

Licensing Sub-Committee

Friday 5 May 2017

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Eliza Mann
Councillor Charlie Smith

Reserves

Councillor David Hubber

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: 25 April 2017



Licensing Sub-Committee

Friday 5 May 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: LOST RIVERS DELIBAR, UNIT 2, 7-13 MELIOR STREET, LONDON SE1 3QP	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: 25 April 2017

Item No. 5.	Classification: Open	Date: 5 May 2017	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Lost Rivers DeliBar, Unit 2, 7-13 Melior Street, London SE1 3QP	
Ward(s) of group(s) affected		Grange Ward	
From		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by CA F&B Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Lost Rivers DeliBar of Unit 2, 7-13 Melior Street, London SE1 3QP.
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 19 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted are attached to this report in Appendices B and C, with a conciliatory offer from the applicant available in Appendix D.
 - d) A map showing the location of the premises is attached to this report as Appendix E.
 - 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 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 9 March 2017 CA F&B Limited applied to this council for the grant of a premises licence in respect of Lost Rivers DeliBar of Unit 2, 7-13 Melior Street, London SE1 3QP.

9. The premises are described as follows: "A small deli style operation aimed at the local residents and office workers who might want to grab a quick sarnie at lunch time or take their time over a tapas style meal during the day or evening. We aim to produce quality an imaginative food for consumption on the premises or to take away. Our own craft beers will be available, besides a small selection of alcohol and non alcoholic beverages. We hope to provide a range of organic juices and smoothies too. We would like allow our guests to take our beers away in sealed units for enjoyment at home. The venue is a new build and part of a mixed used development on this mainly pedestrian back street which is often used as a shortcut for people walking to/from the station and hospital".

10. The application and is summarised as follows:

The supply by retail of alcohol (both on and off sales):

- Sunday to Thursday from 11:00 to 00:00 (midnight)
- Friday and Saturday from 11:00 to 01:00 (the following day)

The provision of regulated entertainment in the form of recorded music (indoors):

- Sunday to Thursday from 23:00 to 00:00 (midnight)
- Saturday and Sunday from 23:00 to 01:00 (the following day)

The provision of late night refreshment (indoors):

- Sunday to Thursday from 23:00 to 00:00 (midnight)
- Saturday and Sunday from 23:00 to 01:00 (the following day)

Opening hours:

- Monday to Wednesday from 08:00 to 00:30 (the following day)
- Thursday 08:00 to 00:00 (midnight)
- Friday and Saturday 08:00 to 01:30 (the following day)
- Sunday from 09:00 to 00:30 (the following day)

The proposed designated premises supervisor of the premises is Nicholas Boland who has been granted a personal licence by London Borough Lambeth. Mr Boland has been the central contact for the application.

11. The premises licence application form provides the applicant's operating schedule. Parts A, B, C, E, F, G, H, 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. A copy of the application is attached to this report in Appendix A.

Representations from responsible authorities

12. A representation was initially submitted by the Metropolitan Police (Licensing Division) but subsequently withdrawn. Outstanding representations include this council's licensing authority and another person.
13. The Metropolitan Police Service's representation has been withdrawn. The representation had asked for additional conditions to be applied to the operating schedule due to the location of the premises within the Borough and Bankside Cumulative Impact Zone. The applicant agreed to these conditions and the representation was withdrawn. The applicant agreed to have all of the following conditions added:
 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. That 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.
14. The licensing authority's representation has been submitted in respect of the prevention of crime and disorder, the prevention of public nuisance, the protection of children from harm and the public safety licensing objectives. The representation is concerned essentially with the location of the premises sitting within the borough and Bankside cumulative impact zone.
15. A copy of the representation submitted by the Metropolitan Police Service (including the subsequent agreed withdrawal emails) and licensing authority is attached in Appendix B.

Representations from other persons

16. A representation has been submitted by another person whom remains anonymous for the purposes of the report. The representation generally supports the application but remains concerned with the trading hours of the premises.
17. A copy of this representation is available in Appendix C.

Conciliation

18. The applicant has resolved the concerns of the Metropolitan Police (licensing division). The applicant has been provided with copies of the remaining representations and has shown a willingness to conciliate.
19. In response to the representation received from the licensing authority and the other person, the applicant has made an additional offer to restrict the application. At the point of the report being published, responses had not been received. A copy of this is available in Appendix D.

Premises history

20. The venue is a new build has not been in possession of a premises licence previously, nor has it been subject to temporary events notices.

Deregulation of entertainment

21. 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 at on-licensed premises provided the audience does not exceed 500 people, 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

22. A map showing the location of the premises is attached to this report as Appendix E. The following licensed premises are in the vicinity of the premises application:

- **The Horseshoe Inn, 26 Melior Street, London SE1 3QP, licenced for:**
 - The sale of alcohol (both on and off sales)
Monday to Saturday from 10:00 to 00:00 (midnight)
Sunday from 12:00 to 23:00
 - The provision of late night refreshment (indoors)
Monday to Saturday from 23:00 to 00:30 (the following day)
Sunday from 23:00 to 23:30
 - The provision of regulated entertainment in the form of films indoor sporting events, live and recorded music (all indoors)
Monday Saturday from 10:00 to 00:00 (midnight)
Sunday from 10:00 to 23:00
- **Texas Joes, 8-9 Snowfields, London SE1 3SU, licensed for:**
 - The sale of alcohol (both on and off sales)
Monday to Sunday from 11:00 to 23:30
 - The provision of late night refreshment (indoors and outdoors)
Monday to Sunday from 23:00 to 23:30
 - The provision of regulated entertainment in the form of recorded music (indoors)
Monday to Sunday from 11:00 to 23:30
- **Champor-Champor, 32-64 Weston Street, London SE1 3QJ, licensed for:**
 - The sale by retail of alcohol (on sales only)
Monday to Saturday from 11:00 to 00:00 (midnight)
Sunday from 11:00 to 23:30
 - The provision of late night refreshment (indoors)
Monday to Saturday from 23:00 to 00:30 (the following day)
Sunday from 23:00 to 00:00 (midnight)
- **The Savanna, Unit SU 58 London Bridge Station, St Thomas Street, London SE1 3QX, licenced for:**
 - The sale by retail of alcohol (both on and off sales)
Monday to Friday from 11:00 to 22:00
Saturday and Sunday from 09:00 to 22:00
- **Yo! Sushi, 49 Wolfson House, St Thomas Street, London SE1 3QX, licensed for:**
 - The sale by retail of alcohol (both on and off sales)
Monday to Saturday from 08:00 to 23:00
Sunday from 08:00 to 22:30

- The provision of late night refreshment (indoors and outdoors)
Monday to Saturday from 23:00 to 23:30
- **The Rose, 123 The Rose Snowfields, London SE1 3ST**, licensed for:
 - The sale by retail of alcohol (both on and sales)
Monday to Sunday from 12:00 to 23:00
 - The provision of regulated entertainment in the form of recorded music (indoors)
Monday to Sunday from 12:00 to 23:00
- **The Greenwood Theatre, 55 Weston Street, London SE1 3RA**, licensed for:
 - The sale by retail of alcohol (on sales only)
Monday to Saturday from 12:00 to 23:00
Sunday from 12:00 to 22:30
 - The provision of regulated entertainment in the form of live music, recorded music, and performances of dance (indoors)
Sunday to Thursday from 09:00 to 23:00
Friday and Saturday from 09:00 to 00:00 (midnight)
 - The provision of regulated entertainment in the form of plays and films (indoors)
Monday to Sunday from 09:00 to 00:00.

Southwark council statement of licensing policy

23. Council assembly approved Southwark's statement of licensing policy 2016-20 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.
24. 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.
25. Within Southwark's statement of licensing policy, the premises are identified as being within the Borough and Bankside cumulative impact zone. Relevant closing times recommended in the statement of licensing policy for licensed premises in residential areas are as follows:
- Closing time for restaurants and cafes:
 - Sunday to Thursday is 00:00 (midnight)
 - Friday and Saturday is 01:00 (the following day)
 - Closing time for public houses, wine bars or other drinking establishments:
 - Sunday to Thursday is 23:00
 - Friday and Saturday 00:00 (midnight)
 - Closing time for off-licences and alcohol sales in grocers and supermarkets:
 - 00:00 daily
 - Closing time for take-away establishment:
 - Sunday to Thursday is 00:00 (midnight)
 - Friday and Saturday is 01:00 (the following day).

Resource implications

26. A fee of £200.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value bands D/E.

Consultation

27. 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

28. 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

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

Principles for making the determination

31. 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.
32. 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.
33. 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

34. 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.

35. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
36. 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.
37. 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.
38. 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

39. 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

40. 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.
41. 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

42. 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.
43. 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.
44. 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.
45. 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.
46. 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.
47. 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.

48. 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.
49. 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

50. 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

51. 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

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 submitted by the Licensing Authority
Appendix C	Representation submitted by other persons
Appendix D	Response from Applicant to outstanding representations
Appendix E	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration	
Report Author	Andrew Heron, Principal Licensing Officer	
Version	Final	
Dated	11 April 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	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		21 April 2017

09/03/2017

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

Ref No. 776160

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

	Nicholas James Boland
--	-----------------------

Premises Details

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

£	200
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

Premises trading name

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

Address Line 1	Unit 2
Address Line 2	Melior Street
Town	
County	London
Post code	SE13QP
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
--	---

Other Applicants

Personal Details - First Entry

Name	CA F&B Ltd
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Address - First Entry

Street number or building name	26 Herons Gate Trading Estate
Street Description	Paycocke Road
Town	Bassildon
County	Essex
Post code	SS14 3EU
Registered number (where applicable)	10072832
Description of applicant (for example, partnership, company, unincorporated association etc)	Private Limited Company

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	[REDACTED]

Operating Schedule

When do you want the premises licence to start?

	03/04/2017
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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)

	<p>A small deli style operation aimed at the local residents and office workers who might want to grab a quick sarnie at lunch time or take their time over a tapas style meal during the day or evening. We aim to produce quality an imaginative food for consumption on the premises or to take away. Our own craft beers will be available, besides a small selection of alcohol and non alcoholic beverages. We hope to provide a range of organic juices and smoothies too. We would like allow our guests to take our beers away in sealed units for enjoyment at home.</p> <p>The venue is a new build and part of a mixed used development on this mainly pedestrian back street which is often used as a shortcut for people walking to/from the station and hospital.</p>
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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

	f) recorded music

Provision of late night refreshment

	i) Late night refreshment
--	---------------------------

Supply of alcohol

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

F - Recorded Music

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

	Indoors
--	---------

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

	We would like to play recorded music to out guests
--	--

Standard days and timings for Recorded Music (Please read guidance note 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	01:00
Sat	23:00	01:00
Sun	23:00	00:00

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

	none foreseen
--	---------------

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)

	none foreseen
--	---------------

I - Late Night Refreshment

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

	Indoors
--	---------

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

	We would like to provide our guests with LNR until we close
--	---

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	01:00
Sat	23:00	01:00
Sun	23:00	00:00

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

	none foreseen
--	---------------

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)

	none foreseen
--	---------------

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	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	01:00
Sat	11:00	01:00
Sun	11:00	00:00

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

	none foreseen
--	---------------

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)

	none foreseen
--	---------------

Please upload the consent form completed by the proposed premises supervisor

	DPS-CONSENT-FORM.1.jpg
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Premises Supervisor

Full name of proposed designated premises supervisor

First names	Nicholas James
Surname	Boland

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)	Lambeth

K

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

	None
--	------

L - Hours premises are open to public

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

Day	Start	Finish
Mon	08:00	00:30
Tues	08:00	00:30
Wed	08:00	00:30
Thur	08:00	00:00
Fri	08:00	01:30

Sat	08:00	01:30
Sun	09:00	00:30

State any seasonal variations (Please read guidance note 4)

	none foreseen
--	---------------

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)

	none foreseen
--	---------------

M - Steps to promote four licencing objectives

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

	<p>The licensing objectives will be met through, training the managers, leading to the understanding of the regulations and the processes needed to be followed to uphold them.</p> <p>A tailored site operational pack will set out the processes to be adhered to which will contain the licence granted and best practice for compliance</p> <p>Any staff who do not hold a Personal License will sign a document that proves that they have read and understood the licensing objectives fully. This record will part of the induction for the staff member and records available for examination upon request.</p>
--	---

b) the prevention of crime and disorder

	<p>CCTV system that is capable of gaining clear head shots at the entry/exit points. 31 days of records and a capable operator in site when open.</p> <p>Good and adequate lighting.</p>
--	--

c) public safety

	<p>The capacity is set to 50 guests, there is one point of exit of suitable size. Details of all sensors etc are on the fire strategy plan. Full Fire Risk Assessment due at the end of the build</p> <p>The procedure to be followed in the event of fire is clearly stated in our internal policy document</p> <p>The front part of the site is ideal for any emergency vehicle access</p> <p>The General Manager of the site to join the local pub watch scheme</p> <p>We will send the appropriate amount of people on Fire Marshal and First Aid courses</p> <p>The site will have a unique Guest Dispersal Plan for effective disbanding of the guests with minimal nuisance caused to the local vicinity</p> <p>Files of routine checks on equipment will be available for viewing</p> <p>For food H&S we will employ Food Alert to ensure standards are upheld</p>
--	--

d) the prevention of public nuisance

	<p>Training the management to be aware and sympathetic to the residential neighbours</p> <p>Beverages for offsite consumption shall only be in suitable sealed receptacles</p>
--	--

	Making sure any guest leave quickly, quietly and in respect of the neighbours as the door signs will say
--	--

e) the protection of children from harm

	<p>Patrons wishing to purchase alcohol will be subject to UK licensing laws. The bar staff will be briefed to properly scrutinise patrons who do not look to be over the age of 25 years. If required, patrons will need to show proper 'Proof of Age' identification to satisfy Staff before being permitted to purchase alcohol. .</p> <p>This also falls into our Mystery Shopper programme, highlighting age aware procedures</p> <p>Patrons who do not have acceptable proof-of-age will be refused service, and their details logged in the refusal log, which will be kept behind the bar for inspection</p> <p>There will always be a Duty or General Manger on duty during any opening times to support the staff and encourage ID requests</p> <p>We display Challenge 25 Posters on all bars</p> <p>Low alcoholic and non-alcoholic beverages will be available at all bar</p>
--	---

Please upload a plan of the premises

	Melior-Street-Site-Plan-Retail-Unit-2-002-.pdf
--	--

Please upload any additional information i.e. risk assessments

	Melior-Street-general-info.pdf
--	--

Checklist

	<p>I have enclosed the plan of the premises.</p> <p>I understand that I must now advertise my application.</p> <p>I understand that if I do not comply with the above requirements my application will be rejected.</p>
--	---

Declaration

I agree to the above statement

	I agree
PaymentDescription	, ,
AuthCode	002032
LicenceReference	LPA-94212-319
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.

MEMO: Licensing Unit

To Licensing **Date** 06 April 2017

Copies

From David Franklin **Telephone** 020 7525 5800

Email david.franklin@southwark.gov.uk

Subject **Lost Rivers DeliBar, Unit 2, Melior Street, London, SE1 3QP**

I make this representation with regards to the new application for a premises licence by Nicholas James Boland for the premises Lost Rivers DeliBar, Unit 2, Melior Street, London, SE1 3QP

My representation is based on the licensing objective for the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

The application describes the premises as "A small deli style operation aimed at the local residents and office workers who might want to grab a quick sarnie at lunch time or take their time over a tapas style meal during the day or evening. We aim to produce quality an imaginative food for consumption on the premises or to take away. Our own craft beers will be available, besides a small selection of alcohol and non alcoholic beverages. We hope to provide a range of organic juices and smoothies too. We would like allow our guests to take our beers away in sealed units for enjoyment at home.

The venue is a new build and part of a mixed used development on this mainly pedestrian back street which is often used as a shortcut for people walking to/from the station and hospital."

The application asks for the flowing licensable activities:

Recorded music indoors

Sunday to Thursday 11:00 to 00:00 hours
Friday & Saturday 11:00 to 01:00 hours

Late night refreshment indoors

Sunday to Thursday 23:00 to 00:00 hours
Friday & Saturday 23:00 to 01:00 hours

Sale of alcohol both on and off the premises.

Sunday to Thursday 11:00 to 00:00 hours
Friday & Saturday 11:00 to 01:00 hours

Opening Hours

Sunday to Thursday 11:00 to 00:00 hours
Friday & Saturday 11:00 to 01:00 hours

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Borough and Bankside policy area as defined in paragraph 129 of the policy and, as a restaurant/café, this premises falls into the class of premises in 130 of the policy.

Under 119 of the policy there is a rebuttable presumption that applications for new premises licences 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 provided conditions within the operating schedule with a view to rebut the presumption to refuse the licence and I ask that members consider if this information is sufficient to consider granting the application.

Should members consider that the operating schedule proposed by the operators are sufficient to prevent the operation of the premises contributing to crime and disorder and public nuisance within the policy area then I can confirm that under section seven (from page 137) of the statement of policy on hours of operation will apply.

The premises is within the Bankside, Borough, London Bridge Strategic Cultural & Bankside and Borough District Town Centre Area and from table 2 (page 39) the closing times for restaurants and cafes in the area is Sunday to Thursday is 00:00 hours and Friday and Saturday 01:00 hours.

This is consistent with the hours submitted in the application.

David Franklin
Licensing Authority as a Responsible Authority



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

Our reference: MD/21/ 2938/17

Date: 04/04/2017

Dear Sir/Madam

Re:- Lost Rivers DeliBar, Unit 2, Melior Street, London SE1 3QP

Police are in possession of an application from the above for a new premises licence. The application describes the venue as Deli Style operation during the day and a Tapas style venue during the evening for eat in and takeaway.

The application for the sale of alcohol and late night refreshments for the following times.

Opening Hours	
Sun – Thurs	0800hrs - 0030hrs
Fri - Sat	0800hrs - 0130hrs
Sale of Alcohol	
Sun – Thurs	1100hrs - 0000hrs
Fri - Sat	1100hrs - 0100hrs
Late Night Refreshments	
Sun – Thurs	2300hrs - 0000hrs
Fri - Sat	2300hrs - 0100hrs

The venue is situated within the Borough and Bankside Cumulative Impact Zone (CIZ) which would change the presumption to grant to one of rebuttal. The hours requested within the application are within that set out in the Southwark statement of licensing policy for a restaurant but no condition has been offered restricting the sale of alcohol to ancillary to a meal. The application also requests Off sales in sealed containers.

The latest terminal hour set out in the policy for Off Licence and Bar is midnight and as such this puts this application outside of the policy.

The police object to the application in its current format but welcome the control measures offered in the schedule but would like to see adjustments to either the terminal hour or the conditions. We would also like the following wording on conditions offered 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

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



Heron, Andrew

From: Regen, Licensing
Sent: 19 April 2017 07:44
To: Heron, Andrew
Subject: FW: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

[REDACTED]

Sent: Tuesday, April 18, 2017 4:53 PM
To: Regen, Licensing
Subject: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Please see below email chain.

They have agreed to the three conditions as set out in my representation and a reduction in hours. Midnight close with all licensable activities stopping at 23.30hrs

On this basis I withdraw any objection

Regards

Graham

PC Graham White 288MD

Southwark Police Licensing Unit

323 Borough High Street

London

SE1 1JL

From: Nick Boland [REDACTED]
Sent: 18 April 2017 16:43
To: MD Mailbox - Southwark Licensing [REDACTED]
Subject: RE: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Yes we are happy to accept the hours below

Kind regards,

NJB



Nick Boland

Operations Director

.....
Lost Rivers Brewing Co.

[REDACTED]

[REDACTED]

[REDACTED]

   lostriversbrew

HISTORY | BEER | CULTURE

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[REDACTED]

Sent: 18 April 2017 16:36

To: Nick Boland [REDACTED]

Subject: RE: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Nick,

You need to confirm that you are happy to adjust the hours as stipulated below.

thanks

PC Graham White 288MD

Southwark Police Licensing Unit

323 Borough High Street

London

SE1 1JL

[REDACTED]

From: Nick Boland [REDACTED]

Sent: 18 April 2017 16:24

To: MD Mailbox - Southwark Licensing <[REDACTED]>

Subject: RE: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Hi Graham,

We agree to your conditions.

Many thanks and kind regards,

NJB



Nick Boland

Operations Director

.....
Lost Rivers Brewing Co.

[REDACTED]

[REDACTED]

[REDACTED]

   lostriversbrew

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From: [REDACTED]

Sent: 18 April 2017 16:21

To: Nick Boland [REDACTED]

Subject: RE: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Nick,

Can you confirm that you agree to the three conditions set out in my representation and you are changing the operating hours to close at midnight with all licensable activities stopping 30 minutes prior to this time (23.30hrs).
 Regards

PC Graham White 288MD

Southwark Police Licensing Unit

323 Borough High Street

London

SE1 1JL

[REDACTED]

From: Nick Boland [REDACTED]

Sent: 13 April 2017 14:39

To: MD Mailbox - Southwark Licensing [REDACTED]

Subject: RE: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Dear Graham,

Please can we reduce the hours.

Many thanks and kind regards,

NJB



Nick Boland
Operations Director

.....
Lost Rivers Brewing Co.

[Redacted]
[Redacted]
[Redacted]

   lostriversbrew

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From: [Redacted]

Sent: 13 April 2017 09:53

To: Nick Boland <[Redacted]>

Subject: RE: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Mr Boland,

As per my representation you will either need to include a condition restricting alcohol sales to ancillary to food or reduce the hours to comply with that set out for bars and pubs.

Regards

Graham

From: Nick Boland [Redacted]

Sent: 05 April 2017 12:01

To: MD Mailbox - Southwark Licensing [Redacted]

Cc: Heron, Andrew [Redacted]

Subject: FW: Lost Rivers Deli Bar - Unit 2 Melior Street, SE1 3QP

Dear PC White,

Thank you for your representation for the above site.

We gladly accept the conditions, which are common practice for our company.

In light of this can we proceed with the hours originally applied for?

Kind regards,

NJB



Nick Boland

Operations Director

.....
Lost Rivers Brewing Co.



   lostriversbrew

HISTORY | BEER | CULTURE

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Heron, Andrew

From: McCarthy, Debbie
Sent: 06 April 2017 15:59
To: Heron, Andrew
Subject: FW: Objection to application for Premises Licence: Lost Rivers DeliBar, Unit 2, 7-13 Melior Street, SE1 3QP

From: McCarthy, Debbie **On Behalf Of** Regen, Licensing
Sent: Thursday, April 06, 2017 3:47 PM
To: McCarthy, Debbie
Subject: FW: Objection to application for Premises Licence: Lost Rivers DeliBar, Unit 2, 7-13 Melior Street, SE1 3QP

From: [REDACTED]
Sent: Thursday, April 06, 2017 3:45 PM
To: Regen, Licensing
Subject: Objection to application for Premises Licence: Lost Rivers DeliBar, Unit 2, 7-13 Melior Street, SE1 3QP

Dear Sirs

Objection to application for Premises Licence: Lost Rivers DeliBar, Unit 2, 7-13 Melior Street, SE1 3QP

I write in relation to the above application for a Premises Licence (no.858048) (the "**Application**").

[REDACTED]

[REDACTED] The land is being redeveloped under planning permission (references 13/AP/3059 and 3060) to provide 37 residential units and a community centre for the care of the homeless. The residential units are immediately above the commercial unit (which, although it is known by the postal address of Unit 2, actually comprises Units 2-4 inclusive forming the entire ground floor of the residential block facing Snowsfield). The residential units and the individuals who live in them are inevitably going to be affected by the Application.

We wish to register an objection to the application, on the grounds of the prevention of public nuisance. While we have no issue with a premises licence being granted in principle, we consider that allowing the premises to open for licensable activities later than 11pm would result in a loss of amenity for the residents who are to live directly above the premises. [REDACTED] has been contacted by a number of future residents who have expressed their concerns that if the premises opens later than 11pm this will lead to disruption to the residents caused by noise levels from the bar, both during the licensable hours and as customers depart at closing. This will without doubt affect the quality of sleep and general life of the residents. Other future residents have also voiced safety concerns with groups of people hanging around on the street outside the unit and potential littering issues. We share these concerns.

We invite the Council to grant the licence, but to limit the hours for licensable activities to 11pm, with the premises to close no later than 11.30pm.

Yours faithfully

[Redacted signature]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

Heron, Andrew

From: Nick Boland [REDACTED]
Sent: 07 April 2017 12:10
To: Heron, Andrew
Cc: Nick Cash
Subject: LOST RIVER MELIOR STREET

Dear Mr Heron,

In light of the representations that we have received we would like to adjust the request of opening hours to the below.

We understand that the application will still go to committee as it is within the CIZ and the council need assurance that we are planning a venue that will only enhance the area.

I understand that we are currently pencilled in for 05/05/2017 in the morning, but we shall await the official invite.

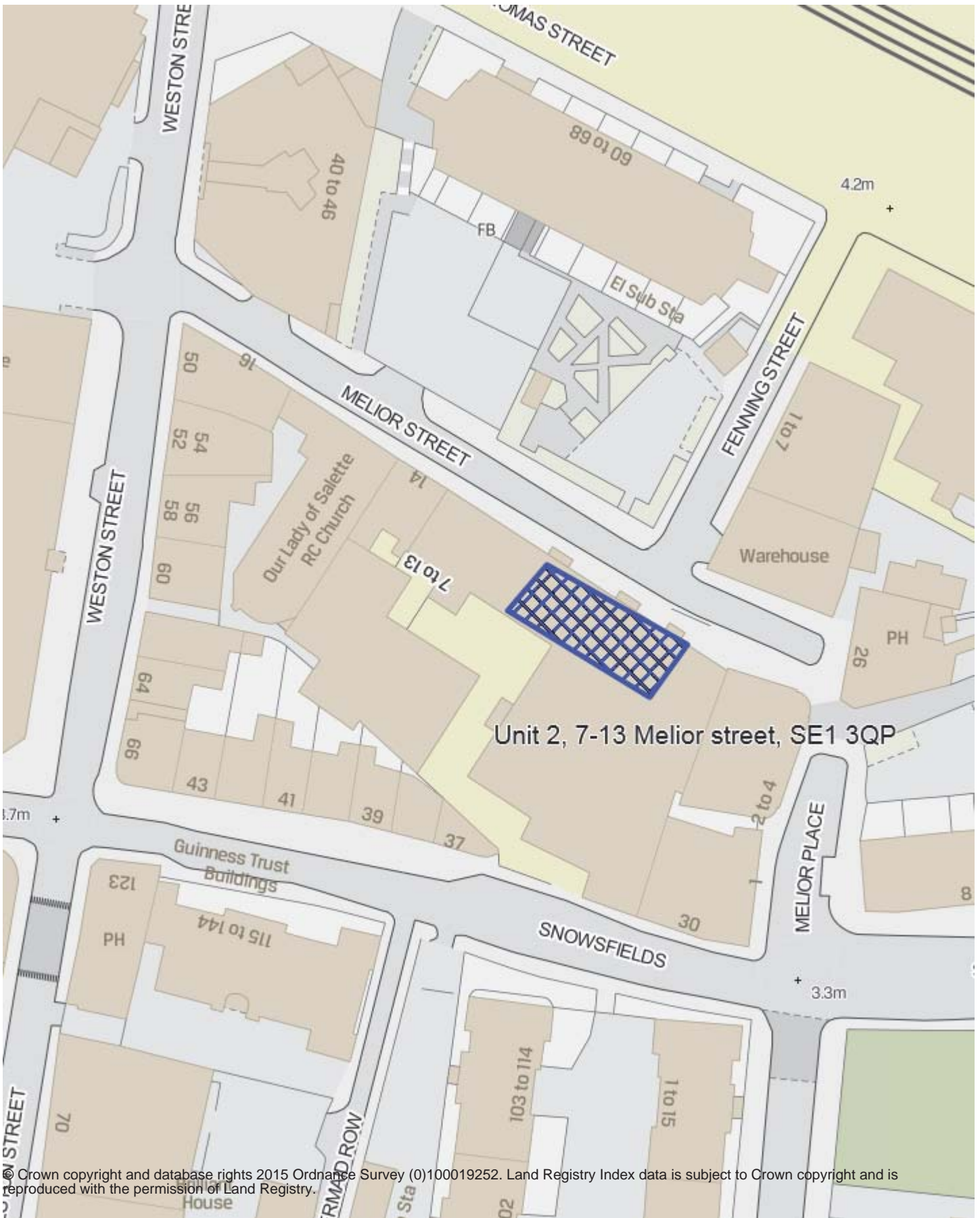
I will forward our internal operational schedule for the venue, which will be ready shortly, which might answer several other questions that the committee may have.

	Original	Revised
Recorded music indoors	Sunday to Thursday 11:00 to 00:00 hours Friday & Saturday 11:00 to 01:00 hours	Friday & Saturday 23:00 to 00:00 hours
Late night refreshment indoors	Sunday to Thursday 23:00 to 00:00 hours Friday & Saturday 23:00 to 01:00 hours	WITHDRAWN
Sale of alcohol both on and off the premises.	Sunday to Thursday 11:00 to 00:00 hours Friday & Saturday 11:00 to 01:00 hours	Sunday to Thursday 11:00 to 23:00 hours Friday & Saturday 11:00 to 00:00 hours
Opening Hours	Sunday to Thursday 11:00 to 00:00 hours Friday & Saturday 11:00 to 01:00 hours	Monday to Thursday 08:00 to 23:30 hours Friday 08:00 to 00:30 hours Sat 09.00 – 00.30 hours Sunday 09.00 – 23.30

Kind regards,

NJB





Unit 2, 7-13 Melior street, SE1 3QP

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