

## Licensing Sub-Committee

Friday 25 April 2014

10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Adele Morris  
Councillor The Right Revd Emmanuel  
Oyewole

### Reserves

Councillor Lorraine Lauder

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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#### Contact

Andrew Weir on 020 7525 7222 or email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 15 April 2014



## Licensing Sub-Committee

Friday 25 April 2014

10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003: GROUND AND LOWER GROUND FLOORS, 177 BERMONDSEY STREET, LONDON SE1 3UW</b>	1 - 32
6.	<b>LICENSING ACT 2003: KASPA'S 321 - 323 WALWORTH ROAD, LONDON SE17 2TG</b>	33 - 79

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**PART B - CLOSED BUSINESS**

**Item No.**

**Title**

**Page No.**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**7. CONFIDENTIAL: DETAILS OF OTHER PERSONS**

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

Date: 15 April 2014

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 25 April 2014	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: Ground and Lower Ground Floors, 177 Bermondsey Street, London SE1 3UW	
<b>Ward(s) or groups affected:</b>		Grange	
<b>From:</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Floreat Ticino Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Ground and Lower Ground Floors, 177 Bermondsey Street, London SE1 3UW.
2. **Notes:**
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to a representation from a responsible authority and representations from other persons and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 11 and 12 of this report deals with the representations received to the premises licence application. Copies of the relevant representations are attached as Appendices B and C
  - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a licensing regime for:
  - The sale of and supply of alcohol
  - The provision of regulated entertainment
  - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
  - The prevention of crime and disorder
  - The promotion of public safety
  - The prevention of nuisance
  - The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to:
  - The Act itself
  - The guidance to the act issued under Section 182 of the Act
  - Secondary regulations issued under the Act
  - The licensing authority's own statement of licensing policy
  - The application, including the operating schedule submitted as part of the application
  - Relevant representations.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence application**

8. On 6 February 2014 Floreat Ticino Limited applied to this council for the grant of a new premises licence in respect of the premises known as Ground and Lower Ground Floors, 177 Bermondsey Street, London SE1 3UW.

The application is summarised as follows:

- The sale of alcohol to be consumed on the premises:  
Monday to Sunday: 11.00 to 23.00
  - Opening hours  
Monday to Sunday: 11.00 to 23.00.
9. The premises licence application form provides the applicant operating schedule. Parts J, K, L, and M set out the proposed operating hours and operational controls measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to the licence. A copy of the application is attached to this report as Appendix A.

### **Designated premises supervisor**

10. The proposed designated premises supervisor is Mr Christian Jensen.

### Representations from responsible authorities

11. Southwark Police Licensing Office (SPLO) have submitted a representation requesting that certain control measures be added to the operating schedule of the application and that these measures shall become conditions on any licence issued in regards to the application. The applicant agreed to the inclusion of the suggested control measures and SPLO withdrew their representation. A copy of SPLO's representation and related correspondence is attached to this report as Appendix B.

### Representations from other persons

12. 11 representations have been submitted by local residents. The representations are concerned that the intended operation of the premises will result in public nuisance and anti-social behaviour in the locale. A number of representations refer to incorrect times in respect of licensable activities and also incorrect licensable activities. All people who submitted representations were informed of the correct details of the application. Copies of the representations submitted by other persons and related correspondence are attached to this report as Appendix C.

### Conciliation

13. SPLO have submitted a representation requesting that certain control measures be added to the operating schedule of the application and that these measures shall become conditions on any licence issued in regards to the application. The applicant agreed to the inclusion of the suggested control measures and SPLO withdrew their representation. A copy of SPLO's representation and related correspondence is attached to this report as Appendix B. The applicant was advised that they could write a conciliation statement that would be distributed to any local residents who submitted representations, and also of the possibility of a conciliation meeting with such residents being arranged, however the applicant did not provide a conciliation statement or request a conciliation meeting

### Operating history

14. No premises licence (or equivalent licence under prior licensing legislation) has been or is held by the applicant or any other party in regards to the premises, however temporary event notices (TENs) have been served in regards to the premises on behalf of the applicant as detailed below:

No.	Premises user	Date(s) of event	Time of event	Maximum no. of persons at the event at any one time	Activities permitted	Objection notice served?	Counter notice served?
1	Rita Gianelli	19.02.14 to 25.02.14	11.00 to 23.00	75	Sale of alcohol	No	No
2	As above	27.02.14 to 05.03.14	As above	As above	As above	No	No

No.	Premises user	Date(s) of event	Time of event	Maximum no. of persons at the event at any one time	Activities permitted	Objection notice served?	Counter notice served?
3	As above	07.03.14 to 13.03.14	As above	499	As above	No	No

The licensing team has received no complaints in regards to the operation of the premises in respect of the above TENS.

### The local area

15. A map of the area is attached to this report as Appendix C. The premises are identified by a black diamond at the centre of the map. Other licensed premises are also shown on the map and are permitted the provision of licensable activities as follows:

#### **Zucca, 184-192 Bermondsey Street, London SE1 3TQ**

- The sale of alcohol:  
Monday to Saturday: 10.00 to 23.00  
Sunday: 10.00 to 21.00

#### **Pizarro Restaurant, 194-204 Ground Floor Bermondsey Street, SE1 3TQ**

- The sale of alcohol:  
Monday to Saturday: 10.00 to 00.00  
Sunday: 12.00 to 23.30
- The provision of late night refreshment:  
Monday to Saturday: 23.00 to 00.30  
Sunday: 23.00 to 00.00

#### **Village East, 171-173 Bermondsey Street, SE1 3TQ**

- The sale of alcohol:  
Monday to Thursday: 10.00 to 23.30  
Friday and Saturday: 10.00 to 01.30  
Sunday: 11:00 to 23:00
- The provision of late night refreshment:  
Monday to Saturday: 23.00 to 23.30

#### **Cave, 210A Bermondsey Street, SE1 3TQ**

- The sale of alcohol:  
Monday to Saturday: 09.00 to 23.00

Sunday: 10.00 to 22.00

### **Southwark council statement of licensing policy**

16. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
- Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives
  - Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
  - Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
  - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
  - Section 8 provides general guidance on ensuring public safety including safe capacities
  - Section 9 provides general guidance on the prevention of nuisance
  - Section 10 provides general guidance on the protection of children from harm.
17. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

### **Resource implications**

18. A fee of £315 has been paid by the applicant company in respect of this application, being the statutory fee payable for premises within non-domestic rateable value band C.

### **Consultations**

19. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice exhibited outside of the premises for a period of 28 consecutive days.

### **Community impact statement**

20. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.



## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Legal Services**

21. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.
22. The principles which sub-committee members must apply are set out below.

### **Principles for making the determination**

23. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
24. Relevant representations are those which:
  - Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by other persons or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
25. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives:
  - To grant the licence subject to:
    - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
    - Any condition which must under section 19, 20 or 21 be included in the licence
  - To exclude from the scope of the licence any of the licensable activities to which the application relates
  - To refuse to specify a person in the licence as the premises supervisor
  - To reject the application.

### **Conditions**

26. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be appropriate and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
27. The four licensing objectives are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance

- The protection of children from harm.
28. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
  29. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
  30. Members are also referred to the DCMS guidance on conditions, specifically section 10, and Annex D.

### **Reasons**

31. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

### **Hearing procedures**

32. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
  - The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

33. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

#### **Council's multiple roles and the role of the licensing sub-committee**

34. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
35. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
36. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
37. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
38. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
39. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.
40. Under the Human Rights Act 1998 the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.

41. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

### Guidance

42. Members are required to have regard to the DCMS guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

### APPENDICES

Name	Title
Appendix A	Application
Appendix B	Representation submitted by Southwark Police Licensing Office and related correspondence
Appendix C	Representations submitted by other persons and related correspondence
Appendix D	Map

### AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Wesley McArthur, Licensing Enforcement Officer	
<b>Version</b>	Final	
<b>Dated</b>	8 April 2014	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	No	No
<b>Cabinet Member</b>	No	No
Date final report sent to Constitutional Team	10 April 2014	



Community Safety EHTS, Health Safety & Licensing Team, Southwark Council, 3rd Floor Hub 2,  
P O BOX 65429, London, SE1P 5LX

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

RECEIVED  
06 FEB 2014

We **FLOREAT TICINO LIMITED**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
<b>GROUND AND LOWER GROUND FLOORS 177 BERMONDSEY STREET</b>			
Post town	<b>LONDON</b>	Postcode	<b>SE1 3UW</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£50,000.00</b>

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)



- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					



Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

*Southwark*  
Council

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

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

Name <b>FLOREAT TICINO LIMITED</b>
Address <b>UNIT 42 THE COUCH HOUSE ST MARY'S BUSINESS CENTRE 66-70 BOURNE ROAD BEXLEY KENT DA5 1LU</b>
Registered number (where applicable) <b>08068812</b>
Description of applicant (for example, partnership, company, unincorporated association etc.) <b>LIMITED COMPANY</b>
Telephone number (if any)
E-mail address (optional)





### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	4	112005

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
1	1	111111

Please give a general description of the premises (please read guidance note 1)

**The premises are an Italian restaurant serving pizza and other Italian style foods located on the Ground and Lower Ground Floors of 177 Bermondsey Street, London SE1 3UW. Bermondsey Street is in a London area of Bankside and is a mixed commercial and residential street and the premises are located at the southern end of Bermondsey Street.**

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- |   |                          |
|---|--------------------------|
| 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 type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input 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)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <b>please tick</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	23:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  <b>BERMONDSEY STREET FESTIVAL UNTIL 01:00</b>		
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00		<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Fri	11:00	23:00		<b>CHRISTMAS EVE UNTIL 01:00</b>	
Sat	11:00	23:00		<b>NEW YEAR'S EVE UNTIL 01:00</b>	
Sun	11:00	23:00			

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

Name <b>MR CHRISTIAN ERRBOE JENSEN</b>	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known) <b>LONDON BOROUGH OF SOUTHWARK</b>	

K

Please highlight any 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 (please read guidance note 8).

NONE.

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	23:00	<b>BERMONDSEY STREET FESTIVAL UNTIL 01:00</b>
Tue	11:00	23:00	
Wed	11:00	23:00	
Thur	11:00	23:00	
Fri	11:00	23:00	
Sat	11:00	23:00	
Sun	11:00	23:00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
			<b>CHRISTMAS EVE UNTIL 01:00</b>
			<b>NEW YEAR'S EVE UNTIL 01:00</b>



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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

**THE FOUR LICENSING OBJECTIVES WILL BE COMPLIED WITH AND THE FOLLOWING STEPS ADOPTED:**

- 1. APPROPRIATELY TRAINED STAFF WILL BE EMPLOYED; AND**
- 2. REGULAR REVIEWS WILL BE UNDERTAKEN TO MAINTAIN COMPLIANCE WITH ALL FOUR LICENSING OBJECTIVES AND STAFF WILL BE UPDATED AND TRAINED AS APPROPRIATE.**

**b) The prevention of crime and disorder**

**NOTHING BEYOND EXISTING REQUIREMENTS.**

**c) Public safety**

**NOTHING BEYOND HEALTH AND SAFETY AND FIRE SAFETY REQUIREMENTS.**

**d) The prevention of public nuisance**

**NOTHING BEYOND EXISTING REQUIREMENTS.**

**e) The protection of children from harm**



**NOTHING BEYOND EXISTING REQUIREMENTS.**

**Checklist:**

**Please tick to indicate agreement**

- 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 designated 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.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	31 / 01 / 2014
Capacity	APPLICANT'S SOLICITOR.

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	



Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
<b>JAMES O'SHEA</b>			
Post town	<b>LONDON</b>	Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**Our reference:** MD/21/2462/13

**Date:** 18th February 2014

The Licensing Unit  
160 Tooley Street  
London  
SE1 2QH

**Metropolitan Police Service  
Licensing Office  
Southwark Police Station  
323 Borough High street  
LONDON  
SE1 1JL  
Tel: 020 7232 6756**

Dear Sir/Madam

**Ticcino, Ground & Lower Ground Floor, 177 Bermondsey Street, London SE1 3UW**

Police are in receipt of an application from the above for a new Premises Licence. Police would like to see the following control measures placed on the premise licence to address the prevention of crime and disorder licensing objective. Some of the following conditions may have been already offered by the applicant as part of the operating schedule but the wording of each condition is vital to negate any ambiguity.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an clear facial image of every person who enters the premises.
2. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council.
3. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
4. That suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.
5. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons purchasing meals or purchasing food to take away or persons waiting to be seated for a table meal and for consumption by such person as an ancillary to that meal.

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

Submitted for consideration.



**PC Graham White 288MD**  
Southwark Police Licensing Unit

---

**From:** McArthur, Wesley  
**Sent:** 19 February 2014 11:13  
**To:** James O'Shea  
**Cc:**  
**Subject:** Application for a premises licence - Floreat Ticinio Ltd, Ground & lower floors, 177 Bermondsey Street, London, SE1 3UW

Dear Sirs,

Please find attached a representation submitted by PC Graham White in regards to the above application .

You are advised to contact PC White directly to discuss the representation.

If it is not possible to conciliate PC White in respect of his representation then a licensing sub-committee hearing will be convened to consider the application, the representation (and any other relevant representation) and to then determine the application. Should a hearing be required you will be informed of its time, date and location in due course.

If you conciliate PC White please copy me into any agreement reached.

Regards,

**Wesley McArthur**

Licensing Enforcement Officer  
London Borough of Southwark

**E-mail:** [wesley.mcarthur@southwark.gov.uk](mailto:wesley.mcarthur@southwark.gov.uk)

**General:** [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Phone:** 020 7525 5779

**Fax:** 020 7525 5705

**Address:** Licensing, Health & Safety, Hub 2, 3rd Floor, 160 Tooley Street, SE1 2TZ

---

**From:** James O'Shea  
**Sent:** 19 February 2014 16:40  
**To:** McArthur, Wesley  
**Cc:**  
**Subject:** RE: Application for a premises licence - Floreat Ticinio Ltd, Ground & lower floors, 177 Bermondsey Street, London, SE1 3UW

Dear PC White

The owners of the restaurant have confirmed that the control measures as detailed in your letter will be implemented.

Kind regards

James

**James O'Shea**  
**Partner**

---

**From:** McArthur, Wesley  
**Sent:** 20 February 2014 10:25  
**To:** James O'Shea  
**Cc:** White Graham S - MD; White Graham S - MD  
**Subject:** RE: Application for a premises licence - Floreat Ticinio Ltd, Ground & lower floors, 177 Bermondsey Street, London, SE1 3UW

Hi Graham,

In light of Mr. O'Shea's email as below please you confirm whether you withdraw your representation, thanks.

Regards,

**Wesley McArthur**

Licensing Enforcement Officer  
London Borough of Southwark

**E-mail:** [wesley.mcarthur@southwark.gov.uk](mailto:wesley.mcarthur@southwark.gov.uk)

**General:** [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

**Phone:** 020 7525 5779

**Fax:** 020 7525 5705

**Address:** Licensing, Health & Safety, Hub 2, 3rd Floor, 160 Tooley Street, SE1 2TZ

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**From:** Graham.S.White@met.pnn.police.uk

**Sent:** 20 February 2014 14:03

**To:** McArthur, Wesley

**Subject:** RE: Application for a premises licence - Floreat Ticinio Ltd, Ground & lower floors, 177 Bermondsey Street, London, SE1 3UW

wes,  
Yes i withdraw  
Thanks  
Graham

**PC Graham White 288MD**  
Southwark Police Licensing Unit

**Party 1****From:****Sent:** 25 February 2014 10:29**To:****Cc:** Regen, Licensing**Subject: Re:** Licensing Application No: 84408

Further to me objection below I would like to clarify that I am objecting on 2 grounds:

1. The prevention of nuisance (from noise)
2. The protection of children from harm (from noise and being unable to sleep)

On 25 Feb 2014, at 10:26, wrote:

To whom it may concern,

Re: Licensing Application No: 84408

I am the owner and occupier of Flat Bermondsey Street, London, SE1 3UW, the building next to, Ticcinos, the reference of Licensing Application 84408.

I am writing to formally object to application 84408. My flat is next to Ticcinos and my bed room window looks out over their outdoor space and the public allyway, Newhams Row.

When Ticcinos have had private dinners or functions it had been very noisy and impossible to sleep. As such I object to this application for a license on the basis that it would allow the restaurant to be open after 10pm and this would prevent me from sleeping.

I would also request that if a license is granted it does not enable Ticcinos to be open before 11am on a Saturday or Sunday morning and after 6pm on a Sunday evening and that it remains closed for 1 day a week. My understanding is that these are the terms of Zucca, the restaurant opposite's, license. This would give me and the other residents of Bermondsey Exchange a reasonable chance of being able to sleep.

When people talk in the outdoor space Ticcinos I can hear it in my bedroom as loudly as if the people were standing in my room. I think the architecture of the buildings amplifies the noise. As such, I object to any license that allows customers to make use of the outdoor space.

Yours sincerely,

---

**Party 2**24<sup>th</sup> February 2014

Southwark Council  
Licensing Service  
Floor 3, Hub 2  
PO BOX 64529  
London SE1P 5LX

Re. Licensing application No. 844080, Ticcino, 177 Bermondsey Street, London, SE1 3UW.

Dear Sirs

I am a flat owner at                      Bermondsey Street, which is situated                      to the above property.

I strongly object to the application for licensing at 177 Bermondsey Street.

The application is for opening and for the sale of alcohol from 11.00 to 23.00 hours 7 days a week, which is completely unacceptable. The window of our bedroom faces directly onto Bermondsey Street and there is a considerable amount of noise at week-ends from existing restaurants and bars close by as people leave the restaurant or go outside to smoke on the pavement. At least the licensing hours for those establishments mean they have to close early on Sundays which offers some respite to noise outside our windows.

If a license is granted up to 11 pm on every day of the week, this will offer no respite at all.

We ask the council to understand and consider that not all the establishments in the road are commercial. Some of us have to live there and our rights to a quiet life need to be considered.

We are also horrified to see that the following clauses are included in the application;

**113** - This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings as stated below on the following days: Christmas Eve 10:00 to 03:00 the following day Christmas Day Boxing Day St Georges Day St Patrick Day St Andrews Day Good Friday Easter Sunday Easter Monday Early May Bank Holiday Spring Bank Holiday Summer Bank Holiday

**114** - This licence allows for the premises to extend the following licensable activities for non standard timings as stated below on the following days: Provision of regulated entertainment Plays, Films, Indoor Sporting Events, Boxing or Wrestling Entertainment, Live Music, Recorded Music, Performances of Dance, Anything of a similar description. Provision of Entertainment Facilities Making Music, Dancing, Entertainment of a Similar Discription. Christmas Eve 10:00 to 03:00 the following day Christmas Day Boxing Day St Georges Day St Patrick Day St Andrews Day Good Friday Easter Sunday Easter Monday Early May Bank Holiday Spring Bank Holiday Summer Bank Holiday.

The number of days, particularly at Christmas, and the extension to 3.00am is totally unreasonable. A fewer number of days and an extension to 1.00am would be more acceptable.

The noise in the street is excessive some week-ends and some restriction would provide some relief.

Yours sincerely

---

**Party 3**

**From:**

**Sent:** 25 February 2014 19:43

**To:** Regen, Licensing

**Subject:** Ticino Licensing Objection

With reference to the licensing application for Ticino at 177 Bermondsey Street, I would like to ask the council to consider the street's many residents (council tax payers.)

We have been endlessly patient with the ever-increasing levels of noise, cigarette litter and anti-social behaviour which is a direct result of the increasing number of licenses and change of uses

being granted by the council, who seem determined to ignore our wish to live quietly in a street not entirely dominated by bars and restaurants.

As one of those residents, I would ask two things

- 1) that Ticino not be granted late licenses past 23.00 at any time or for any reason
- 2) that in common with most of the other licensed premises in the street who have residents in such close proximity, Ticino close at 6pm on Sunday evenings

Yours faithfully,

#### **Party 4**

**From:**

**Sent:** 25 February 2014 21:40

**To:** Regen, Licensing

**Subject:** Objection Re: Licensing Application 844080

#### **Objection Re: Licensing Application 844080**

Dear Sir/Madam,

With reference to the licensing application 844080 for Ticcino at 177 Bermondsey Street, I would like to object on the basis of noise and disorderly nuisance in the immediate vicinity of narrow streets and alleyways where smokers and exterior drinkers congregate late at night, to the detriment the natural rest and repose of local residents.

Bermondsey Street residents have had to endure ever-increasing levels of noise, cigarette litter, potentially dangerous crowding on narrow street corners with low visibility in the context of two-way bicycle and single-way vehicle usage. Even with existing restaurants and bars, pedestrians are often forced to walk in the road to circumvent the overspill from the licensed premises. There is considerable danger of road traffic accidents, to which an overload of late-night drinking establishments can only increase. Local residents have also had to endure increasing anti-social behaviour which is a direct result of the Bermondsey Street's saturation of late-night drinking licenses, in direct conflict with taxpayers' wishes.

As a concerned resident, I wish to express two major objections to Ticcino's license application:

- I object to Ticcino's application for a late license past 23.00 at any time.
- I object to the presumption that, in contrast to many other licensed restaurants on Bermondsey Street with residents in close proximity, Ticcino should not be consistent with them and close at 6pm on Sundays.

Yours faithfully,

#### **Party 5**

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

From:

Sent: 26 February 2014 11:44

To: Regen, Licensing

Subject: Licence application Number: 844080

As a resident and flat owner in the \_\_\_\_\_ to the applicant I'd like to object to two provisions for the following reasons.

- 1) Opening hours on Sunday until 11pm
- 2) Opening on specified days until 3am

This is a residential area. The adjacent Newham's Row is a sound amplifier. It's typical for customers of such establishments to congregate outside the establishment for a cigarette break, private conversations with a friend or to use their mobiles. The noise from these activities, especially when influenced by alcohol, are amplified on Newham's Row to a surprising degree. In my flat at Bermondsey Exchange across the internal courtyard from Newham's Row with the windows closed I can hear people talking loudly at night on Newham's Row. It's well known that people who consume alcohol tend to talk louder than necessary, indeed become a bit self-obsessed and make levels of noise which are anti-social. I pity the many people who live in the flats directly on either side of Newham's Row. I request that Sunday liquor serving times be restricted to no later than early evening as is done in Zucca and other establishments on Bermondsey Street as a concession to those of us who live here. In any neighbourhood there has to be give and take and the number of eating establishments on the street now require some limitations. The council has an obligation to support business growth but also have an obligation to maintain the quality of life for the people who actually live here in the neighbourhood and don't just profit from it. The serving of liquor until 3am on holidays would be fine on Tooley Street where there aren't many residents but given the noise and celebratory behaviours that would be going on it seems wholly inappropriate for a highly residential area.

---

**Party 6****From:****Sent:** 26 February 2014 11:55**To:** Regen, Licensing**Subject:** Objection - Ticcino

Dear Sir/Madam,

This is a formal objection against license 844080. I am a resident of the \_\_\_\_\_ and object to the hours of serving on Sundays from 11:00am - 23:00pm. I am in favour of serving times to be aligned with similar businesses in the area on that given day, which I believe is 11:00am - 18:00pm.

My objection to these opening hours is based around noise issues, as the exit to the restaurant is \_\_\_\_\_ my bedroom window.

Thank you for you concern

---

**Party 7****From:****Sent:** 27 February 2014 10:09**To:** Regen, Licensing**Subject:** Objection to Licence Number: 844080

Dear Sirs,

I wish to lodge my objection to Licence Number: 844080 on the grounds of prevention of nuisance.

The premises of Ticcino at 177 Bermondsey Street are connected to the residential units within Bermondsey Exchange at 179-181 Bermondsey Street. A license that permits drinking to 11pm 7 days a week would cause significant nuisance to the residents of which I am one. Other licensed premises in Bermondsey Street close early on a Sunday in respect of their neighbours. Extensions to 3am at any time would cause nuisance.

Regards

---

**Party 8**

**From:**  
**Sent:** 28 February 2014 15:49  
**To:** Regen, Licensing  
**Subject:** LICENSING APPLICATION 844080

Dear Sirs,

As a Bermondsey Street resident and neighbour to the licensing applicant, I am writing to make an objection to the application made by Ticcino, 177 Bermondsey Street.

**Opening hours 11am to 11pm 7 days a week:** This area of Bermondsey Street has a high level of residents and I believe we should be entitled to one evening of peace. The restaurant is situated on a particularly noisy corner of Bermondsey Street at the junction with Newham's Row, a long narrow passageway that creates a corridor effect between the two warehouse buildings. Any sound from the street echoes along this passageway and can be clearly heard by the residents in our block, Bermondsey Exchange. Other restaurants in the street have respected the wishes of local residents and close their doors at 6pm on a Sunday. I consider this an acceptable option for Ticcino.

**Extension to 3am on public holidays:** This is totally unacceptable in a highly residential area. As well as affecting all of us who live adjacent to the property, there are small children living in close proximity who would be disturbed by the noise of customers leaving the premises in the early hours, not to mention the addition of regulated entertainment.

(Provision of regulated entertainment Plays, Films, Indoor Sporting Events, Boxing or Wrestling Entertainment, Live Music, Recorded Music, Performances of Dance, Anything of a similar discription. Provision of Entertainment Facilities Making Music, Dancing, Entertainment of a Similar Discription. )

Bermondsey Street is already overburdened with restaurants, bars and cafes. There seems to have been little regard for the many residents who take pride in their street and who go all out to maintain the village atmosphere that is exactly the reason the street remains so popular. I would have thought it would be in the council's interest to keep the residents on side.

Yours faithfully,

---

**Party 9**

**From:**  
**Sent:** 28 February 2014 17:40  
**To:** Regen, Licensing  
**Cc:**  
**Subject:** Applications for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 844080

**Re: TICINO Applications for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 844080**

We are residents within \_\_\_\_\_, of which this new bar/restaurant forms part.

We wish to express our objection to the application on two grounds, as follows:

- 1) The proposal to stay open on Sundays until 11pm
- 2) The proposal to stay open, serving alcohol and playing music on specified days until 3am

This is a residential area, notwithstanding the recent boom on Bermondsey St of restaurants and bars. We are concerned to maintain something of a balance between those who come to Bermondsey St to party, and those who live there. We were dismayed to find out that this application sought to have opening hours until 3am on certain occasions. The location of Ticino 177 means that people will spill outside into Newham's Row (and unfortunately, no amount of notices pinned up, requesting customers to respect people who live nearby, will stop people from being loud when they have had a few drinks. Newham's Row is narrow and amplifies sound in any event. Our building looks out over Newham's Row. We also request that the licence be limited so that on Sunday, they do not stay open in the evening (which is similar to other restaurants on Bermondsey St, as a concession to those who live there – i.e. we get one night of comparative peace and quiet). Finally, we note that the establishment is already serving alcohol, so obviously a licence has already been granted?

Kind regards,

**From:**

**Sent:** 03 March 2014 18:31

**To:** McCarthy, Debbie

**Subject:** RE: objection Ticino

Thank you for your letter and for responding so quickly.

My address is . We are to the proposed Ticino licensed premises. For the avoidance of doubt, we are objecting to the application in the two respects which I mention in the letter, and that is on the grounds of nuisance.

Kind regards,

---

**Party 10**

**From:**

**Sent:** 05 March 2014 23:04

**To:** Regen, Licensing

**Subject:** licence number: 844080

Dear sir or madam,

I strongly object to a license being granted at 177 Bermondsey Street to prevent nuisance and disorder, for the requested opening hours on Sunday until 11pm and until 3am on Bank Holidays.

I am a property owner in the . My premise shares a small courtyard with the applicant and has several windows to the very narrow street, Newham's Row.

If a license is granted for late hours on Sundays and Bank Holidays, many of us will have the compounded effects of the applicant's ventilation plant in the courtyard functioning late into the evening, and the loud conversations on Newham's Row and Bermondsey Street of the applicant's customers. Inebriated patrons exiting a drinking venue late at night are sometimes prone to cause disorder and harm to themselves or others.

The applicant's liquor serving times should adhere to the established precedence of other nearby venues on Bermondsey Street such as Zucca, Village East and Pizarro who are opened no later than 10:00 pm on Sunday nights.



Please remember that this part of Bermondsey Street and Newham's Row is very much a residential area. Many people still consider Sundays and Bank Holidays as days of rest.

---

**Party 11**

**From:**

**Sent:** 07 March 2014 15:27

**To:** Regen, Licensing

**Subject:** Licence number: 844080

Dear Sir or Madam,

I strongly object to a license number 844080 being granted to prevent nuisance and disorder.

I own a property in . My property fronts the very narrow Newham's Row and shares a vertiginous courtyard with the applicant's premises.

If a license is granted for opening hours on Sunday until 11pm and until 3am on Bank Holidays, many neighbours will have the compounded effects of the applicant's ventilation plant in the courtyard functioning late into the evening, and the loud conversations on Newham's Row and Bermondsey Street of the applicant's patrons when they go outside to smoke a cigarette. Inebriated patrons exiting a drinking venue late at night are sometimes prone to cause disorder and harm to themselves or others.

The applicant's liquor serving times should adhere to the established precedence of other nearby venues on Bermondsey Street such as Zucca, Village East and Pizarro who are opened no later than 10:00 pm on Sunday nights.

Please remember that this part of Bermondsey Street and Newham's Row is very much a residential area. Many people still consider Sundays and Bank Holidays as days of rest.

---

**From:**

McArthur, Wesley

**To:**

**Sent:**

11 March 2014 16:50

**Subject:**

Application for a premises licence - Floreat Ticino Ltd, Ground & Lower Ground Floors, 177 Bermondsey Street, London, SE1 3UW (our ref: 844080)

Dear All,

Please find attached the following in regards to the above application:

1. A formal notification of hearing
2. Committee hearing procedure guidance

You can reply to the hearing notification via email.

Further to the above, it appears that there is some confusion as to the activities and permitted hours sought in the application.

- i. The application seeks to allow the provision of alcohol sales in respect of alcohol to be consumed on the premises only.
- ii. No other licensable activities are sought by the application (e.g. recorded music, films etc).
- iii. The hours sought for the sale of alcohol are 11:00 to 23:00 on Monday to Sunday with identical opening hours.

iv. The applicant also seeks to extend the opening hours and the hours permitted for the sale of alcohol to 01:00 on Christmas Eve, New Year's Eve and during the Bermondsey Street Festival. There is no proposal for non-standard timings to finish at 03:00.

If you require further clarification contact me.

Regards,

***Wesley McArthur***

Licensing Enforcement Officer  
London Borough of Southwark

***E-mail:*** [wesley.mcarthur@southwark.gov.uk](mailto:wesley.mcarthur@southwark.gov.uk)

***General:*** [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

***Phone:*** 020 7525 5779

***Fax:*** 020 7525 5705

***Address:*** Licensing, Health & Safety, Hub 2, 3rd Floor, 160 Tooley Street, SE1 2TZ



Ticino hearing  
notification to...



licensing committee  
procedure....

Date 10/4/2014



<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 25 April 2014	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: Kaspas 321 - 323 Walworth Road, London SE17 2TG	
<b>Ward(s) or groups affected:</b>		Faraday	
<b>From:</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Village Venues Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Kaspas 321- 323 Walworth Road, London SE17 2TG.
2. **Notes:**
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from a responsible authority and 11 other persons and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 11 to 17 of this report deals with the representations received to the premises licence application. Copies of the relevant representations are attached as Appendices B and C.
  - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

3. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a licensing regime for:
  - The sale of and supply of alcohol
  - The provision of regulated entertainment
  - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
  - The prevention of crime and disorder
  - The promotion of public safety
  - The prevention of nuisance
  - The protection of children from harm.
  
6. In carrying out its licensing functions, a licensing authority must also have regard to:
  - The Act itself
  - The guidance to the act issued under Section 182 of the Act
  - Secondary regulations issued under the Act
  - The licensing authority's own statement of licensing policy
  - The application, including the operating schedule submitted as part of the application
  - Relevant representations.
  
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence application**

8. On 28 February 2014 Village Venues Ltd applied to this council for the grant of a new premises licence in respect of the premises known as Kaspas 321-323 Walworth Road, London SE17 2TG.

The application is summarised as follows:

- Late night refreshment (on and off the premises)  
Monday to Sunday from 23.00 to 04.00
  - Opening hours  
Monday to Sunday from 07.00 to 04.00.
9. The premises licence application form provides the applicant operating schedule. Parts I, K, L, and M set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to the licence.
  10. A copy of the application is attached to this report as Appendix A.

### **Representations from responsible authorities**

11. A representation has been received from the Metropolitan Police Service.

12. The representation received from the Metropolitan Police Service is concerned with crime and disorder and asked for two conditions to be added with regards to CCTV being installed at the premises.
13. The applicant agreed to add the two conditions to the operating schedule and as result the police have withdrawn their representation.
14. A copy of the police representation and withdrawal statement is attached as Appendix B.

#### **Representations from other persons**

15. 11 representations have been received from other persons which includes a local councillor.
16. The representations from other persons are concerned that the late operation of the premises till 04.00 will have an adverse impact on crime and disorder, public nuisance, and public safety, and ask for the premises to close earlier.
17. Copies of the representations from other persons are attached as Appendix C

#### **Conciliation**

18. At the time of writing this report conciliation talks are taking place. The applicant has agreed to amend the application and remove late night refreshment from Sunday through to Wednesday. The application now requires late night refreshment for Thursday, Friday and Saturday from 23.00 until 00.00. The other persons that submitted the representations shall be informed of this and invited to withdraw their representations and the licensing sub-committee shall be updated with any further changes at the hearing on 25 April 2014.

#### **The local area**

19. A map of the area is attached to this report as Appendix D. The premises is identified by a triangle at the centre of the map. For purposes of scale-only the circle on the map has a 100-metre radius. The following licensed premises terminal hours are also shown on the map.

#### **Off licence**

- Morrisons, 264 Walworth Road London SE17 2TE (Monday to Sunday until 23.00)
- Iceland, 332-344 Walworth Road, London SE17 2NA (Monday to Saturday until 23.00, Sunday until 22.30)
- Marks & Spencer Ltd, 311 Walworth Road, London SE17 2TG (Monday to Saturday until 23.00, Sunday until 22.30)
- Tesco Stores Limited, 364-368 Walworth Road, London SE17 2NF (Monday to Sunday until 23.00)
- Capalina News / Walworth Convenience Store, 365 Walworth Road, London SE17 2AL (Monday to Saturday until 23.00, Sunday until 22.30)

- Oli Centre, 332-334 Walworth Road, London SE17 2NA (Monday to Sunday 24 hours)
- N J News (Santrams), 282 Walworth Road, London SE17 2TE (Monday to Saturday until 23.00, Sunday until 22.30)
- Samra Convenience Store, 316 Walworth Road, SE17 2NA (licence surrendered)

#### **Late night refreshment only**

- Bagel King, 280 Walworth Road, London SE17 2TE (Monday to Sunday until 05.00)
- Chicken Cottage, 278 Walworth Road, London SE17 2TE (Monday to Sunday until 04.00)
- Walworth Kebab & Burger Bar, 360 Walworth Road, London SE17 2NF (Sunday to Thursday until 02.00, Friday to Saturday until 04:00)

#### **Restaurants**

- The Best Kebab, 294 Walworth Road, London SE17 2TE (Monday to Sunday until 05.00)
- Amore restaurant (entrees), 310 Walworth Road, London SE17 2NA (licence suspended)
- Moyo Ma, 347 Walworth Road, London SE17 2AL (Monday to Wednesday until 23.30, Thursday until 00.30, Friday to Saturday until 02.00, Sunday until 00.30)
- Inspire Catering And Bar, St Peters Crypt Club Liverpool Grove, London SE17 2HH (Monday to Thursday until 23.30, Friday to Saturday until 00.30, Sunday until 21:30)

#### **Public House**

- The Beaten Path, 267 Walworth Road, London SE17 1RL (licence surrendered)
- The Good Intent P H, 24 East Street, London SE17 2DN (Monday to Sunday until 00.30).

#### **Southwark council statement of licensing policy**

20. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
  - Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives

- Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
  - Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
  - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
  - Section 8 provides general guidance on ensuring public safety including safe capacities
  - Section 9 provides general guidance on the prevention of nuisance
  - Section 10 provides general guidance on the protection of children from harm.
21. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

#### **Resource implications**

22. A fee of £315 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band C.

#### **Consultations**

23. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notices exhibited outside of the premises for a period of 28 consecutive days.

#### **Community impact statement**

24. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

#### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

##### **Director of Legal Services**

25. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.
26. The principles which sub-committee members must apply are set out below.



### **Principles for making the determination**

27. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
28. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
29. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives:
- to grant the licence subject to:
    - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
    - Any condition which must under section 19, 20 or 21 be included in the licence
  - to exclude from the scope of the licence any of the licensable activities to which the application relates
  - to refuse to specify a person in the licence as the premises supervisor
  - to reject the application.

### **Conditions**

30. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
31. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
32. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
33. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night

time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

34. Members are also referred to the DCMS guidance on conditions, specifically section 10, and Annex D.

### **Reasons**

35. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

### **Hearing procedures**

36. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
37. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

### **Council's multiple roles and the role of the licensing sub-committee**

38. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to

consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.

39. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
40. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
41. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
42. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
43. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
44. Under the Human Rights Act 1998. the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
45. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

### **Guidance**

46. Members are required to have regard to the DCMS guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible

situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

## APPENDICES

Name	Title
Appendix A	Application for a new premises licence
Appendix B	Representations and withdrawal statement from the police
Appendix C	Representations from other persons
Appendix D	Map

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Jayne Tear, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	10 April 2014	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	No	No
<b>Cabinet Member</b>	No	No
Date final report sent to Constitutional Team		10 April 2014



Community Safety EHTS, Health Safety & Licensing Team, Southwark Council, 3rd Floor  
Hub 2, P O BOX 65429, London, SE1P 5LX

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We VILLAGE VENUES LTD  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

**Part 1 - Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
321 - 323 WALWORTH ROAD			
LONDON			
SE17 2TG			
Post town	LONDON	Postcode	SE17 2TG
Telephone number at premises (if any)	0203 490 6883		
Non-domestic rateable value of premises	£ 51500.00		

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)

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28 FEB 2014

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

## SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town			Postcode		
Daytime contact telephone number					
E-mail address (optional)					

## (B) OTHER APPLICANTS

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

Name	VILLAGE VENUES LTD
Address	78 BENSHAM GROVE THORNTON HEATH CROYDON, CR7 8DB
Registered number (where applicable)	08348834
Description of applicant (for example, partnership, company, unincorporated association etc.)	COMPANY, LIMITED
Telephone number (if any)	
E-mail address (optional)	

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
15	03	2014

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

DOUBLE FRONTED RETAIL UNIT SELLING  
BEVERAGES AND DESSERTS: NO ALCOHOL  
WILL BE SERVED OR SOLD.

ICE CREAM, SMOOTHIES, MILKSHAKES, TEA,  
COFFEE, CAKES, WAFFLES + CREPES WILL BE  
SOLD.

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

N/A
-----

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (c), (f) or (g) (if ticking yes, fill in box H)



**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

B

<b>Films</b> Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)	
Thur				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

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 tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

G

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

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					



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 tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	04.00	<p><b>Please give further details here</b> (please read guidance note 3)</p> <p>THE MAJORITY OF SERVICE WILL BE INSIDE BUT WE WOULD LIKE TO SERVE CUSTOMERS OUTSIDE AT THE FRONT OF SHOP DURING BUSY TIMES; IE: 10AM TO 10PM</p> <p><b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)</p> <p>N/A</p> <p><b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)</p> <p>N/A</p>	Both	<input checked="" type="checkbox"/>
Tue	23.00	04.00			
Wed	23.00	04.00			
Thur	23.00	04.00			
Fri	23.00	04.00			
Sat	23.00	04.00			
Sun	23.00	04.00			

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

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

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any 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 (please read guidance note 8).

THERE WILL BE NO ADULT ENTERTAINMENT  
OR GAMING MACHINES.

THERE WILL ONLY BE T.V SCREENS WITH OUR  
ICE CREAM PARLOUR ADVERTISING BEING  
PLAYED

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	Finish	
Mon	01:00	04:00	N/A
Tue	07:00	04:00	
Wed	07:00	04:00	
Thur	07:00	04:00	
Fri	07:00	04:00	
Sat	07:00	04:00	
Sun	07:00	04:00	
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</u>
			N/A

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

WE ARE A DESSERT PARLOUR PROVIDING A CASUAL  
ATMOSPHERE FOR FAMILIES AND FRIENDS

b) The prevention of crime and disorder

AS A FAMILY DESSERT PARLOUR WE DO NOT  
ENVISAGE ANY CRIME AND DISORDER.  
HOWEVER SHOULD THIS ARISE, WE HAVE A PANIC  
ALARM BUTTON WHICH IS CONNECTED TO THE  
POLICE.

c) Public safety

ALL AREAS AND SEATING WILL BE SAFE  
FOR ALL TO USE. THE SEATS HAVE SOFT SEATING  
AND THE FRONT DOOR IS AN EXPANDABLE  
BI-FOLD DOOR FOR EASY ACCESS/LEAVE

d) The prevention of public nuisance

WE WILL NOT BE SERVING ANY ALCOHOL AND  
THEREFORE ENCOURGE OUR GUESTS TO ENJOY  
A RELAXING FAMILY/FRIENDS ATMOSPHERE  
WITHOUT ALCOHOL.

e) The protection of children from harm

WE HAVE CCTV ~~CAMERAS~~ CAMERAS FITTED IN THE SHOP WHICH WILL BE RECORDING AT ALL TIMES.

**Checklist:**

Please tick to indicate agreement

- 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 designated premises supervisor, if applicable.  N/A
- 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.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 11).  
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	27.2.14.
Capacity	DIRECTOR.

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

### Notes for Guidance

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

GENERAL NOTES

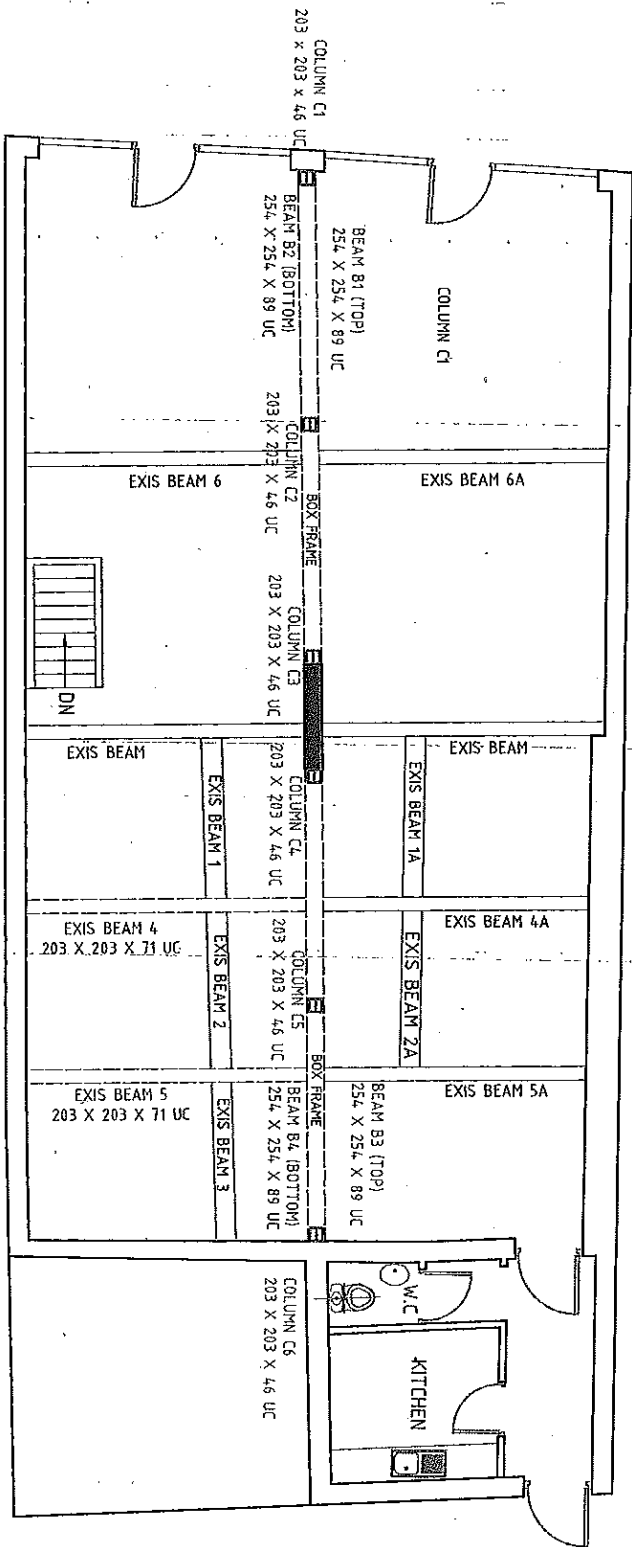
DO NOT SCALE. Work to figured dimensions only. All dimensions, setting out and levels are to be verified on site with the architect prior to the commencement of any site work.

All dimensions are to be verified on site prior to the commencement of any site works. Any variations are to be recorded and reported to the engineer so that the adjustments may be made to the structural scheme if necessary.

The contractor shall be responsible for and must take all necessary precautions to ensure the stability of the existing structure and earthworks on adjoining sites during the course of the contract.

Materials and constructions are to be in accordance with the relevant British Standards and Codes of Practice.

Any services or drainage which pass through the foundation are to be encased in a flexible sleeve.



STRUCTURAL LAYOUT

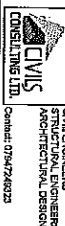
REFERENCE DRAWINGS

NOTES

PLEASE NOTE THAT BEFORE BUILDING WORKS COMMENCES IT IS THE RESPONSIBILITY OF THE BUILDER OR OWNERS TO SERVE PARTY WALL NOTICES TO ALL NEIGHBOURS

NO	DATE	REVISION

CONSULTANT



DRAWN BY



CHECKED BY

DATE 10/11/2013

PROJECT NO.

321-323 WALWORTH ROAD

TITLE

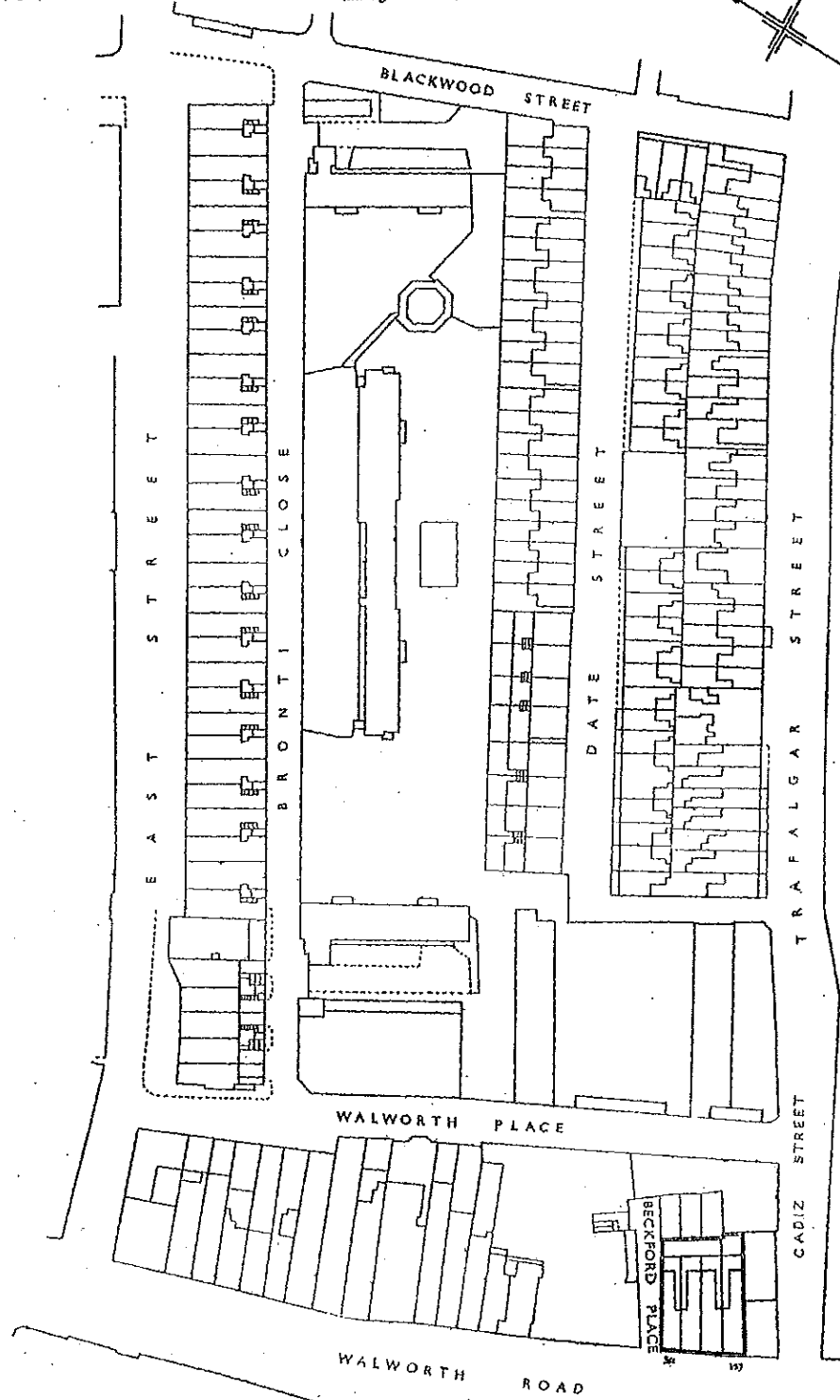
STRUCTURAL LAYOUT

H. M. LAND REGISTRY GENERAL MAP  
LONDON  
GREATER LONDON

SHEET XI 15 SECTION K

BOROUGH OF SOUTHWARK

Scale 1/1056  
Enlarged from 1/1250



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TITLE No. SGL73532

This official copy is incomplete without the preceding notes page.





**Our reference:** MD/21/2478/14

**Date:** 26/03/2014

The Licensing Unit  
Floor 3  
160 Tooley Street  
London  
SE1 2QH

**Metropolitan Police Service**  
**Licensing Office**  
**Southwark Police Station,**  
**323 Borough High Street,**  
**LONDON,**  
**SE1 2ER**

Tel: 020 -7232 6756

Dear Sir/Madam

**Kaspas, 321-323 Walworth road, London SE17 2TG**

Police are in receipt of an application from the above for a New Premises Licence. Police would like to see the following control measures placed on the premise licence to address the prevention of crime and disorder licensing objective.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.
2. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

**PC Graham White 288MD**  
Southwark Police Licensing Unit  
Mob: 07595 011458  
[Graham.White4@met.police.uk](mailto:Graham.White4@met.police.uk)

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

From: Graham.S.White@met.pnn.police.uk  
[<mailto:Graham.S.White@met.pnn.police.uk>]  
Sent: 08 April 2014 08:33  
To: Tear, Jayne  
Subject: RE: Kaspas - application for a premises licence

Jayne,  
As they have agreed I withdraw my reps.  
Thanks  
Graham

PC Graham White 288MD  
Southwark Police Licensing Unit  
Southwark Police Station  
323 Borough High Street  
London  
SE1 1JL  
Tel: 0207 232 6756 (26756)  
Mob: 07595 011458  
graham.white4@met.police.uk

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

From: Tear, Jayne [<mailto:Jayne.Tear@SOUTHWARK.GOV.UK>]  
Sent: 08 April 2014 08:02  
To: White Graham S - MD; Clements Ian J - MD  
Subject: FW: Kaspas - application for a premises licence  
Importance: High

Dear Graham,

Please see the applicants email below.

Would you be happy to withdraw your representations under the circumstances below in the applicants email.

I have asked the applicant to confirm that she is removing LNR from Sunday through to Monday, and change the hours for Thursday, Friday, Saturday to finish at 00:00.

The opening hours will follow suit.

You will see at the bottom also that they already have CCTV. (I know that they have installed this when they were refurbishing the premises, as the bulider told me when I visited to investigate, that vandals had damaged their electric box which is outside in the side alley to the premises).

With kind regards

Jayne

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

From: nayyer noor [REDACTED]  
Sent: 08 April 2014 03:13  
To: Tear, Jayne  
Cc: [REDACTED]  
Subject: Re: Kaspas - application for a premises licence

Hi Jane,

After having discussed the objections with my husband and business partner, we have decided that we are quite happy to trade Sunday through to Wednesday until 11pm and only on a Thursday, Friday and Saturday night would like to trade until 12pm ..

As discussed previously, we only applied for the extended hours due to the other food establishments nearby offering a 24 hour service and felt this may be required for us too. Having only traded a week, we have revised our position and feel there will be no need to be open for extended hours daily.

Should you feel we still need to have a meeting on the 16th April, then pls let me know.

Also, with regard to the police injection, we already have CCTV cameras installed (13 in total) which record activities and are stored on DVD at the moment. Keeping the recordings for 31 days should not prove to be a problem.

Please let me know what the next course of action is.

Kind regards,

Nayyer Noor

Sent from my iPhone

RECEIVED

Appendix C

14 MAR 2014

.....  
The Licensing Service,  
c/o Southwark Environmental Health &  
Trading Standards,  
3rd Floor Hub 2,  
160 Tooley Street,  
London SE1 5LX

12<sup>th</sup> March 2014

Dear Sir or Madam

Application for a Premises Licence Number 844200  
**321\_323 Walworth Road SE17 2TG**

I would like to register my objection to the above Licence application under the prevention of nuisance category.

Whilst I welcome the introduction of a new enterprise to the area my support would be greater if reasonable opening hours, for example to 11pm and perhaps 10pm on Sundays were enforced.

I live in Sutherland Walk close to the junction with Walworth Road, the proposed ice cream parlour is directly opposite this junction. Parking is permitted on Sutherland Walk outside business hours and it is common for users of the premises on Walworth Road to park directly outside my house which in normal circumstances is not an issue.

This new cafe will bring additional traffic and parking onto Sutherland Walk as parking is restricted on Walworth Road; previous experience has shown that late night users of the premises on Walworth Road are generally high spirited and very noisy and tend to have their car stereos at high volumes.

Granting a licence to serve refreshments between 11pm and 4am, 7 days a week will mean serious disruption to our lives, with the noise and nuisance disrupting the sleep of everyone in the street.

Yours sincerely

JMI

Date: 10 March 2014

The Licensing Service  
Southwark Environmental Health & Trading Standards  
3<sup>rd</sup> Floor  
Hub 2  
160 Tooley Street  
London SE1 5LX

RECEIVED  
17 MAR 2014  
\*\*\*\*\*1

Dear Sirs

**Licensing Application 844200 – 321 Walworth Road, SE17 2TG**

I write to lodge an objection to the above application. I understand that the applicant has requested a licence to serve drinks until 4am, seven nights a week. I had understood that the premises were to be used as an ice-cream parlour, to which I have no objection at all, but I am opposed to the prospect of the premises in effect becoming a late-night bar/club.

I live in the residential street directly opposite the premises, Sutherland Walk, which would be likely to be used for parking by anyone visiting by car. I live alone and would be very worried about my personal safety with a nightclub practically on my doorstep. The noise from the premises would in any case easily reach my house and would be very disruptive, particularly as I often have my very young nieces and nephews to stay overnight.

I would have no objection to a licence being granted until midnight, which seems reasonable. Please call me if you would like to discuss this with me further, either on the number above or on

Yours faithfully

JMT

RECEIVED,  
17 MAR 201411<sup>th</sup> March 2014**OBJECTION.**

.....

LICENCE No 844200 - KASPARS 321-323  
WAZWORTH ROAD  
SE17 2TGAPPLICATION TYPE: PREMISES (NEW APPLICATION FOR  
THE PROVISION OF LATE NIGHT  
REFRESHMENTS ON SUNDAY -  
MONDAY FROM 23:00 - 04:00).

Dear Sir or Madam,

I write to strongly object to the possibility of Kaspar's trading between 11:00 pm and 4:00 am. This will almost certainly bring more traffic into the area at anti-social hours causing noise and a nuisance, when most residents will be hoping to have a good and full night's sleep.

It appears that Kaspar's has an established planning use as retail (A1) and whilst planning permission would be needed to change to the intended use (A3) I nevertheless consider such a change of use to be wholly unacceptable.

I urge you to consider that Kaspar's trade only between the hours of 7:00 am and 11:00 pm for seven days a week. Sincerely

RECEIVED

20 MAR 2014

\*\*\*\*\*

17 March 2014

**321-323 Walworth Road SE17 2TG --****Licensed Premises -- Licence Application 844200**

I wish to object to the granting of a licence to serve refreshments at 321-323 Walworth Road SE17 2TG, between the hours of 11pm and 4am, 7 days a week.

Firstly, it appears that the established Planning use is "Minor retail, distribution, servicing", according to the Planning Consent for a new shopfront (Ref: 13/AP/2836). I have not been able to find an application for change of use to A3 Restaurants and cafés -- (For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes), assuming such consent is needed.

I object to a licence on the grounds that the provision of late night refreshment will cause a nuisance, because Sutherland Walk/Square is the nearest parking to the unit (off the main road) and the proposed late opening will bring more traffic into the area at anti-social hours causing noise, when most people will be hoping to have a good night's sleep. The offering of Kaspas emphasises ice cream, which will be most popular in the summer, when residents are most likely to leave windows open.

We have suffered for many years from disturbances, shouting, fights, prolonged loud conversations, noise from cars leaving in the early hours of the morning and urination in the street and on private property. We always believed but never proved that this anti-social behaviour was mainly from customers of the Temple Bar PH (284-286 Walworth Road), which had late opening hours. The closure of this pub has coincided with a reduction but not elimination of the problem.

It is acknowledged that this licence application does not include sale of alcohol but I think the granting of consent to late night refreshments will still result in noise in the early hours of the morning and it will be 'the thin end of the wedge'. It would be much more difficult to stop the granting of a liquor licence with late hours, if a pattern of late opening for refreshments is established. I believe that the operator of Kaspas says there is no intention to sell alcohol but this position may change or another operator may take over in future.

Although I think there are more than enough restaurants, snack bars and cafes in the area, I don't want to take away someone's living. I am sure an ice cream parlour will be appreciated by many people, especially children and teenagers but they certainly should not be encouraged to be out until 4am in the morning.

There seems to be a concentration of late-opening restaurants, snack bars, cafes and a club, as well as all night gambling in this part of Walworth. The area is likely to be a magnet, not only for honest, late workers but for all types of anti-social people who indulge in criminal activities late at night. Adding a late opening ice cream bar will just attract another, different group, which is likely to wake us all up.

To: The Licensing Service, c/o Southwark Environmental Health & Trading Standards, 3<sup>rd</sup> Floor Hub 2, 160 Tooley Street, London SE1 5LX

The Licensing Service  
c/o Southwark Environmental Health & Trading Standards  
3<sup>rd</sup> Floor Hub 2  
160 Tooley Street  
London  
SE1 5LX

20/03/2014

Dear Sir / Madam,

**Licence Application 844200 – Kaspars, 321 Walworth Rd, SE17 2TG**

I would like to oppose the extended opening hours on this application to 4am.

Living very close to Walworth Road and opposite Kaspars I am concerned about the increased noise and disruption such late hours will have on us.

We already have a lot of disturbance at the weekends throughout the night with people using the street as a cut through from the main bus stops on Walworth rd.

These very late / early opening times will just encourage people to stop off here on there way home from being out all night already intoxicated and add to the noise as they then make their way home or park on Sutherland Walk.

We already have problems with drug dealing, bins getting thrown into the cellar wells and screaming and shouting and this will only get worse with somewhere open so late providing a meeting / stopping off point for people for miles around.

I have no problem with say until 11pm etc but 4 am is totally unsociable for residents already suffering with all the noise Walworth Rd brings with it.

Yours sincerely,

RECEIVED

21 MAR 2014

.....



From: [REDACTED]  
Sent: 24 March 2014 10:10  
To: Regen, Licensing  
Cc: Garfield, Dan  
Subject: License Application 844200

Dear Southwark Licensing,

Ref: Kaspas 321-323 Walworth Road SE17 2TG – License Application 844200

I am a member of Sutherland Residents Association which represents the households in Sutherland Square and Sutherland Walk in West Walworth and I fully support the association's objections to the application for a late night license for Kaspas. My family and I have lived in Sutherland Square for over 30 years and seen many changes to the area, mostly for the good. We are pleased that the Walworth Road continues to thrive and diversify economically, but feel a balance between commerce and residents must be maintained. We have experience of late night businesses in the past and Sutherland Walk and the Square suffer from the noise of people arriving and leaving often without consideration for sleeping residents. We are pleased that Kaspas is bringing business to Walworth, but I would ask that their opening time in restricted to 11.00 pm.

Yours Sincerely  
[REDACTED]  
[REDACTED]



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

From: [REDACTED]  
Sent: 24 March 2014 08:35  
To: Regen, Licensing  
Cc: Garfield, Dan [REDACTED]  
Subject: Objection to application Licence Number: 844200 - Kaspas -  
Walworth Road

Dear Licensing,

I would like to object to the application on the following grounds:

1. The proposed opening hours would encourage crime and disorder in the area. It would be impossible to prevent customers spilling out onto the street, especially in the summer, and this could cause disturbances. There is an alleyway beside it and I can see that this would be a perfect place for people to gather and a potential venue for drug dealing. The hours would also encourage people who had been drinking in the area to go there after the pubs have closed and the clientele for the hours after 11pm will potentially be inebriated. This, coupled with potential drug dealing, will cause fights. As the venue will not have an alcohol license they will under no obligation to provide Security to deal with this. It is also entirely possible that people will bring alcohol with them and consume it in the street/alleyway and there will be no way, legal or otherwise, of preventing this.
2. If it then becomes a venue for drug dealing, there will then be an issue with public safety. It will require constant policing at huge expense. The alleyway will also become a public toilet and a health hazard. On a personal note, I work evenings and come home late, getting off the bus at the East Street stop. Currently, I do not feel threatened by my walk home, but in order to get to the traffic lights to cross the road I have to walk past the premises and the alleyway. However, I will not feel comfortable about doing this if I am going to walk past undesirable events (such as drug dealing) and people blocking the pavement and will be forced to cross the road where there are no traffic lights and this is dangerous. This will constitute a violation of personal safety for those living in Sutherland Walk/Square and those needing to use the traffic lights. Also, as many of the buses in the Walworth Road are "24 Hour" there could also be issues with inebriated people traveling there by bus causing a nuisance on the bus.

3. The resulting debris from drug dealing and the refuse from the venue which will undoubtedly end up on the street, will also constitute a nuisance and health hazard. There are already problems with urban foxes and rubbish and this will exacerbate them.

My further objection is that if a license for opening is granted past midnight, it will only be a matter of time before they apply for an alcohol license to cover that opening time as well. They will say that having that license will deal with the issue of people consuming alcohol outside and force them to employ Security. Granting them the initial license will play straight into their hands for this.

Finally, I can see no reason for an ice cream parlour to be open past midnight. Who is going to want to eat ice cream or other sweet delights at that hour? There must be another agenda and the Council should investigate extremely thoroughly. The endgame is probably a full-blown nightclub and this is not what we need in this area.

Looking forward to your response.

Kind regards,

[REDACTED]

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

From: [REDACTED]  
Sent: 23 March 2014 16:58  
To: Regen, Licensing  
Cc: Garfield, Dan; [REDACTED]  
Subject: Ref: Kaspas 321-323 Walworth Road SE17 2TG ? Licence Application 844200

Dear Sirs

As a resident of Sutherland Square (full address below) I am writing in a personal capacity to support the following objection by the Residents Association. A requirement for Kaspas to close at 11.00 pm is perfectly reasonable, and I personally would not object if this were extended to midnight on Fridays and Saturdays, for a train period: anything beyond that involves an unacceptable risk of nuisance and antisocial behaviour at a time when residents of this area are working hard to promote it as a desirable and increasingly safe area to live and work:

Sutherland Residents Association represents the households in Sutherland Square and Sutherland Walk in West Walworth. We are a fully constituted residents group and represent some 120 households. We are objecting to the application by Kaspas's (844200) for a licence to serve refreshments between 11pm and 4am the next morning 7 days a week. Overall their proposed opening hours are from 7am every day through to 4am.

As Sutherland Walk/Square offers the nearest parking to the retail unit (away from the main Walworth Rd on which parking is not allowed/possible), the proposed late opening will bring more traffic into a residential area at anti-social hours thus causing noise and nuisance during and potentially throughout the night.

Residents are supportive of the local economy and keen to encourage the success of local businesses. We have, however, experienced considerable problems with anti-social behaviour from late-night openings of businesses on the Walworth Rd in particular from customers arriving and departing from the area late at night by car.

We do not understand why this branch of Kaspas's has a need to stay open early into the morning. We note from the Kaspas's website (<http://www.kaspas.co.uk/location.html>) that the two existing branches in Croydon and Purley Way close at 11pm (with the exception of Friday and Saturday in Croydon where the branch closes at midnight). We would propose that a condition is set that this Walworth branch should

conform with the other branches and not be open beyond 11pm.

We hope that these comments will be taken into account and we would like to note that we have attempted to contact Kaspas (via their website) to discuss this issue with them but have (to date) received no reply from them.

Yours faithfully

[Redacted]

[Redacted]

\*\*\*\*\*

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [REDACTED]  
Sent: 23 March 2014 19:20  
To: Regen, Licensing  
Cc: Garfield, Dan  
Subject: Fwd: Nuisance from Late Night Premises Licence - Walworth Rd  
-Licence Number: 844200

Dear Sirs

Ref: Kaspas's 321-323 Walworth Road SE17 2TG -- Licence Application  
844200

I totally agree with the below statement, my family and I feel that this would cause a major nuisance to the area:-

Sutherland Residents Association represents the households in Sutherland Square and Sutherland Walk in West Walworth. We are a fully constituted residents group and represent some 120 households. We are objecting to the application by Kaspas's (844200) for a licence to serve refreshments between 11pm and 4am the next morning 7 days a week. Overall their proposed opening hours are from 7am every day through to 4am.

As Sutherland Walk/Square offers the nearest parking to the retail unit (away from the main Walworth Rd on which parking is not allowed/possible), the proposed late opening will bring more traffic into a residential area at anti-social hours thus causing noise and nuisance during and potentially throughout the night.

Residents are supportive of the local economy and keen to encourage the success of local businesses. We have, however, experienced considerable problems with anti-social behaviour from late-night openings of businesses on the Walworth Rd in particular from customers arriving and departing from the area late at night by car.

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We hope that these comments will be taken into account and we would like to note that we have attempted to contact Kaspas's (via their website) to discuss this issue with them but have (to date) received no reply from them.

[REDACTED]

From: [REDACTED]  
Sent: 25 March 2014 17:50  
To: Regen, Licensing  
Cc: Garfield, Dan  
Subject: Kaspas 321-323 Walworth Road SE17 2TG – Licence Application 844200

Dear Sirs

I understand that Kaspas, a new shop providing food on Walworth Road, is requesting a licence to be able to continue to sell food and refreshments from 23.00 to 04.00 every day of the week including Saturdays and Sundays.

I wish to object to this licence for the following reasons:

**Parking.** The shop is immediately opposite Sutherland Walk which will be the parking place of choice for the late night visitors to Kaspas. Sutherland Walk is a quiet residential road where the bulk of residents are in bed and asleep by midnight at the latest. Experience from previous stores in the Walworth Road that were permitted to stay open after 23.00 was that people moving to and from their cars and starting them created sufficient noise to wake people in the Walk and keep them awake. Please, not again.

**Kaspas group.** There are two other Kaspas shops in London, Croydon and Purley, that are only open during the day and up until 23.00. Neither of these stores opens after 23.00 and they must be sufficiently profitable on this basis to encourage the opening of a third shop in Walworth Road. Therefore, it would seem unnecessary for any licence to be granted to go on providing food etc between 23.00 until 04.00 in the morning the next day.

Yours faithfully,

[REDACTED]



**Tear, Jayne**

---

**From:** Regen, Licensing  
**Sent:** 20 March 2014 06:50  
**To:**  
**Cc:**  
**Subject:** FW: Objection to Licence Application 844200

---

**From:** Garfield, Dan  
**Sent:** 19 March 2014 17:32  
**To:** Regen, Licensing; Regen, Licensing  
**Subject:** Objection to Licence Application 844200

Licensing Team,

I would like to make an objection to Kaspas's 321-323 Walworth Road SE17 2TG – Licence Application 844200 in Faraday Ward.

This objection is based on the licencing objectives:

- 1) Prevention of crime and disorder
- 2) The prevention of nuisance

I have recieved objections from residents of Sutherland Walk and from the Fielding st residents association both of which represent areas close to the shop. These objections and my own are based on the opening hours (11am-4am) and the fact that this will be 7 days per week.

The application requests worryingly late opening hours considering current anti-social behaviour on walworth road - specifically in establishments which have late opening hours. These hours will result in noise from customers and cars which are parked or will use sutherland street, McLeod Street and Fielding street - all residential areas - at very early hours of the morning.

The license request would add to the rubbish nusiance caused by late night opening establishments.

The license request would draw people to walworth road at times when it already suffers from anti-social behaviour problems. Establishments very near to this site have caused problems which have been taken up by the police on numerous occasions.

Other branches of this establishment in Croydon and Purley have opening hours until 11pm. I do not see why this branch needs different opening hours, or why this london borough would not take the same licencing views as another. I would ask the licencing sub-committee to consider a similar license for this establishment.

Kind regards,

Dan

Ref: Kaspas's 321-323 Walworth Road SE17 2TG – Licence Application 844200

Sutherland Residents Association represents the households in Sutherland Square and Sutherland Walk in West Walworth. We are a fully constituted residents group and represent some 120 households. We are objecting to the application by Kaspas's (844200) for a licence to serve refreshments between 11pm and 4am the next morning 7 days a week. Overall their proposed opening hours are from 7am every day through to 4am.



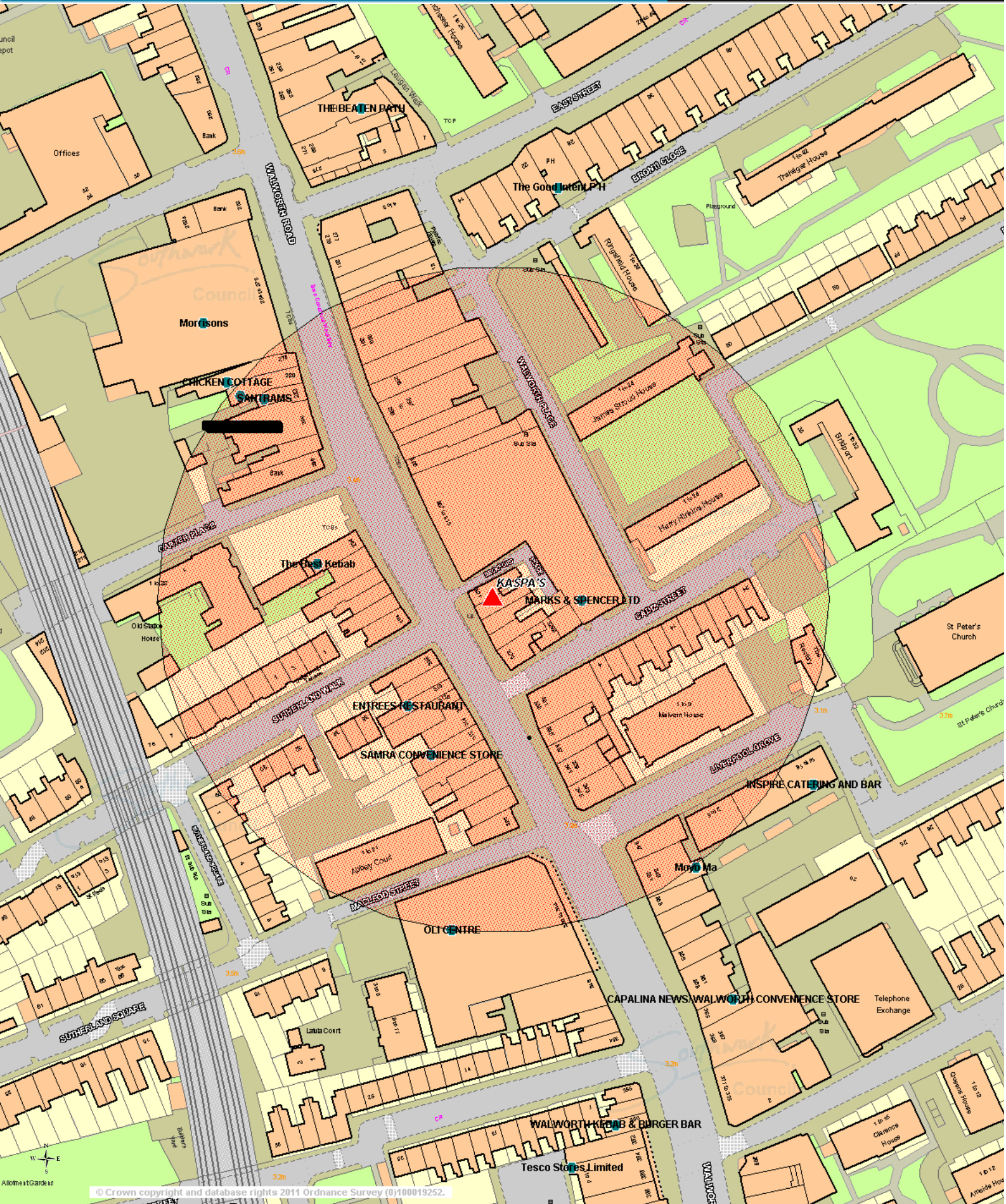
As Sutherland Walk/Square offers the nearest parking to the retail unit (away from the main Walworth Rd on which parking is not allowed/possible), the proposed late opening will bring more traffic into a residential area at anti-social hours thus causing noise and nuisance during and potentially throughout the night.

Residents are supportive of the local economy and keen to encourage the success of local businesses. We have, however, experienced considerable problems with anti-social behaviour from late-night openings of businesses on the Walworth Rd in particular from customers arriving and departing from the area late at night by car.

We do not understand why this branch of Kaspas' has a need to stay open early into the morning. We note from the Kaspas' website (<http://www.kaspas.co.uk/location.html>) that the two existing branches in Croydon and Purley Way close at 11pm (with the exception of Friday and Saturday in Croydon where the branch closes at midnight). We would propose that a condition is set this Walworth branch should conform with the other branches not be open beyond 11pm.

**Cllr Dan Garfield**  
**Labour Member for Faraday Ward**

Date 9/4/2014



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**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN)****MUNICIPAL YEAR 2013-14**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Andrew Weir Tel: 020 7525 7222

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Councillor Renata Hamvas	1	Debra Allday, Legal services	1
Councillor Adele Morris	1	Wesley McArthur, Licensing team	1
Councillor The Right Revd Emmanuel Oyewole	1	David Swaby, Licensing team	1
		Jayne Tear, Licensing team	1
<b>Reserve</b>		Other persons by post/email	12
Councillor Lorraine Lauder	1	Andrew Weir, Constitutional team	19
<b>Other members</b>			
Councillor Dan Garfield	1		
		<b>Total: 40</b>	
		<b>Dated:</b> 15 April 2014	