

## Licensing Sub-Committee

Thursday 20 April 2017

11.00 am (or at the rise of the 10am meeting, whichever is later)

Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Renata Hamvas (Chair)  
Councillor David Hubber  
Councillor Lorraine Lauder MBE

### Reserves

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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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: 10 April 2017



## Licensing Sub-Committee

Thursday 20 April 2017  
11.00 am (or at the rise of the 10am meeting, whichever is later)  
Ground Floor Meeting Room G02B - 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: CLAYTON ARMS, 1 CLAYTON ROAD, LONDON SE15 5JA</b>	1 - 48
	<b>ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT</b>	

**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: 10 April 2017

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 20 April 2017	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Clayton Arms, 1 Clayton Road, London SE15 5JA	
<b>Ward(s) of group(s) affected</b>		The Lane	
<b>From</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers whether an application made by The Arbuthnot Group for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as Clayton Arms, 1 Clayton Road, London SE15 5JA.
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 responsible authorities and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 11 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 12 to 16 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report in Appendix B. A map showing the location of the premises is attached to this report as Appendix E.
  - 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 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 2017 The Arbutnot Group applied to this council for the grant of a premises licence in respect of Clayton Arms, 1 Clayton Road, London, SE15 5JA.
9. The application and is summarised as follows:
- The provision of plays, films, indoor sporting events, recorded music, and the sale of alcohol (for consumption both on and off the premises)
 

Sunday to Thursday from 10:00 to 00:00 (midnight)  
Friday and Saturday from 10:00 to 02:00 the following day
  - Provision of late night refreshment
 

Sunday to Thursday from 23:00 to 00:00  
Friday and Saturday from 23:00 to 02:00 the following day
  - Proposed opening hours of the premises
 

Sunday to Thursday 08:00 and 00:30 the following day  
Friday and Saturday 08:00 and 02:30 the following day
10. The premises licence application form provides the applicant's operating schedule. Parts B, C, F, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control 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 any licence granted subsequent to the application. Copies of the application and

supporting documentation in respect of the application are attached to this report in Appendix A.

#### **Designated premises supervisor**

11. The proposed designated premises supervisor (DPS) is Mr Clement Ogbonnaya.

#### **Representations from responsible authorities**

12. Representations have been submitted by this council's environmental protection team, the Metropolitan Police Service and this council's licensing responsible authority.
13. The environmental protection team's representation was submitted in respect of the prevention of public nuisance licensing objective and refers to the Peckham cumulative impact policy (CIP). The representation also refers to this council's statement of licensing policy and notes that the premises fall within the Peckham major town centre area and that the statement of licensing policy suggests that the closing times for pubs in the Peckham major town centre area are 23:00 Sunday to Thursday and 00:00 (midnight) on Friday and Saturday. The representation recommends refusal of the application.
14. The representation from the Metropolitan Police Service refers to the Peckham CIP and suggests conditions that the police contend should be included in any premises licence issued subsequent to the application. The representation also notes that the closing times proposed in the application are later than those suggested in this council's statement of licensing policy and whilst the premises is situated in a designated major town centre area, there are residential premises situated all around the venue and moving outside the policy could have an impact on local residents and cause public nuisance
15. The licensing responsible authority's representation refers to the Peckham CIP. The representation also refers to this council's statement of licensing policy and notes that the premises fall within the Peckham major town centre area and that the statement of licensing policy suggests that the closing times for pubs in the Peckham major town centre area are 23:00 Sunday to Thursday and 00:00 on Friday and Saturday. The representation states that, with reference to the Peckham CIP, the applicant has not addressed the presumption to refuse the application and the representation recommends refusal of the application unless the applicant can demonstrate that the premises will not contribute to crime and disorder and public nuisance within the Peckham CIP area. The representation also requests further information from the applicant and that the applicant should consider amending the proposed closing times of the premises to the closing times suggested in this council's statement of licensing policy in respect of drinking pubs in the Peckham major town centre area.
16. The representations submitted by responsible authorities are attached as Appendix B.

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

17. No representations were submitted by other persons.

## Conciliation

18. The applicant was sent the representations that were submitted and was advised to contact the responsible authorities directly who submitted the representations should the applicant wish to attempt to conciliate those responsible authorities. At the time of the writing of this report all the representations submitted remain outstanding and must therefore be considered by the sub-committee.

## Premises history

19. A justices licence was held in respect of the premises under the Licensing Act 1964. It has not been possible to ascertain when the justices licence was issued in respect of the premises, but it is known anecdotally that the premises has operated as a public house for at least 50 years. This licence was converted to a premises licence via 'grandfather rights' under the Licensing Act 2003. The premises licence was issued on 14 March 2006. The licence has been transferred to various parties. The premises was vacant (but still licensed) for an unknown duration between 2013 to 2015. On 5 June 2015 the licence was transferred to Dolls House Limited.
20. On 14 March 2017 an application to have immediate effect was submitted to transfer the premises licence to The Arbuthnot Group. Although the license was transferred on 14 March 2017 it is not known how long The Arbuthnot Group has had an interest in the premises. This can be clarified by the applicant at the hearing.
21. The existing licence (number 858091) pertains to the ground floor of the premises only.
22. The licence permits the following licensable activities:
  - Films, indoor sporting events, recorded music and the sale of alcohol for consumption on and off the premises  
  
Monday to Thursday from 10:00 to 00:00 (midnight)  
Friday and Saturday from 10:00 to 01:00 the following day  
Sunday from 11:00 to 00:00.
  - Live music  
  
Monday to Saturday from 10:00 to 23:00  
Sunday from 11:00 to 23:00.
  - Late night refreshment  
  
Sunday to Thursday from 23:00 to 00:00  
Friday and Saturday from 23:00 to 01:00 the following day.
23. For reference, a copy of the existing licence is attached as Appendix C.
24. The application that this report refers to seeks to include the first floor as part of the licensable area of the premises.
25. The existing licence could not be varied to include the first floor as part of the licensable area of the premises because under the Licensing Act 2003 the inclusion of the first floor would be classed as a substantial variation of the premises.

Substantial variations of premises cannot be facilitated by the premises licence variation application mechanism and in such cases a new premises licence must be applied for.

26. No complaints have been received by the licensing unit in respect of the premises since 5 June 2015. The premises have not been inspected since 5 June 2015.

### **Temporary event notices (TENs)**

27. A summary of the TENs submitted since 5 June 2015 is attached to this report as Appendix D.

### **Deregulation of entertainment**

28. 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.

29. 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').

### **Map**

30. A map showing the location of the premises is attached to this report as appendix E. The premises are identified by a circle at the centre of the map. The following licensed premises are also shown on the map and provide licensable activities as stated:

- **Binder Off Licence, 149 Peckham High Street, SE15 5SL** licensed for:

Sale of alcohol to be consumed off the premises on Monday to Sunday between 00:00 and 00:00 (24 hour sale of alcohol)

- **Peckham Food and Wine** 176 Peckham High Street SE15 5EG licensed for:

Sale of alcohol to be consumed off the premises on Monday to Sunday between 00:00 and 00:00 (24 hour sale of alcohol)

- **The Copper Tap at the Red Cow 190 - 192 Red Cow Peckham High Street SE15 5EG** licensed for:

Sale of alcohol to be consumed on and off the premises and performances of dance on Monday to Thursday between 12:00 and 23:00, Friday and Saturday between 12:00 and 01:00 the following day and on Sunday between 12:00 and 22:30.



### **Southwark Council saturation policy for Peckham**

31. Council assembly approved the introduction of a special policy for Peckham 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.
32. 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.
33. The effect of this special policy is that 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.
34. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

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

35. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. 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.
36. 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.
  37. The premises are subject to Peckham cumulative impact policy and are located in the Peckham major town centre area. The closing times suggested in the statement of licensing policy for public houses, wine bars or other drinking establishments in the Peckham major town centre area are 23:00 on Sunday to Thursday and 00:00 on Friday and Saturday

### **Resource implications**

38. 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 C.

### **Consultations**

39. 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 similar notices were exhibited outside of the premises for a period of 28 consecutive days.

### **Community impact statement**

40. 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**

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

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

43. 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.
44. 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
45. 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**

46. 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.
47. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
48. 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.
49. 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.
50. 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**

51. 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

52. 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.
53. 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

54. 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.
55. 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.

56. 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.
57. 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.
58. 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.

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.

59. 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.
60. 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**

61. 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**

62. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
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**

<b>Name</b>	<b>Title</b>
Appendix A	Application and supporting documents
Appendix B	Representations submitted by responsible authorities
Appendix C	Existing premises licence
Appendix D	Summary of temporary event notices submitted since 5 June 2015
Appendix D	Map of the local area

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Wesley McArthur, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	4 April 2017	
<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 Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	No	No
<b>Cabinet Member</b>	No	No
Date final report sent to Constitutional Team		6 April 2017

06/02/2017

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

Ref No. 760164

## 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

	The Arbuthnot Group Ltd
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## Premises Details

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

£	6700
	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	CLAYTON ARMS
Address Line 2	1 CLAYTON ROAD
Town	LONDON
County	
Post code	SE15 5JA
Ordnance survey map reference	
Description of the location	
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
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## Other Applicants

## Personal Details - First Entry

Name	The Arbuthnot Group Ltd
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## Address - First Entry

Street number or building name	[REDACTED]
Street Description	[REDACTED]
Town	[REDACTED]
County	
Post code	[REDACTED]
Registered number ( where applicable )	[REDACTED]
Description of applicant ( for example, partnership, company, unincorporated association etc )	Company

## Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

## Operating Schedule

When do you want the premises licence to start?

	07/03/2017
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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 )

	Public House over two floors with an outside area as more clearly set out on plans accompanying the application
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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)
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Provision of regulated entertainment

	b) films
	c) indoor sporting events
	f) recorded music

Provision of late night refreshment

	i) Late night refreshment
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Supply of alcohol

	j) Supply of alcohol
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B- Films

Will the exhibition of films take place indoors or outdoors or both? ( Please read guidance note 2 )

	Indoors
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Please give further details here ( Please read guidance note 3 )

	N/A
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Standard days and timings for Films ( Please read guidance note 6 )

Day	Start	Finish
Mon		
	10:00	00:00
Tues		
	10:00	00:00
Wed		
	10:00	00:00
Thur		
	10:00	00:00
Fri		
	10:00	00:00
Sat	00:00	02:00
	10:00	00:00
Sun	00:00	02:00
	10:00	00:00

State any seasonal variations for the exhibition of films ( Please read guidance note 4 )

--	--

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

	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day and see proposed conditions 4,5 and 6 accompanying the application.
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C - Indoor Sporting Event

Please give further details here ( Please read guidance note 3 )

	N/A
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Standard days and timings for Indoor Sporting Events ( Please read guidance note 6 )

Day	Start	Finish
Mon		
	10:00	00:00
Tues		
	10:00	00:00
Wed		
	10:00	00:00

Thur		
	10:00	00:00
Fri		
	10:00	00:00
Sat	00:00	02:00
	10:00	00:00
Sun	00:00	02:00
	10:00	00:00

State any seasonal variations for indoor sporting events ( Please read guidance note 4 )

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Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed. ( Please read guidance note 5 )

	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day and see proposed conditions 4,5 and 6 accompanying the application.
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F - Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? ( Please read guidance note 2 )

	Indoors
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Please give further details here ( Please read guidance note 3 )

	N/A
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Standard days and timings for Recorded Music ( Please read guidance note 6 )

Day	Start	Finish
Mon		
	10:00	00:00
Tues		
	10:00	00:00
Wed		
	10:00	00:00
Thur		
	10:00	00:00
Fri		
	10:00	00:00
Sat	00:00	02:00

	10:00	00:00
Sun	00:00	02:00
	10:00	00:00

State any seasonal variations for playing recorded music ( Please read guidance note 4 )

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Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. ( Please read guidance note 5 )

	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day and see proposed conditions 4,5 and 6 accompanying the application.
--	---

I - Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? ( Please read guidance note 2 )

	Both
--	------

Please give further details here ( Please read guidance note 3 )

	N/A
--	-----

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 6)

Day	Start	Finish
Mon		
	23:00	00:00
Tues		
	23:00	00:00
Wed		
	23:00	00:00
Thur		
	23:00	00:00
Fri		
	23:00	00:00
Sat	00:00	02:00
	23:00	00:00
Sun	00:00	02:00
	23:00	00:00

State any seasonal variations for the provision of late night refreshment ( Please read guidance note 4 )

--	--

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

	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day and see proposed conditions 4,5 and 6 accompanying the application.
--	---

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		
	10:00	00:00
Tues		
	10:00	00:00
Wed		
	10:00	00:00
Thur		
	10:00	00:00
Fri		
	10:00	00:00
Sat	00:00	02:00
	10:00	00:00
Sun	00:00	02:00
	10:00	00:00

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 )

	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day and
--	---

	see proposed conditions 4,5 and 6 accompanying the application.
--	---

Please upload the consent form completed by the proposed premises supervisor

	<u>Clement-Ogbonnaya-Consent-Form.pdf</u>
--	---

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Clement
Surname	Ogbonnaya

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 )	██████
Issuing 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 )

	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	00:00	00:30
	08:00	00:00
Tues	00:00	00:30

	08:00	00:00
Wed	00:00	00:30
	08:00	00:00
Thur	00:00	00:30
	08:00	00:00
Fri	00:00	00:30
	08:00	00:00
Sat	00:00	02:30
	08:00	00:00
Sun	00:00	02:30
	08:00	00:00

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 )

	The hours for licensable activities and opening times shall be extended from the end of authorised hours on New Year's Eve until the start of hours on New Year's Day and see proposed conditions 4,5 and 6 accompanying the application.
--	---

M - Steps to promote four licencing objectives

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

	Please see presentation and conditions enclosed with this application.
--	--

b) the prevention of crime and disorder

	Please see presentation and conditions enclosed with this application.
--	--

c) public safety

	Please see presentation and conditions enclosed with this application.
--	--

d) the prevention of public nuisance

	Please see presentation and conditions enclosed with this application.
--	--

e) the protection of children from harm

	Please see presentation and conditions enclosed with this application.
--	--

Please upload a plan of the premises

	<a href="#">Premises-Plans.pdf</a>
--	------------------------------------

Please upload any additional information i.e. risk assessments

	<a href="#">Presentation-and-Proposed-Conditions.pdf</a>
--	--

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	██████
LicenceReference	██████████
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.



## CONDITIONS PROPOSED WITH APPLICATION

### MANDATORY CONDITIONS

All mandatory condition

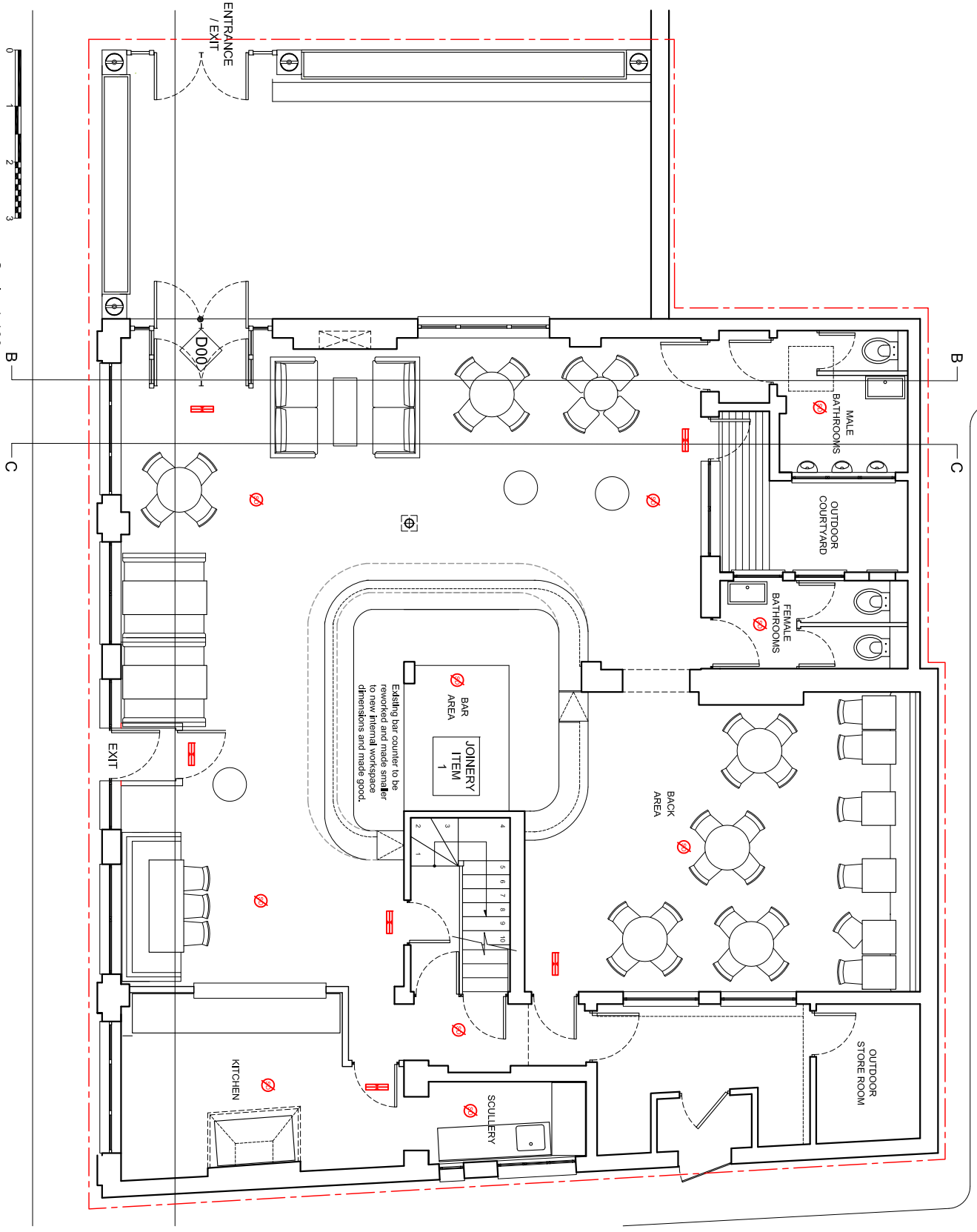
1. Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means the hours stated elsewhere on this licence and on New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
2. No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.
3. This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;
4. This licence allows for the premises to be open for non standard timings at the times stated on: Easter Monday 1000 - 0100 hours, Christmas Eve 1000 - 0100 hours (or 02:00 if on Friday and Saturday), Christmas Day 1000 – 0100 (or 02:30 if on Friday and Saturday) hours Boxing Day 1000 - 0100 hours (or 02:30 if on Friday and Saturday) 27 December 1000 - 0100 hours (or 02:30 if on Friday and Saturday), 2 January 1000 - 0100 hours (or 02:30 if on Friday and Saturday) Plus an additional hour on the day when British Summer Time commences
5. This licence allows for the premises for the sale or supply of alcohol for non standard timings as stated below on the following days: Easter Monday 1000 - 0100 hours Christmas Eve 1000 - 0100 hours (or 02:00 if on Friday and Saturday) Christmas Day 1000 - 0100 hours (or 02:00 if on Friday and Saturday) Boxing Day 1000 - 01 00 hours (or 02:00 if on Friday and Saturday) 27 December 1000 - 0100 hours (or 02:00 if on Friday and Saturday) 2 January 1000 - 0100 hours (or 02:00 if on Friday and Saturday) Plus an additional hour on the day when British Summer Time commences
6. This licence allows for the premises for the licensable activities and for non standard timings as stated below on the following days: Provision of regulated entertainment - Films, Indoor Sporting Events, Live Music and Recorded Music: and Provision of Entertainment Facilities - Making Music and Dancing Easter Monday 1000 - 0100 hours Christmas Eve 1000 - 0100 hours (or 02:00 if on Friday and Saturday) Christmas Day 1000 - 0100 hours (or 02:00 if on Friday and Saturday) Boxing Day 1000 - 0100 hours (or 02:00 if on Friday and Saturday) 27 December 1000 - 0100 hours (or 02:00 if on Friday and Saturday) 2 January 1000 - 0100 hours (or 02:00 if on Friday and Saturday) Plus an additional hour on the day when British Summer Time commences

7. A The premises shall be effectively ventilated.B)Where the ventilation system is designed to maintain a positive air pressure within that part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.
8. A) Portable fire extinguishers shall be examined at least once a year and periodically tested in accordance with the current British Standard by a competent person and the date of such test shall be clearly marked on the appropriate extinguishers or on stout tabs securely attached to them. Extinguishers which incorporate an antifreeze agent shall be examined and recharged in compliance with manufacturer's instructions.
  - B) Where provided hydraulic hose reels shall be tested once a year to check that they are in working order and produce a satisfactory jet of water, and the test shall be recorded in a log book.
  - C) All testing of fire extinguishers and equipment shall be at the expense of the licensee.
9. A sufficient number of suitable receptacles with properly fitting covers shall be provided to the satisfaction of the Council for the purpose of receiving rubbish, dust and refuse from the premises; and all accumulations or collections of such rubbish, du st and refuse, unless immediately removed from the premises or destroyed, shall be placed in such receptacles and kept there until so removed or destroyed; provided that hot ashes, cinders or any other substances which, when in contact with flammable material, are likely to cause smoke or fire shall not be placed in the same receptacles as flammable rubbish or refuse. Such rubbish, dust and refuse shall be removed regularly from the premises. The receptacles shall be maintained in a clean and wholesome condition to the satisfaction of the Council and shall be kept in positions approved by the Council.
10. That all musicians and DJs must play electrically amplified music/audio/PA through a sound cut out device. The cut-out device shall be maintained at levels set to the satisfaction of the Council's Noise Team
11. That all doors and windows excepting any that may be required to be locked open for the purposes of means of escape, shall be kept closed whenever public entertainment is being provided upon the premises
12. That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner
13. That no parts of the outside curtilage (ie the front garden) shall be used for events of a licensable nature or when events are in progress inside the premises
14. That there shall be no movement of musical or amplification equipment, to or from the premises, between the hours of midnight and 08.00
15. Staff will be trained in all aspects and objectives of the Licensing Law

16. The premises will co-operate with the police and participate in any Pub Watch or other equivalent scheme
17. Any noise from the licensable activities provided will be monitored in order to prevent nuisance
18. A zero tolerance policy towards illegal drugs will operate at all times
19. Only suitable entertainment will be provided when children are present
20. No person under 18 shall be admitted to any part of the premises where adult entertainment is provided
21. Any restrictions on the admission of children will be displayed outside the premises or relevant part thereof
22. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:- (a) games or other activities which require or encourage, or are designed to require, encourage, individuals to - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
23. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
24. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to

the sale or supply of alcohol. (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either (a) a holographic mark; or (b) an ultraviolet feature.

25. The responsible person shall ensure that - (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures - (i) Beer or cider: 1/2 pint; (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) Still wine in a glass: 125 ml; (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,
26. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. 2. For the purpose of the condition set out in paragraph (1): (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; (b) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where- (i) P is the permitted price, (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:- (i) the holder of the premises licence; (ii) the designated premises supervisor (if any) in respect of such a licence; or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence; (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. 3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny. 4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax; (2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
27. A minimum of 1 SIA licensed door supervisors shall be on duty on Fridays and Saturdays from 10pm until close.



Scale: 1:100

# PROPOSED GROUND FLOOR

- Pre-Planning
- Planning
- Tender
- Contract
- Construction
- As Built
- For Information Only
- Preliminary

Drawn: TT      Checked:PP  
 Printed: 2017 02 03  
 Scale: 1:100@ A3

Client: **The Arbutnot Group**

Project: **Clayton Road**  
**Se15 5JA**

Title: **FIRE CONTROL**  
**GROUND FLOOR**

No. **P 119**      Rev. **B**

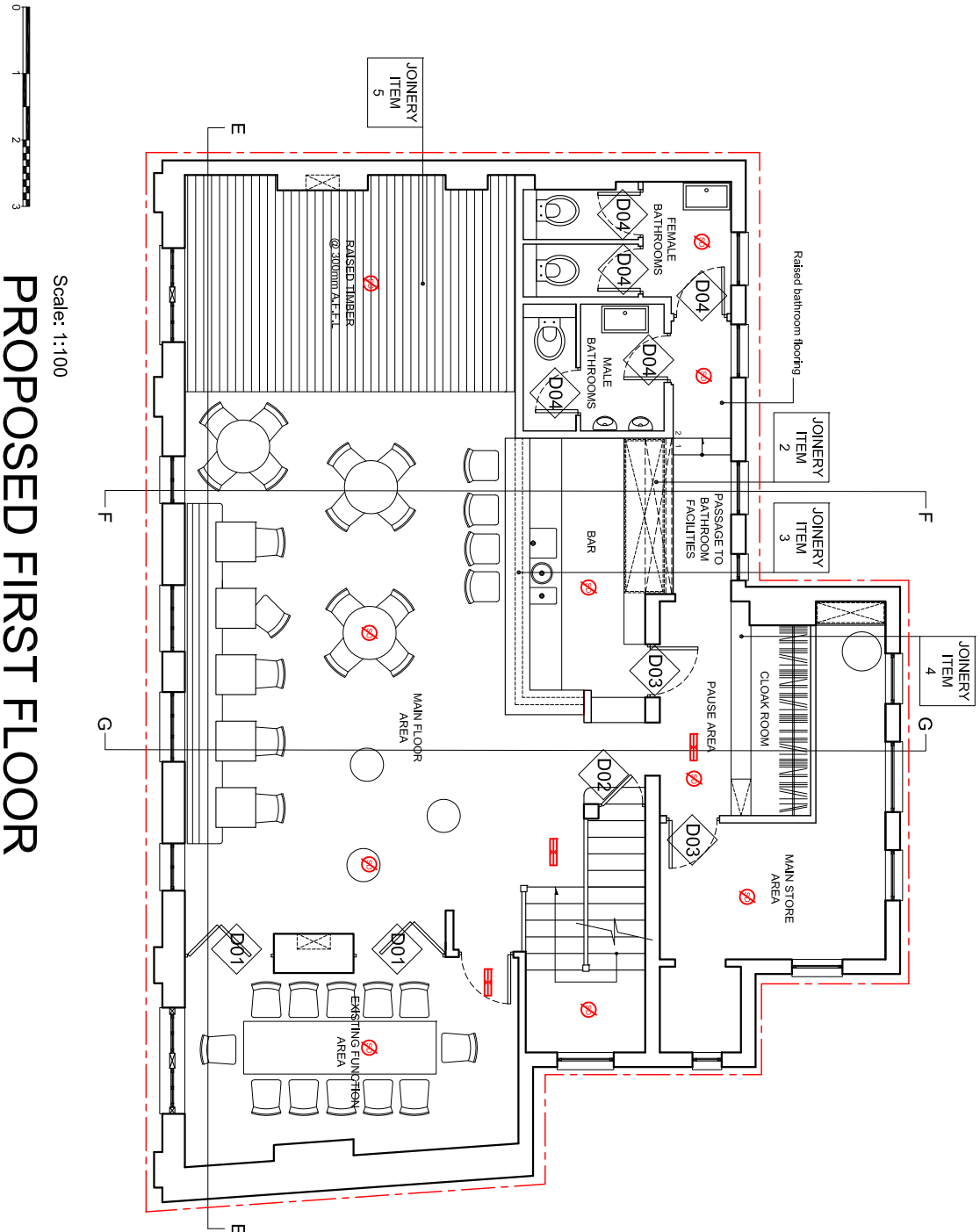
Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer - 06/02/2017

— Licensable Area

Architecture | Interior Design | Product  
**Planning** | Project Management

## PLANNING

Do not scale from this drawing. Contractor to take and check all dimensions on site before work commences. Discrepancies to be reported to architect. Subcontractors to verify all dimensions on site before making shop drawings or commencing manufacture. This drawing is copyright.



Scale: 1:100  
**PROPOSED FIRST FLOOR**

Pre-Planning       Construction  
 Planning             As Built  
 Tender                 For Information Only  
 Contract               Preliminary

Drawn: TT      Checked:PP  
 Printed: 2017 02 03  
 Scale: 1:100@A3

Client: **The Arbutnot Group**

Project: **Clayton Road**  
**Se15 5JA**

Title: **FIRE CONTROL**  
**FIRST FLOOR**

No. **P 120**      Rev. **B**

Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer - (06/02/2017)

--- Licensable Area

Architecture | Interior Design | Product  
**Planning** | Project Management

**PLANNING**

Do not scale from this drawing. Contractor to take and check all dimensions on site before work commences. Discrepancies to be reported to architect. Subcontractors to verify all dimensions on site before making shop drawings or commencing manufacture. This drawing is copyright.

# THE CLAYTON

1 CLAYTON ROAD



SUPPORTING DOCUMENTATION FOR  
APPLICATION

## **APPLICATION**

The applicant is currently in the process of acquiring the premises and will be looking to make a considerable investment to tidy up the premises and bring the premises up to date. The application looks to seek a slight extension on the hours and to regularise the first floor.

The applicant has met with the responsible authorities prior to submitting the application in the spirit of partnership and has tried to take on as many of their points as possible.

The application looks to improve upon the offering currently at the premises and to ensure that the building is managed properly. The applicant has put the presentation together to show the nature and quality of the proposed premises.

The Clayton concept will be dedicated in delivering excellent hospitality as well as the highest levels of management to promote the four licensing objectives.

The team will deliver:

- High levels of knowledge and understanding of the licence and the conditions.
- The best hospitality over service.
- The freshest and most seasonal ingredients to complement their food and where possible sourced locally.
- Excellence, the overriding strategy:

The applicant understands that good neighbourliness is the key to a successful business and will ensure that business complements the area.

Further submissions will be provided at the Licensing Sub Committee hearing if a hearing is required.



## MR CLEMENT OGBONNAYA



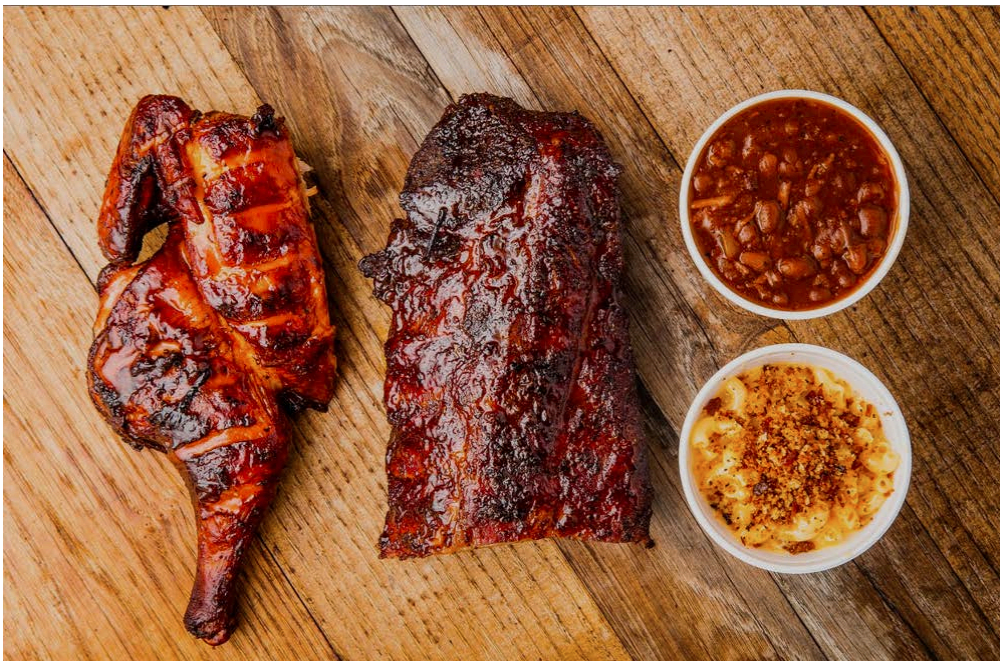
The man behind The Clayton is Mr Clement Ogbonnaya. He is passionate about delivering the highest standards and ensuring that people get the best service.

He has years of running and managing events and has established good relationships with well known brands organising and managing key events including, Selfridges and Co., Next, New Look and Nike. Internationally he has helped with the Red Ribbon Ball a project in Kuala Lumpur and has worked for and alongside very well known licensed premises.

This will be Clement's first venture into owning his first premises after helping others run their successfully. He will be funding the project himself and he will make sure that the premises is run to promote the four licensing objectives.

## THE FOOD AND DRINK

The premises will remain true to its public house values but with an increase in food offering. The premises will specialise in British modern dishes with middle eastern influences. The menu will be seasonal and so far as possible locally sourced. There will be a focus on healthy eating. Sample of food:-



The focus will be on the customer experience with everything steeped in hospitality. Every customer will be greeted on entry. The focus is on quality and not quantity. There will be non-alcoholic drinks and alcohol drinks available and during the day the premises will be family friendly. We expect the premises to be a real community public house. In addition to the usual drinks staples, the premises will offer carefully selected drinks from micro breweries It is important to the applicants values to support local business.

**From:** Newman, Paul  
**Sent:** Wednesday, February 22, 2017 1:39 PM  
**To:** Regen, Licensing  
**Cc:** [REDACTED]; Tear, Jayne  
**Subject:** Clayton Arms 1 Clayton Road application for a new premises licence

Hi all

I object to this application for a premises licence on the grounds of public nuisance, because the premises is inside the cumulative impact zone. This means the area is already at saturation levels with licensed premises, and further increases in footfall late at night from people dispersing is likely to cause nuisance in this area. No new premises licences should be granted in the cumulative impact policy area, unless an existing licence is surrendered, and there is no extension of hours beyond the policy.

The hours applied for are 1 hour each day beyond what would normally be permitted under the policy in a Town Centre Area, which is 11 pm Sunday to Thursday, and Midnight Saturdays and Sundays.

Therefore I recommend refusal of this licence application.

Kind regards

**Paul Newman**

**Principal Environmental Health Officer**

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 | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

Tel: 020 7525 3551 | Fax: 020 7525 5705 | e mail: [paul.newman@southwark.gov.uk](mailto:paul.newman@southwark.gov.uk)

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



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 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD/21/ 2924/17

**Date:** 06/03/2016

**Re:- Clayton Arms, 1 Clayton Road, London SE5 0EN**

Dear Sir/Madam

Police are in possession of an application from the above for a new premises licence, the application is for the sale of alcohol on and off the premises, Films, indoor sporting events, Late night refreshments and regulated entertainment as a public house on 2 floors with the following times

Opening hours

Sun – Thurs 0800hrs - 0030hrs

Fri – Sat 0800hrs – 02.30hrs

Late Night Refreshment

Sun – Thurs 2300hrs - 0000hrs

Fri – Sat 2300hrs – 02.00hrs

Supply of alcohol

Sun – Thurs 1000hrs - 0030hrs

Fri – Sat 1000hrs – 02.30hrs

The premises is within the Peckham Cumulative Impact Zone (CIZ) and the opening hours requested are outside of Southwark Councils Licensing Policy. At this stage Police object to this application as we would like to see the hours within that set out by the statement of licensing policy and further conditions placed on the licence.

The premises although situated in a designated Major town centre it should be noted that residential premises are situated all around the venue and moving outside the policy could have an impact on them and cause public nuisance.

If committee is to grant the licence then Police would like the following control measures added and wording amended to avoid 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 a clear facial image of every person who enters the premises and cover the main areas including all outside areas and immediately outside the premises.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council. There will be at least one person on duty at all times that is familiar with the operation of the CCTV and able to download the footage upon request.
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. Signage on entrance/exit requesting customers to respect neighbours and leave quietly.
5. No outside area should be used after 22.00hrs except for a maximum of 5 smokers in a designated area.

If a terminal hour of later than 01.00hrs on any day we would like to see the following condition put on the licence.

6. That two SIA registered door supervisors will be engaged when the premises are in operation Friday and Saturday and will be employed at all times after 19:00 until the end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented

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

Yours Sincerely

Pc Graham White 288MD

Southwark Police Licensing Unit

Tel: 0207 232 6756

# MEMO: Licensing Unit

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<b>To</b>	Licensing Unit	<b>Date</b>	6 March 2017
<b>Copies</b>			
<b>From</b>	Jayne Tear	<b>Telephone</b>	020 7525 0396
<b>Email</b>	Jayne.tear@southwark.gov.uk		

---

**Subject** Re: Clayton Arms, 1 Clayton Road, London, SE15 5JA  
Application for a premises licence.

I write with regards to the above application for a premises licence submitted by The Arbuthnot Group Ltd under the licensing act 2003.

The application seeks the follows licensable activities:

- Films (indoors), Indoor sporting events, recorded music (indoors), on Sunday to Thursday from 10:00 to 00:00 and on Friday and Saturday from 10:00 to 02:00 the following day.
- Late night refreshment (indoors and outdoors) on Sunday to Thursday from 23:00 to 00:00 and on Friday and Saturday from 23:00 to 02:00 the following day.
- Supply of Alcohol (on and off the premises) on Sunday to Thursday from 10:00 to 00:00 and on Friday and Saturday from 10:00 to 02:00 the following day.
- The proposed opening hours will be on Sunday to Thursday from 08:00 to 00:30 and on Friday and Saturday from 08:00 to 02:30 the following day.

Non standard timings for licensable activities and opening times requested as follows:

Extend from the end of authorised hours on New Years Eve until the start of permitted hours on New Years Day.

The premises is described as follows:

*'Public House over two floors with an outside are as more clearly set out on the plans accompanying the application'*

The premises is situated in Peckham Major Town Centre and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for Public Houses, Wine bars, other drinking establishments on Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours. This premises also falls within the Peckham CIP Area.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy 2016 – 2020.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham area as defined in paragraph 135 of the policy and as a public house this premises falls into the class of premises in 136 of the policy.

Therefore under 119 of the policy there is a rebuttable presumption that applications for new premises licences/ variations that are likely to add to the existing cumulative impact will normally be refused or

subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not be contributing to crime and disorder and public nuisance within the policy area.

Due to the limited information on the application form I ask the applicant to provide the following information:

- An accommodation limit for the inside of the premises.
- An accommodation limit for the outside of the premises.
- A written dispersal policy for the premises.

To consider amending the closing times to be brought in line with what is considered appropriate for the area and type of premises as described within the licensing policy and for the sales of alcohol to cease at least half an hour before the closing times:

I therefore submit this representation and welcome any discussion with the applicant to consider the above representation

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:  
[http://www.southwark.gov.uk/downloads/download/4399/licensing\\_act\\_2003\\_-\\_southwark\\_statement\\_of\\_licensing\\_policy\\_2016\\_-\\_2020](http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020)

Jayne Tear  
Principal Licensing officer  
In the capacity of the Licensing Responsible Authority

# Licensing Act 2003 Premises Licence



Regulatory Services  
Licensing Unit  
Hub 1, 3rd Floor  
PO Box 64529  
London, SE1P 5LX

Premises licence number

858091

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
The Dolls House Clayton Arms 1 Clayton Road	
Ordnance survey map reference (if applicable): 176732534463	
<b>Post town</b> London	<b>Post code</b> SE15 5JA
<b>Telephone number</b> [REDACTED]	

<b>Where the licence is time limited the dates</b>
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<b>Licensable activities authorised by the licence</b>
Films - Indoors Indoor Sporting Event Live Music - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

<b>The opening hours of the premises</b>
For any non standard timings see <b>Annex 2</b>
Monday            08:00 - 00:30
Tuesday           08:00 - 00:30
Wednesday       08:00 - 00:30
Thursday          08:00 - 00:30
Friday             08:00 - 01:30
Saturday          08:00 - 01:30
Sunday            08:00 - 00:30

<b>Where the licence authorises supplies of alcohol whether these are on and/ or off supplies</b>
Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises



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

For any non standard timings see Annex 2 of the full premises licence

**Films - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:00
Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

**Indoor Sporting Event**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:00
Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

**Live Music - Indoors**

Monday	10:00 - 23:00
Tuesday	10:00 - 23:00
Wednesday	10:00 - 23:00
Thursday	10:00 - 23:00
Friday	10:00 - 23:00
Saturday	10:00 - 23:00
Sunday	11:00 - 23:00

**Recorded Music - Indoors**

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:00
Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

**Late Night Refreshment - Indoors**

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 01:00
Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

**Sale by retail of alcohol to be consumed on premises**

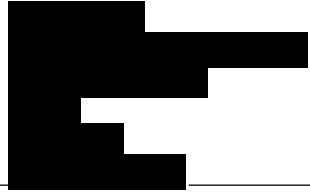


Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:00
Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

**Sale by retail of alcohol to be consumed off premises**

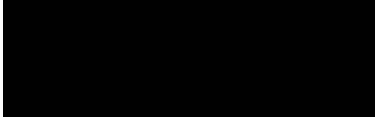
Monday	10:00 - 00:00
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Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 01:00
Saturday	10:00 - 01:00
Sunday	11:00 - 00:00

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**The Arbutnot Group Ltd  
**Registered number of holder, for example company number, charity number (where applicable)****Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**Gregory James Joseph Barry  
**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**Licence No.: Authority: 

Licence Issue date 14/03/2017

  
Head of Regulatory Services  
Hub 2, 3rd Floor  
PO Box 64529  
London, SE1P 5LX  
020 7525 5748  
licensing@southwark.gov.uk

**Annex 1 - Mandatory conditions**

**100** No supply of alcohol may be made under the Premises Licence -

- a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

**101** Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) a holographic mark; or

(b) an ultraviolet feature.

**489** The responsible person shall ensure that -

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

(i) Beer or cider: 1/2 pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml;

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

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

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

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula

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

where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

**Annex 2 - Conditions consistent with the operating Schedule**

**109** Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means the hours stated elsewhere on this licence and on New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

**110** No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

**111** This licence provides for the provision of private music and dancing entertainment that is promoted for private gain.

**112** This licence allows for the premises to be open for non standard timings at the times stated on:

Easter Monday 1000 - 0100 hours

Christmas Eve 1000 - 0100 hours

Christmas Day 1000 - 0100 hours

Boxing Day 1000 - 0100 hours

27 December 1000 - 0100 hours

2 January 1000 - 0100 hours

Plus an additional hour on the day when British Summer Time commences.

**113** This licence allows for the premises for the sale or supply of alcohol for non standard timings as stated below on the following days:

Easter Monday 1000 - 0100 hours

Christmas Eve 1000 - 0100 hours

Christmas Day 1000 - 0100 hours

Boxing Day 1000 - 0100 hours

27 December 1000 - 0100 hours

2 January 1000 - 0100 hours

Plus an additional hour on the day when British Summer Time commences.

**114** This licence allows for the premises for the licensable activities and for non standard timings as stated below on the following days:

Provision of regulated entertainment -

Films, Indoor Sporting Events, Live Music and Recorded Music: and

Provision of Entertainment Facilities - Making Music and Dancing

Easter Monday 1000 - 0100 hours

Christmas Eve 1000 - 0100 hours

Christmas Day 1000 - 0100 hours

Boxing Day 1000 - 0100 hours

27 December 1000 - 0100 hours

2 January 1000 - 0100 hours

Plus an additional hour on the day when British Summer Time commences

**180 a.** The premises shall be effectively ventilated.

b. Where the ventilation system is designed to maintain a positive air pressure within that part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.

**255 a.** Portable fire extinguishers shall be examined at least once a year and periodically tested in accordance with the current British Standard by a competent person and the date of such test shall be clearly marked on the appropriate extinguishers or on stout tabs securely attached to them. Extinguishers which incorporate an antifreeze agent shall be examined and recharged in compliance with manufacturer's instructions.

b. Where provided hydraulic hose reels shall be tested once a year to check that they are in working order and produce a satisfactory jet of water, and the test shall be recorded in a log book.

c. All testing of fire extinguishers and equipment shall be at the expense of the licensee.

**262** A sufficient number of suitable receptacles with properly fitting covers shall be provided to the satisfaction of the Council for the purpose of receiving rubbish, dust and refuse from the premises; and all accumulations or collections of such rubbish, dust and refuse, unless immediately removed from the premises or destroyed, shall be placed in such receptacles and kept there until so removed or destroyed; provided that hot ashes, cinders or any other substances which, when in contact with flammable material, are likely to cause smoke or fire shall not be placed in the same receptacles as flammable rubbish or refuse. Such rubbish, dust and refuse shall be removed regularly from the premises. The receptacles shall be maintained in a clean and wholesome condition to the satisfaction of the Council and shall be kept in positions approved by the Council.

**309** That all musicians and DJs must play electrically amplified music/audio/PA through a sound cut out device. The cut-out device shall be maintained at levels set to the satisfaction of the Council's Noise Team.

**310** That all doors and windows excepting any that may be required to be locked open for the purposes of means of escape, shall be kept closed whenever public entertainment is being provided upon the premises.

**311** That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner.

**312** That no parts of the outside curtilage (ie the front garden) shall be used for events of a licensable nature or when events are in progress inside the premises.

**313** That there shall be no movement of musical or amplification equipment, to or from the premises, between the hours of midnight and 08.00.

**340** Staff will be trained in all aspects and objectives of the Licensing Law.

**341** The premises will co-operate with the police and participate in any Pub Watch or other equivalent scheme.

**342** Any noise from the licensable activities provided will be monitored in order to prevent nuisance.

**343** A zero tolerance policy towards illegal drugs will operate at all times.

**344** Only suitable entertainment will be provided when children are present.

**345** No person under 18 shall be admitted to any part of the premises where adult entertainment is provided

**346** Any restrictions on the admission of children will be displayed outside the premises or relevant part thereof.





**Annex 4 - Plans - Attached**

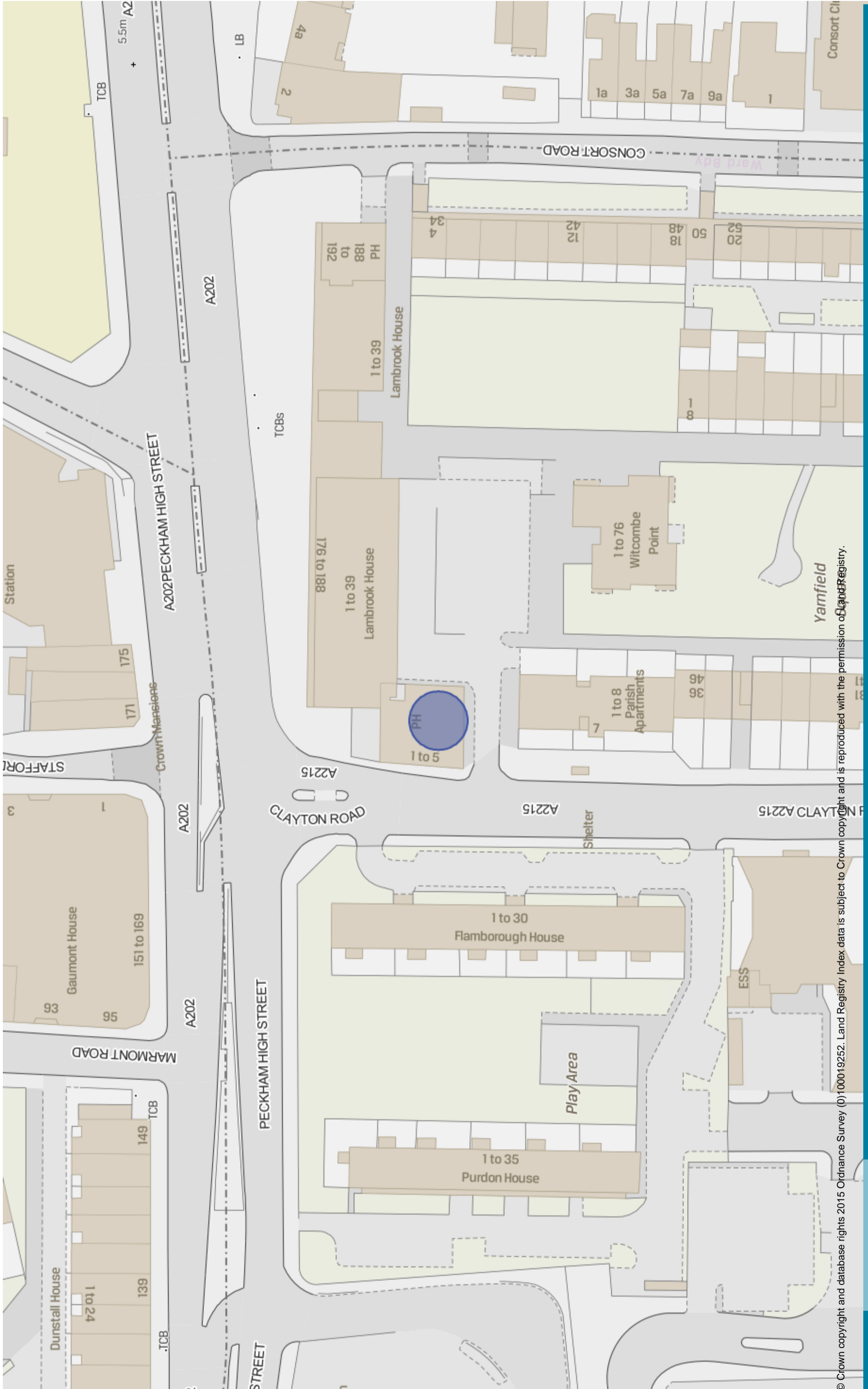
Licence No. 858091

Plan No. 1799-60

Plan Date 12th February 2015

## APPENDIX D

Start Date	End Date	Times	Max no. of people	Alcohol	Entertainment	Premises user	Police objection?	EPT objection?
19/06/2015	21/06/2015	01:00 - 03:00 each day	200	Yes	Yes	Adam Towner	No	No
25/07/2015	26/07/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
01/08/2015	02/08/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
08/08/2015	09/08/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
15/08/2015	16/08/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
31/10/2015	01/11/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
21/11/2015	22/11/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
28/11/2015	29/11/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
05/12/2015	06/12/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
12/12/2015	13/12/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
19/12/2015	20/12/2015	01:00 - 03:00 each day	180	Yes	Yes	Adam Towner	No	No
03/09/2016	03/09/2016	00:00 - 04:00 each day	300	Yes	Yes	Gregory Barry	No	No



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17-Mar-2017

Scale = 1 : 661.500

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