

Report No.
ES20382

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: LICENSING SUB-COMMITTEE

Date: 15th April 2024

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

Title: APPLICATION FOR A NEW PREMISES LICENCE AT LOUNGE
21 - 22 MARKET SQUARE BROMLEY BR1 1NA

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: Bromley Town

1. Reason for report

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

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 licence**
- 2. Grant 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. Refuse to specify a person in the licence as the premises supervisor**
- 5. 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: 2024/2025

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 20th February 2024.
 2. Summary of Ward Councillors' comments: Councillor Casey objected on the grounds of Crime & Disorder and Public Nuisance.
-

Responsible Authorities Views

1. Have Responsible Authorities been asked for comments? **Yes**. They were notified about the application by email on 20th February 2024.
 2. Summary of Responsible Authorities comments: An **objection was** received from the Public Health Nuisance Team on the grounds of Public Nuisance and Crime & Disorder.
-

Residents and interested parties

3 valid representations were received from local residents objecting to the application. 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 food led café bar in Bromley Town Centre surrounded by other commercial premises. The premises was previously occupied by Five Guys restaurant.

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

3.3 Licensing History

This is an application for a new premises licence. The premises has not been previously licensed.

3.4 Application

This is an application for the provision late night refreshment from 23:00 to 00:30 and the sale of alcohol both on and off the premises from 10:00 to 00:00 every day.

The application also states that the premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

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

3.5 Cumulative Impact Assessment Area

Note:

The property sits within the Cumulative Impact Area (CIA) in Bromley. This is identified within the current Licensing Policy 2021 to 2026. 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.

The Special Policies on Cumulative Impact and Vision for Town Centres can be found at **Appendix 5**.

3.6 Representations

During the public consultation period the Council received a total of 5 objections. 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 20th February 2024.
- 12.2 Summary of Ward Councillors' comments: Councillor Casey objected on the grounds of Crime & Disorder and Public Nuisance.
- 12.3 Responsible Authorities Views: 1 comments was received from Responsible Authorities.
- 12.4 Summary of Responsible Authorities Views: An objection was received from the Public Health Nuisance Team on the grounds of Public Nuisance and Crime & Disorder.

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	No response
Trading Standards Service	5th December 2023	No response
Public Health Nuisance Team	5th December 2023	Objection made
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 the terminal time on New Year's Eve is 02:00hrs and that a number of conditions be voluntarily added to the licence. The applicant agreed to the amended times and conditions which can be found at **Appendix 3**.

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

Appendix 1

Application Form & Premises Plan



Bromley
Application for a premises licence
Licensing Act 2003

For help contact
licensing@bromley.gov.uk
 Telephone: 0208 313 4218

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

AGS/41074/294

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Loungers UK Limited

* Family name

-

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

04595806

Business name

Loungers UK Limited

If the applicant's business is registered, use its registered name.

VAT number

- NA

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*Your position in the business Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 21****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

 Address OS map reference Description
Postal Address Of PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21**OPERATING SCHEDULE**

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

A food led cafe bar located at 21-22 Market Square, Bromley, BR1 1NA.

The applicant has considered the Bromley Town Centre cumulative impact policy. The family style operation with its emphasis on food rather than drink is such that the applicant does not believe that the grant of its application will in any way be detrimental to the area or to the promotion of the licensing objectives.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes
 No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises
 Off the premises
 Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /
 dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NA

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for

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those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Licensing Authority or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

c) Public safety

1. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

d) The prevention of public nuisance

1. The sale and supply of alcohol for consumption in the area designated for external trading on the licence plan shall be restricted to alcohol consumed at tables and chairs.

2. The premises shall only operate as a café/bar. Waiter/waitress service will be available to patrons at all times.

Continued from previous page...

3. All outside tables and chairs shall be rendered unusable after 2300 each day.

e) The protection of children from harm

1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all staff likely to be involved in the sale or supply of alcohol will be trained to ask any patron attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form or method of identification that complies with any mandatory condition that may apply to this licence.

2. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the identity of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Licensing Authority at all times whilst the premises are open.

3. There must be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21**NOTES ON REGULATED ENTERTAINMENT**

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

450.00

DECLARATION

Continued from previous page...

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/bromley/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

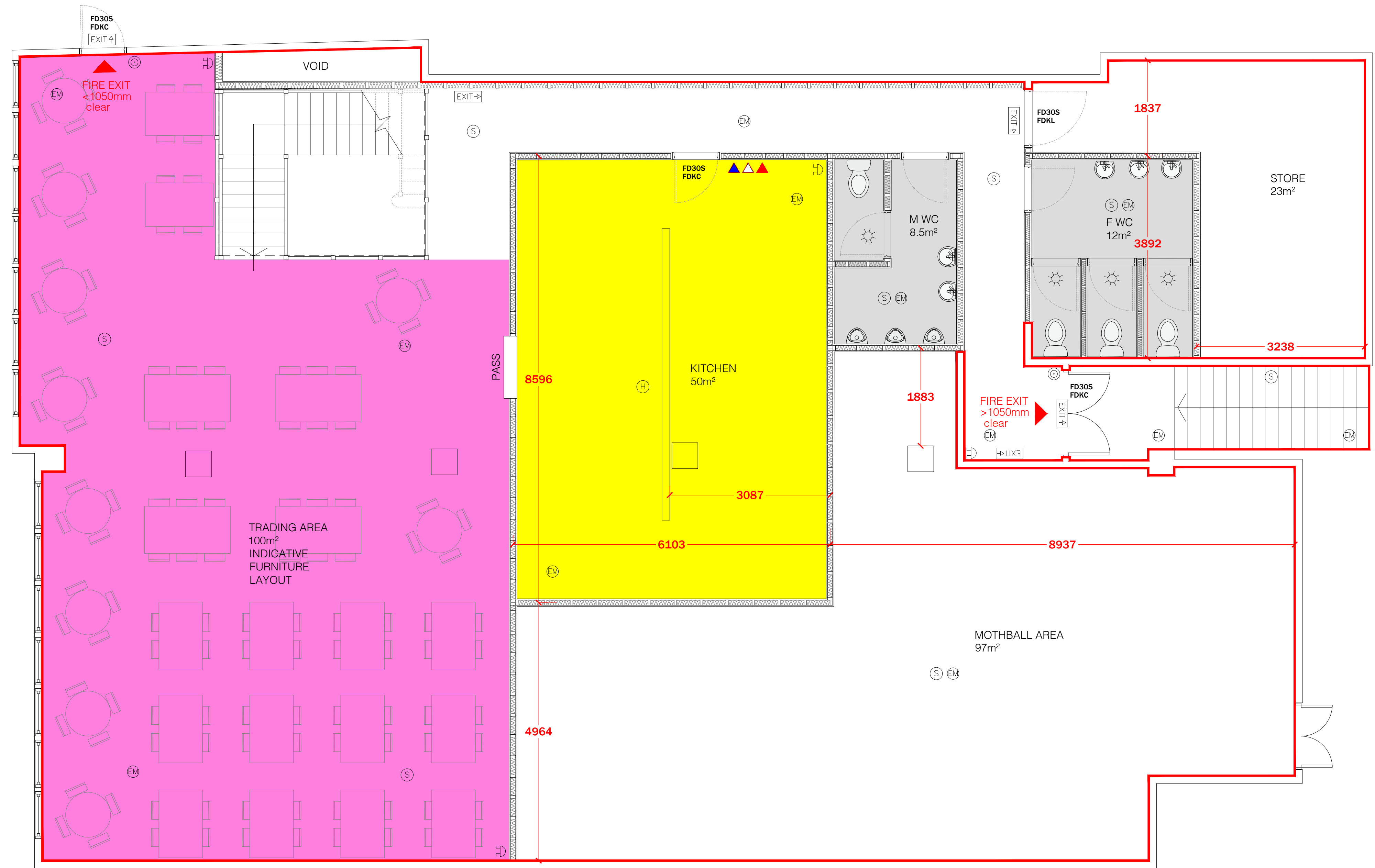
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

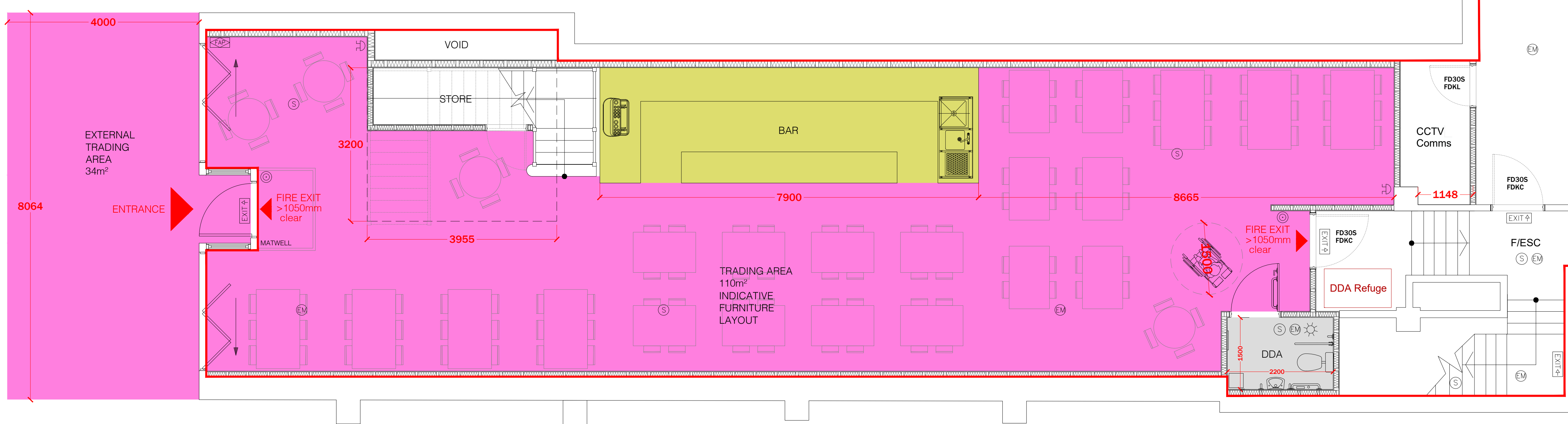
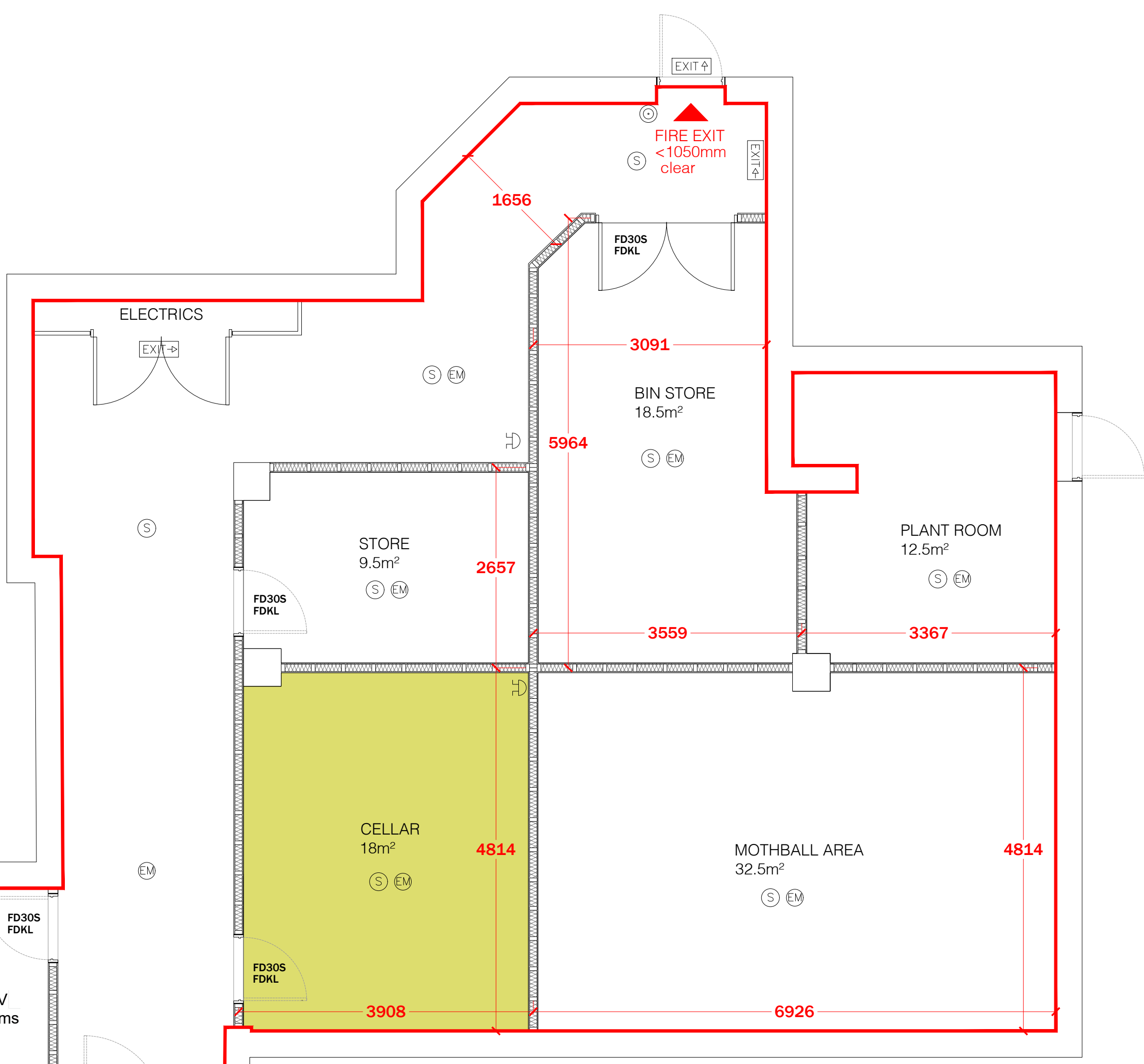
OFFICE USE ONLY

Applicant reference number	<input type="text" value="AGS/41074/294"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Ref No - 24/00245/LAPRE - Dated - 20.02.2024



PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

The entire premises is to be licensed for the sale of alcohol and the provision of late night refreshment

KEY	
	HEAT DETECTOR/ALARM
	BELL/SOUNDER
	FIRE ALARM PANEL
	SMOKE DETECTOR/ALARM
	FIRE ALARM CALL POINT
	EMERGENCY LIGHT
	EMERGENCY EXIT SIGN
	POWDER FIRE EXTINGUISHER
	FOAM FIRE EXTINGUISHER
	FIRE BLANKET (5m²)
	AREAS FOR CONSUMPTION OF INTOXICATING LIQUOR
	KITCHEN AND STAFF AREAS
	AREAS FOR STORAGE OF LIQUOR & BAR COUNTER
	TOILET ACCOMMODATION
	FIRE DOOR TO PROVIDE 30 MINUTES FIRE PROTECTION & SMOKE RESISTANCE
	FIRE DOOR, KEEP LOCKED
	FIRE DOOR, KEEP CLOSED
	PERIMETER OF LICENSED PREMISES

Rev: Description: Date:

Reade Associates
ARCHITECTURAL CONSULTANTS & DESIGNERS
The Limes, 3b Waterloo Road
Shepton Mallet
Somerset BA4 5HG
www.readeassociates.co.uk 07940 751750

Client:
Loungers PLC

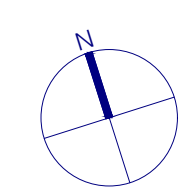
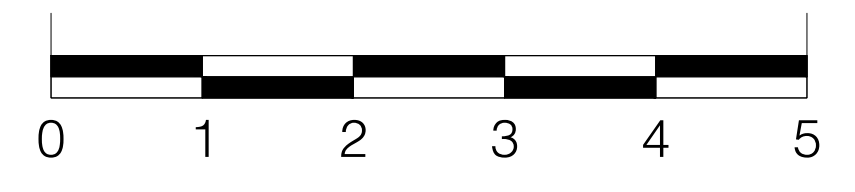
Site:
**NEW LOUNGE
21-22 Market Square
Bromley
BR1 1NA**

Title:
Floorplans

Status:
Licensing

Scale: 1:500/A1	Date: Feb '24
Drawing No: 0174.03	Drawn: DAR

All dimensions to be checked on site before work commences and any discrepancies to be reported.



Appendix 2

Representations

Application comments:

Objection 1 – Cllr Graeme Casey

I wish to lodge my objection to the above license application.

My concerns centre on;

The prevention of crime and disorder, specifically the intention for alcohol to be sold until midnight of every night of the week. Market square is a quieter part of the town centre for those residents living there. I believe that a late night license and venue would be attractive to those that have left other venues that close earlier and that the architecture of the square will only exacerbate any noise disturbance.

The prevention of public nuisance, specifically as stated above the risk of late night patrons moving to this venue when other venues close earlier in the evening.

Market Square is a busy commercial area, the residents were well aware of this fact when they bought or rented their properties, however, it is not a late night area and I do not feel it would be appropriate to grant a late night license.

Objection 2 - PHNT

I have been passed the above application for a new premises licence.

The premises is situated in the Bromley Town Centre cumulative impact zone (CIZ) which changes the presumption from one to grant to the presumption to refuse the application.

The statement of licensing policy states

“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. “

The application describes the operation as “The family style operation with its emphasis on food rather than drink” yet no conditions have been offered in the operating schedule to restrict the business to that of food lead. Section 182 Guidance issued under the Licensing Act clearly states in section 1.16 “ Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate.”

I object to the granting of the licensing under the prevention of public nuisance, Crime and disorder licensing objections for the following.

1. No accommodation limit has been offered so I am unable to fully assess the impact on the area and if it will have a detrimental effect”
2. No condition has been offered restricting the operation to that of a food lead business which would have less of an impact than an alco lead premises.

Application comments:

3. The plans show two large areas with the licensable are marked in red indicated as mothball areas which could be used as vertical drinking area increasing the capacity considerably.
4. No SIA has been offered within the application which I would expect on a premises in a town centre environment with no restriction as specified in Point 2
5. The CCTV condition does not include the specification for a clear facial image of every person that enters the premises.

Submitted for consideration of the licensing subcommittee.

Objection 3

I am writing to raise objections regarding the application for licence to sell alcohol raised by Loungers UK for a property at 21-22 Market Square, Bromley.

I would like to officially raise objections and request the right to make formal representation in front of the Licensing Cub-Committee. My specific objections are on the grounds of prevention of crime and disorder, public safety and prevention of public nuisance, with specific argumentation laid out below.

Background and general remarks

- Bromley Market Square is already an area which suffers from significant volume of crime and public disorder. Based on the statistics published by the Metropolitan Police, the Market Square sees between 10 and 20 instances of crime and / or public disturbance in any given month. Many of these instances refer to anti-social behaviour as well as violence (including sexual assault) and theft
- In addition to the recorded statistics reflecting the police call-outs, the residents have witnessed numerous instances of non-reported anti-social behaviour including visible drunkenness, fights between intoxicated individuals, littering and loud music being played late into the night from portable speakers; the Square contains sitting areas which attract groups of young people late in the evenings in warm months
- The terms of the licence requested imply ability to sell alcohol until midnight daily for on and off-premise consumption
- If the leaseholder chooses to exercise the full extent of the licence, this would mean that the venue would be serving alcohol up to an hour after the other bars and venues in the area close between Monday and Thursday; it would also mean that the venue would stay open longer (Monday to Thursday) than other venues operated by the licence applicant in London
- Ability to sell alcohol for consumption off-premises and the availability of ample sitting space in the square also implies that alcohol purchased at the venue could continue being consumed long after the place closes for business for the day
- In addition to shops and food venues, the Market Square contains a significant number of flats - there are residential properties above businesses all around the Square; there have been no venues serving alcohol in the Market Square to date

Application comments:

Specific concerns

- Granting of the licence in the current shape will contribute to late-night noise and disruption within the Square, including weeknights.
- The venue would, by definition, increase the number of potentially intoxicated people in the square, which will contribute to even more anti-social behaviour in addition to that already observed.
- The late-night customers leaving the venue could present targets for more deliberate crime (theft, violence) and thus attract potential criminals into the Square.
- Given the venue can potentially remain open after the other venues in the area close, we are concerned that it could become a magnet and a “last port of call” for drinkers leaving the other bars in the area; as such, the level of noise, disturbance and danger to civil order would be greatly exacerbated.

Asks from the Council

- We recognise the need to re-invigorate Bromley’s High Street and Market Square; thus, we do not object to the venue opening at all or serving alcohol during the day or in early evening; we much prefer the venue to an empty shop
- However, we would ask the Council to limit the licence hours to 10pm on weekdays, so that the venue closes ahead of the other venues in the area
- Should that not be possible, we would ask for the licence to be at least limited to the same operating hours as the other venues, to avoid the risk of attracting stragglers from other venues closing earlier in the night

I look forward to making the appropriate representations in front of the Sub-Committee. I remain at your disposal to answer any questions in the meantime.

Objection 4

I am writing to formally object to the proposed issuing of a premises licence to Lounge, located in the square outside my flat at 22 Market Square, Bromley, BR1 1NA including:

The service of alcohol between 10.00am and 12.00pm

Late night refreshment between 11.00 and 11.30pm

Hours open to the public until 12.30am

Outside seating that’s available in the evening.

I write as a concerned resident in very close proximity to the premises with all residents expressing their dismay at this proposal. I have also spoken with other residents in the square who share these same concerns.

Application comments:

The following points outline my objections to the issuance of a licence for this establishment:

1. Public Nuisance:

The introduction of a bar in a previously quiet residential area without late-night businesses will undoubtedly increase public nuisance. At around the same time that bars and pubs close in the local area, there is a pronounced spike in antisocial behaviour including fighting, arguing, shouting, singing etc. people will sit often stop and sit in Market Square. Having a bar in the square will make the area even more of a 'go to' and will exacerbate these issues, particularly given the large size of the proposed site and its outdoor spaces.

The enclosed nature of the square amplifies noise, affecting approximately flats directly overlooking the bar and outdoor space, leading to disturbances and discomfort for residents. My family and I have reported these issues on multiple occasions, and both I and other residents have had to personally ask people to move on in the middle of the night due to the significant amplification within the square. Having a bar here will mean that patrons will be present throughout the evening, particularly given that there will be seating. There is no indication in the plans regarding a smokers area, but it seems likely that this would also be on the square, adding to the noise.

I would like to add that I moved here knowing that the area would be a busy commercial area, we have excellent sound isolation within our apartment; however, there has never been a late-night business or one that serves alcohol in the Square. The Square is not a late-night area and I do not feel it would be appropriate to grant a licence in this case.

2. Crime and Disorder:

There is a strong likelihood of increased crime and disorder resulting from introducing a bar with a late-night licence to an area where there previously wasn't one. This has been seen in other areas of Bromley, and across the capital. It should also be noted that the mitigations of having staff on the door of the bar are unlikely to have an effect; currently there is a canine security unit who patrol the market square area to protect the market stalls overnight. There continues to be issues with damage to property and drunken shenanigans in the evenings on the weekend.

Despite the hard work of the local council and police to reduce issues, instances of vandalism, such as damage to phone boxes, bins, and telecommunications cabinets, have been observed from revellers leaving local pubs and bars at kickout time already; this is particularly pronounced on Friday and Saturday evenings and will likely increase with the increased footfall caused by having an additional place to drink in the evenings when other places are closed.

3. Public Safety:

Late-night alcohol consumption has been linked to violent crime, and the combination of a bar open until 12:30 every day in a residential area with high footfall raises concerns for the safety of local residents.

Application comments:

4. Protection of Children from Harm:

Families residing in the area, including children, will be adversely affected by a late-night venue, impacting their sleep and overall well-being due to the quiet surroundings at night and the direct overlook of flats onto the bar in the echo-y square.

I have raised these concerns with our local councillor, who shares my apprehensions regarding the negative impact of approving such a licence on the local community. I have put him in Cc, although I know that he has also raised his views with you directly.

In light of the above points, I urge the council not to approve the licence in its current state given the significant negative impact it will have on local residents who did not sign up to living in a late-night entertainment area.

Thank you for your attention to this matter.

Objection 5

We are writing to formally object to the proposed issuing of a premises licence to Lounge, located in Market Square, Bromley, a proposed premises licence that includes the following :

- The service of alcohol between 10.00am and 12.00pm
- Late night refreshment between 11.00 and 11.30pm
- Hours open to the public until 12.30am
- Outside seating that's available in the evening.

We have been proud and engaged residents of Market Square Bromley since we purchased our property 5 years ago and have participated in a variety of community events in Market Square over the last 5 years that have been sponsored by the Bromley Council. We are however now deeply concerned about the proposed granting of a premises licence to Lounge, as we believe that this establishment will have a serious negative impact not only on the community of Market Square residents, but especially on the wider community of Bromley - children, parents, grandparents, and families, for whom Market Square is an important meeting and convening point. We know the importance of Market Square as a community hub for Bromley - we have seen the vibrancy and the social pulse of Market Square every day for the last 5 years. Indeed, it is precisely this social and community meeting point that is now under threat by the proposed issuing of a premises licence to Lounge.

Our strong objection is based on the following:

1. Firstly, introducing a bar in Market Square poses a significant risk to the safety and wellbeing of all the residents in the square as well as all those residents of Bromley who frequent the square for social enjoyment and wellbeing. Bars are associated with increased noise levels, social disturbances, and late-night activities.
2. The increased potential and likelihood of alcohol incidents including drunk and disorderly behaviour could jeopardize the safety of residents, pedestrians, children, and families.

Application comments:

3. There is also the increased risk of littering, loitering, and anti-social behaviour.

We believe that the negative social consequences of granting a licence to Lounge, significantly outweigh any potential benefits.

In the light of these concerns, we urge the council to reconsider the proposed issuing of a premises licence to Lounge, not only for the residents in Market Square, but for the greater good of the Bromley community.

Appendix 3

Additional Conditions Agreed with Police

From: Robert Botkai
Sent: Monday, February 26, 2024 9:23 AM
To: Licensing
Cc: Dandridge Tina; Andrew Sanders
Subject: Lounge 21-22 Market Square, Bromley, BR1 1NA

Dear Licensing

Further to my email below I set out the updated operating schedule for the above agreed now with the police licensing officer PC Tina Dandridge :

On New Year's Eve there will be a terminal time of 02:00hrs

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Licensing Authority or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
4. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
5. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
6. The sale and supply of alcohol for consumption in the area designated for external trading on the licence plan shall be restricted to alcohol consumed at tables and chairs.
7. The premises shall only operate as a café/bar. Waiter/waitress service will be available to patrons at all times.

8. All outside tables and chairs shall be rendered unusable after 2300 each day.

9. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all staff likely to be involved in the sale or supply of alcohol will be trained to ask any patron attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form or method of identification that complies with any mandatory condition that may apply to this licence.

10. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the identity of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Licensing Authority at all times whilst the premises are open.

11. There must be no adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

12. All off sales will be in sealed containers for consumption away from the premises and will only be sold to persons who have purchased a meal at the premises. Customers will be permitted to take away unfinished alcohol purchased with their meal in a sealed container.

Kind regards

Robert

Robert Botkai (He/Him)
Senior Partner

Winckworth
Sherwood

Appendix 4

Street View and Satellite Images of the Premises

Satellite Image of Lounge 21 – 22 Market Square Bromley



Close Up Satellite Image of Lounge 21 – 22 Market Square Bromley



Street View of Lounge 21 – 22 Market Square Bromley



Appendix 5

Policies on Cumulative Impact and Vision for Town Centres

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.

Appendix C

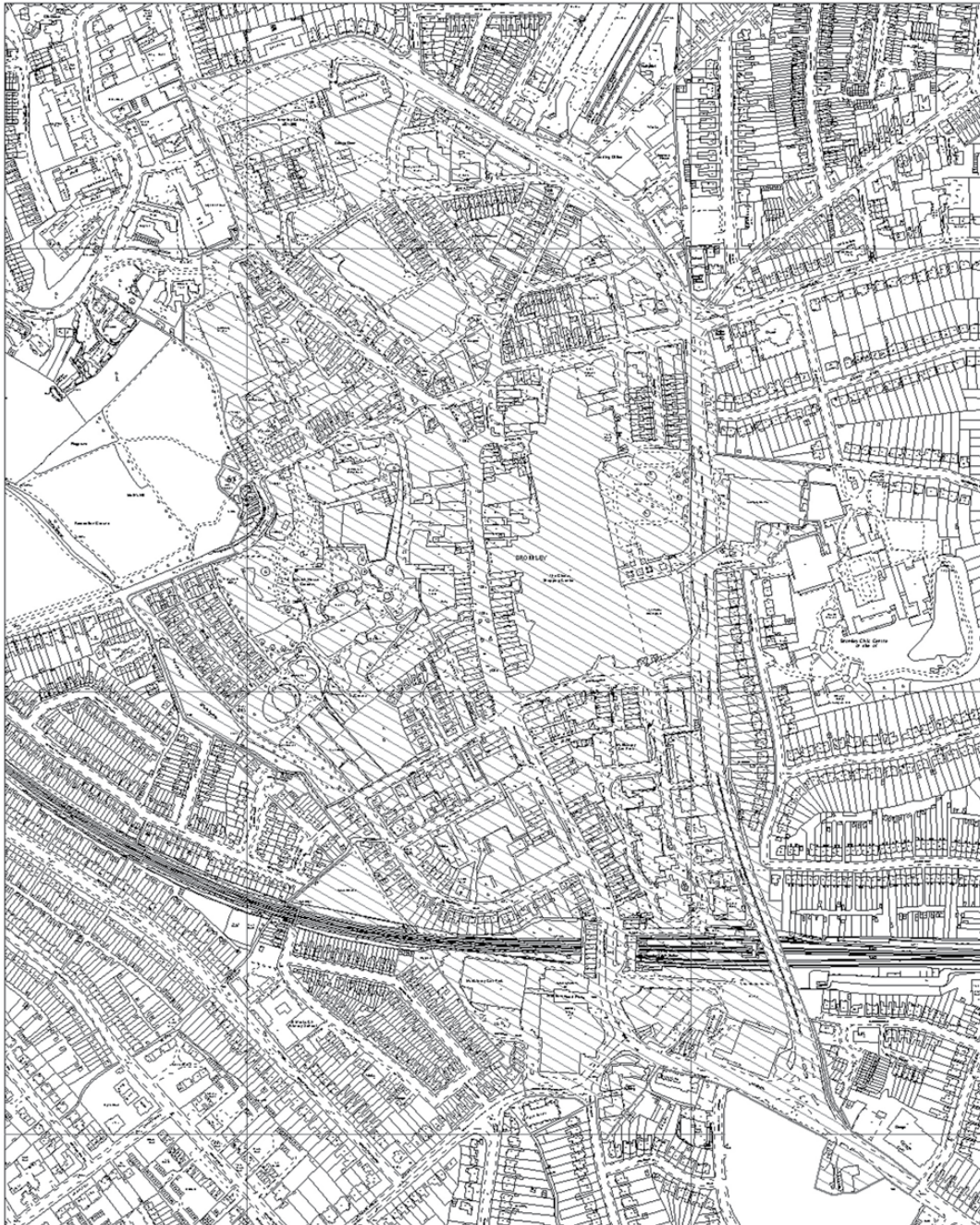
Declaration of Bromley and Beckenham Town Centres as being subject to a Special Policy of Cumulative Impact

On the 29 November 2004 the Licensing Authority considered a recommendation from the General Purposes and Licensing Committee (Report refES04313) that Bromley Town Centre as defined in the attached map ref BTC 83 should be subject to a Special Policy of Cumulative Impact. On the 21 February 2007 the Licensing Authority considered a recommendation from the General Purposes and Licensing committee (Report refACS07005) that Beckenham Town Centre as defined in the attached map ref Acs 07005 should be subject to a Special Policy of Cumulative Impact. The Licensing Authority is satisfied that within both of these areas the promotion of the four Licensing Objectives is being undermined by the presence of a significant number of licensed premises.



What is the effect of a Special Policy of Cumulative Impact?

In an area subject to 'cumulative impact' the Licensing Authority will refuse to grant new Premises Licences, Club Premises Certificates or material variations to existing licenses where it receives relevant representations about cumulative impact on the licensing objectives which it concludes after hearing those representations should lead to a refusal. The Licensing Authority cannot refuse an application unless it receives valid objections from local residents, businesses or organisations. If no objections are made, an application will be granted.

Map of Bromley Town Centre



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<p>ENVIRONMENT AND LEISURE SERVICES</p>	<p>LICENSING ACT 2003 - BROMLEY TOWN CENTRE AREA SUBJECT TO A SPECIAL POLICY OF CUMULATIVE IMPACT.</p>		
 <p>GORDON HAYWARD DIRECTOR OF ENVIRONMENT AND LEISURE SERVICES, CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY, KENT, BR1 3UH. Tel: 020 8464 3333</p>	<p>Scale 1:4000</p>		<p>03/11/04 BTC 83</p>

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 night time 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.