of Alcohol
Late Night Refreshment

The opening hours of the premises

Hours open to the public on Monday-Saturday from 10:00 to 00:30
Hours open to the public on Sunday from 12:00 to 00:00



Where the licence authorises supplies of alcohol whether these are on and/or off sales

On Sales Only (Subject to Mandatory Conditions)

The times the licence authorises the carrying out of licensable activities

Sale or Supply of Alcohol on Monday-Saturday from 10:00 to 00:00

Sale or Supply of Alcohol on Sunday from 12:00 to 23:30

Late Night Refreshment on Every Day same as above

Name, (registered) address of holder of premises licence

Fethr Lounge Ltd
of
145 - 147 Croydon Road
Beckenham
BR3 3RB

Registered number of holder, for example company number, charity number (where applicable)

Registered under 14828163 Limited Company

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Full Name: Mr Lirjan Sufaj

State whether access to the premises by children is restricted or prohibited

Not applicable

Appendix 4

Street View and Satellite Images of the Premises

Street view of Fethr Lounge 145 – 147 Croydon Road, Beckenham BR3 3RB



Satellite Image of Fethr Lounge 145 – 147 Croydon Road, Beckenham BR3 3RB



Close up Satellite Image of Fethr Lounge 145 – 147 Croydon Road, Beckenham BR3 3RB

