

Report No.
ES20357

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: LICENSING SUB-COMMITTEE

Date: 6th February 2024

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

Title: APPLICATION FOR TO VARY THE PREMISES LICENCE AT
MOON LOUNGE BAR & RESTAURANT 59-63 HIGH STREET
BECKENHAM BR3 1AW

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: Beckenham Town And Copers Cope

1. Reason for report

- 1.1 To provide the Licensing Sub-Committee with information supporting them to determine this licence application.
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2. RECOMMENDATIONS

- 2.1 The Licensing Sub-Committee 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 applicant and objectors.

Members can

1. Grant the variation of the licence
2. Grant the variation of the licence with the addition of conditions necessary to promote any of the licensing objectives
3. Exclude from the scope of the licence any of the licensable activities to which the application relates
4. Reject the application

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? **Yes**. Ward Members were notified about the application by email on 5th December 2023.
 2. Summary of Ward Councillors' comments: No comments were received from Ward Councillors.
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Responsible Authorities Views

1. Have Responsible Authorities been asked for comments? **Yes**. They were notified about the application by email on 5th December 2023.
 2. Summary of Responsible Authorities comments: An **objection was** received from Planning.
 - **Planning – Objected** on the grounds of Public Nuisance. The restrictions placed on the property state that no customers shall be allowed on the premises before 10:30hrs and all customers shall have left the premises by 00:30hrs.
 - **Public Health Nuisance Team** - Did not object subject to the agreement of the applicant to replace the rear doors with the triple glazed noise insulation doors within 3 months of the applicant to vary being granted.
-

Residents and interested parties

2 valid representations were received from local residents objecting to the application 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.

3.2 Description of the Premises

The premises is a restaurant on the ground floor of a 3 storey building with accommodation above. The property is situated on a busy High Street surrounded by other commercial and residential properties.

A satellite image and street view of the premises can be found in **Appendix 5**.

3.3 Licensing History

This property has been a restaurant for at least the last 20 years and has formerly been known as La Rascasse and My Place. The premises licence was transferred to the applicant, Mr Akpolat, on 18th July 2023. There have been numerous noise complaints throughout the history of the premises and 9 noise complaints have been recorded on the Council's database since the transfer of the licence to Mr Akpolat in July 2023.

3.4 Application

This is an application to vary the current licence by extending the licensed hours for the sale of alcohol on the premises, recorded music and the provision of late night refreshment and also to add the provision of live music.

The application states “*We request the additional hour for the main bar only. Terrace operation hours will remain the same. No change to rear of Premises Garden operation / times*”.

Activity	Times permitted on Current Licence		Proposed Variation	
Sale of Alcohol	Mon – Wed	12:00 to 00:00	Mon – Wed	12:00 to 00:00
	Thurs - Sat	12:00 to 00:30	Thurs	12:00 to 00:30
	Sun	12:00 to 23:30	Fri & Sat	12:00 to 02:00
			Sun	12:00 to 23:30
Recorded Music	Sun - Wed	12:00 to 00:00	Mon – Wed	12:00 to 00:00
	Thurs - Sat	12:00 to 01:00	Thurs	12:00 to 01:00
			Fri & Sat	12:00 to 02:00
		Sun	12:00 to 23:30	
Live Music	Not currently authorised on licence		Mon – Wed	12:00 to 00:00
			Thurs	12:00 to 01:00
			Fri & Sat	12:00 to 02:00
		Sun	12:00 to 23:30	
Late Night Refreshment	Sun - Wed	23:00 to 00:00	Mon – Wed	23:00 to 00:00
	Thurs - Sat	23:00 to 01:00	Thurs	23:00 to 01:00
			Fri & Sat	23:00 to 02:00
		Sun	23:00 to 23:30	
Opening Hours	Mon – Wed	12:00 to 00:00	Mon – Wed	12:00 to 00:00
	Thurs – Sat	12:00 to 01:00	Thurs	12:00 to 01:00
	Sun	12:00 to 23:30	Fri & Sat	12:00 to 02:00
		Sun	12:00 to 23:30	

A full copy of the application form and plan can be found in **Appendix 1**.

A copy of the current premises licence can be found in **Appendix 3**.

3.5 Cumulative Impact Assessment Area

Note:

The property sits within the Cumulative Impact Assessment Area (CIA) in Beckenham. This is identified within the current Licensing Policy 2021 to 2026. Being within the CIA in Beckenham the authority is satisfied on evidence of problems that are being caused or exacerbated by the cumulative impact of licensed premises in the area described. The evidence is used to justify the statement in the CIA that it is likely that granting further premises licences and/or club premises certificates or varying existing licences in that area (limited to a kind described in the assessment), would be inconsistent with the authority’s duty to promote the licensing objectives.

The CIA does not, however, change the fundamental way that licensing decisions should be made. It is therefore open to the licensing authority to grant an application where it considers it

is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.

A copy of the Special Policies on Cumulative Impact can be found at **Appendix 6**.

A list of the closing times of nearby licensed premises can be found at **Appendix 7**.

3.6 Representations

During the public consultation period the Council received a total of 3 objections were received. All of the 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. No comments were received regarding this application.

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.

12. WARD COUNCILLORS / OTHER STATUTORY CONSULTEES VIEWS

- 12.1 Have Ward Councillors been asked for comments? Yes. Ward Members were notified about the application by email on 5th December 2023.
- 12.2 Summary of Ward Councillors' comments: No comments were received from Ward Councillors regarding this application.

12.3 Responsible Authorities Views: 2 comments were received from Responsible Authorities.

12.4 Summary of Responsible Authorities Views: An objection was received from Planning.

- **Planning** – Objected on the grounds of Public Nuisance. The restrictions placed on the property state that no customers shall be allowed on the premises before 10:30hrs and all customers shall have left the premises by 00:30hrs.
- **Public Health Nuisance Team** - Did not object subject to the agreement of the applicant to replace the rear doors with the triple glazed noise insulation doors within 3 months of the applicant to vary being granted.

The following Responsible Authorities were notified about this application and their views sought.

Responsible Authority	Date Notified	Comments
Metropolitan Police	5th December 2023	No objection if conditions added
Planning Authority	5th December 2023	Objection
Trading Standards Service	5th December 2023	No response
Public Health Nuisance Team	5th December 2023	No objection if conditions added
Health & Safety Team	5th December 2023	No objection
Child Protection Team	5th December 2023	No response
Fire Authority	5th December 2023	No objection

Note: Whilst the police did not make any representations to the Licensing Authority, they did contact the applicant directly and requested that a number of conditions be voluntarily added to the licence. The applicant agreed to these conditions which can be found at **Appendix 4**.

Non-Applicable Sections:	9. Procurement
Background Documents: (Access via Contact Officer)	Soft File Computer based records

Appendix 1

Application Form & Premises Plan

Application to vary a Premises Licence under the Licensing Act 2003

Before completing this form please read the guidance notes. Use the blank page at the end of the form to provide further details if necessary.

When it is complete you can submit the form directly to us – click on the Submit Form button. You may wish to print and keep a copy of the completed form for your records. For help information about filling in this type of electronic form, click on the help information button.

I/We

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in part 1 below.

Premises licence number

Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference or description	<input type="text" value="Moon Lounge Bar & Restaurant.
59-63 High Street
Beckenham
Kent
BR3 1AW"/>
Telephone number at premises (if any)	<input type="text" value="02086502291"/>
Non-domestic rateable value at premises	<input type="text" value="£29,250.00"/>

Part 2 – Applicant Details

Title	<input type="text" value="Mr"/> <input type="checkbox"/>
Surname	<input type="text" value="Akpolat"/>
First name(s)	<input type="text" value="Caglar"/>
Daytime contact telephone number	<input type="text"/>
Email address	<input type="text" value="info@moonbeckenham.com"/>

Current postal address if different from premises address	<input type="text" value="59-63 High Street
Beckenham
Kent"/>
Postcode	<input type="text" value="BR3 1AW"/>

Variation

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, do you want the variation to take effect from?

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To extend the opening hours in main bar on Fridays and Saturdays 1am to 2am. We request the additional hour for the main bar only.

Terrace operation hours will remain the same. No change to rear of Premises Garden operation / times.

We will take additional measure to prevent noise. Rear doors to be replaced with Triple glazed noise insulation doors.

We operate as restaurant and bar. Our kitchen is open until late to provide full menu.

Staggered dispersal with other venues and retain customers till close. This has been discussed with licensing police. Our extended opening hours will help safe dispersal of customers rather than moving big crowd from our venue to Bridge Bar or Patrick which have late licence.

The management of the premises has changed, and the applicant has sole full control (previous more directors / managers).

We have 4 door staff 1 female to monitor the area outside Bus Stop and remain on duty until all customers have left.

We already operated until 2am several times with TEN. We haven't had any issues.

Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful

Provision of regulated entertainment

- | | |
|---|-------------------------------------|
| a) Plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) Films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) Indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) Boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) Live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) Recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) Performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) Anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
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Sale by retail of alcohol (if ticking yes, fill in box J)	<input type="checkbox"/>
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In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both? (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)	
Mon	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Tues	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Wed	<input type="text"/>	<input type="text"/>	State any seasonal variations for performing plays (please read guidance note 4)	
	<input type="text"/>	<input type="text"/>		
Thur	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Fri	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sat	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sun	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both? (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)	
Mon	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Tues	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Wed	<input type="text"/>	<input type="text"/>	State any seasonal variations for the exhibition of film (please read guidance note 4)	
	<input type="text"/>	<input type="text"/>		
Thur	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Fri	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sat	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sun	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		

C

Indoor Sporting Events Standard days and timings (please read guidance note 6)				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)	
Mon	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Tues	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Wed	<input type="text"/>	<input type="text"/>		State any seasonal variations for indoor sporting events (please read guidance note 4)
	<input type="text"/>	<input type="text"/>		
Thur	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for indoor sporting events at different times than those listed, please list (please read guidance note 5)	
	<input type="text"/>	<input type="text"/>		
Sat	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sun	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both? (please read guidance note 2)	Indoors <input type="checkbox"/>				
				Outdoors <input type="checkbox"/>				
				Both <input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)		
Mon	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>	<p>Live DJ performance Friday and Saturday Evenings.</p> <p>Occasionally Live music when events take place</p> <p>State any seasonal variations for performance of live music (please read guidance note 4)</p> <p>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</p> <p>Non standard timings. Where you intend to use the premises for the performance of live music at different times than those listed, please list (please read guidance note 5)</p> <p>N/A</p>		
Tues	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>			
Wed	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>			
Thur	<input type="text" value="12:00"/>	<input type="text" value="01:00"/>			
Fri	<input type="text" value="12:00"/>	<input type="text" value="02:00"/>			
Sat	<input type="text" value="12:00"/>	<input type="text" value="02:00"/>			
Sun	<input type="text" value="12:00"/>	<input type="text" value="23:30"/>			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>				State any seasonal variations for playing recorded music (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>				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		
Thur	<input type="text" value="12:00"/>	<input type="text" value="01:00"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text" value="12:00"/>	<input type="text" value="02:00"/>	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text" value="12:00"/>	<input type="text" value="02:00"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text" value="12:00"/>	<input type="text" value="23:30"/>						
	<input type="text"/>	<input type="text"/>						

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>				State any seasonal variations for the performance of dance (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the performance of dance at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>					
			<p>Will the entertainment take place indoors or outdoors or both? (please read guidance note 2)</p>		Indoors	<input type="checkbox"/>		
		Outdoors	<input type="checkbox"/>					
		Both	<input type="checkbox"/>					
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>	<div style="border: 1px solid black; height: 400px; width: 100%;"></div>					
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>				<p>Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times than those listed, please list (please read guidance note 5)</p>		
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>						
Tues	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>						
Wed	<input type="text" value="12:00"/>	<input type="text" value="00:00"/>				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
						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		
Thur	<input type="text" value="12:00"/>	<input type="text" value="01:00"/>						
Fri	<input type="text" value="12:00"/>	<input type="text" value="02:00"/>	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times than those listed, please list (please read guidance note 5)					
Sat	<input type="text" value="12:00"/>	<input type="text" value="02:00"/>						
Sun	<input type="text" value="12:00"/>	<input type="text" value="23:30"/>						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the provision of alcohol be for consumption: (please read guidance note 7)	On the Premises	<input type="checkbox"/>
				Off the Premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start time	Finish time	State any proposed seasonal variations for the provision of alcohol (please read guidance note 4)		
Mon	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the provision of alcohol at different times than those listed, please list (please read guidance note 5)		
	<input type="text"/>	<input type="text"/>			
Tues	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Wed	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Thur	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Fri	<input type="text"/>	02:00			
	<input type="text"/>	<input type="text"/>			
Sat	<input type="text"/>	02:00			
	<input type="text"/>	<input type="text"/>			
Sun	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to use of the premises that may give rise to concern in respect of children (please see guidance note 8)

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start time	Finish time	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
Mon	12:00	00:00	
Tue	12:00	00:00	
Wed	12:00	00:00	
Thu	12:00	01:00	
Fri	12:00	02:00	
Sat	12:00	02:00	
Sun	12:00	23:30	
			Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed, please list (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

All conditions may remain same.

I will enclose the premises licence with the declaration

I will enclose the relevant part of the premises licence with the declaration

Neither of above (If checking this box please fill in reasons for not sending the licence, or part of it, below)

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

a). General – all four licensing objectives (b,c,d,e) (please read guidance note 5)

All staff engaged with the sale of alcohol shall be trained in accordance with premises licence holder training procedures .

b). The prevention of crime and disorder

Effective management of premises, including written procedures for managing incidents. Keeping an incident book and daily register which lists incidents and actions taken by staff and management. Ensuring provision of effective CCTV in and around premises. Maintaining a relevant dispersal policy where appropriate. Ensuring that staff receive proper training and refresher training on relevant issues, policies and procedures.

c). Public safety

Ensuring that premises, both internally and externally, are maintained in good, clean and tidy condition at all times. Fully completing risk assessments, for both premises and proposed activities to be carried out. Ensuring there is a sufficient number of people employed or engaged to secure the safety of the premises and patrons. Ensuring the appropriate instruction, training and supervision of staff. Conducting regular toilet checks

d). The prevention of public nuisance

Ensuring that door staff encourage patrons leave quickly and quietly. Keeping doors and windows closed. Carefully timing any outdoor events. Conducting sound tests to ensure that noise from equipment used in providing live or amplified music, non-amplified music, singing and speech is not intrusive in any nearby property. Ensuring adequate supervision of any outdoor areas, smoking areas and patrons entering/exiting the premises. Relevant Signs displayed

e). The protection of children from harm

Strictly enforcing Challenge 25, and requiring accredited proof of age cards with photographs, or passports. Ensuring comprehensive and up to date staff training. Training staff to recognise fake ID. Restricting access for children and young persons to appropriate hours and parts of the premises.

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

I/ WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003. TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Declaration (please read guidance note 10)

Confirmation of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11) **If confirming on behalf of the applicant please state in what capacity**

Confirmation

Name

Date

Capacity

For joint applicants confirmation of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12) **If confirming on behalf of the applicant please state in what capacity**

Confirmation

Name

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

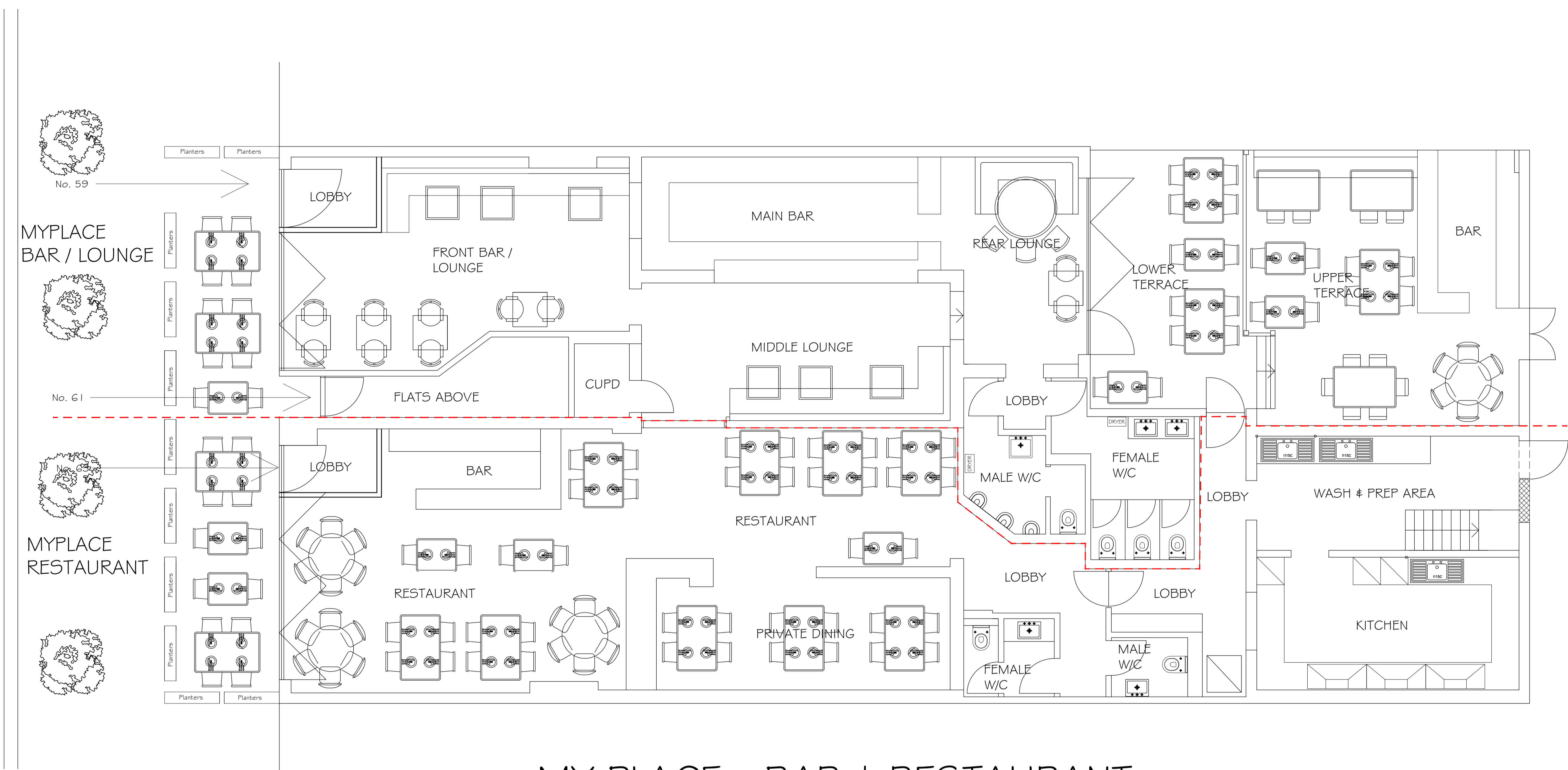
Name

Address

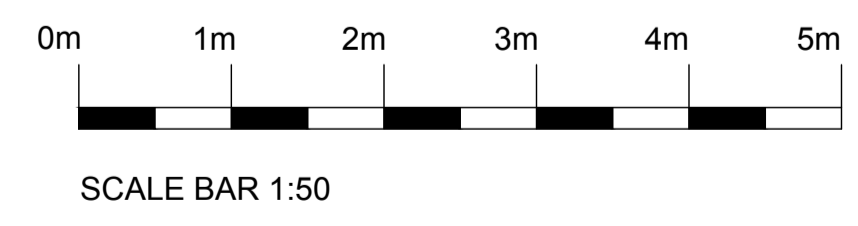
Postcode

Telephone number (if any)

If you would prefer us to correspond with you by email your email address.



MY PLACE - BAR & RESTAURANT EXISTING FLOOR PLANS



Rev Description By Check Date
JAMES GABRIEL LTD
 PROJECT MANAGEMENT - ARCHITECTURAL SERVICES
 265a CROFTON ROAD, OPRINGTON KENT. BR6 8JF
 TEL: 07845 824 065 GREG@JGLTD.CO.UK

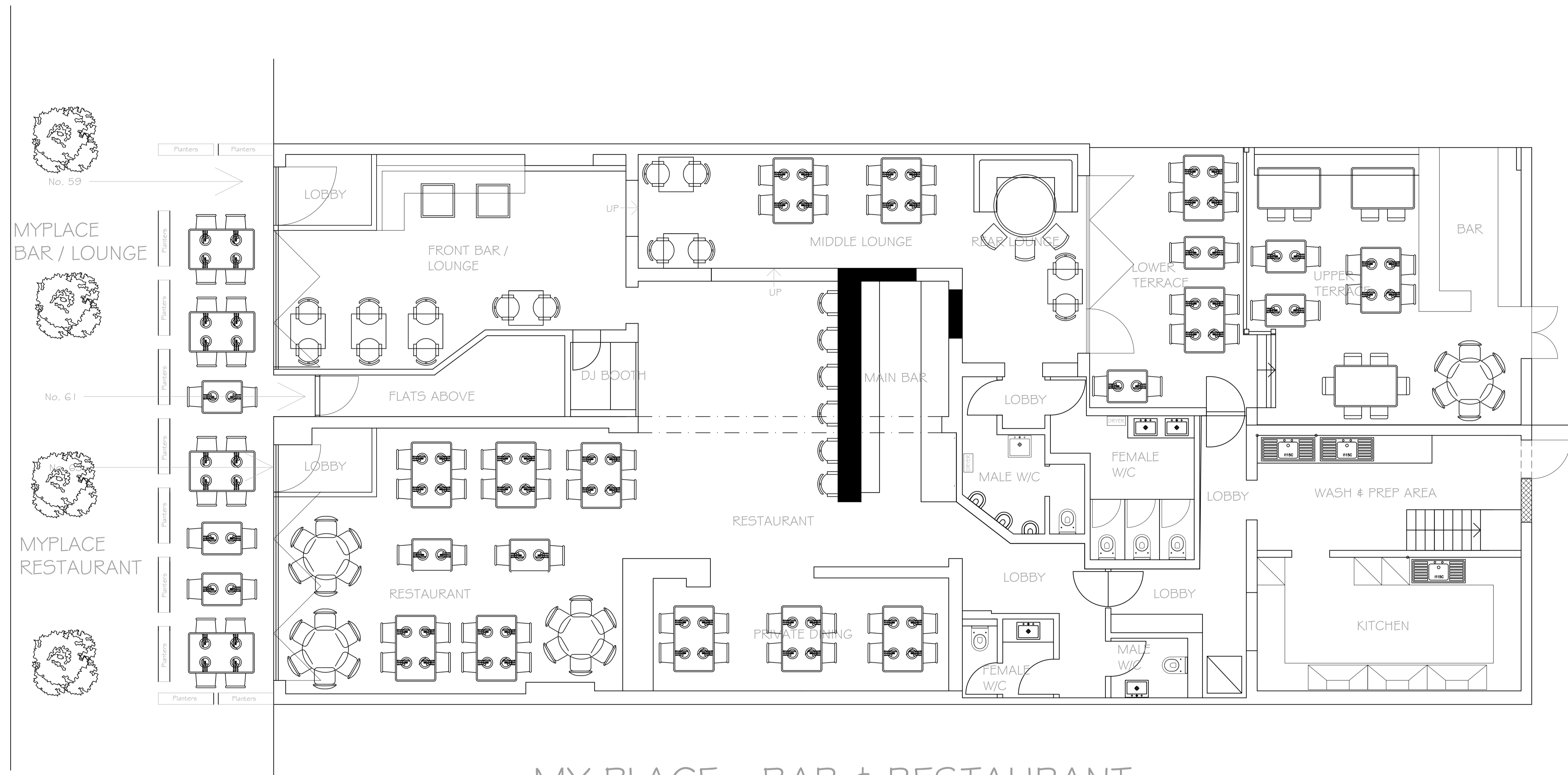
Client
Mr C Akpolat

Project
**MyPlace 59-63 High St
 Beckenham BR3 1AW**

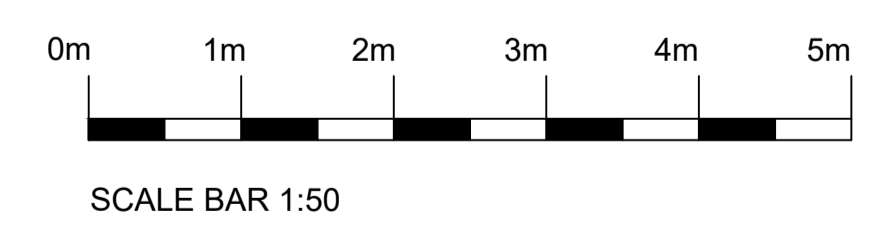
Drawing
Existing Floor Plans

Scale Date Author Checked
1:50 @ A1 Aug 2021 GP

Project No Drawing No Revision
J0168 05



MY PLACE - BAR & RESTAURANT EXISTING FLOOR PLANS



Rev	Description	By	Check	Date
<p>JAMES GABRIEL LTD PROJECT MANAGEMENT - ARCHITECTURAL SERVICES 265A CROFTON ROAD, ORPINGTON, KENT BR6 8JF TEL: 07845 824 065 GREG@JGLTD.CO.UK</p>				
<p>Client Mr C Akpolat</p>				
<p>Project MyPlace 59-63 High St Beckenham BR3 1AW</p>				
<p>Drawing Proposed Floor Plans</p>				
Scale	Date	Author	Checked	
1:50 @ A1	DEC 22	GP		
Project No	Drawing No	Revision		
J0168	05			

Appendix 2

Representations

Application comments:

Objection 1 – London Borough of Bromley Planning

Having looked into the history of the site the latest planning permission we have for opening hours is:

05/01260/VAR - Variation of condition 1 of permission ref. 03/04188 (granted for continued use of the whole ground floor at 59-63 High Street for food and drink use (Class A3)) to extend opening hours from 12 midnight to 00.30 hours.

For reasons above I think that we are going to have to object to this application.

The owner would need to submit a planning application to vary the hours if they wish to open until 2am.

Resident Objections

Objection 2 - The Drive

Beckenham already has a thriving nightlife and like many other residents, we feel that extending opening times at Moon would be detrimental to the many many residents both on the High Street and on the surrounding roads.

Already there is significant late night noise from revellers leaving Bridge Bar. Adding another late night venue would result in excessive noise at an antisocial hour as sadly revellers do not leave quietly at closing time and can be heard singing, shouting and fighting for a good hour after closing time.

We object to yet another late night extension in this very residential area.

Objection 3 - Rectory Road

I am writing to object to the closing time for My Place being extended from 1am to 2am on Fridays and Saturdays.

The impact on the local area is severely affected by the noise from the High Street bars and pubs being open for so late. Setting the closing time to 2am means that the noise will continue long after this time, and spills out to the nearby roads where there are lots of families which are affected by noise and behaviour.

Moving the closing time to 2am sets a precedent for other bars to extend their hours and the cumulative effect of all the bars being later would have a negative impact on surrounding families.

This property is out of the 'triangle' area which is currently policed and would put a strain on local services including the Police.

Appendix 3

Current Licence held by
the Applicant for this Venue



LICENSING ACT 2003

Premises Licence London Borough of Bromley

Premises licence number

23/00189/LMPRE

S Phillips

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

Licence Granted 24th November 2005

Issue Number

011

This licence consists of **10** pages (Including Licence Summary)

Part 1 – Premises Details

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

Moon Lounge Bar & Restaurant.
59-63 High Street
Beckenham
Kent
BR3 1AW

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence

Sale or Supply of Alcohol
Alcohol Off Sales
Late Night Refreshment
Recorded Music

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

Both On and Off Sales



The opening hours of the premises

Hours Open to the Public on Monday to Wednesday from 12:00 to 00:00
 Hours Open to the Public on Thursday to Saturday from 12:00 to 01:00
 Hours Open to the Public on Sunday from 12:00 to 23:30

The times the licence authorises the carrying out of licensable activities.

Sale or Supply of Alcohol on Monday to Wednesday from 12:00 to 00:00
 Sale or Supply of Alcohol on Thursday to Saturday from 12:00 to 00:30
 Sale or Supply of Alcohol on Sunday from 12:00 to 23:30
 Alcohol Off Sales on timings same as for Sale or Supply of Alcohol
 Late Night Refreshment on Sunday to Wednesday from 23:00 to 00:00
 Late Night Refreshment on Thursday to Saturday from 23:00 to 01:00
 Recorded Music on Sunday to Wednesday from 12:00 to 00:00
 Recorded Music on Thursday to Saturday from 12:00 to 01:00

Outside Bar – rear of premise:

Sale or Supply of Alcohol on Sunday-Thursday from 12:00 to 22:00
 Sale or Supply of Alcohol on Friday-Saturday from 12:00 to 23:00

Street trading tables – front of premise:

Sale or Supply of Alcohol on every day from 12:00 to 22:00

Part 2

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

Mr Caglar Akpolat
 of
 59 - 63 High Street
 Beckenham
 BR3 1AW

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

Not applicable.



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

Full Name: Mr Caglar Akpolat

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 issued by London Borough Of Bromley

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

General

9. 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.

10. Conditions 11, 12 and 13 do not apply to the shaded area within the plan held by the Licensing Authority Ref Number: 17/00583/LAPRE Dated 14th September 2017

11. Intoxicating Liquor shall be sold or supplied to persons seated by waiter/waitress service only.



12. 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

13. Alcohol shall only be supplied to persons taking table meals in the premises, and the consumption of intoxicating liquor, which is supplied as follows:

- (a) In a part of the premises usually set apart for the service of such persons, and
- (b) For consumption by such a person in that part of the premises as an ancillary to his meal

14. Substantial refreshment shall be available throughout the premises during permitted hours.

15. Non-alcoholic beverages (including water) shall also be available during permitted hours.

Seasonal Variations

16. 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).

Crime and Disorder

17. A refusals record in either soft or hard form must be kept of all age related sale refusals. This must be available for inspection on request by an Authorised Officer of the Council or a Metropolitan Police Officer.

18. CCTV cameras / system must be in working condition, in use and recording at all times that licensable activities are taking place. The system must be maintained to ensure it is always fully operational. The images recorded must be of good evidential standard, allow for facial recognition of suspects, be able to record in all lighting conditions and be capable of being downloaded and supplied on request to either an Authorised Officer of the Council or a Metropolitan Police Officer. The recordings should be kept for a minimum of 31 days. CCTV system installed to monitor the outside area.

Public Safety

No additional conditions



Prevention of Public Nuisance

19. All doors and windows to remain closed whilst regulated entertainment is taking place (except to allow access & egress).
20. No regulated entertainment to take place in the outdoor areas of the premises
21. Staff will be trained in asking customers to use the premises in an orderly & respectful manner
22. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
23. Customers will be discouraged from congregating outside the premises causing a nuisance to local residents
24. Deliveries will only occur 0900 and 1900hrs Monday to Saturday

Protection of Children from Harm

25. A "Challenge 25" scheme shall be implemented at the premises. This Scheme must be approved by the Council. No sale of age restricted products shall take place save in accordance with the scheme.
26. Where it is necessary to request proof of age it shall be proven by either the production of a passport, driving licence or Government-approved PASS (Proof of Age Standards Scheme) accredited cards.
27. A refusals record in either soft or hard form must be kept of all age-related sale refusals. This must be available for inspection on request by an Authorised Officer of the Council or a Metropolitan Police Officer.

Conditions attached after a hearing by the Licensing Authority

Not Applicable

Plans

Held by the Licensing Authority Ref Number: **23/00189/LMPRE**
Dated **6th February 2023**



LICENSING ACT 2003

Premises Licence Summary

Premises licence number

23/00189/LMPRE

S Phillips

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

Licence Granted 24th November 2005

Issue Number

011

This licence summary consists of **2** pages

Premises Details

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

Moon Lounge Bar & Restaurant. 59-63 High Street Beckenham Kent BR3 1AW

Where the licence is time limited the dates

Not applicable.

Licensable activities authorised by the licence

Sale or Supply of Alcohol
Alcohol Off Sales
Late Night Refreshment
Recorded Music

The opening hours of the premises

Hours Open to the Public on Monday to Wednesday from 12:00 to 00:00
Hours Open to the Public on Thursday to Saturday from 12:00 to 01:00
Hours Open to the Public on Sunday from 12:00 to 23:30



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

Both On and Off Sales

The times the licence authorises the carrying out of licensable activities

Sale or Supply of Alcohol on Monday to Wednesday from 12:00 to 00:00

Sale or Supply of Alcohol on Thursday to Saturday from 12:00 to 00:30

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

Alcohol Off Sales on timings same as for Sale or Supply of Alcohol

Late Night Refreshment on Sunday to Wednesday from 23:00 to 00:00

Late Night Refreshment on Thursday to Saturday from 23:00 to 01:00

Recorded Music on Sunday to Wednesday from 12:00 to 00:00

Recorded Music on Thursday to Saturday from 12:00 to 01:00

Outside Bar – rear of premise:

Sale or Supply of Alcohol on Sunday-Thursday from 12:00 to 22:00

Sale or Supply of Alcohol on Friday-Saturday from 12:00 to 23:00

Street trading tables – front of premise:

Sale or Supply of Alcohol on every day from 12:00 to 22:00

Name, (registered) address of holder of premises licence

Mr Caglar Akpolat

of

59 - 63 High Street Beckenham BR3 1AW

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

Not applicable.

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

Full Name: Mr Caglar Akpolat

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

Not Applicable

Appendix 4

Additional Conditions Agreed with Police

From: MOON
Sent: 13 December 2023 15:54
To: Dandridge Tina L - SN-CU
Subject: Re: Moon Variation

Hi Tina,
We are happy with the conditions.
Thanks

Regards
Caglar Akpolat

From: Dandridge Tina L - SN-CU
Sent: 11 December 2023 10:31
To: Caglar Akpolat
Subject: Moon Variation

Dear Caglar

Thank you for meeting with us last week to discuss your application - Police do not have any objections to you increasing your hours on a Friday and Saturday until 0200hrs however we would like to see the following conditions added to your premises licence. Should you be in agreement please forward this email on to the council and Cc me in stating your agreement.

Conditions to be added :

1. There will be a last entry time to the premises of 0030hrs.
2. There will be a security policy in place which will be completed in consultation with Police and Council and which will not be limited to but must include a dispersal plan and an anti - drugs policy in conjunction with a search and seizure policy including storage and disposal procedures which will be reviewed annually.
3. On a Friday and Saturday Night there will be a minimum of 3 SIA door staff deployed of which two will wear body cam's.
4. When SIA door supervisors are deployed the DPS will ensure that a door supervision log is maintained and will include :
Name and date of birth

Full 16 digit SIA badge number

Dates and times of deployment
5. Maintain an incident register that that is accessible on the premises. The DPS, or a member of management shall ensure that the details of incidents shall be added to the register within 24 hrs of any incident. The following details shall be recorded:-
 1. Date
 2. Time
 3. Location
 4. Persons concerned (or at least a description)
 5. Summary of incident
 6. Identification of any Emergency Services Personnel who attended
 7. Crime or appropriate reference number provided by the Emergency Services that relates to the incident and any linked incidents.

6. Ensure that all relevant staff within the business are trained in relation to the Licensing Act 2003 and conflict management. Training records shall be available from the premises and made available for Inspection by the police upon reasonable request. Refresher training will be undertaken every 12 Months (or earlier as necessary). All staff will complete WAVE training and the premises will operate a vulnerable person policy.

Kind Regards

Tina

PC Tina Dandridge
Licensing Officer SN BCU
Bromley Police Station
High Street
Bromley
BR1 1ER

Appendix 5

Street View and Satellite Images of the Premises

Street View of Moon Lounge Bar (formerly My Place) 59-63 High St, Beckenham BR3 1AW



Closeup Satellite Image of Moon Lounge Bar, 59-63 High St, Beckenham BR3 1AW



Satellite Image of Moon Lounge Bar, 59-63 High St, Beckenham BR3 1AW



Appendix 6

Copy of The Special Policies on Cumulative Impact

5. Special Policies on Cumulative Impact

The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the Licensing Authority to consider in its Policy Statement.

Cumulative impact means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

Representations that an area is at, or is approaching, the point at which it will be subject to cumulative impact may be received from a 'responsible authority', an 'other persons' or from Councillors or officers. Such representations may be made either:

- As a result of ongoing liaison, monitoring and review
- Following representations arising from an application for the grant or variation of a licence, or
- As part of the Licensing Policy review at least every five years.

Where representations are made that an area is already subject to cumulative impact or that the grant or variation of a further licence will result in cumulative impact, the Licensing Authority will take the following steps in each case:

Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.

- If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).

Consult those specified in section 5(3) of the 2003 Act,

- Police
- Fire Brigade
- Public Health
- Persons representing holders of premises licences
- Persons representing holders of club premises certificates
- Persons representing Personal Licence holders
- Persons representing businesses.
- Other representatives of businesses and residents.

Subject to the outcome of the consultation, confirm and publish details of the special policy in the licensing policy statement.

In any area declared to be subject to a Special Policy of Cumulative Impact it would be the Licensing Authority's intention to refuse to grant new premises/ club licences or variations, unless the application is such that the grant of the licence would have no further detrimental impact on the area and the promotion of the licensing objectives.

This policy applies to all new premises licences and club premises certificates, including but not limited to night clubs, wine bars, pubs, restaurants, take-away premises, supermarkets, shops, theatres and cinemas and leisure services which include licensable activities e.g. sports centres.

Off licences are specifically included in the cumulative impact policy as they can contribute to problems of crime and disorder and nuisance including street drinking, proxy purchasing, underage drinking, dispersal issues, preloading and excessive drinking.

The presumption of refusal does not relieve Responsible Authorities or Other Persons of the need to make relevant representations. If no representations are received the Licensing Authority must grant the application in terms which are consistent with the operating schedule submitted

When determining whether an area is or should be subject to a Special Policy of Cumulative Impact the Licensing Authority will have regard to the following matters: (The decision as to cumulative impact is not based solely on these matters and it is open to the Licensing Authority to consider any other matters that it feels are relevant)

- The nature of the area
- The number and types of licensed premises in the area
- The capacity of those premises
- The hours of operation of those premises
- The approved operating schedules of the premises
- The history of the premises
- The arrangements for the management of the premises
- The customer profile of the premises
- Recorded crime or disorder in the vicinity
- The views and experiences of those who live or work in the area
- The presence of other high-risk characteristics. Such as themed operations or price reductions etc.

Examples of applications that the Licensing Authority may consider as exceptional may include, though are not limited to:

- premises which fit the vision for the respective town centres
- small premises with a capacity of fifty persons or less who only intend to operate until 2300hrs
- premises which are not alcohol-led such as coffee shops

Examples of factors the Licensing Authority will **not** consider as exceptional include that the:

- premises will be well managed and run
- premises will be constructed to a high standard
- applicant operates similar premises elsewhere without complaint
- similar premises operate in the area

The Licensing Authority will periodically review any areas subject to special policies of cumulative impact to see whether they have had the effect intended, and whether they are still needed.

The Licensing Authority will not use such policies solely as the reason for revoking a licence when representations are received about problems with existing licensed premises, or to refuse material variations to a licence, except where the material variations are directly relevant to the policy, for example where the application is for a significant increase in the capacity limits, to extend the opening and or alcohol sale timings or to change the mode or theme of operation at a premises

The Licensing Authority will publish separate details of any additional areas declared to be subject to a special policy of cumulative impact. The area covered by the special policy and the reasons for considering it to be subject to cumulative impact will be set out.

The Licensing Authority recognises that the diversity of premises selling alcohol, serving food and providing entertainment covers a wide range of contrasting styles and characteristics and will have full regard to those differences and the differing impact these will have on the local community when considering applications in saturated locations.

It therefore, also recognises that within this policy, it may be able to approve licences that are unlikely to add significantly to the saturation and will consider the circumstances of each individual application.

In areas not subject to a special policy of cumulative impact but where representations of cumulative impact are made, the Licensing Authority will consider each application individually.

The following special policies on cumulative impact have been declared:

NO 1 Bromley Town Centre (29th Nov 2004)

NO 2 Beckenham Town Centre (21st February 2007) See Appendix C

The Licensing Authority is committed to the principle of Special Policies of Cumulative Impact and that the establishment of these two policies have made a significant contribution to the promotion of the Licensing Objectives in Bromley Town Centre and Beckenham Town Centre.

The Licensing Authority confirms its commitment to make all decisions on applications for new licenses or variations in those areas strictly in accordance with those policies. The Licensing Authority wish to make it clear to all applicants that the presumption of refusal of

all new licences and material variations stands except where the applicant satisfies the Licensing Authority that the application can be granted without having a detrimental effect on the promotion of the Licensing Objectives.

6. Vision of our Town Centres

Members have identified 3 town centres where special consideration will be given to licensing decisions based on this policy. The Councils approach in these areas may be different based on the opinions of Ward Councillors reflecting the views of local residents and businesses.

- 1. Bromley Town Centre

Bromley Town Councillors wish to see the continuing development of a responsible and flourishing nighttime economy in line with the existing profile of businesses pubs, clubs and restaurants. Notwithstanding the existence of the cumulative Impact policy ward members are supportive of applications for premises that will positively benefit the town centre including both the Bromley South and North Developments. However, where the operation of licences is irresponsible and undermines the promotion of the licensing objectives, especially crime and disorder or public nuisance, and has a negative impact on the local nighttime economy, Members will support tough enforcement of licence conditions and reviews.

- 2. Beckenham Town Centre

Beckenham Town Centre is also subject to a cumulative impact policy. Ward Members recognise the improvements brought about to reduce crime and disorder through partnership working and the active support of the larger licenced premises Consequently Ward Members consider that Beckenham Town Centre is currently operating in a way which promotes the Licensing Objectives however the balance of licence type, timings and diversity is currently

optimised for this area and any applications for new licences or variations will be considered very carefully to ensure the current status quo is not jeopardised.

- 3. Orpington Town Centre

Orpington Town Centre is not subject to a Cumulative Impact Policy however the development taking place is designed to promote a “café” type environment with restaurants and cafes being given positive support from the licensing subcommittee to encourage this type of atmosphere and evening economy. Members are not keen to see Orpington develop by way of high-density vertical drinking premises or those operating after 23.30.

Appendix 7

Closing Times of Nearby Licensed Premises

Closing times of Nearby Licensed Premises

Licensed Premises	Closing Time	Distance from Moon Bar
Branded 51 High Street	Mon – Sat 00:00 Sun 23:30	20m
Pier Luigi 86-90 High Street	Mon – Sat 00:30 Sun 00:00	30m
Ymmas Restaurant 72-74 High Street	Sun & Mon 23:30 Tues – Sat 00:30	55m
Kelsey House Bar & Kitchen, 75 High Street	Sun – Thurs 00:30 Fri & Sat 01:30	60m
Agora Restaurant 55 High Street	Mon – Sat 00:30 Sun 00:00	80m
O'Neill's 9 High Street	Mon - Wed 00:30 Thurs – Sat 01:30	270m
Patrick's 5 High Street	Sun - Wed 23:30 Thurs 00:00 Fri 01:30 Sat 02:00	290m
Bridge Bar 2-4 High Street	Mon – Thurs 02:30 Fri & Sat 03:30 Sun 23:30	315m
10 Below 1 - 4 Station Buildings Southend Road	Mon & Tue 23:00 Wed & Thurs 01:00 Fri & Sat 04:00 Sun 22:30	355m
Yama Station Buildings Southend Road	Mon – Sat 00:00 Sun 22:00	360m

It takes an average adult 2-4 minutes to walk 300 metres