

Licensing Sub-Committee

Thursday 22 June 2017

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor David Hubber
Councillor Bill Williams

Reserves

Councillor Sandra Rhule

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 13 June 2017



Licensing Sub-Committee

Thursday 22 June 2017
10.00 am

Ground Floor Meeting Room G02A - 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: CAMBERWELL CBR ROOBOX, UNIT 1, VALMAR TRADING ESTATE, VALMAR ROAD, LONDON SE5 9NW	1 - 37
	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: 13 June 2017

Item No. 5.	Classification: Open	Date: 22 June 2017	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Camberwell CBR Roobox, Unit 1, Valmar Trading Estate, Valmar Road, London SE5 9NW	
Ward(s) of group(s) affected		Camberwell Green	
From		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Roofoods Limited t/a Deliveroo applied for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Camberwell CBR Roobox, Unit 1, Valmar Trading Estate, Valmar Road, London SE5 9NW.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to a representation from a responsible authority and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 11 to 13 of this report deals with the representation submitted in respect of the application. A copy of the representation submitted by environmental protection is attached to this report in Appendix B. A map showing the location of the premises is attached to this report as Appendix C.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 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.

10. 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

11. A representation has been submitted by this council's environmental protection authority. The representation has been made under the licensing objective of the prevention of public nuisance due to complaints that have been received in relation to excess noise created by the motorbike used to make deliveries and their subsequent impact on local residents residing in the immediate vicinity. A copy of the representation is attached to this report in Appendix B.

Representations from other persons

12. No other representations have been received.
13. The Planning Department have not made representation, but have written stating: "Whilst no objection is made to the licencing application, the planning department does not consider that the lawful use of the premises allows for the sale of alcohol to individual customers." A copy of this is attached to Appendix B.

Conciliation

14. The applicant was sent copies of the representation that was submitted. At the time that this report went to print, the applicant and the objector had not formally mediated.

Premises history

15. This is a brand new premises, with no history of having been licensed previously.
16. The licensing department has received a complaint since the premises came into operation. The complaint came to the department via a ward councillor. The complaint was concerned with the noise produced by motorbikes conducting deliveries from the premises. The complainant was advised as to the current application. Licensing officers conducted late night observations of the premises on 5 May 2017. It was noted that there were regular motorbikes entering and leaving the Valmar Trading Estate. There were motorbikes entering and leaving the premises after 23:00h, but it was not evident if the bikes were conducting deliveries. The applicant's agent has given the licensing authority assurances that no deliveries have been made after 23:00.
17. The content of the initial complaint has formed the basis of the representation from the council's environmental protection authority and features in Appendix B.

Deregulation of entertainment

18. It is noted that the applicant has applied for regulated entertainment in the form of recorded music, which the application describes as being 'background'. 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

19. A map showing the location of the premises is attached to this report as Appendix C. The following licensed premises are in the immediate vicinity of the premises application:
- **Co-Operative Food – 28-32 Denmark Hill, SE5 8RZ**, licenced for:
 - The sale of alcohol (off sales) Monday to Sunday from 07:00 to 23:00
 - **Supersave Express – 350 Camberwell New Road, SE5 0RW**, licensed for:
 - The sale of alcohol (off sales) Monday to Sunday from 08:00 to 01:00 (the following day)
 - **Camberwell Grill Chicken – 336 Camberwell Bew Road**, licensed for:
 - The provision of late night refreshment (indoors and outdoors) Monday to Friday from 23:00 to 02:00 (the following day) and Saturday and Sunday from 23:00 to 03:00 (the following day)
 - **Pesh Flowers – 31 Denmark Hill, SE5 8RS**, licenced for:
 - The sale by retail of alcohol (off sales) Monday to Saturday from 08:00 to 23:00 and Sunday from 10:00 to 22:30
 - **Joiners Arms – 35 Denmark Hill, SE5 8RS**, licensed for:
 - The sale by retail of alcohol (on and off sales) Monday to Thursday from 10:00 to 00:00 (midnight), Friday and Saturday from 10:00 to 01:00 (the following day) and Sunday from 12:00 to 00:00 (midnight)
 - The provision of regulated entertainment in the form of recorded music (indoors) Monday to Thursday from 10:00 to 00:00 (midnight), Friday and Saturday from 10:00 to 01:00 (the following day) and Sunday from 12:00 to 00:00 (midnight)
 - The provision of regulated entertainment in the form of live music (indoors) Friday and Saturday from 23:00 to 01:00 (the following day)

- **Morrisons – Butterfly Walk, SE5 8RW**, licensed for:
 - The sale by retail of alcohol (off sales only) Monday to Sunday from 06:00 to 23:00

Southwark council statement of licensing policy

20. Council assembly approved Southwark's statement of licensing policy 2016 to 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.
21. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
22. Within Southwark's statement of licensing policy, the premises are identified as being inside of the Camberwell cumulative impact zone. Relevant closing times recommended in the statement of licensing policy for licensed premises in residential areas are as follows:

- Restaurants, cafés and off licences: Monday to Sunday 23:00.

Resource implications

23. A fee of £315.00 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

24. 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

25. 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

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

Principles for making the determination

28. 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.
29. 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.
30. 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

31. 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.
32. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
33. 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.
34. 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.
35. 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

36. 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

37. 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.
38. 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

39. 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.
40. 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.
41. 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.

42. 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.
43. 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.

44. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
45. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

46. Members are required to have regard to the 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

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Conciliated representations submitted by responsible authorities
Appendix C	Representations submitted by other persons
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Andrew Heron, Principal Licensing Officer	
Version	Final	
Dated	2 June 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		12 June 2017

APPENDIX A

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Roofoods Limited t/a Deliveroo

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Camberwell CBR Roobox			
Unit 1			
Valmar Trading Estate			
Valmar Road			
Post town	London	Postcode	SE5 9NW

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£58,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

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

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name Roofoods Limited t/a Deliveroo
Address 22-24 Torrington Place London WC1E 7HJ
Registered number (where applicable) 08167130
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

The premises consists of 7 semi permanent, delivery only kitchen installations as well as a communal rider welfare unit/site managers office and toilet block. The premises is not open to the public at any time and a dedicated site manager is on duty during trading hours.

The premises is within a fenced area within the car park with a locked access gate and full CCTV coverage. The premises are secured within an industrial estate with an outer security coded gate and internal secure gate barriers and enveloped on one side by high fencing and residential blocks beyond basketball courts on one side and secured offices on the other.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Start	Finish
Mon				Outdoors	<input type="checkbox"/>
Tue				Both	<input type="checkbox"/>
			<u>Please give further details here</u> (please read guidance note 4)		
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Harry Tyndall	
Date of birth [REDACTED]	
[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Postcode	NW2 5EY
Personal licence number (if known) [REDACTED]	
Issuing licensing authority [REDACTED]	

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 9).
None

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p>
Day	Start	Finish	<p>***PLEASE NOTE THAT THE PREMISES IS NOT OPEN TO THE PUBLIC AT ANY TIME – THESE ARE OPERATING HOURS ONLY***</p>
Mon	12:00	23:00	
Tue	12:00	23:00	
Wed	12:00	23:00	
Thur	12:00	23:00	
Fri	12:00	23:00	
Sat	12:00	23:00	
Sun	12:00	23:00	
			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Consideration of the Southwark Licensing Policy and pre-consultation with police licensing has been carried out to ensure the promotion of the four licensing objectives.

b) The prevention of crime and disorder

- A 4 camera CCTV system is in place covering all areas of the site. The CCTV system shall continuously record whilst the premises is open for licensable activities. All recordings will be stored for a minimum of 31 days and can be accessed and downloaded, when requested by the police or other authorised officer.
- An incident log shall be kept at the premises, and made available on request to the police or an authorised officer, which will any refusal of the sale of alcohol. This will be completed by the relevant staff member by the end of their shift and reviewed by the DPS periodically.
- All orders from the kitchens on site are to be placed via the Deliveroo website/app.

c) Public safety

- No members of the public will be allowed on the Premises.
- No alcohol will be supplied to the public at the Premises.
- No deliveries are to be made to an open space.
- Delivery riders must be instructed to abort delivery where that sale is believed to be a “street sale”. All such instances will be recorded in the refusals/incidents log.

d) The prevention of public nuisance

- The premises will be maintained in a safe manner at all times.
- All refuse will be disposed of in an appropriate manner.

e) The protection of children from harm

- Delivery riders will undergo training in Age Verification and Prevention of Underage Sales, this training will be properly recorded and will be kept on file for inspection.
- Customers will be reminded they will need to provide acceptable ID, such as a Driving Licence, Passport or PASS Card, when placing orders containing alcohol online.
- The premises will operate a “No ID, No Sale” policy at all times.
- The company website(s) will request confirmation of age on orders containing alcohol.
- No cash sales are to be made upon deliveries of alcohol.
- An approved proof of age scheme shall be adopted, implemented and advertised on all websites and materials associated with the Premises such as “Challenge 25”.

• Senior/Supervisor staff members will receive recognised, certificated training in addition to internal training logs for delivery riders.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Claire Danson
Date	25 th April 2017
Capacity	Authorised agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

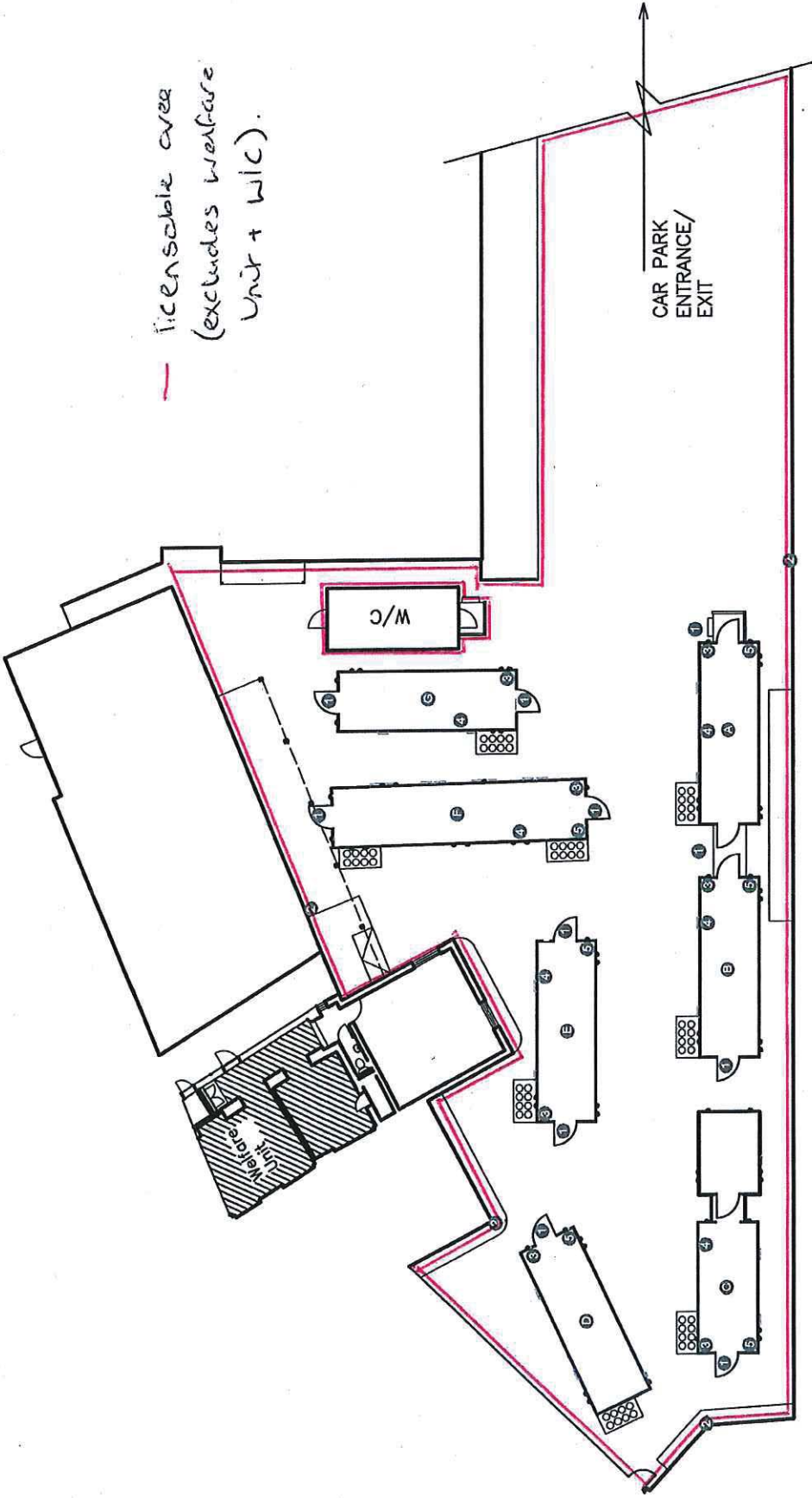
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Claire Danson Knight Training (UK) Limited 134 The Barracks White Cross Business Park South Road			
Post town	Lancaster	Postcode	LA1 4XQ
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			


Notes for Guidance

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

— licensable area
(excludes welfare
Unit + W/C).



- A: GBK
- B: Motu
- C: Cocotte
- D: Crust Bro's
- E: RBM
- F: Busaba
- G: Box 7

 Deliveroo 22-24 Torrington Place London WC1E7HU deliveroo.co.uk		Drawing Name: Premises Licence Application Project: Camberwell Drawn By: Ian Burgess Paper Size: A3 Scale: 1:200	
		Date Drawn: 28-03-17 Drawing No: 01 Revision: 03	
Notes: ① Entrance/ Exit ② CCTV ③ 7x Delivery Kitchens ④ Fire Blanket & Wet Chemical Extinguisher ⑤ Annual Fire Suppression ⑥ Alcohol Storage			

APPENDIX B**Heron, Andrew**

From: Legassick, Bill
Sent: 01 June 2017 16:10
To: Heron, Andrew
Subject: RE: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Follow Up Flag: Follow up
Flag Status: Completed

Andrew

Further to your email, I would like to expand of my “prevention of a public nuisance” representation. The complaints from the residents are relating to safety, noise and security. In respect of noise to reduce the impact of the deliveries from the use of motorbikes, I suggest that a condition is imposed on any licence, that the sale of alcohol as food deliveries, be carried out by non – motorised modes of transport.

Bill Legassick
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 4253 | Fax: 020 7525 5705 | e mail: Bill.Legassick@southwark.gov.uk

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



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

From: Heron, Andrew
Sent: Tuesday, May 30, 2017 1:14 PM
To: Legassick, Bill
Subject: RE: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Dear Bill,

Thank you for your email, the contents of which are noted.

Whilst I accept that you have made representation within the consultation period, can I please ask that you expand on the representation you have made. You need to state under which licensing objective you are making the representation (clearly public nuisance, but just needs to say so) and list what the concerns are. Please just expand upon and formalise your current one-liner.

I look forward to hearing from you. Thank you in advance.

Regards,

Andrew Heron
Principal Licensing Officer
London Borough of Southwark
Regulatory Services – Environment & Leisure
020 7525 5767

Address: Licensing Unit, Hub 1, Floor 3, 160 Tooley Street, London, SE1 2QH
Switchboard: 020 7525 5000
Website: www.southwark.gov.uk

From: Legassick, Bill
Sent: Tuesday, May 23, 2017 6:07 PM
To: Regen, Licensing
Cc: Franklin, David; Lambert, Matthew; Heron, Andrew
Subject: FW: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Dear Sir / Madam

Following the emails from below, I would like to make a representation to request that a condition is placed on any granted licence, that all deliveries containing alcohol to be made by non – motorised transport.

Bill Legassick
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 4253 | Fax: 020 7525 5705 | e mail: Bill.Legassick@southwark.gov.uk

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



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

From: Franklin, David
Sent: Tuesday, May 23, 2017 4:34 PM
To: Lambert, Matthew
Cc: Legassick, Bill
Subject: FW: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Hi Matt,

This was the response I sent to the Ward Councillor, from a licensing perspective the deliveries are only up to 23:00 hours so will only relate to alcohol, we don't licence hot food between 5am and 11pm.

I think the other RAs are not particularly concerned as the terminal hour is not late and they have offered some conditions regarding the deliveries.

I have copied Bill in, he is back in the office later today so he can advise if he intends to submit an EPT representation on noise from the deliveries.

Regards

David

David Franklin
Team Leader Licensing
Regulatory Services

From: Williams, Kieron
Sent: Thursday, May 04, 2017 12:45 AM
To: Franklin, David
Cc: Heron, Andrew
Subject: RE: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Thanks David,

Very helpful

Best wishes,

Cllr Kieron Williams
Chair of Camberwell Community Council
Labour Councillor for Camberwell Green Ward
Email: kieron.williams@southwark.gov.uk
Phone: 0796 8989 404
Twitter: @kieronjwilliams

From: Franklin, David
Sent: Tuesday, May 02, 2017 4:38 PM
To: Williams, Kieron
Cc: Heron, Andrew
Subject: RE: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Hi Kieron,

Yes I believe it is, I attach a copy of their application for your information. The application only relates to the sale of alcohol as food deliveries are not licensable between 5am and 11pm and conditions will not relate to food deliveries. The applicant has included conditions regarding the deliveroo riders but these will only relate to the delivering alcohol.

Residents have until the 23rd May to make representations, the representations can only be accepted if they relate to the sale and delivery of alcohol and the representations must be come under one or more of the licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children form harm.

Residents cannot put in representations on behalf of others unless they have written permission to do so from the other residents, however it can be better if residents each put in their own representation as their concerns and evidence may differ from each other and helps prevent individual concerns being missed from a collective response.

The email address for representations to be made is licensing@southwark.gov.uk

Ward Councillors may also submit representations if they are concerned that the granting of the premises licence will have a detrimental impact on their constituents with regard to the licensing objectives.

I have copied in the licensing case officer Andrew Heron, Andrew will contact the resident and advise on the licensing application, please contact Andrew if you have further queries as he be more familiar with the application as it proceeds through the licensing process.

There may be other business on the industrial estate who do provide hot food deliveries after 11pm so I will ask a licensing officer to visit the area after 11pm while on the night time economy team to see if other premises require a premises licence for delivery of late night refreshment.

Kind regards

David

David Franklin
Team Leader Licensing
Regulatory Services

From: Williams, Kieron
Sent: Tuesday, May 02, 2017 2:44 PM
To: Franklin, David
Subject: RE: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Hi David,

Can I also check if this licence application is related to this case?

<http://app.southwark.gov.uk/licensing/LicPremisesAppliedDetails.asp?systemkey=858527>

Best wishes,

Cllr Kieron Williams
Chair of Camberwell Community Council
Labour Councillor for Camberwell Green Ward
Email: kieron.williams@southwark.gov.uk
Phone: 0796 8989 404
Twitter: @kieronjwilliams

From: Williams, Kieron
Sent: Tuesday, May 02, 2017 1:12 PM
To: Bevan, Simon; Franklin, David; Talbot, Martin
Cc: Members Enquiries; Flynn, Tom; Dixon-Fyle, Dora; HARMAN, Harriet
Subject: FW: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

Simon/David/Martin,

Please see below the complaint I have received from local residents about the recent set up of hot food delivery business on the Valmar Road trading estate. I would be grateful if you could investigate this complaint to establish if the businesses in question have appropriate planning and licensing consents and what actions can be taken to prevent these adverse impacts on local residents and also on road safety around the school.

This does not seem to me to be an appropriate location for this kind of business with its delivery model based on what must be tens of thousands of motorbike trips a year.

Best wishes,

Cllr Kieron Williams

Chair of Camberwell Community Council
Labour Councillor for Camberwell Green Ward
Email: kieron.williams@southwark.gov.uk
Phone: 0796 8989 404
Twitter: @kieronjwilliams

Sent: Monday, May 01, 2017 11:20 AM

To: Williams, Kieron

Subject: Arrival of Kitchens and Deliveroo Company on Valmar Trading Estate

This letter is on behalf of a number of residents on the East side of Valmar Road SE5 9NG, which backs onto the Valmar Trading estate. We are deeply concerned about the recent arrival on the estate of a number of pizza, warm-up, and other kitchens, housed in apparently temporary buildings and associated with the Deliveroo company. This has taken us very much by surprise as there was no prior notification regarding any application for planning permission. Previously, such notifications have always been served prior to any developments on the estate which might affect us.

For several weeks now, the new kitchens, have been operating from between approximately 5.30pm and midnight every evening, and from about midday at weekends. During these hours there is a constant stream of Deliveroo motorbikes driving at speed into and out of the estate. This considerable increase in the volume of traffic is highly disruptive throughout the street, and has various implications as described below.

Safety. The increased traffic potentially increases hazards in road safety. One resident has reported that recently she was nearly hit when a Deliveroo motor scooter mounted the corner of the curb when leaving the estate. We have also noticed in the last week that the Estate's pedestrian rather than vehicle gate is being left open for the riders to enter and exit. This means they are actually riding along one section of pavement, which is concealed by a wall, then crossing another section where they could very easily collide with pedestrians. A further consideration, is that the estate is directly opposite Crawford Primary School, and that there are sometimes children still around for After-School Clubs etc. by the time Deliveroo's activities begin.

Noise

The sound made by the motorbikes is relentless, impinging especially on those of us living near the gates to the trading estate. Some neighbours are, we understand, experiencing disturbed sleep as a consequence. If the noise continues, it will also make it impossible for any of us to enjoy our gardens, terraces or open windows during the summer evenings and weekend afternoons.

Security: The constant flow of traffic means that the electronic gates to the trading estate are now open at weekends and throughout every evening until midnight. Prior to the installation of these gates a few years ago, a significant number of our houses were burgled, being accessed through back gardens via the estate. We are all very concerned that this problem could now recur. Some residents have also been upset in recent weeks by Deliveroo riders loitering and sitting on walls in front of their homes

We would very much appreciate your giving this distressing and possibly dangerous situation your urgent attention. We feel that the location of the kitchens and associated traffic is quite inappropriate on a residential street such as this. We would ask that the kitchens be relocated, or at least the access arrangements changed. (The kitchens are somewhere near the back of the Denmark Hill Co-op where estate might be accessed via a commercial rather than residential area). Failing either of these solutions, the introduction of safety, speed and noise reducing measures would need to be thoroughly examined.

As previously mentioned, this letter is on behalf of a number of residents in addition to ourselves. Those of 12 households in the Street have so far told us they would like sign a letter about these concerns. We are in the process of organising a hard copy of this letter with a view to collecting these signatures, but in view of the seriousness of our concerns do not want to delay drawing these to your attention. We would be grateful for any help you could give us with this and look forward to hearing from you.

Yours sincerely

[Redacted signature]

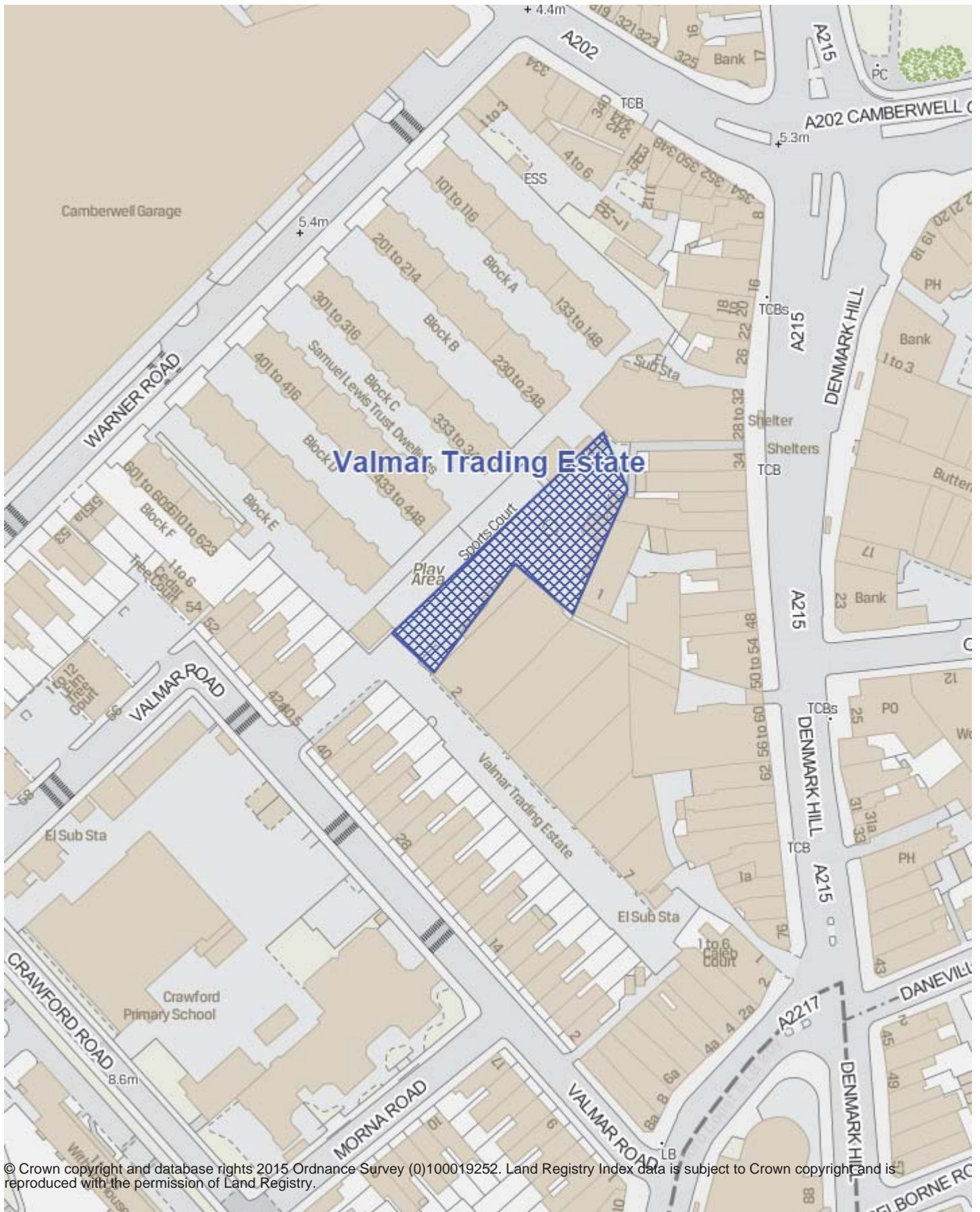
[Redacted signature]

[Redacted signature]

CC. Rt Hon Harriet Harman QC MP

Councillor Tom Flynn

Councillor Dora Dixon-Fyle MBE



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