

Licensing Sub-Committee

Wednesday 30 August 2017
10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Sunny Lambe
Councillor Adele Morris

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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Access

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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: 21 August 2017



Licensing Sub-Committee

Wednesday 30 August 2017
10.00 am

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

Order of Business

| Item No. | Title | Page No. |
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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: SIX YARD BOX, UNIT 6, THE ARTWORKS, ELEPHANT ROAD, LONDON SE17 1AY | 1 - 64 |
|--|--------|

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: 21 August 2017

| | | | |
|-------------------------------------|--------------------------------|--|---|
| Item No. 5. | Classification: Open | Date: 30 August 2017 | Meeting Name: Licensing Sub-Committee |
| Report Title | | Licensing Act 2003: Six Yard Box, Unit 6, The Artworks, Elephant Road, London SE17 1AY | |
| Ward(s) of group(s) affected | | East Walworth | |
| From | | Strategic Director of Environment and Social Regeneration | |

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Six Yard Box Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Six Yard Box, Unit 6, The Artworks, Elephant Road, London SE17 1AY.
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 deal with the representation submitted in respect of the application. Copies of the representations submitted by the council's licensing authority and the Metropolitan Police Service are attached to this report in Appendix B. A map showing the location of the premises is attached to this report as Appendix E.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 10 July 2017 Sebastian O'Driscoll applied to this council for the grant of a premises licence in respect of Six Yard Box Limited at Six Yard Box, Unit 6, The Artworks, Elephant Road, London SE17 1AY. The premises are described in the application in the application as follows:

'...Premises is located in a shipping container as part of the Artworks complex. The Premises has an internal floor space of 320sq ft. The premises has an accommodation limit for 40 persons. The Premises has two CCTV cameras that monitor the entirety of the premises. The Premises has 4 tables and two bar counters that can provide seating for 30 customers.

The Artworks is a mixed leisure and office site in Elephant and Castle. The Six Yard Box is one of 6 licensed premises on the Artworks site. The Artworks is fenced and gated, public can only access the site via two pedestrian entrances, one on the Walworth Road and the other on Elephant Road. The Six Yard Box premises is located inside the Artworks gates on the south side of a public use courtyard.

The courtyard that is operated and managed by the site landlords Artworks. The courtyard area has an accommodation limit of 200. The Artworks provide seating, security, cleaning and maintenance for the courtyard.

They also have CCTV of the courtyard which is managed by the Artworks Security Team. They hold Public Liability Insurance for the courtyard area.'

9. The application and is summarised as follows:

- The supply by retail of alcohol (both on and off sales)
 - Sunday to Thursday 12:00 (midday) to 23:00
 - Friday 12:00 (midday) to 00:00 (midnight)
 - Saturday 10:00 to 00:00 (midnight)
- The provision of regulated entertainment in the form of recorded music (indoors)
 - Sunday to Thursday 12:00 (midday) to 23:00
 - Friday 12:00 (midday) to 00:00 (midnight)
 - Saturday 10:00 to 00:00 (midnight)
- Opening hours
 - Sunday to Thursday 12:00 (midday) to 23:30
 - Friday 12:00 (midday) to 00:30
 - Saturday 10:00 to 00:30
- The proposed designated premises supervisor of the premises is Sebastian O'Driscoll who has a personal licence by London Borough of Southwark.

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 had been submitted by the Metropolitan Police (Licensing Division). The representation was made under the licensing objectives of the prevention crime and disorder and the prevention of public nuisance due to concerns with the operational nature of the Artworks. The Applicant has agreed to additional conditions, namely

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.
2. That all CCTV footage 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 signed and updated every 6 months. The records shall, upon request, be made immediately available to officers of the police and the council.

4. That clear and visible signage on entrance/exit requesting customers to respect neighbours and leave quietly.
5. That no drinks shall be taken from the venue after 23:00 with the exception being off sales, that shall be sold in sealed containers for consumption away from the area known as The Artworks.
 - A copy of the original representation, the Applicant's agreement and subsequent Police withdrawal are available in Appendix B.
12. A representation has been received from this council's licensing authority in relation to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance. The author has asked for further information and additional conditions. A copy of the representation is available in Appendix B.

Representations from other persons

13. No other representations have been received.

Conciliation

14. The Applicant was sent copies of the representations that were submitted. The Applicant has responded to both Objectors. Copies of those responses are in Appendix C.

Premises history

15. There is currently a premises licence in place. A copy of the current licence is available for information in Appendix D. The current hours for licensable activities are:
 - The sale by retail of alcohol to be consumed on the premises
 - Monday to Sunday from 12:00 to 23:00
 - Opening Hours
 - Monday to Sunday from 12:00 to 23:00
16. There is no history of complaints associated with the premises received by the licensing authority. An inspection was carried out on 17 February 2017. A number of breaches of the current licence were found, namely:
 - A copy of the premises licence was not available for inspection (contrary to Section 57(3) of the Licensing Act 2003)
 - The CCTV was not working or being retained correctly (contrary to Conditions 288 and 289 of the premises licence)
 - Staff training records were not available for inspection (contrary to condition 340 of the premises licence).
17. A warning letter was provided for the offences found (this is referred to in the representation made by the licensing authority, with the warning letter attached as a

supporting document). A revisit inspection was carried out on 5 May 2017. All issues were found to be resolved and the inspection was found to be fully satisfactory.

Map

18. A map showing the location of the premises is attached to this report as Appendix E. There is a high concentration of licensed premises in the immediate vicinity. Namely:

Longwave Bar and Café, 1 The Artworks, Elephant Road, London SE17 1AY

- The sale by retail of alcohol (both on and off sales)
 - Monday to Sunday from 11:00 to 00:30 (the following day)
- The provision of late night refreshment (both indoors and outdoors)
 - Monday to Sunday from 23:00 to 01:00 (the following day)

The Trunk, Unit 2, The Artworks, Elephant Road, London SE17 1AY

- The sale by retail of alcohol (both on and off sales)
 - Sunday to Thursday from 11:00 to 23:30
 - Friday and Saturday from 11:00 to 00:30 (the following day)
- The provision of late night refreshment (both indoors and outdoors)
 - Monday to Thursday from 23:00 to 23:30
 - Friday and Saturday from 23:00 to 00:30 (the following day)
- The provision of regulated entertainment in the form of films (indoors)
 - Sunday to Thursday from 08:30 to 23:30
 - Friday and Saturday from 08:30 to 00:00 (midnight)
- The provision of regulated entertainment in the form of live music, recorded music, plays and the performance of dance (all indoors)
 - Sunday to Thursday from 23:00 to 23:30
 - Friday and Saturday from 23:00 to 00:00 (midnight)

Elephantastic Pizza, Unit 5, The Artworks, Elephant Road, London SE17 1AY

- The sale by retail of alcohol (on and off sales)
 - Monday to Sunday from 12:00 (midday) to 23:00

Black Acorn Tapas, Unit 16 The Artworks, Elephant Road, London SE17 1AY

- The sale by retail of alcohol (on sales)
 - Monday to Sunday from 10:00 to 23:00

Marcel and Sons, 18, The Artworks, Elephant Road, London SE17 1LB

- The sale by retail of alcohol (on sales)
 - Tuesday to Saturday from 12:00 (midday) to 22:00
 - Sunday from 12:00 (midday) to 17:00

Lost Rivers, Elephant Road, London SE17 1AY

- The sale by retail of alcohol (both on and off sales)
 - Sunday to Thursday from 11:00 to 23:30
 - Friday and Saturday from 11:00 to 00:30 (the following day)
- The provision of late night refreshment (both indoors and outdoors)
 - Monday to Thursday from 23:00 to 23:30
 - Friday and Saturday from 23:00 to 00:30 (the following day)
- The provision of regulated entertainment in the form of live music, recorded music, films, play and the performance of dance (all indoors)
 - Sunday to Thursday from 10:00 to 23:30
 - Friday and Saturday from 10:00 to 00:30 (the following day)

Distaindina, Unit 6, Farrell Court, Elephant Road, London SE17 1LB

- The sale by retail of alcohol (both on and off sales)
 - Sunday to Thursday from 08:00 to 03:00 (the following day)
 - Friday and Saturday from 08:00 to 04:00 (the following day)

Bola 8, Railway Arches 113c and 122, Elephant Road, London SE17 1LB

- The sale by retail of alcohol (on sales)
 - Monday to Wednesday from 11:00 to 02:00 (the following day)
 - Thursday to Saturday from 11:00 to 04:30 (the following day)
 - Sunday from 11:00 to 02:30 (the following day)
- The provision of late night refreshment (indoors)
 - Sunday to Thursday from 23:00 to 02:30 (the following day)
 - Friday and Saturday from 23:00 to 05:00 (the following day)
- The provision of regulated entertainment in the form of live music (indoors)
 - Monday to Sunday from 11:00 to 00:00 (midnight)
- The provision of regulated entertainment in the form of recorded music and anything similar (indoors)
 - Sunday to Thursday from 11:00 to 02:30 (the following day)
 - Friday and Saturday from 11:00 to 05:00 (the following day).

Southwark council statement of licensing policy

19. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Council Assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. The policy came into effect on 1 January 2016.
20. 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 outside of a cumulative impact zone but inside the Elephant and Castle major town centre. Relevant closing times recommended in the Statement of Licensing Policy is as follows:
 - Restaurants and cafes
 - Sunday to Thursday until 00:00

- Friday and Saturday until 01:00
- Public houses
 - Sunday to Thursday until 23:00
 - Friday and Saturday until 00:00.

Resource implications

23. A fee of £100.00 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 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 | Kirby Read Tel: 020 7525 5748 |

APPENDICES

| Name | Title |
|-------------|--|
| Appendix A | Application for a premises licence |
| Appendix B | Representations submitted by responsible authorities |
| Appendix C | Representations submitted by Responsible Authorities – the Metropolitan Police and the Council's Licensing Department (and withdrawal by Police) |
| Appendix D | Copy of current premises licence |
| Appendix E | 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 | 16 August 2017 | | |
| Key Decision? | No | | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | | |
| Officer Title | Comments sought | Comments included | |
| Director of Law and Democracy | Yes | Yes | |
| Strategic Director of Finance and Governance | Yes | Yes | |
| Cabinet Member | No | No | |
| Date final report sent to Constitutional Team | | 17 August 2017 | |

**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 Sebastian O'Driscoll

(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 | | | |
| Six Yard Box Unit 6, The Artworks, Elephant Road | | | |
| Post town | London | Postcode | SE17 1AY |

| | |
|---|--------|
| Telephone number at premises (if any) | NA |
| Non-domestic rateable value of premises | £ 1320 |

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 | Six Yard Box Limited |
| Address | Unit 6, The Artworks, Elephant Road, London, SE17 1AY |
| Registered number (where applicable) | 09312242 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) | Limited Company |
| Telephone number (if any) | [REDACTED] |
| E-mail address (optional) | [REDACTED] |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|----|----|----------|
| DD | MM | YYYY |
| 11 | 01 | 08 20 17 |

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"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

Premises is located in a shipping container as part of the Artworks complex. The Premises has an internal floor space of 320sq ft. The premises has an accommodation limit for 40 persons. The Premises has two CCTV cameras that monitor the entirety of the premises. The Premises has 4 tables and two bar counters that can provide seating for 30 customers.

The Artworks is a mixed leisure and office site in Elephant and Castle. The Six Yard Box is one of 6 licensed premises on the Artworks site. The Artworks is fenced and gated, public can only access the site via two pedestrian entrances, one on the Walworth Road and the other on Elephant Road. The Six Yard Box premises is located inside the Artworks gates on the south side of a public use courtyard.

The courtyard that is operated and managed by the site landlords Artworks. The courtyard area has an accommodation limit of 200. The Artworks provide seating, security, cleaning and maintenance for the courtyard. They also have CCTV of the courtyard which is managed by the Artworks Security Team. They hold Public Liability Insurance for the courtyard area.

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

NA

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

☐

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

☒

In all cases complete boxes K, L and M

A

| | | | | | |
|---|-------|--------|---|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 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"/> |
| | | | | 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 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) | | |
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|---|-------|--------|--|----------|--------------------------|
| 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 | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <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) | | |
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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) |
| | | | |
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|--|-------|--------|--|----------|--------------------------|
| 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"/> |
| | | | | 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 | | | | | |
| | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5) | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | | | |
| | | | <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) | | |
| Fri | | | | | |
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E

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|--|-------|--------|--|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 7) | | | <u>Will the performance of live music 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 | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Tue | | | | | |
| | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) | | |
| | | | | | |
| Thur | | | | | |
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| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) | | |
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F

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|--|-------|--------|--|----------|-------------------------------------|
| Recorded music Standard days and timings (please read guidance note 7) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input checked="" 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) We play amplified recorded music on a speaker system in the Premises. The Premises is heavily insulated which prevents the sound of the speaker system from being heard at street level. The current speaker system has been in place for 14 months and as of yet there have been zero complaints to Six Yard Box, The Artworks or Southwark council regarding noise or amplified music. | | |
| Mon | 12:00 | 23:00 | | | |
| Tue | 12:00 | 23:00 | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) | | |
| Wed | 12:00 | 23:00 | | | |
| Thur | 12:00 | 23:00 | <u>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</u> (please read guidance note 6) | | |
| Fri | 12:00 | 00:00 | | | |
| Sat | 10:00 | 00:00 | | | |
| Sun | 12:00 | 23:00 | | | |

G

| | | | | | |
|---|-------|--------|---|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 7) | | | <u>Will the performance of dance 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 | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| 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) | | |
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| Sat | | | | | |
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|--|-------|--------|--|----------|--------------------------|
| 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 | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 4) | | |
| | | | | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5) | | |
| | | | | | |
| Fri | | | | | |
| Sat | | | <u>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</u> (please read guidance note 6) | | |
| | | | | | |
| Sun | | | | | |

I

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|--|-------|--------|---|----------|--------------------------|
| 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 | <u>Please give further details here</u> (please read guidance note 4) | | |
| Mon | | | | | |
| | | | | | |
| | | | | | |
| Tue | | | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) | | |
| | | | | | |
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| Wed | | | <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) | | |
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J

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|---|-------|--------|--|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 7) | | | <u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>State any seasonal variations for the supply of alcohol</u> (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 | <u>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</u> (please read guidance note 6) | | |
| | | | | | |
| Fri | 12:00 | 00:00 | | | |
| | | | | | |
| Sat | 10:00 | 00:00 | | | |
| | | | | | |
| Sun | 12:00 | 23:00 | | | |
| | | | | | |

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 | | Sebastian O'Driscoll |
| Date of birth | | 29/12/1983 |
| Address | | 38 Brightwell Crescent, London |
| Postcode | SW17 9AE | |
| Personal licence number (if known) | | 846315 |
| Issuing licensing authority (if known) | | Southwark |

□□□□

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).

L

| | | | |
|---|-------|--------|---|
| Hours premises are open to the public Standard days and timings (please read guidance note 7) | | | State any seasonal variations (please read guidance note 5) |
| Day | Start | Finish | |
| Mon | 12:00 | 23:30 | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) |
| | | | |
| Tue | 12:00 | 23:30 | |
| | | | |
| Wed | 12:00 | 23:30 | |
| | | | |
| Thur | 12:00 | 23:30 | |
| | | | |
| Fri | 12:00 | 00:30 | |
| | | | |
| Sat | 10:00 | 00:30 | |
| | | | |
| Sun | 12:00 | 23:30 | |
| | | | |

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)

- i) Every supply of alcohol under the Premises Licence to be made, or authorised by the DPS.
- 2) DPS to ensure that alcoholic drinks sold or supplied are available to customers in the following measures(i)
Beer or cider: 1/2 pint;
ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
iii) Still wine in a glass: 125 ml;
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises
- 3) That all staff shall be trained in their responsibilities under the Licensing Act 2003 and records pertaining to such training shall be kept at the premises and shall be updated every 6 months. This record shall be made available for inspection by police and authorised officers of the Licensing Authority upon request.

b) The prevention of crime and disorder

- 1) That the premises licence holder shall maintain an incident log at the premises which shall record details of crimes reported, persons ejected, complaints received, visits by the Authorities or anything similar. The incident log shall be made available for inspection by the police or authorised officers of the Licensing Authority upon request.
- 2) A Dispersal Policy for the premises be submitted to the Licensing Authority and kept at the premises with the licence and made available for inspection by authorised officers.

c) Public safety

- 1) That staff will be trained in respect of the Fire Risk Assessment, Health & Safety Risk Assessment and policies in respect of emergency procedure at the premises.
 - 2) Ensure that free potable water is provided on request to customers where it is reasonably available.
 - 3) That suitable First Aid facilities shall be provided at the premises.
- Premises Supervisor to ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises such as; (a) games or other activities which require or encourage individuals to drink a quantity of alcohol within a time limit or drink as much alcohol as possible (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee (c) provision of free or discounted alcohol or any other thing as a prize (d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour

d) The prevention of public nuisance

- 1) That a CCTV system be installed at the premises and be maintained in full working order to the satisfaction of the Metropolitan Police, 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 all licensable area's including any outside areas. That all CCTV footage shall be kept for a period of thirty one (31) days and shall be made immediately available to officers of the police and the council upon request.

e) The protection of children from harm

1) Implementation of 'Challenge 25' identification policy to ensure safe supply of alcohol. This policy requires individuals who appear to the responsible person to be under 25 to produce on request, before being served alcohol an identification bearing their photograph and date of birth from a pre-approved list of identifications. DPS to ensure that all staff members are to be fully trained on the policy and its correct implementation. A record of such training will be maintained by the premises licence holder and shall be produced for inspection by the police or authorised officers of the licensing authority. Clearly legible signage shall be prominently displayed where it can easily be seen and read by customers to advise customers that the premises operates a Challenge 25 policy.

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 | |
| Date | |
| Capacity | |

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) | | | |
| | | | |
| Post town | | Postcode | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance



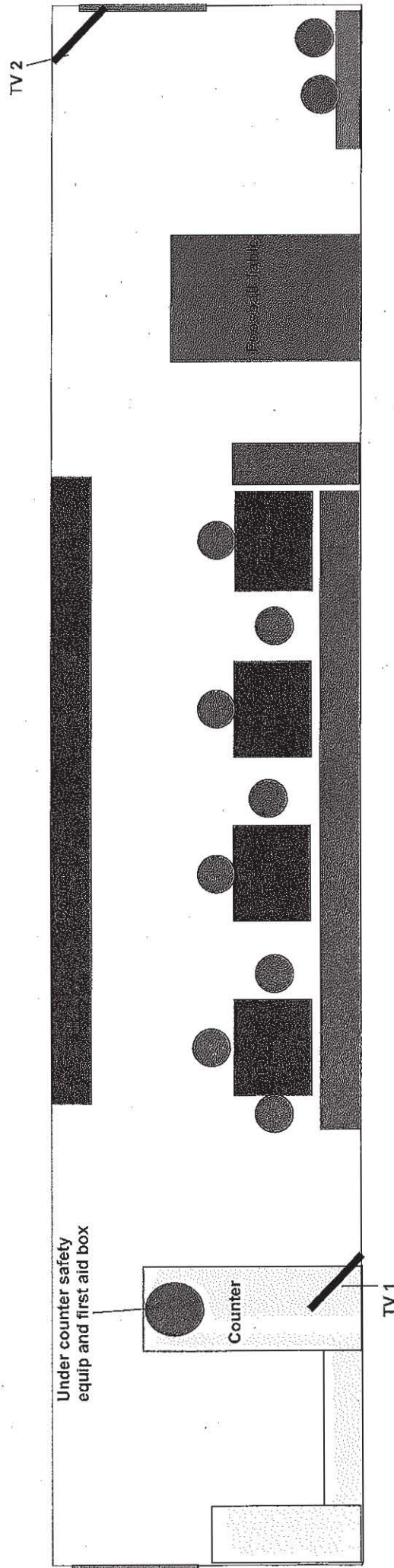
Six Yard Box's General Dispersal Policy

Six Yard Box operates a 'good neighbour' policy. We aim to build and maintain close relationships with local residents and the premises is run and managed accordingly. The premises manager is expected to deal with any complaints from local residents quickly and effectively. If complaints cannot be resolved on a premises basis, then they are done so with the Company Director.

In relation to dispersal, all our staff are trained in and operate the following procedures and systems:

- Effective management of customer behaviour whilst in the premises. This is achieved through:
 - appropriate staff/management to customer ratio. Busier nights and events will have an increased staff presence.
 - management presence front-of-house at all times
 - SIA trained Security Guard at the Premise at all times
 - adoption of the Responsible Drinks Retailing Policy to minimise risk of anti social-behaviour
- A 30 minute drinking up time which is incorporated into the licence for the purposes of the Licensing Act 2003 which assists with gradual dispersal of all customers in the premises at the end of the evening.
- Appropriate signage will be placed at exit doors.
- A strong management and staff presence in the customer area during the closing time period to ensure all customers leave quietly
- Providing appropriate information to customers who require a taxi or public transport.
- External disposal of bottles/refuse at a reasonable time.

Six Yard Box Internal Plans



Colour Key

- Door
- Bar and back bar
- Table/Counter
- Seating
- Foosball Table
- Seating
- Safety Equipment

Specs

2200mm x 12000mm x 2200mm



APPENDIX B

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

Metropolitan Police Service
Licensing Office
 Southwark Police Station,
 323 Borough High Street,
 LONDON,
 SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/2994/17

Date: 04/08/2017

Re:- Six Yard Box The Artworks Unit 6 Elephant road SE17 1AY

Dear Sir/Madam

Police are in receipt of an application from the above for a new premises licence to be granted under the licensing act 2003 for the following hours

Premises open to the public

Sun-Thurs 1200-2330

Fri 1200-0030

Sat 1000-0030

Sale/Supply of alcohol on/off

Sun-Thurs 1200-2330

Fri 1200-0000

Sat 1000-0000

Recorded Music

Sun-Thurs 1200-2300

Fri 1200-0000

Sat 1000-0000

The operating schedule indicates that this venue is to operate as a bar.

The hours of operation as per the application are later than that recommended by the Southwark Statement of Licensing policy 2016-2020 that being 2300hrs in residential areas. The artworks has been subject to a number of complaints in regards to noise and anti social behaviour and the premises has suggested that they wish to use the court yard area for consumption of alcohol sold by themselves. However they do not

provide any conditions to manage this area, in fact they pass this responsibility over to the artworks management. The application does not contain any evidence to support any deviation from policy therefore we recommend that this application is refused.

This recommendation is made under the licensing objectives, of the prevention of crime and disorder and the prevention of public nuisance. The application contains control measures in order to restrict the operation to this specific manner, however it does not go far enough to warrant the extended hours.

If the committee is of a mind to grant such a licence, then police would ask the committee to consider the following wording and conditions in order to negate any ambiguity

1/ That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters 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 signed and updated every 6 months. The records shall, upon request, be made immediately available to Officers of the Police and the Council.

4/ Clear and visible signage on entrance/exit requesting customers to respect neighbours and leave quietly

5/ All alcohol off sales shall only be sold in sealed containers for consumption away from the area known as The Artworks

6/ At least one SIA registered Door Supervisor shall be employed at all times at the venue after 21.00hrs until the terminal hour on Friday and Saturday.(exclusive of any artworks security)

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

Yours Sincerely

PC Mark Lynch 246MD
Southwark Police Licensing Unit

Heron, Andrew

From: mark.A.Lynch@met.pnn.police.uk
Sent: 16 August 2017 14:59
To: Heron, Andrew
Subject: Premises Licence Application-Six Yard Box

Good Afternoon Andrew

In view of the fact that the applicant has accepted conditions 1-4 as previously worded and the amended condition 5 police would now like to withdraw their objection

Regards
 Mark

Pc Mark Lynch 246MD
 Southwark Licensing/NTE
 Southwark Police Station
 323 Borough High Street
 SE1 3JL
 0207 232 6756

From: Sebastian O'Driscoll [REDACTED]
Sent: 16 August 2017 13:56
To: Lynch Mark A - MD <mark.A.Lynch@met.pnn.police.uk>
Cc: Heron, Andrew <Andrew.Heron@southwark.gov.uk>
Subject: Re: Premises Licence Application

Hi Mark,

Thank you for your email.

We will keep conditions 1-4 as you have worded and will put in Condition 5 as you specified:

"No drinks shall be taken from the venue after 2300hours with the exception being off sales, that shall be sold in sealed containers for consumption away from the area known as The Artworks."

Thank you for your input.

Best Regards

Seb O'Driscoll

On 15 August 2017 at 15:56, <mark.A.Lynch@met.pnn.police.uk> wrote:

Good afternoon

I never received the applicants response before now ,thank you for sending Andrew. Please see the police response ,

Conditions 1,2,3,4, remain as I have worded as this is a new application , I would also like to see the following amended wording for condition 5 in regards to the consumption of alcohol outside of the premises

Condition 5-No drinks shall be taken from the venue after 2300hours with the exception being off sales, that shall be sold in sealed containers for consumption

away from the area known as The Artworks

If the above is acceptable by the applicant then police would like to withdraw their objection

Regards

Mark

Pc Mark Lynch 246MD

Southwark Licensing/NTE

Southwark Police Station

323 Borough High Street

SE1 3JL

0207 232 6756

From: Heron, Andrew [mailto:Andrew.Heron@southwark.gov.uk]

Sent: 15 August 2017 14:48

To: Lynch Mark A - MD <mark.A.Lynch@met.pnn.police.uk>

Subject: FW: Premises Licence Application

Here's the response, please let me know if you're still happy to withdraw...

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: Sebastian O'Driscoll [REDACTED]
Sent: Thursday, August 10, 2017 3:30 PM

To: Heron, Andrew
Subject: Re: Premises Licence Application

Hi Andrew,

In response to the Representations we are keen to ensure that our premises operates in a way that promotes our licencable objectives.

In response to PC Mark Lynch's recommendations we would suggest:

Regarding late night licence extension. We propose make only on site sales from 11pm-12pm and ensure that consumption of alcohol from 11pm is carried out in the premises. The premises is well insulated and has never had a noise or anti-social complaint made against any activity in the premises. Furthermore a dispersal policy has been created and shared with this application to ensure premises evacuates at the end of the night in a orderly way that ensures prevention of disorder, crime or nuisance.

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.

The Premises already has a CCTV system that covers the entire floor area of the bar. This is a condition of the current licence.

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.

CCTV Footage is captured on SD cards which we use in a rotating basis. Each SD Card is capable of capturing over 31 days of footage however are changed monthly and kept onsite until written over 2 months later. As such we have access to footage up to 60 days. We also have access to outdoor CCTV outside the premises via the Artworks CCTV system.

3/ That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and signed and updated every 6 months. The records shall, upon request, be made immediately available to Officers of the Police and the Council.

All staff are currently trained under the licencing act 2003 as part of induction process. Records are updated every six months, updating scheduled for November and April annually.

4/ Clear and visible signage on entrance/exit requesting customers to respect neighbours and leave quietly

Signs will be placed at the entrance/exit of the premises and the entrances/exits of the Artworks by Six Yard Box team.

5/ All alcohol off sales shall only be sold in sealed containers for consumption away from the area known as The Artworks

All alcohol off sales to be sold in sealed containers. Signage indicating that all alcohol off sales must be consumers away from Artworks area to be placed by the bar area and at the entrance/exit area.

I am more than happy to discuss further directly with PC Lynch if he would rather chat about this in person.

Thanks

Seb

On 10 August 2017 at 12:56, Heron, Andrew <Andrew.Heron@southwark.gov.uk> wrote:

No worries – I'm in the office all afternoon, so give me a call if you want to talk anything through, as I think we can get this sorted without the need for a Hearing.

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: Sebastian O'Driscoll [m]
Sent: Thursday, August 10, 2017 12:56 PM
To: Heron, Andrew
Subject: Re: Premises Licence Application

Hi Andrew,

Just picking this up. Will respond this afternoon to all of the representations.

Thanks for send on

Best

Seb

On 10 August 2017 at 11:43, Heron, Andrew <Andrew.Heron@southwark.gov.uk> wrote:

Dear Seb,

Further to your application for a premises licence, please be advised that it has received two representations from the Police and the Licensing Authority, please find attached copies. You will see that there is a request that you look at your hours and consider additional conditions. If you are in agreement, or wish to debate these requests with the objectors, please write to them directly via email and copy me in.

I will provisionally book a hearing if an agreement cannot be reached.

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

The email you received and any files transmitted with it are confidential, may be covered by legal and/or professional privilege and are intended solely for the use of the individual or entity to whom they are addressed. If you have received this in error please notify us immediately. If you are not the intended recipient of the email or the person responsible for delivering it to them you may not copy it, forward it or otherwise use it for any purpose or disclose its contents to any other person. To do so may be unlawful. Where opinions are expressed in the email they are not necessarily those of Southwark Council and Southwark Council is not responsible for any changes made to the message after it has been sent.

--

MEMO: Licensing Unit

To Licensing **Date** 27 June 2017

Copies

From David Franklin **Telephone** 020 7525 50396

Email david.franklin@southwark.gov.uk

Subject Six Yard Box, Unit 6, The Artworks, Elephant Road SE17 1AY

I make this representation with regards to the new application for a premises licence by Six Yard Box Limited for the Six Yard Box, Unit 6, The Artworks, Elephant Road SE17 1AY.

My representation is based on promoting the licensing objectives for the prevention of crime and disorder and prevention of public nuisance.

The application asks for the following licensable activities:

Recorded Music Indoors

Sunday to Thursday 12:00 to 23:00 hours

Friday and Saturday 12:00 to 00:00 hours

Sale of alcohol on the premises both on and off the premises

Sunday to Thursday 12:00 to 23:00 hours

Friday and Saturday 12:00 to 00:00 hours

Opening Hours

Sunday to Thursday 12:00 to 23:30 hours

Friday and Saturday 12:00 to 00:30 hours

The premises is described as a "Premises is located in a shipping container as part of the Artworks complex. The Premises has an internal floor space of 320sq ft. The premises has an accommodation limit for 40 persons. The Premises has two CC1V cameras that monitor the entirety of the premises. The Premises has 4 tables and two bar counters that can provide seating for 30 customers. The Artworks is a mixed leisure and office site in Elephant and Castle. The Six Yard Box is one of 6 licensed premises on the Artworks site. The Artworks is fenced and gated, public can only access the site via two pedestrian entrances, one on the Walworth Road and the other on Elephant Road. The Six Yard Box premises is located inside the Artworks gates on the south side of a public use courtyard. The courtyard that is operated and managed by the site landlords Artworks. The courtyard area has an accommodation limit of 200. The Artworks provide seating, security, cleaning and maintenance for the courtyard.

They also have CCTV of the courtyard which is managed by the Artworks Security Team. They hold Public Liability Insurance for the courtyard area."

The application does not specify the nature of the premises, but in the absence of the provision of substantial food it should be classified as a bar.

The plans for the premises show shipping container outlined in red as the proposed licensable area of the premises and does not include any outside areas of the courtyard as part of the premises.

The premises sits in the Elephant and Castle major town centre area, the Southwark Statement of Licensing Policy 2016 – 2020 in section seven gives the appropriate closing times for bars in this area as:

Policy closing times

Sunday to Thursday 23:00 hours
Friday and Saturday 00:00 hours

The closing times within the application are 30 minutes beyond the appropriate closing times in the Policy.

There is a current premises licence for this premises held by Sebastian O'Driscoll, who is a director of Six Yard Box Limited. The licensable activities of the current premises licence are:

Sale of alcohol on the premises on the premises

Monday to Sunday 12:00 to 23:00 hours
Friday and Saturday 12:00 to 23:00 hours

Opening Hours

Sunday to Thursday 12:00 to 23:00 hours
Friday and Saturday 10:00 to 23:00 hours

Recorded music is exempt from the requirement for a premises licence on alcohol licensed premises of a capacity under 500 persons between 08:00 and 23:00 hours and is therefore not required on the existing premises licence.

The Council have received a number of complaints regarding the use of outdoor areas for licensable activities from residents near to The Artworks.

A visit was made to the premises by a Licensing Officers on the night time economy team on the evening of 17 February 2017, Mr Eoin O'Flynn, a director of Six Yard Box Limited, was managing the premises breaches of the Licensing Act 2003 were found for the following items:

- The Premises Licence (or certified copy) was not available at the premises. Breach of Section 57(3) of the Licensing Act 2003.
- The CCTV installed at the premises was not working and as such the CCTV footage which should be kept for a period of 31 days was not available. Contrary to conditions 288 and 289 on the premises licence.
- Staff training records regarding responsibilities under the licensing act 2003 were not available for inspection. Contrary to condition 340 on the premises licence.

A warning letter was sent to the premises licence holder Sebastian O'Driscoll, a copy of the letter is attached to this representation for reference.

A revisit was made on 05 May 2017, the matters listed above were found to be rectified and the premises was compliant with their premises licence.

To promote the licensing objectives for the prevention of public nuisance and disorder I ask that this application is amended to the following hours with the conditions added:

- **Recorded Music Indoors**
Sunday to Thursday 12:00 to 22:30 hours
Friday and Saturday 12:00 to 23:30 hours
- **Sale of alcohol on the premises both on and off the premises**
Sunday to Thursday 12:00 to 22:30 hours
Friday and Saturday 12:00 to 23:30 hours
- **Opening Hours**
Sunday to Thursday 12:00 to 23:00 hours
Friday and Saturday 12:00 to 00:00 hours
- All off sales of alcohol shall be in closed containers to be taken away for consumption away from the vicinity of the premises.
- Additionally a dispersal policy for the premises should be written and staff trained on the policy. A copy of the policy to be kept on the premises.
- The premises is limited to 40 patrons at any one time.

David Franklin
Licensing Authority as a Responsible Authority

Mr Sebastian O'Driscoll
Six Yard Box
Unit 6 The Artworks
Elephant Road
SE17 1AY

Licensing Unit
 Direct Line: 020 7525 0396
 Direct Fax: 020 7525 5705

28 February 2017

Dear Mr Sebastian O'Driscoll

RE: THE LICENSING ACT 2003 – WARNING LETTER
(Six Yard Box, Unit 6 The Artworks, Elephant Road, SE17)

On 17 February 2017 at 21:51 hours Licensing Enforcement Officers carried out an inspection to determine whether the licensable activities at the above premises were carried out in accordance with your authorisation.

In addition to the above, the Officers also considered 'risk assessment' criteria that would help determine the frequency of future inspections to your premises.

During the inspection the officers witnessed the following:

1. The Premises Licence (or certified copy) was not available at the premises.
Breach of Section 57(3) of the Licensing Act 2003.

If you have lost or damaged your Premises Licence you can order a new one by writing to the Licensing Unit at the address given below, and including a cheque (made payable to the London Borough of Southwark) or postal order for £10.50.

If you have your Premises Licence (or certified copy) please ensure that it is kept at the premises to be made available to authorised officers should they request to see it.

2. The CCTV installed at the premises was not working and as such the CCTV footage which should be kept for a period of 31 days was not available.
Contrary to conditions 288 and 289 on the premises licence.
3. Staff training records regarding responsibilities under the licensing act 2003 were not available for inspection. **Contrary to condition 340 on the premises licence.**

Each of the matters listed above potentially constitutes a breach of the licence issued by the Council under the Licensing Act 2003.

You must ensure that licensable activities and hours of operation are in accordance with those listed on your premises licence. You must also ensure that the conditions attached to your licence are adhered to. A further visit will be made to check on these matters.

If compliance is not achieved the Council may take formal action that may affect your licence or lead to a prosecution. A person found guilty of an offence under the above section is liable on summary conviction to imprisonment for a term not exceeding 6 months or to an unlimited fine.

I hope this warning will ensure that compliance is achieved and no further action will be required.

Thank you in anticipation of your co-operation. Should you wish to discuss this matter with a Licensing Enforcement Officer Please contact us by email at licensing@southwark.gov.uk or by telephone on 020 7525 0396 between the hours of 9.00 and 17.00, Monday to Friday. Alternatively you can write or visit us at the above address.

Yours sincerely,

Jayne Tear
Principal Licensing Officer
jayne.tear@southwark.gov.uk

C.C: P.C. Ian Clements/ P.C. Graham White
Licensing Office Southwark Police Station
323 Borough High Street
SE1 2ER

Heron, Andrew

From: Sebastian O'Driscoll [REDACTED]
Sent: 10 August 2017 15:30
To: Heron, Andrew
Subject: Re: Premises Licence Application

Follow Up Flag: Follow up
Flag Status: Completed

Hi Andrew,

In response to the Representations we are keen to ensure that our premises operates in a way that promotes our licencable objectives.

In response to PC Mark Lynch's recommendations we would suggest:

Regarding late night licence extension. We propose make only on site sales from 11pm-12pm and ensure that consumption of alcohol from 11pm is carried out in the premises. The premises is well insulated and has never had a noise or anti-social complaint made against any activity in the premises. Furthermore a dispersal policy has been created and shared with this application to ensure premises evacuates at the end of the night in a orderly way that ensures prevention of disorder, crime or nuisance.

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.

The Premises already has a CCTV system that covers the entire floor area of the bar. This is a condition of the current licence.

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.

CCTV Footage is captured on SD cards which we use in a rotating basis. Each SD Card is capable of capturing over 31 days of footage however are changed monthly and kept onsite until written over 2 months later. As such we have access to footage up to 60 days. We also have access to outdoor CCTV outside the premises via the Artworks CCTV system.

3/ That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and signed and updated every 6 months. The records shall, upon request, be made immediately available to Officers of the Police and the Council.

All staff are currently trained under the licencing act 2003 as part of induction process. Records are updated every six months, updating scheduled for November and April annually.

4/ Clear and visible signage on entrance/exit requesting customers to respect neighbours and leave quietly

Signs will be placed at the entrance/exit of the premises and the entrances/exits of the Artworks by Six Yard Box team.

5/ All alcohol off sales shall only be sold in sealed containers for consumption away from the area known as The Artworks

All alcohol off sales to be sold in sealed containers. Signage indicating that all alcohol off sales must be consumers away from Artworks area to be placed by the bar area and at the entrance/exit area.

I am more than happy to discuss further directly with PC Lynch if he would rather chat about this in person.

Thanks

Seb

On 10 August 2017 at 12:56, Heron, Andrew <Andrew.Heron@southwark.gov.uk> wrote:

No worries – I'm in the office all afternoon, so give me a call if you want to talk anything through, as I think we can get this sorted without the need for a Hearing.

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

Heron, Andrew

From: Sebastian O'Driscoll [REDACTED]
Sent: 10 August 2017 16:19
To: Heron, Andrew
Subject: Re: Premises Licence Application

Follow Up Flag: Follow up
Flag Status: Completed

Hi Andrew,

Please find enclosed a response to David Franklin's representation regarding our licence application. I have noticed that this representation was dated on June 27th - which is before the licence application was filed. Does this mean that it was a representation to the previous application and if so is it still valid as we made a number of amendments to the 2nd application in response to representations received from the first application made in May 2017.

Enclosed are our responses:

The application does not specify the nature of the premises, but in the absence of the provision of substantial food it should be classified as a bar. The plans for the premises show shipping container outlined in red as the proposed licensable area of the premises and does not include any outside areas of the courtyard as part of the premises.

The premises is classified as a bar. The premises is located in the Artworks area and does not included the Courtyard as part of the premises. We would ask the Licencing Authority to include the demise of the Artworks courtyard as an off-site location where Six Yard Box patrons can consume beverages purchased on the premises. This area is included in the plans provided. Six Yard Box staff have responsibility for this area as they regularly clean this area throughout opening hours, provide security via a walkie talky system with Longwave Bar and Artworks Security Team.

The premises sits in the Elephant and Castle major town centre area, the Southwark Statement of Licensing Policy 2016 – 2020 in section seven gives the appropriate closing times for bars in this area as: Policy closing times Sunday to Thursday 23:00 hours Friday and Saturday 00:00 hours The closing times within the application are 30 minutes beyond the appropriate closing times in the Policy. There is a current premises licence for this premises held by Sebastian O'Driscoll, who is a director of Six Yard Box Limited. The licensable activities of the current premises licence are: Sale of alcohol on the premises on the premises Monday to Sunday 12:00 to 23:00 hours Friday and Saturday 12:00 to 23:00 hours Opening Hours Sunday to Thursday 12:00 to 23:00 hours Friday and Saturday 10:00 to 23:00 hours Recorded music is exempt from the requirement for a premises licence on alcohol licensed premises of a capacity under 500 persons between 08:00 and 23:00 hours and is therefore not required on the existing premises licence. The Council have received a number of complaints regarding the use of outdoor areas for licensable activities from residents near to The Artworks.

The Six Yard Box has never received a complaint regarding noise or anti-social behaviour. I believe those complaints have been regarding live music events held by the Artworks Management Team and more recently the Lost Rivers Site next door to the Artworks.

The Six Yard Box premises is well insulated and noise from the premises cannot be heard from outside the Artworks demise. We would propose a condition where by patrons must be inside the premises after 23:00 in order to consume alcohol provided from the Six Yard Box.

A visit was made to the premises by a Licensing Officers on the night time economy team on the evening of 17 February 2017, Mr Eoin O'Flynn, a director of Six Yard Box Limited, was managing the premises breaches of the Licensing Act 2003 were found for the following items: • The Premises Licence (or certified copy) was not available at the premises. Breach of Section 57(3) of the Licensing Act 2003. • The CCTV installed at the premises was not working and as such the CCTV footage which should be kept for a period of 31 days was not available. Contrary to conditions 288 and 289 on the premises licence. • Staff training records regarding responsibilities under the licensing act 2003 were not available for inspection. Contrary to condition 340 on the premises licence. A warning letter was sent to the premises licence holder Sebastian O'Driscoll, a copy of the letter is attached to this representation for reference. A revisit was made on 05 May 2017, the matters listed above were found to be rectified and the premises was compliant with their premises licence.

We are now compliant with current premises licence and have always looked to work with Council and Licence Team to ensure that we do our utmost to fulfil licencing objectives; for example we signed up to Women's Safety Charter and train our staff on it in our induction.

To promote the licensing objectives for the prevention of public nuisance and disorder I ask that this application is amended to the following hours with the conditions added: • Recorded Music Indoors Sunday to Thursday 12:00 to 22:30 hours Friday and Saturday 12:00 to 23:30 hours • Sale of alcohol on the premises both on and off the premises Sunday to Thursday 12:00 to 22:30 hours Friday and Saturday 12:00 to 23:30 hours • Opening Hours Sunday to Thursday 12:00 to 23:00 hours Friday and Saturday 12:00 to 00:00 hours

We would propose maintaining Sale of Alcohol 12:00 - 23:00 Sunday - Thursday, 12:00 - 00:00 Friday and Saturday and opening hours as 12:00 - 23:30 Sunday - Thursday, 12:00 - 00:30 Friday and Saturday however install a condition that all patrons must move inside the Premise after 23:00. Along with the implementation of dispersal policy (below) I think this will have a greater impact on the prevention of crime and disorder and of public nuisance.

• All off sales of alcohol shall be in closed containers to be taken away for consumption away from the vicinity of the premises.

All alcohol off sales shall only be sold in sealed containers for consumption away from the area known as The Artworks. Signage indicating that all alcohol off sales must be consumed away from Artworks area to be placed by the bar area and at the entrance/exit area.

• Additionally a dispersal policy for the premises should be written and staff trained on the policy. A copy of the policy to be kept on the premises.

A Dispersal Policy has been created and added to this application to ensure premises evacuates at the end of the night in a orderly way that ensures prevention of disorder, crime or nuisance.

• The premises is limited to 40 patrons at any one time.

The premises will add a limit of 40 patrons at any one time to its licencing objectives.

I am very happy to discuss this in person or over the phone with David if he has any other concerns about the new licence.

Thanks

Seb

On 10 August 2017 at 15:29, Sebastian O'Driscoll [REDACTED] wrote:
Hi Andrew,

In response to the Representations we are keen to ensure that our premises operates in a way that promotes our licencable objectives.

In response to PC Mark Lynch's recommendations we would suggest:

Regarding late night licence extension. We propose make only on site sales from 11pm-12pm and ensure that consumption of alcohol from 11pm is carried out in the premises. The premises is well insulated and has never had a noise or anti-social complaint made against any activity in the premises. Furthermore a dispersal policy has been created and shared with this application to ensure premises evacuates at the end of the night in a orderly way that ensures prevention of disorder, crime or nuisance.

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.

The Premises already has a CCTV system that covers the entire floor area of the bar. This is a condition of the current licence.

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.

CCTV Footage is captured on SD cards which we use in a rotating basis. Each SD Card is capable of capturing over 31 days of footage however are changed monthly and kept onsite until written over 2 months later. As such we have access to footage up to 60 days. We also have access to outdoor CCTV outside the premises via the Artworks CCTV system.

3/ That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and signed and updated every 6 months. The records shall, upon request, be made immediately available to Officers of the Police and the Council.

All staff are currently trained under the licencing act 2003 as part of induction process. Records are updated every six months, updating scheduled for November and April annually.

4/ Clear and visible signage on entrance/exit requesting customers to respect neighbours and leave quietly

Signs will be placed at the entrance/exit of the premises and the entrances/exits of the Artworks by Six Yard Box team.

5/ All alcohol off sales shall only be sold in sealed containers for consumption away from the area known as The Artworks

All alcohol off sales to be sold in sealed containers. Signage indicating that all alcohol off sales must be consumers away from Artworks area to be placed by the bar area and at the entrance/exit area.

I am more than happy to discuss further directly with PC Lynch if he would rather chat about this in person.

Thanks

Seb

On 10 August 2017 at 12:56, Heron, Andrew <Andrew.Heron@southwark.gov.uk> wrote:

No worries – I'm in the office all afternoon, so give me a call if you want to talk anything through, as I think we can get this sorted without the need for a Hearing.

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: Sebastian O'Driscoll [mailto:sixyardboxseb@gmail.com]

Sent: Thursday, August 10, 2017 12:56 PM

To: Heron, Andrew

Subject: Re: Premises Licence Application

Licensing Act 2003

Premises Licence



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

Premises licence number

846644

Part 1 - Premises details

| | |
|---|--------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| Six Yard Box Unit 6 The Artworks Elephant Road SE17 | |
| Ordnance survey map reference (if applicable), | |
| Post town London | Post code SE17 |
| Telephone number | |

| |
|--|
| Where the licence is time limited the dates |
|--|

| |
|--|
| Licensable activities authorised by the licence |
| Sale by retail of alcohol to be consumed on premises |

| | |
|---|---------------|
| The opening hours of the premises | |
| For any non standard timings see Annex 2 | |
| Monday | 12:00 - 23:00 |
| Tuesday | 12:00 - 23:00 |
| Wednesday | 12:00 - 23:00 |
| Thursday | 12:00 - 23:00 |
| Friday | 12:00 - 23:00 |
| Saturday | 10:00 - 23:00 |
| Sunday | 10:00 - 23:00 |

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

The times the licence authorises the carrying out of licensable activities

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

Sale by retail of alcohol to be consumed on premises

| | |
|-----------|---------------|
| Monday | 12:00 - 23:00 |
| Tuesday | 12:00 - 23:00 |
| Wednesday | 12:00 - 23:00 |
| Thursday | 12:00 - 23:00 |
| Friday | 12:00 - 23:00 |
| Saturday | 12:00 - 23:00 |
| Sunday | 12:00 - 23:00 |

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Sebastian O'Driscoll
 308 Crystal Palace Road,
 London,
 SE22 9JJ
 [REDACTED]

Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Sebastian O'Driscoll
 [REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. [REDACTED]
 Authority L.B Southwark

Licence Issue date 09/12/2014

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

Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) a holographic mark; or
- (b) an ultraviolet feature.

489 The responsible person shall ensure that -

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

- (i) Beer or cider: 1/2 pint;
- (ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) Still wine in a glass: 125 ml;

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

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula

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

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence:
 - (ii) the designated premises supervisor (if any) in respect of such a licence; or

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

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

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

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

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

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

Annex 2 - Conditions consistent with the operating Schedule

288 A CCTV system is being installed at the premises and will be continually recording at all times the premises is in use under the licence. The CCTV System will have two cameras and will capture an image of anybody who enters the premises and makes a purchase at the bar.

289 The CCTV system has a 1TB hard drive and will store footage for a period of thirty one days. Any footage shall, upon request, be made immediately available to Officers of the Police and the Council.

340 A Staff Handbook has been created which includes a number of training modules such as staff responsibilities under the Licensing Act 2003. All staff are required to complete training as laid out in the handbook prior to commencing work. Full training records will be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council. Training shall include age verification policy, noise, fire safety protocols and public safety.

4AG The premises will operate a Challenge 25 Policy whereby any person attempting the purchase alcohol will be required upon request to produce suitable ID to establishing age. Staff will be trained in the implementation of this policy. A refusals book shall be used and any refusals will be logged and this will be available for inspection by the Police and Officers of the Council.

341 Persons under the age of 18 years are not permitted in the premises without an appropriate adult. Persons under the age of 18 years are only permitted access to the premises between 12:00 (midday) and 17:00hrs.

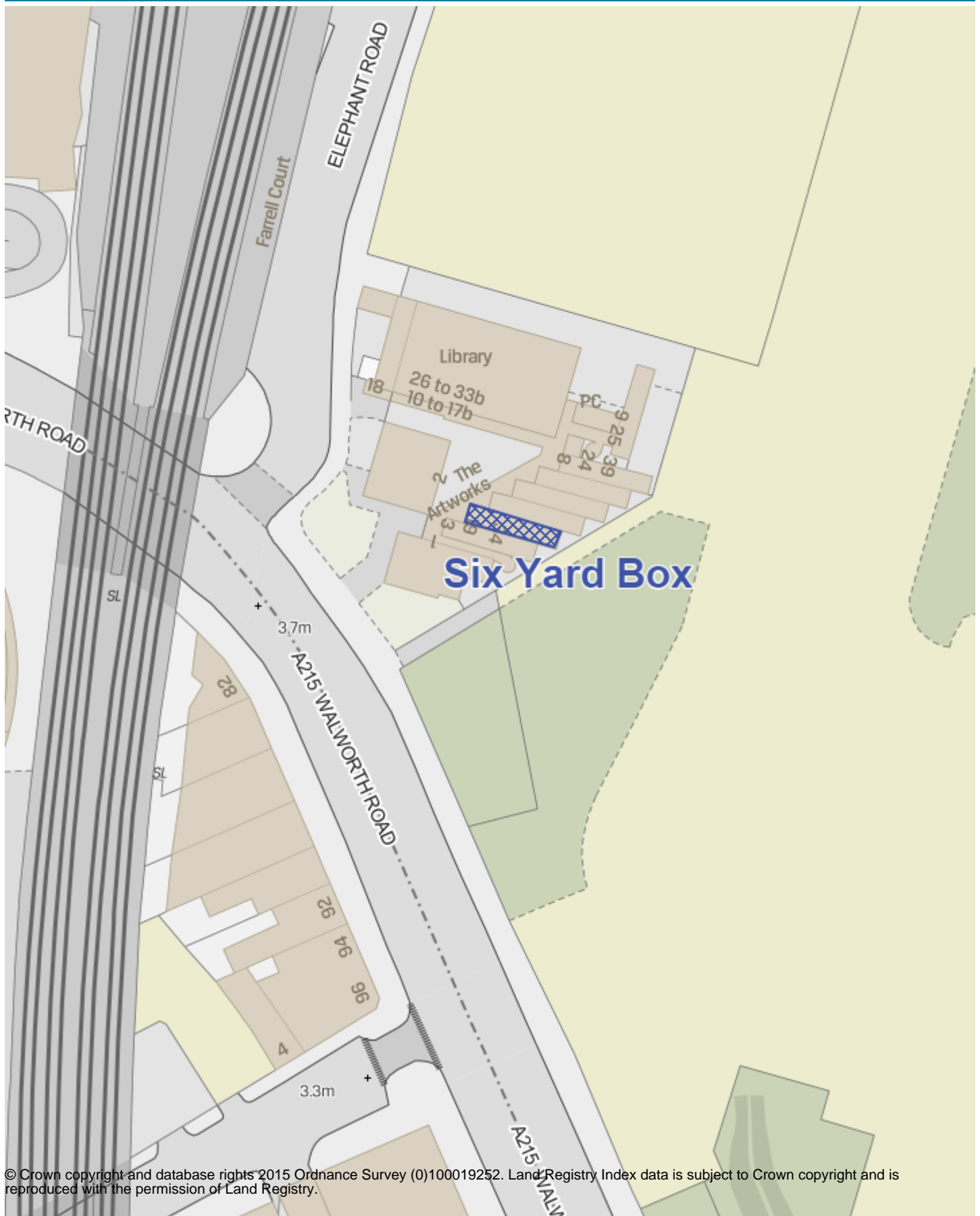
Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 846644

Plan No. N/A

Plan Date N/A



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