

Licensing Sub-Committee

Thursday 16 February 2017

10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Lorraine Lauder MBE
Councillor Adele Morris

Reserves

Councillor Sandra Rhule

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Andrew Weir on 020 7525 7222 or email: andrew.weir@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 7 February 2017



Licensing Sub-Committee

Thursday 16 February 2017
10.00 am

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: BLACK SHEEP CAFE, UNIT 4, THE GALLERY, SOUTH BANK CENTRAL, LONDON SE1 9LS	1 - 33
	ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT	

PART B - CLOSED BUSINESS

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.”

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

Date: 7 February 2017

Agenda Item 5

Item No. 5.	Classification: Open	Date: 16 February 2017	Meeting Name: Licensing sub-committee
Report title:		Licensing Act 2003: Black Sheep Cafe, Unit 4, The Gallery, South Bank Central London SE1 9LS	
Ward(s) or groups affected:		Cathedral	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Conilon Ltd, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Black Sheep Cafe, Unit 4, The Gallery, South Bank Central, London SE16 9LS.
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 other persons and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 12 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 13 to 16 of this report deals with the representations received regarding the premises licence application. Copies of the representation and the withdrawal email from the responsible authority and the representation from other persons are attached as Appendices B and C.
 - d) Paragraph 19 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix D.
 - e) 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 provides a 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 14 December 2016, Conilon Ltd applied to this council for the grant of a new premises licence in respect of the premises known as Black Sheep Café, Unit 4, The Gallery, South Bank Central, London SE1 9LS.

9. The premises are described as a speciality coffee shop which is situated in a new build premises and will provide a limited number of alcoholic drinks with food available.

10. The application is summarised as follows:
 - The supply of alcohol (for consumption on and off the premises)
 - Monday to Sunday from 09:00 to 23:00
 - Operating hours
 - Monday to Sunday from 08:00 to 23:30

11. The premises licence application form provides the applicant operating schedule. Parts J, 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. A copy of the application is attached to this report as Appendix A.

Designated premises supervisor

12. The proposed designated premises supervisor of the premises is Barry John Morley whose is awaiting his personal licence to be issued by Tower Hamlet Council.

Representations from responsible authorities

13. A representation was submitted by the environmental protection team (EPT). After reviewing the application, the EPT suggested conditions with regards to external waste collection, deliveries and alcohol consumption off the premises to be sold in sealed containers to ensure the prevention of public nuisance. These conditions have since been agreed upon and the representation has been withdrawn.
14. The representations are attached as Appendix B. The withdrawal statement and agreed conditions are attached as Appendix B.

Representations from other persons

15. Three representations were submitted by other persons. They state that they live very close to the premises and that there are 186 residential flats in the development, excluding the new residential flats in South Bank Tower which also forms part of the estate. The Gallery and South Bank Tower/Central form part of the estate (previous known as Kings Reach) which is comprised of a mixture of residential and commercial buildings. They further state that there are already many noise issues due to the acoustic problems on the estate. Customers would still be getting in and out of taxis and banging doors late in the evening which will cause further disturbance.
16. Copies of the representations are attached as Appendix C.

Conciliation

17. The applicant was forwarded the representations received and has responded with a statement and managed to conciliate with the agreed EPT conditions which have been forwarded to all concerned. However the representations from other persons remain outstanding. The conciliation statement and proposed conditions are attached as Appendix D. The licensing committee shall be updated at the hearing on 16 February 2017.

The local area

18. A map of the area is attached to this report as Appendix E. The premises are identified 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 are within this 100 metre radius:
 - Waitrose, South Bank Tower Unit 10, London SE1 (Monday to Saturday to 00:00 and Sunday to 23:00)
 - The Fountain and Ink, 52-54 Stamford Street, London SE1 (Monday to Saturday to 01.30 and Sun to 01.00)

- Thirsty Bar, 62 Stamford Street, London SE1 (Monday to Saturday to 01.30 and Sunday to 01.00)
- The Mad Hatter Hotel, 3-7 Stamford Street, London SE1 (Monday to Sunday to 01.30).

Deregulation of entertainment

19. On 6 April 2015 entertainment became deregulated and as a result:
 - Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
 - Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.
20. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

Borough and Bankside cumulative impact zone

21. Council assembly approved the introduction of a special policy for Borough and Bankside on the cumulative impact of a concentration of licensed premises (saturation policy) on 12 October 2011. This was renewed in November 2015 when full council assembly approved the 2016 - 2020 statement of licensing policy. This application falls within the policy area
22. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
23. The effect of this special policy is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
24. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

Southwark statement of licensing policy

25. Council assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
 - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
 - Section 5 - Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as

location; high standards of management; and the principles behind condition setting.

- Section 6 - Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
 - Section 7 - Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 - The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 - Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 - The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 - The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
26. 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.
27. Within the Southwark statement of licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises as follows:
- Restaurants and Cafes: Sunday to Thursday 00:00 and Friday and Saturday 01:00
 - Public houses, wine bars or other drinking establishments: Sunday to Thursday 23:00 and Friday and Saturday 00:00.

Resource implications

28. A fee of £190 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 B.

Consultation

29. 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

30. 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 Law and Democracy

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

Principles for making the determination

33. 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.
34. 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.
35. 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:
- 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

36. 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.

37. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
38. 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.
39. 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.
40. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

41. 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

42. 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.
43. 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

44. 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.
45. 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.
46. 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.
47. 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.
48. 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.
49. 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.

50. 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.
51. 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

52. Members are required to have regard to the Home Office revised 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.

Strategic Director of Finance and Governance

53. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office Revised 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	Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representation from responsible authority and withdrawal email
Appendix C	Representations from other persons
Appendix D	Conciliation statement and proposed conditions
Appendix E	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	3 February 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		3 February 2017

14/12/2016

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

Ref No. 733252

Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

	Conilon Ltd
--	-------------

Premises Details

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

£	100.00
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

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

Address Line 1	Unit 4 The Gallery
Address Line 2	South Bank Central
Town	London
County	
Post code	SE1 9LS
Ordnance survey map reference	
Description of the location	Coffee shop in new build premises
Telephone number	

Applicant Details

Please select the capacity in which you are applying to convert your existing licence

	a person other than an individual (limited company, partnership, etc)
--	---

If you applying as an individual or non-individual please select one of the following:-

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

Other Applicants

Personal Details - First Entry

Name	Conilon Ltd
------	-------------

Address - First Entry

Street number or building name	1
Street Description	Fore Street
Town	London
County	
Post code	EC2Y 9DT
Registered number (where applicable)	08663274
Description of applicant (for example, partnership, company, unincorporated association etc)	limited Company

Contact Details - First Entry

Telephone number	██████████
Email address	████████████████████

Operating Schedule

When do you want the premises licence to start?

	01/02/2017
--	------------

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

--	--

General description of premises (see guidance note 1)

	The premises is a speciality coffee shop which will provide a limited number of alcoholic drinks with food available
--	--

Please select the range of the number of people expected to attend the premises at any one time.

	Less than 5000
If 5,000 or more people are expected to attend the premises at any one time. Please state the number expected to attend	

Operating Schedule part 2

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

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

Provision of regulated entertainment

Provision of late night refreshment

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Supply of alcohol

	j) Supply of alcohol
--	----------------------

J - Supply of Alcohol

Will the supply of alcohol be for consumption (Please read guidance note 7)

	Both
--	------

Standard days and timings for Supply of alcohol (Please read guidance note 6)

Day	Start	Finish
Mon	09:00	23:00

Tues	09:00	23:00
Wed	09:00	23:00
Thur	09:00	23:00
Fri	09:00	23:00
Sat	09:00	23:00
Sun	09:00	23:00

State any seasonal variations for the supply of alcohol (Please read guidance 4)

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 5)

--	--

Please upload the consent form completed by the proposed premises supervisor

	DPS-Consent-S-Bank-Central.pdf
--	--

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Barry John
Surname	Morley

Address of proposed designated premises supervisor

Street number or Building name	████████████████████
Street Description	████████████████
Town	██████
County	
Post code	██████

Personal licence number of proposed designated premises supervisor, if any,

Personal licence number (if known)	Pending
Issuing authority (if known)	Tower Hamlets

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)

	N/A
--	-----

L - Hours premises are open to public

Hours premises are open to the public (standard timings Please read guidance note 6)

Day	Start	Finish
Mon	09:00	23:30
Tues	09:00	23:30
Wed	09:00	23:30
Thur	09:00	23:30
Fri	09:00	23:30
Sat	09:00	23:30
Sun	09:00	23:30

State any seasonal variations (Please read guidance note 4)

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 5)

--	--

M - Steps to promote four licencing objectives

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 9)

	See attached Annex A supporting document
--	--

b) the prevention of crime and disorder

	See attached Annex A supporting document
--	--

c) public safety

	See attached Annex A supporting document
--	--

d) the prevention of public nuisance

	See attached Annex A supporting document
--	--

e) the protection of children from harm

	See attached Annex A supporting document
--	--

Please upload a plan of the premises

	Licensing-Plan-South-Bank-Central.1.pdf
--	---

Please upload any additional information i.e. risk assessments

	Black-Sheep-Annex-A-SB-Cent.docx
--	--

Checklist

	I have enclosed the plan of the premises. 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.
--	--

Declaration

I agree to the above statement

	I agree
PaymentDescription	, ,
AuthCode	582241
LicenceReference	LPA-94212-280
PaymentContactEmail	

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

Application for a Premises Licence to be granted the Licensing Act 2003

Black Sheep Coffee, Unit 4, The Gallery, South Bank Central. SE1
Annex A

1. A digital CCTV system will be operated and maintained within the venue. The CCTV system will be in operation at all times the premises are open for licensable activities. The system will have of storing up to 31 days of footage. Footage will be available upon reasonable request from an Authorised officer.
2. Whilst the CCTV system is in operation there will be someone on duty capable of operating and downloading images.
3. All sales of alcohol for consumption off the premises shall be sold in sealed containers only.
4. Substantial food and non-intoxicating beverages will be available in all parts of the premises where alcohol is sold or supplied for consumption in the premises.
5. A proof of age scheme, such as Challenge 25, shall be operated at the premises.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, this will record the following:-
 - a) All crimes reported to the venue.
 - b) All ejections of patrons.
 - c) Any complaints received.
 - d) Any incidents of disorder.
 - e) Seizures of drugs or offensive weapons.
 - f) Any faults in the CCTV system.
 - g) Any refusal of sale of alcohol.
 - h) Any visit by relevant authority or emergency service.
7. All members of staff will be given regular training to include each of the four licensing objectives and related responsibilities.

From: Prickett, Mark
Sent: Tuesday, January 10, 2017 12:48 PM
To: Regen, Licensing
Cc: [REDACTED] Tear, Jayne
Subject: Premises Licence application - Black Sheep Coffee

Dear Licensing,

The Environmental Protection Team (EPT) have reviewed the new premises licence application for Black Sheep Coffee, Southbank Tower, SE1 9LS.

Licensable activities sought;

Supply of alcohol (both on and off premises) - Monday-Sunday 09.00-23.00

Opening hours: Monday-Sunday 09:00 – 23:30

After reviewing the application EPT consider the following conditions necessary to be applied to this licence (if granted) to ensure the prevention of public nuisance;

- External waste handling, collections and deliveries shall only occur between the hours of 08.00hrs and 20.00hrs.
- That alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers.

Please be advised that until the above conditions have been agreed by the applicant, the Environmental Protection raise objection to this application.

Barry – please advise if you agree to the above 2 conditions?

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
Tel: 020 7525 0023

From: Prickett, Mark
Sent: Friday, January 13, 2017 10:07 AM
To: 'Barry Morley'
Cc: Regen, Licensing; Mills, Dorcas
Subject: RE: Premises Licence application - Black Sheep Coffee

Barry,

Thank you for agreeing to the 2 conditions.

Licensing – As a result of the applicant agreeing to the conditions, please consider this email as confirmation that the Environmental Protection Team's representation has now been conciliated and is withdrawn.

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
Tel: 020 7525 0023

Postal address: Southwark Council, Environmental Protection Team, Regulatory Services,
3rd Floor Hub 1, PO Box 64529, London, SE1P 5LX

Office address (By appointment only): Southwark Council, 160 Tooley Street, London,
SE1 2QH

visit: <http://www.southwark.gov.uk/air-quality>



Please consider the environment - do you really need to print this email?

From: Barry Morley [REDACTED]
Sent: Thursday, January 12, 2017 5:25 PM
To: Prickett, Mark
Subject: Re: Premises Licence application - Black Sheep Coffee

Hi Mark,

Yes I agree to these conditions.

Yours sincerely,

Barry Morley.

On Tue, Jan 10, 2017 at 12:47 PM, Prickett, Mark <Mark.Prickett@southwark.gov.uk> wrote:

Dear Licensing,

The Environmental Protection Team (EPT) have reviewed the new premises licence application for Black Sheep Coffee, Southbank Tower, SE1 9LS.

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- External waste handling, collections and deliveries shall only occur between the hours of 08.00hrs and 20.00hrs.
- That alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers.

Please be advised that until the above conditions have been agreed by the applicant, the Environmental Protection raise objection to this application.

Barry – please advise if you agree to the above 2 conditions?

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team

Tel: 020 7525 0023

From: [REDACTED]
Sent: Monday, January 09, 2017 7:35 PM
To: Regen, Licensing
Subject: License application number 857201

RE: Licence Application Number 857201
Black sheep coffee house.
Unit 4 the gallery
South bank central
SE1 9LS

Dear planning department.
My name is

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

I write to object to the licensing application above.

This is a mixed residential and commercial group of buildings. The premises is almost directly under my flat. I am extremely worried about the late night noise from any music, general drunken behavior and rowdiness.

Thank you.
Kind Regards.

[REDACTED]

From: [REDACTED]
Sent: Monday, January 09, 2017 6:00 PM
To: Regen, Licensing
Subject: OBJECTION: Premises Licence Application Number 857201 Black Sheep Coffee

RE: Licence Application Number 857201
Black Sheep Coffee
Unit 4 The Gallery
South Bank Central/ Kings Reach Tower
SE1 9LS

OBJECTOR's Name and Postal Address:-

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Representations:

The Gallery & South Bank Tower/Central form part of our Estate (previous known as Kings Reach) which comprises of a mixture of residential & commercial buildings. There are 186 residential flats in our development excluding the new residential flats in South Bank Tower which also forms part of the Estate. The buildings that form part of the Estate are linked together mainly by our first floor podium garden, which also forms the roof of some of the commercial property. We already have many noise issues due to the acoustic problems on the Estate - any noise appears to reverberate around the whole development. Part of the newly constructed Gallery is covered with a glass roof and we have yet to experience the anticipated noise from this area once the units are occupied. The noise during re-construction was very loud. It is therefore very likely that voices from the Gallery will be echoing through the night especially if alcohol is sold both on and off the premises until late as applied for. The Notice displayed outside the Gallery states that the Application is for Unit 4 in the Gallery but the Licensing Register only refers to Kings Reach Tower which is another large block of residential flats (recently occupied) and is now known as South Bank Tower.

I am happy to have a new cafe situated in our mixed use development, but there is no mention of substantial food being available/served to the customers so this application appears to be leaning towards being a bar rather than a cafe/restaurant. The Applicants should have at the very least consulted with local residents so that these things would be clear to those of us who live in the development. The fact that the application was made when most residents are away or busy with Christmas / New Year holiday plans may indicate a lack of respect for local residents and I trust we can all work together and properly consult with each other in the future.

If the Council is mindful to issue a licence then please also consider the following:-

1). The Prevention of Crime and Disorder

The exterior of the premises should be completely kept clear of groups of customers' queuing, loitering, drinking and smoking. Business operations should be kept within the confines of the business premises with no exterior or open areas that are not completely and adequately sound proofed. Local residents need to sleep without disturbance and freely move around without pavements and access routes being blocked by people smoking and drinking. Appropriate limits should be required on the maximum capacity of the premises.

2). Public Safety

Adequate access should be maintained at all times for emergency vehicles and disabled residents. Upper Ground, Hatfields & Rennie Street should be kept clear of customers and their vehicles. The entrance & exit to our basement car park is in Hatfields and Upper Ground. We already have access and delivery problems to both Rennie & River Court flats. There is no room in any of these streets for further private taxis or vehicle parking. The roads are often blocked with traffic and bikes travel both ways down the way street. It is already very dangerous for people crossing the road as vehicles block their view of oncoming bikes. Private taxis should be discouraged from parking in the nearby streets for long periods of time.

3). The Prevention of Nuisance

Prominent, clear and legible notices should be displayed at all exits requesting customers to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of materials necessary for the operation of the business should be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents and traffic in Upper Ground & surrounding streets.

The Licensee or Dedicated Premises Supervisor should ensure that staff who arrive early morning or depart late at night conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers must be asked to leave the vicinity quickly and quietly and staff must monitor and deal with any anti social behaviour.

The removal of bins and rubbish and deliveries should be timed to coincide with usual working hours and avoid late night unnecessary disturbance.

Designated smoking areas must not be allowed near to residential flats (smoke will be drawn into the residential flats through the air vents, windows and extractor fans).

Sound limiters should be placed on all speakers, amplifiers and music systems so that noise does not leak out of the premises.

4). The Protection of Children From Harm

Children and our many elderly residents require more protection from the Council, as their lives are already blighted by disturbance and anti-social behaviour associated with the behaviour of people after drinking alcohol in other establishments in the area.

Permitting this new premises licence will bring more late night revellers into Upper Ground & Stamford Street. If access/egress was only from the Stamford Street side of the Gallery

after say 10pm and no external areas were utilised then this should be better for residents, providing the sound proofing of the building was looked into adequately. I understand there are gates presently in use on either side of the Gallery.

However, customers would still be getting in and out of taxis and banging doors late in the evening which will cause further disturbance to residents and their children. Parents will soon be feeling that this is fast becoming an unsuitable place to live with their children.

I understand the necessity for a good balance between commercial and residential property, but this does not mean that residents & their children have to be kept awake every night by late night revellers, destination venues and road traffic.

I therefore urge you to, at the very least, substantially reduce the hours for the sale of alcohol, as the premises is situated within our residential development and no doubt there will be others applying for similar licences, as there are premises still to let in this mixed use development. It is important to get this 'right first time' - so others who seek similar licences for premises that form a part of our development/Estate may have similar conditions imposed and then we can all live in peace & harmony!

Thank you for your consideration of my representations.

██████████



5 January 2017

To who it may concern - OBJECTION TO

Re: Black Sheep Coffee
 Unit 4
 The Gallery Southbank Central
 SE1 9LS

We the owners of [REDACTED]

strongly object to the request of the above coffee unit having an licence to serve alcohol for the following reasons :-

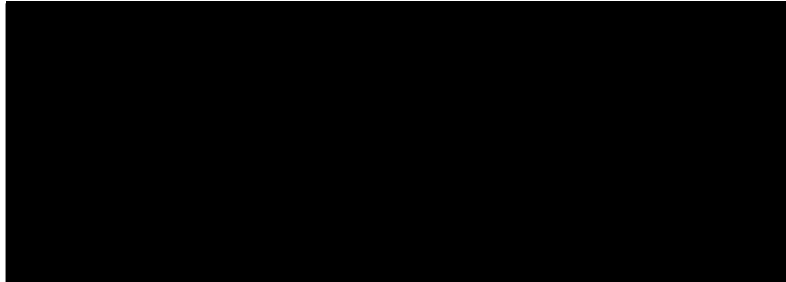
- 1) It is within 3-4 metres of a residential building.
- 2) The noise from late night drinkers will affect quality of living + sleeping.
- 3) Residents in this area already suffer noise nuisance + anti social behaviour at all hours of the day + night from the numerous bars + restaurants nearby.

4) The Southbank walkway is a public space - alcohol often leads to aggressive people + leads to anti-social behaviour and puts residents at risk journeying home at night + using underground car park.

Yours faithfully



representing the owners



**Application for a Premises Licence – Conilon Ltd, T/A Black Sheep
Coffee, Unit 4 The Gallery, South Bank Central, Stamford Street, London
SE1 9LS**

Statement of Peter Sparham

My name is Peter Sparham and act as a Licensing Consultant on behalf of Conilon Ltd.

Previously, I was a Metropolitan Police officer for 30 years, the last 11 years of which was as a Licensing Officer for the London Borough of Merton.

I make this statement in relation to an application for a Premises Licence, it is intended to provide some background information to assist the Licensing Sub-Committee when considering the application. It is also hoped that it will allay any fears that local residents may have.

Black Sheep Coffee

There are currently five cafes in operation in Aldgate East, St Paul's, Great Portland Street, Goodge Street and Coleman Street with another soon to open in Plough Place in the City of London. Currently Coleman Street and Plough Place have been granted premises licences under the Licensing Act 2003.

The core business of Black Sheep coffee is the provision of high quality coffee away from the usual mainstream outlets. In addition food is provided in all the venues.

The cafes are meeting points aimed at the businesses and residences in the locale, the provision of alcohol giving customers additional choice. The choice of alcoholic beverages is limited and more specialised and therefore is unlikely to appeal to the more "rowdy" element. I have attached a menu showing the drinks and food offer currently at Coleman Street.

The Gallery

Conilon Ltd propose to operate at Units 4 and 5 of the Gallery. Unit 5 will be a takeaway coffee outlet and therefore not suitable for the sale of alcohol. Both units are within a block, which will be solely utilised by offices. Unit 4 is fully enclosed from the street. As can be seen from the licence application the terminal hour for the premises being open to the public is 2330 some two hours prior to the two nearest public houses in Stamford Street. In addition, the only licensable activity sought is the supply of alcohol.

Conclusion

Black Sheep is aimed at offering a unique experience which will enhance the local community. However, the applicants are eager to allay the fears of local residents, therefore a number of proposed conditions are attached.

Application for a Premises Licence to be granted the Licensing Act 2003

Black Sheep Coffee, Unit 4, The Gallery, South Bank Central. SE1

Suggested Conditions

1. A digital CCTV system will be operated and maintained within the venue. The CCTV system will be in operation at all times the premises are open for licensable activities. The system will have of storing up to 31 days of footage. Footage will be available upon reasonable request from an Authorised officer.
2. Whilst the CCTV system is in operation there will be someone on duty capable of operating and downloading images.
3. Substantial food and non-intoxicating beverages will be available in all parts of the premises where alcohol is sold or supplied for consumption in the premises.
4. A proof of age scheme, such as Challenge 25, shall be operated at the premises.
5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, this will record the following:-
 - a) All crimes reported to the venue.
 - b) All ejections of patrons.
 - c) Any complaints received.
 - d) Any incidents of disorder.
 - e) Seizures of drugs or offensive weapons.
 - f) Any faults in the CCTV system.
 - g) Any refusal of sale of alcohol.
 - h) Any visit by relevant authority or emergency service.
6. All members of staff will be given regular training to include each of the four licensing objectives and related responsibilities.

Conditions already agreed with the London Borough of Southwark Environmental Protection Team

1. External waste handling, collections and deliveries shall only occur between the hours of 08.00hrs and 20.00hrs.
2. That alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers.

FOOD MENU



BOARDS

MEAT BOARD 10.00

Freshly carved
prosciutto crudo,
coppa stagionata
and chorizo

CHEESE BOARD 9.00

Selection of tuxford
and tebbut stilton,
la brigue de brie and
westcombe cheddar

VEGETARIAN BOARD 9.00

Selection of mushroom and porcini tapenade,
olive tapenade and a coriander houmous

All boards served with sourdough, kalamata olives,
pickles and extra virgin olive oil

BITES

BLACK KALAMATA OLIVES 3.00

PEANUTS 3.00

SPICY WASABI PEANUTS 3.00

SMOKED ALMONDS 3.00

PICCADILLY NUT MIX 3.00

Selection of cashews, brazil nuts and almonds

DRINKS MENU



COCKTAILS

SPECIALITY

THE COFFEE COCKTAIL 8.50
Egg, brandy, port and Fee Brothers Aztec Chocolate bitters

ESPRESSO MARTINI 8.50
Black Sheep Robusta Revival espresso, vodka and Fair Coffee liqueur

4° NEGRONI 8.50
Black Sheep Cold Brew coffee, gin, Sipsmith Sloe Gin and Angostura bitters

MEL'S CHILLI MEZCAL
MARGARITA 8.50
QuiQuiRiQui mezcal, fresh lime juice, agave syrup, cucumber and fresh green chilli

AUTUMN LEAVES 8.50
Black Sheep Cold Brew coffee, Irish potcheen, Creme de Figue and Cynar

CLASSICS

CLOVER CLUB 8.50
Beefeater Gin, Raspberry jam, fresh lemon and egg white

IRISH COFFEE NO.2 8.50
Black Sheep Cold Brew coffee, Irish potcheen, and double cream

RUSTY NAIL 8.50
Blended Scotch whisky and Drambuie

5PM REVIVER 12
Sipsmith Sloe Gin, Black Sheep Cold Brew, lemon bitters and sugar. Topped with fizz

BEERS

BOTTLE

BIG HUG BREWING:
HIBERNATION WHITE IPA 5.50
Big Hug Brewing, Kings Cross Road
Hybrid cloudy beer, full-bodied like a wheat but tastes like an IPA
ABV 5.2%

BROOKLYN
EAST INDIA IPA 5.50
No.1 Brewers Row, Brooklyn
A bright piney aroma with a hint of stone fruits and firm bitterness
ABV 6.9%

WILD BEER FRESH 5.50
Wild Beer Co.
Lower Westcombe Farm
Pale Ale made with northern and southern hemisphere hops
ABV 5.5%

YEASTIE BOYS - POT KETTLE BLACK 5.50
Wellington, New Zealand
Fresh and hoppy like a pale ale, yet dark and malty rich
ABV 6%

HOXTON CIDER 5
Hoxton Cidersmiths
With apples from Somerset, this cider is sweet and light with vanilla, straw and faint smoke
ABV 4.5%

HAMMERTON: N7 5
Hammerton Brewery
Aroma of citrus and tropical fruits with a hint of sweetness
ABV 5.2%

UMBRELLA BREWING: GINGER BEER 5
Umbrella Brewing, Holloway
A fiery ginger beer with rich molasses, and the perfect balance of sharp citrus and a subtle hint of malt
ABV 5%

WINES

DRAFT

CAMDEN PILS 5
Camden Town Brewery, Kentish Town
Sharp and bitter with a piney aroma. It has the lightness of a lager balanced with a dry and elegant hop character
ABV 4.6%

MEANTIME YAKIMA RED 6
Meantime Brewery, Blackwall Lane
Brewed with British and German malts to give a deep ruby colour. Fruity with citrus flavours resulting in a restrained bitterness
ABV 4.1%

NITRO COLD BREW 3
Black Sheep Coffee
Brewed cold over 24 hours and infused with nitrogen for a full bodied stout-style pour served as a 1/2 pint

REDS

2015 BODEGAS FONTANA MESTA TEMPRANILLO 5.50/20
Dry and fruity with red cherries, blackcurrants and liquorice

2013 RIOJA CRIANZA, VINA CERRADA 25
Well balanced with aromas of crunchy red berry and hedgerow fruit

2014 MELODIAS WINEMAKERS SELECTION MALBEC, TRAPICHE 28
Notes of ripe plums, black cherries and a hint of sweet spice

2014 CHIANTI GLI SCUDI, CECCHI 33
Intensely aromatic with notes of violet

2012 CHÂTEAU PLAISANCE, GRAND CRU, ST EMILION 75
Full bodied Bordeaux. Notes of cassis, blackberry and plum with a floral, spicy finish

WHITES

2015 JOURNEYMAKER CHENIN BLANC 5.50/20
Guava and gooseberries offset by a crispy acidity

2015 PINOT GRIGIO, MANDRAROSSA 6.50/25
Fresh and lively with tropical fruits and a long dry finish

2015 SAUVIGNON BLANC, MONTAGNE NOIRE, FONCALIEU 29
Zesty, full of ripe fruits and mouth watering acidity

2015 CHABLIS, OLIVIER TRICON 37
Crisp with citrus overtones and a mineral finish

2015 CHABLIS 1ER CRU LES LYS, DEFAIX 75
Dry and medium-bodied, showcasing the best of the Burgundy region. Notes of pear and quince with a creamy, nutty finish

ROSÉ & SPARKLING

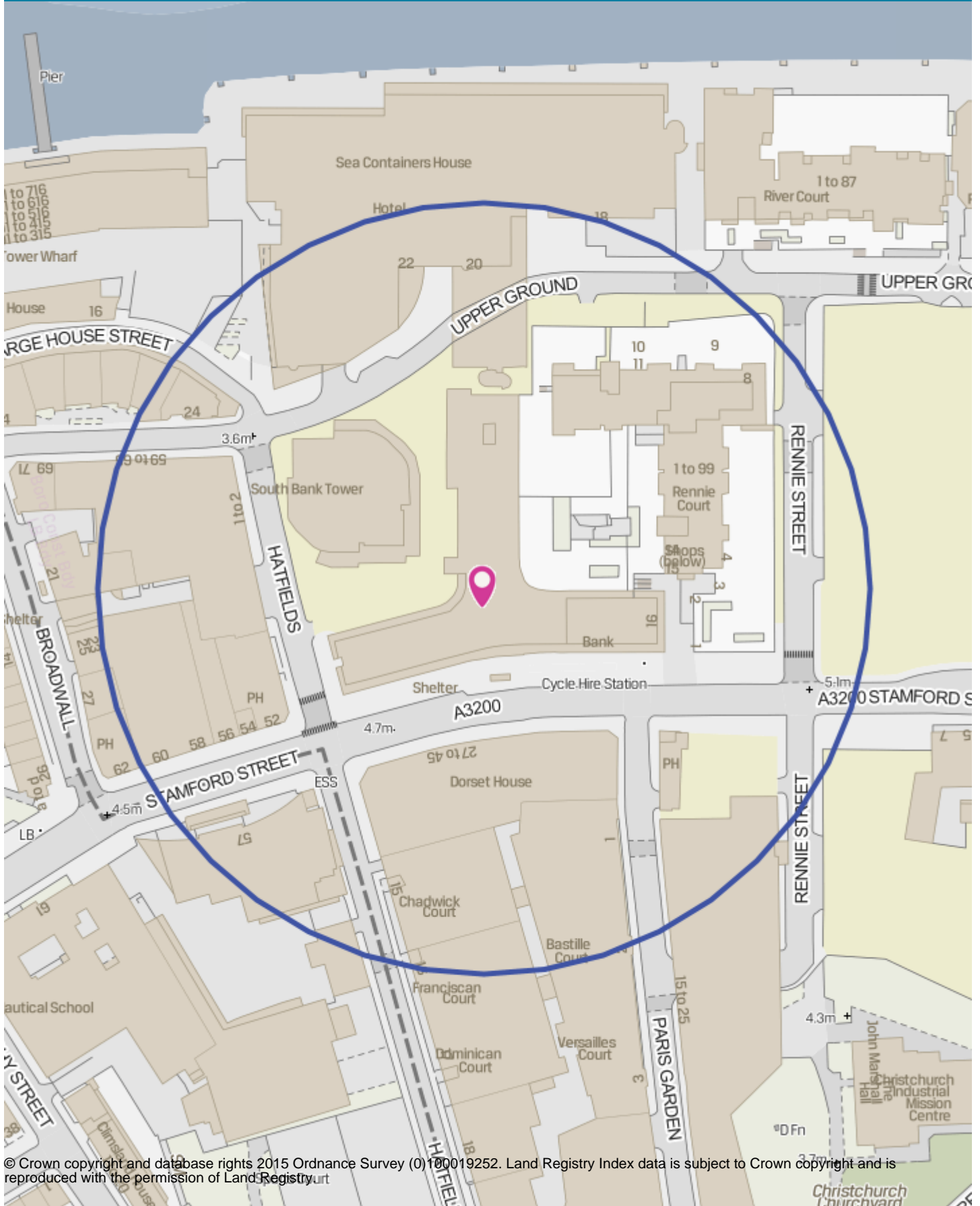
2015 COTEAUX DAIX EN PROVENCE ROSE, LA BARGEMONE 6.50/25
Light and floral with wild strawberries and red currants

TERRE DI SANT' ALBERTO - VALDESE PROSECCO BRUT NV 6/25
A classic Prosecco with a fresh green pear character

NV LAURENT PERRIER, BRUT CHAMPAGNE 68
A mature style of non-vintage Champagne with hints of citrus fruit

NV VEUVE CLICQUOT ROSE 125
Elegant and balanced Champagne with aromas of fresh red and stone fruits. A biscuity finish with notes of viennese pastries

All glasses are served as 175ml



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