

## Licensing Sub-Committee

Monday 18 September 2017

10.00 am

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

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Lorraine Lauder MBE  
Councillor Bill Williams

### Reserves

Councillor Sunny Lambe

---

### 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.

#### Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

#### Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: [www.southwark.gov.uk](http://www.southwark.gov.uk) or please contact the person below.

#### Contact

Andrew Weir on 020 7525 7222 or email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)

---

Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 8 September 2017



## **Licensing Sub-Committee**

Monday 18 September 2017  
10.00 am

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

### **Order of Business**

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
-----------------	--------------	-----------------

#### **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.

<b>5. LICENSING ACT 2003: PALADAR (FORMERLY LA DOLCE VITA), 4-5 LONDON ROAD, LONDON SE1 6JZ</b>	<b>1 - 45</b>
---	---------------

**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: 8 September 2017

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 18 September 2017	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: Paladar (formerly La Dolce Vita), 4-5 London Road, London SE1 6JZ	
<b>Ward(s) or groups affected:</b>		Cathedrals	
<b>From:</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Paladar Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Paladar, 4-5 London Road, London SE1 6JZ.
2. Notes:
  - a) This application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Paladar, 4-5 London Road, London SE1 6JZ under Section 34 of the Licensing Act 2003. Existing permitted licensable activities are not the subject of representations and are not under consideration at this meeting. The variation application is subject to representations from responsible authorities and other persons and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 11 to 13 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. A copy of the existing premises licence is attached as Appendix B.
  - c) Paragraphs 15 to 20 of this report deals with the representations received to the premises licence application and conciliation progress made. Copies of the relevant representations from responsible authorities and other persons are attached as Appendices C and D.
  - d) Paragraph 20 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix E.
  - e) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

3. The Licensing Act 2003 provides a 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**

### **Premises history**

8. The premises has an existing licence number 859740. A licence was first issued to the premises a previous owner on 3 February 2006 who operated the at the premises until it was transferred to the current owner on 24 July 2017. There have been no complaints received by the licensing team. There have been no temporary event notices submitted for this address.

### **The current premises licence**

9. The premises licence allows for the following activities and times:
  - Live Music (indoors)  
Monday to Saturday from 20:00 to 01:00
  - Recorded Music (indoors)  
Monday to Saturday from 18:00 to 00:00
  - Late night refreshment (indoors)  
Monday to Saturday from 23:00 to 02:00
  - Sale of alcohol for consumption on the premises  
Monday to Saturday from 12:00 to 02:00

- Opening hours  
Monday to Saturday from 12:00 to 02:00.

10. A copy of the premises licence is provided as Appendix B.

### **The variation application**

11. On 28 July 2017, Paladar Limited applied to this council to vary the premises licence issued in respect of the premises known as Paladar (formerly La Dolce Vita), 4-5 London Road, London SE1 6JZ. A brief description of the variation is given as follows.

- Bring forward the start time for the Sale of Alcohol and the Opening Hours by one hour from 12.00 (midday) to 11.00
- To add hours for Sundays to permit the sale of Alcohol from 11.00 to 23.00 with opening hours ending at 23.30
- To add the off-sale of alcohol. This will however be limited by the condition that sales to end at 23.00 and to restrict sales to those products in which the premises specialises; 'Alcohol of Latin & Central / South American Origin'.
- Review the existing conditions and remove those which are no longer relevant or difficult to enforce and replace them with more up-to-date versions.
- To change the name of the Premises to 'Paladar'
- To permit a small number of people to consume alcohol while sat at the bar on the ground floor without the requirement to immediately consume a 'meal'. These people will either be waiting for a table to become available or consuming 'Tapas' style food at the bar / counter.

12. The application is summarised as follows:

- Live music (indoors and outdoors)  
Monday to Saturday from 20:00 to 01:00
- Recorded music (indoors and outdoors)  
Monday to Saturday from 18:00 to 00:00
- Late night refreshment (indoors and outdoors)  
Monday to Saturday from 23:00 to 02:00
- Sale of alcohol for consumption on/off the premises  
Monday to Saturday from 11:00 to 02:00  
Sunday from 11:00 to 23:00
- Opening hours  
Monday to Saturday from 11:00 to 02:00  
Sunday from 11:00 to 23:30
- Non-standard timings: On any day preceding a Bank Holiday, hours for regulated entertainment will reflect those of Saturday hours.

13. The variation to the premises application form provides the applicant operating schedule. Parts E, F, I, J, K, L, M, N and O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part P of the operating schedule will form the basis of conditions that will be attached to the licence. A copy of the application is attached to this report as Appendix A.

#### **Designated premises supervisor**

14. The proposed designated premises supervisor is Cedric Gautier who has a personal licence issued by Southwark Council.

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

15. There is one representation submitted by the environmental protection team (EPT), who state that the hours permitted on the existing licence currently exceed the recommended opening hours within the current licensing policy (2016-2020) for this part of the borough. Furthermore, the condition relating to the hours for which the outdoor areas to be used also exceeds the recommended time within the current policy. They are also concerned with licensable activities sought as well as the potential noise being generated from the licensable activities sought and have offered conditions which they consider relevant to ensure internal music levels and management controls are in place to prevent public nuisance from occurring from a licensed premises operating until 02:00 Monday to Saturdays.
16. The representation and further correspondence is attached as Appendix C.

#### **Representation from other persons**

17. There are two representations from other persons. They state that the application for a variation that would allow people to consume alcohol while sat at the bar without the requirement to immediately consume a meal would be detrimental to the prevention of public nuisance objective as more people would consume higher amounts of alcohol without ingesting any or only little food and become more noisy and disorderly than if they were only drinking with a meal.
18. They also mention that the rear garden is a small space surrounded by tall walls which generate significant sound reverberation and amplification. The windows at the back of the London Road property are immediately above the garden (as shown in the pictures submitted as part of the representation). The London Road 5 building flats are studio apartments so the windows are directly connected to the bedroom/sleeping area. In order to minimise the noise and disturbance they would suggest including additional restrictions to the variation if granted.
19. The representations are attached as Appendix D.

#### **Conciliation**

20. The representations were forwarded to the applicant. The licensing sub committee will be updated of any developments on 18 September 2017.

## **The local area**

21. A map of the area is attached to this report as Appendix D. The premises is identified by a triangle at the centre of the map. For purposes of scale-only the circle on the map has a 100 metre radius. The following licensed premises terminal hours are also shown on the map:

- **Public houses/restaurant**

- The Clarence Centre for Excellence and Innovation, 6 St Georges Circus, London SE1 (Monday to Sunday until 22: 00).
- Chillies Tandoori, 7b-7c St Georges Circus, London SE1 (Monday to Saturday until 04.00 and Sunday until 02:00).
- The Island Café, 1 Flat Iron Square, Union Street, London SE1 (Monday to Saturday until 23.30).
- The Albert Arms, 1 Gladstone Street, London SE1 (Monday to Saturday until 00.30 and Sun until 23:30)

- **Off Licence**

- Superway Supermarket, 16 London Road, London SE1 (24 hours).

## **Deregulation of entertainment**

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

## **Borough and Bankside Cumulative Impact Zone**

24. Council assembly approved the introduction of a special policy for Borough and Bankside on the cumulative impact of a concentration of licensed premises (saturation/cumulative impact policy) on 5 November 2008, and extended the area in April 2011. This application falls within the policy area.
25. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
26. The effect of this special policy is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can



demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

27. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

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

28. Within the Southwark statement of licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises as follows:

- Closing time for restaurants and cafes: Sunday to Thursday: 00:00 and Friday and Saturday: 01:00.
- Closing time for public houses, wine bars and other drinking establishments: Sunday to Thursday: 23:00 and Friday and Saturday: 00:00 hours.

29. Council assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
- Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
- Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy
- Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
- Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
- Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective
- Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective
- Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.

30. 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.

### **Resource implications**

31. A fee of £315 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band A.

### **Consultation**

32. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice exhibited outside of the premises for a period of 28 consecutive days.

### **Community impact statement**

33. 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**

34. The sub-committee is asked to determine the variation application for a premises licence under section 34 of the Licensing Act 2003.
35. The principles which sub-committee members must apply are set out below.

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

36. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
37. The general principle is that applications for variation 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.
38. 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 other party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
39. 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

- Add to, omit, and/or alter the conditions of the licence or,
- Reject the whole or part of the application for variation

### **Conditions**

40. 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.
41. The four licensing objectives are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
42. 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.
43. 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.
44. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced 3 new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional 2 conditions will come into force – age verification policy and smaller measures for alcoholic drinks.
45. 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**

46. 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**

47. 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.
48. This matter relates to the determination of an application to vary a premises licence under section 34 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**

49. 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.
50. 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.
51. 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.

52. 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.
53. 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.
54. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
55. 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.
56. 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**

57. 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**

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

### **BACKGROUND DOCUMENTS**

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

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Variation application
Appendix B	Current licence
Appendix C	Representation from environmental protection team
Appendix D	Representation from other persons
Appendix E	Map of the local area

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Social Regeneration		
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer		
<b>Version</b>	Final		
<b>Dated</b>	6 September 2017		
<b>Key Decision?</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
<b>Officer Title</b>		<b>Comments sought</b>	<b>Comments included</b>
Director of Law & Democracy		Yes	Yes
Strategic Director of Finance and Governance		Yes	Yes
<b>Cabinet Member</b>		No	No
<b>Date final report sent to Constitutional Team</b>			7 September 2017

28/07/2017

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 858948

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	Paladar Limited
Premises licence number	9458

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

£	16000
---	-------

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

Address Line 1	4-5 LONDON ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE1 6JZ
Ordnance survey map reference	
Description of the location	Ground Floor & Courtyard
Telephone number	01784 434 392

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

Daytime contact telephone number	01784 434 392
Email address	p.mayhew@btbl.co.uk
Postal Address if different from premises address	C/o Beyond the Blue Limited, 92 Vegal Crescent
Town / City	Englefield Green
Postcode	TW20 0QF

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

If not from what date do you want the variation to take effect?

(DD/MM/YYYY)

Please describe briefly the nature of the proposed variation ( see guidance note 2 )

	<p>Paladar is a new restaurant and bodega (shop), proudly showcasing the best of Latin American beers, wines, spirits, food and contemporary art in London.</p> <p>Paladar, in both Spanish and Portuguese, literally means 'palate' – referring to taste, appetite and the appreciation of the finer things in life. To this end, the intention is to create an all-round sensory experience with authentic flavours presented in a modern, creative style as sharing plates.</p> <p>Educational wine tastings and wine/food pairing presentations given by the wine makers themselves will be held to showcase the undiscovered quality of South American wines. The bodega will also be stocking a range of quality coffee, chocolate, cigars and other food and drink products for retail sale.</p> <p>The central London SE1 location at St George's Circus is at the heart of the development corridor running from Blackfriars Bridge to Elephant &amp; Castle and the restaurant is just a short walk from Waterloo, Lambeth North, Southwark and Elephant &amp; Castle tube stations.</p> <p>A variation of the premises licence is sought to update the Premises Licence in preparation for the new business due to launch later this year. It seeks to vary a number of matters pertaining to the existing licence:</p> <ul style="list-style-type: none"> <li>• To update the plans for a new layout and to include the small additional area covered by No. 5 London Road</li> <li>• Bring forward the start time for the Sale of Alcohol and the Opening Hours by one hour from 12.00 (midday) to 11.00</li> <li>• To add hours for Sundays to permit the sale of Alcohol from 11.00 to 22.30 with opening hours ending at 23.00</li> <li>• To add the off-sale of alcohol. This will however be limited by the condition that sales to end at 23.00 and to restrict sales to those products in which the premises specialises; 'Alcohol of Latin &amp; Central / South American Origin'</li> <li>• Review the existing conditions and remove those which are no longer relevant or difficult to enforce and replace them with more up-to-date versions.</li> <li>• To change the name of the Premises to 'Paladar'</li> <li>• To permit a small number of people to consume alcohol while sat at the bar on the ground floor without the requirement to immediately consume a 'meal'. These people will either be waiting for a table to become available or consuming 'Tapas' style food at the bar / counter.</li> </ul> <p>While this application does not seek to extend the terminal hour (with the exception of including hours on Sundays) the applicant has still offered to add a number of conditions which bring the Premises Licence in-line with similar types of premises.</p> <p>The premises has also undergone an extensive refurbishment and the applicant has voluntarily included CCTV in that process alongside some conditions which will compel them to maintain this CCTV.</p> <p>It is felt that the self-imposed conditions within this application already go further than strictly necessary considering the nature this variation.</p>
--	--

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

Please select number from range	Less than 5000
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any	



one time. Please state the number expected to attend	
--	--

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

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

Provision of regulated entertainment

	e) live music
	f) recorded music

Provision of late night refreshment

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

Supply of alcohol

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

Will the performance of live music take place indoors or outdoors or both? ( Please read guidance note 3 )

	Both
--	------

Please give further details here ( Please read guidance note 4 )

	No change to existing permissions is sought, with the exception of Days preceding Bank Holidays
--	---

Standard days and timings for Live Music ( Please read guidance note 7 )

Day	Start	Finish
Mon	20:00	01:00
Tues	20:00	01:00
Wed	20:00	01:00

Thur	20:00	01:00
Fri	20:00	01:00
Sat	20:00	01:00
Sun		

State any seasonal variations for the performance of live music ( Please read guidance note 5 )

--	--

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. ( Please read guidance note 6 )

	Bank Holidays – On any day preceding a Bank Holiday the hours for Regulated Entertainment at the premises will reflect those for Saturdays.
--	---

Will the playing of recorded music take place indoors or outdoors or both? ( Please read guidance note 3 )

	Both
--	------

Please give further details here ( Please read guidance note 4 )

	No change to existing permissions is sought, with the exception of Days preceding Bank Holidays
--	---

Standard days and timings for Recorded Music ( Please read guidance note 7 )

Day	Start	Finish
Mon	18:00	00:00
Tues	18:00	00:00
Wed	18:00	00:00
Thur	18:00	00:00
Fri	18:00	00:00
Sat	18:00	00:00
Sun		

State any seasonal variations for playing recorded music ( Please read guidance note 5 )

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. ( Please read guidance note 6 )

	Bank Holidays – On any day preceding a Bank Holiday the hours for Regulated
--	---

	Entertainment at the premises will reflect those for Saturdays.
--	---

Will the provision of late night refreshment take place indoors or outdoors or both? ( Please read guidance note 3 )

	Both
--	------

Please give further details here ( Please read guidance note 4 )

	No change to existing permissions is sought, with the exception of Days preceding Bank Holidays
--	---

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

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

State any seasonal variations for the provision of late night refreshment ( Please read guidance note 5 )

--	--

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, ( Please read guidance note 6 )

	Bank Holidays – On any day preceding a Bank Holiday the hours for Late Night Refreshment at the premises will reflect those for Saturdays.
--	--

Will the supply of alcohol be for consumption ( Please read guidance note 8)

	Both
--	------

Standard days and timings for Supply of alcohol ( Please read guidance note 7 )

Day	Start	Finish
Mon	11:00	02:00
Tues	11:00	02:00
Wed	11:00	02:00

Thur	11:00	02:00
Fri	11:00	02:00
Sat	11:00	02:00
Sun	11:00	23:00

State any seasonal variations for the supply of alcohol ( Please read guidance 5 )

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, ( Please read guidance note 6 )

	Bank Holidays – On any day preceding a Bank Holiday the hours for the Sale of Alcohol at the premises will reflect those for Saturdays.
--	---

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 )

	N/A
--	-----

Hours premises are open to the public ( standard timings Please read guidance note 7 )

Day	Start	Finish
Mon	11:00	02:00
Tues	11:00	02:00
Wed	11:00	02:00
Thur	11:00	02:00
Fri	11:00	02:00
Sat	11:00	02:00
Sun	11:00	23:30

State any seasonal variations ( Please read guidance note 5 )

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, ( Please read guidance note 6 )

	Bank Holidays – On any day preceding a Bank Holiday the opening hours of the premises will reflect those for Saturdays.
--	---

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

	<p>2001 – Not required  2002 – Not required  2800 – Remove  3400 – Remove a, b &amp; c  3402 – No longer required in part as the Mandatory condition supersedes this. We have also included a more relevant condition (no. 10).  3401 – Remove. This condition has been replaced with a more comprehensive version.  8000 – Remove – Replaced by new condition (No. 15)  9007 – Remove, there is statutory legislation which deals with this matter, no condition is required.</p>
--	--

a) General - all four licensing objectives (b,c,d,e) ( Please read guidance note 10 )

	<p>1. Staff Training – Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:</p> <ol style="list-style-type: none"> <li>The responsible sale of alcohol.</li> <li>The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking &amp; authenticating accepted forms of identification.</li> <li>The responsibility to refuse the sale of alcohol to any person who is drunk.</li> </ol> <p>2. Recording Practices – The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:</p> <ol style="list-style-type: none"> <li>Any complaint against the premises in respect of any of the licensing objectives</li> <li>Any crime reported at the premises</li> <li>A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.</li> <li>Any fault in the CCTV system</li> </ol> <p>All written reports and registers will be regularly checked by the DPS.</p> <p>3. Off Sales – Only sealed unopened containers will be sold for off-sale.</p> <p>4. Off-Sales – Only alcohol of 'Latin &amp; Central / South American Origin' will be sold for off-sale.</p> <p>5. Off-Sales – No off-sale of alcohol is permitted after 23.00 on any day.</p>
--	--

b) the prevention of crime and disorder

	<p>6. CCTV - The venue shall maintain a CCTV system.. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time &amp; date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall:</p> <ol style="list-style-type: none"> <li>Cover all entry points used by the public.</li> <li>Enable frontal identification of persons entering in any light condition.</li> <li>Be maintained by a suitably qualified person.</li> </ol> <p>7. CCTV - Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV footage and / or images in an appropriate recorded format (usually to a disc or memory stick) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.</p> <p>8. Drugs Zero Tolerance Policy – A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.</p> <p>9. Intruder Alarm – An intruder alarm is installed and remotely monitored.</p> <p>10. Soft Drinks - Non-intoxicating beverages including drinking water shall be available in all parts of the premises whenever alcohol is sold or supplied at the premises.</p> <p>11. Table Service - Alcohol is only served to patrons who are seated in the</p>
--	--

	<p>premises and consuming a meal.</p> <p>12. Table Service - All alcohol sold and supplied within the premises shall be to patrons who are seated at tables or at the counter(s) and consuming a meal; with two exceptions:</p> <p>a. A maximum of 10 customers waiting for a table to become available will be permitted to consume alcohol at the bar. They will be shown to their table with the minimum of delay once a suitable table becomes available.</p> <p>b. This condition shall not apply for any private / corporate event where access is restricted to persons who have been invited and whose names appear on a guest register or who present a ticket supplied in advance. Patrons to such an event will not be permitted on a walk-in basis.</p>
--	---

## c) public safety

	<p>13. Fire Safety – A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:</p> <p>a. Heat / Smoke detectors are installed and maintained by a competent person.</p> <p>b. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.</p> <p>c. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.</p> <p>d. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.</p> <p>e. All emergency exits are marked on the premises plan.</p>
--	---

## d) the prevention of public nuisance

	<p>14. Litter - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.</p> <p>15. Noise Escape - No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>16. Exit Signage – A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.</p>
--	---

## e) the protection of children from harm

	<p>17. Challenge 25 – A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.</p> <p>18. Recording Practices - A register of refusals will be maintained at the premises.</p>
--	--

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	<a href="#">Premises-Licence-Plan-Paladar-28-07-2017.pdf</a>
Upload existing plans	<a href="#">Premises-Licence-Paladar-19-06-2017.pdf</a>

Checklist

	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.
--	---

I agree to the above statement

	I agree
PaymentDescription	
AuthCode	
LicenceReference	
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	Peter Mayhew
Date (DD/MM/YYYY)	28/07/2017
Capacity	Agent (Licensing Consultant)

Where the premises licence is jointly held, please enter the 2nd applicants name (the current premises licence holder) or 2nd solicitor or other authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state i

Full name	
Date (DD/MM/YYYY)	
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 14)

Contact name and address for correspondence	C/o Beyond the Blue Limited 92 Vegal Crescent Englefield Green Surrey TW20 0QF
Telephone No.	
If you prefer us to correspond with you by e-mail, your email address (optional)	p.mayhew@btbl.co.uk

Please tick to indicate agreement

	I am a company or limited liability partnership
--	---

Please upload proof of entitlement to work in the UK

	<a href="#">No-Eligability-Proof-Required.pdf</a>
--	---

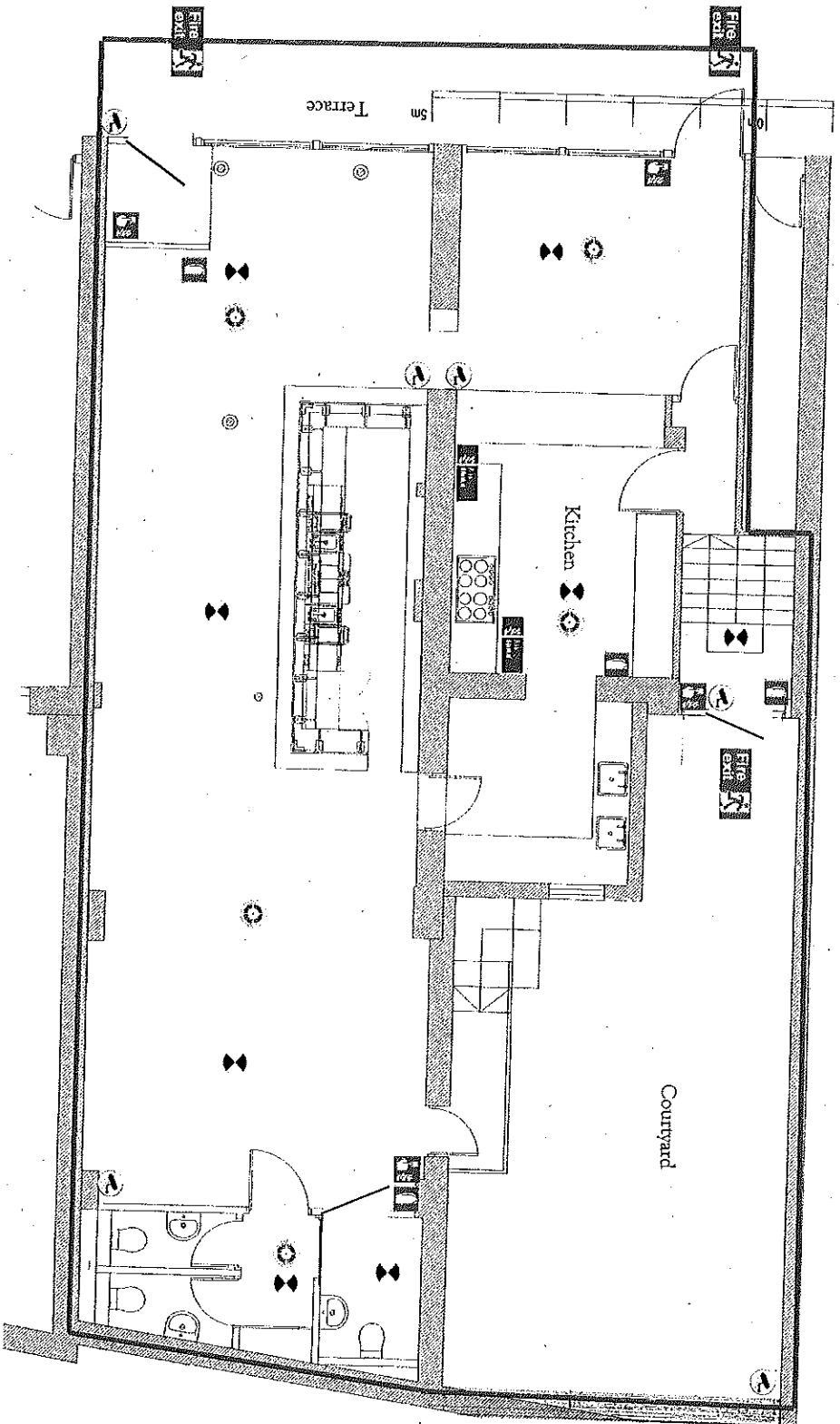
I agree to the above statement

	Yes
--	-----

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



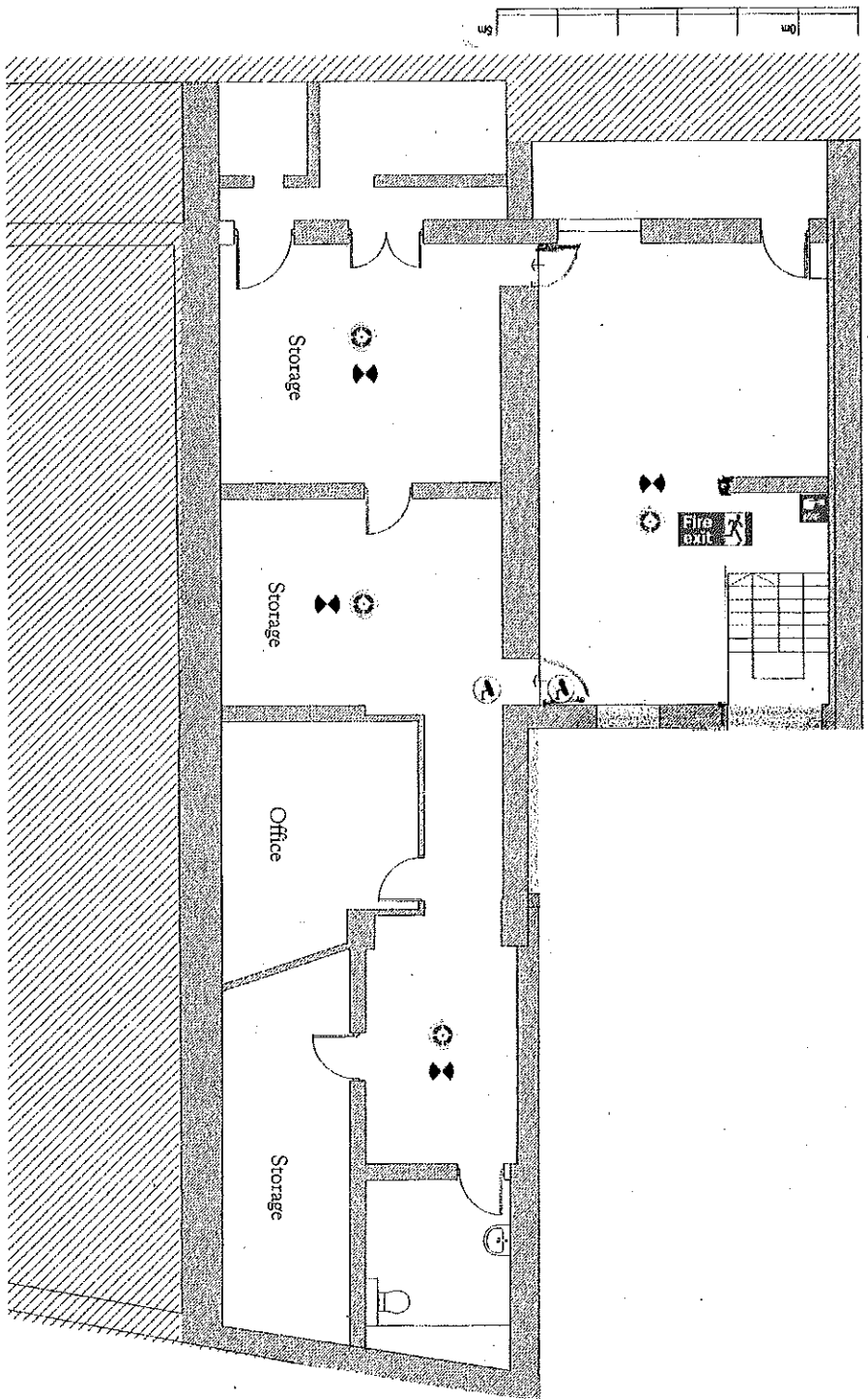
# Premises Licence Plan











## Key

- Area Covered by Licence
- CCTV Camera
- Fire Extinguisher
- Smoke / Heat Detector
- Emergency Lighting
- Fire Call Point
- Fire Alarm Control
- Fire Blanket

# Premises Licence Plan



## Key

-  Area Covered by Licence
-  CCTV Camera
-  Fire Extinguisher
-  Smoke / Heat Detector
-  Emergency Lighting
-  Fire Call Point
-  Fire Alarm Control
-  Fire Blanket

# Licensing Act 2003 Premises Licence



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

Premises licence number

859740

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
LA DOLCE VITA 4-5 London Road London SE1 6JZ  Ordnance survey map reference (if applicable), 179390531674	
<b>Post town</b> London	<b>Post code</b> SE1 6JZ
<b>Telephone number</b> 020 7928 7138	

<b>Where the licence is time limited the dates</b>
--

<b>Licensable activities authorised by the licence</b>
Live Music - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

<b>The opening hours of the premises</b>	
For any non standard timings see <b>Annex 2</b>	
Monday	12:00 - 02:00
Tuesday	12:00 - 02:00
Wednesday	12:00 - 02:00
Thursday	12:00 - 02:00
Friday	12:00 - 02:00
Saturday	12:00 - 02:00

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

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

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

**Live Music - Indoors**

Monday	20:00 - 01:00
Tuesday	20:00 - 01:00
Wednesday	20:00 - 01:00
Thursday	20:00 - 01:00
Friday	20:00 - 01:00
Saturday	20:00 - 01:00

**Recorded Music - Indoors**

Monday	18:00 - 00:00
Tuesday	18:00 - 00:00
Wednesday	18:00 - 00:00
Thursday	18:00 - 00:00
Friday	18:00 - 00:00
Saturday	18:00 - 00:00

**Late Night Refreshment - Indoors**

Monday	23:00 - 02:00
Tuesday	23:00 - 02:00
Wednesday	23:00 - 02:00
Thursday	23:00 - 02:00
Friday	23:00 - 02:00
Saturday	23:00 - 02:00

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

Monday	12:00 - 02:00
Tuesday	12:00 - 02:00
Wednesday	12:00 - 02:00
Thursday	12:00 - 02:00
Friday	12:00 - 02:00
Saturday	12:00 - 02:00

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

Paladar Limited  
 20-22 Wenlock Road  
 London  
 N1 7GU  
[charles@paladarlondon.com](mailto:charles@paladarlondon.com)

**Registered number of holder, for example company number, charity number (where applicable)**  
**10391663****Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Cedric Gautier  


**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. 857868  
 Authority LB Southwark

Licence Issue date 24/07/2017

  
 Head of Regulatory Services  
 Hub 1, 3rd Floor  
 PO Box 64529  
 London, SE1P 5LX  
 020 7525 5748  
[licensing@southwark.gov.uk](mailto: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**

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

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

**127** Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;

c. To a canteen or mess.

**134** In addition to the permitted hours shown elsewhere on this licence alcohol may be sold or supplied:

a. On Good Friday or New Year's Eve from 1100 to 0000 hours.

b. On Sundays, other than Christmas Day or New Year's eve, and on Good Friday: 1200 to 2330 hours.

c. On Christmas day: 1200 to 2330 hours.

d. On New Year's eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December)

**136** Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals supplied in the premises.

**135** Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to his meal.

**340** That the use of the restaurant garden will be closed by 0030 hours Monday to Saturday and 0000 hours on Sunday.

**341** That there shall be no new admissions of the public to the premises after 2330 hours

**309** That live music shall be played at a low volume

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

**Annex 4 - Plans - Attached**

Licence No. 859740

Plan No. N/A

Plan Date N/A

**From:** Prickett, Mark  
**Sent:** Friday, August 18, 2017 12:23 PM  
**To:** Regen, Licensing  
**Cc:** 'p.mayhew@btbl.co.uk'; Mills, Dorcas  
**Subject:** Paladar, 4-5 London Road, SE1 - premises licence major variation

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the major variation premises licence application for Paladar, 4-5 London Road.

The major variation seeks to;

- *Bring forward the start time for the Sale of Alcohol and the Opening Hours by one hour from 12.00 (midday) to 11.00*
- *To add hours for Sundays to permit the sale of Alcohol from 11.00 to 22.30 with opening hours ending at 23.00*
- *To add the off-sale of alcohol. This will however be limited by the condition that sales to end at 23.00 and to restrict sales to those products in which the premises specialises; 'Alcohol of Latin & Central / South American Origin'*
- *Review the existing conditions and remove those which are no longer relevant or difficult to enforce and replace them with more up-to-date versions.*
- *To change the name of the Premises to 'Paladar'*
- *To permit a small number of people to consume alcohol while sat at the bar on the ground floor without the requirement to immediately consume a 'meal'. These people will either be waiting for a table to become available or consuming 'Tapas' style food at the bar / counter.*

#### **EPT STANCE**

The existing licence for the premises can be found here;

<http://app.southwark.gov.uk/Licensing/LicPremisesGrantedDetails.asp?systemkey=859740>

The existing licence permits opening hours to 02:00 Monday to Saturdays. The variation seeks opening hours on Sunday to 23:30.

It is not known exactly when this licence was first granted however it is believed to be over 10 years ago. The hours permitted on the existing licence currently exceed the recommended opening hours within the current Licensing Policy (2016-2020) for this part of the borough. Furthermore, the condition relating to the hours for which the outdoor areas to be used also exceeds the recommended time within the current policy.

Condition 9501 (340 when reviewing on the online licensing register) states "That the use of the restaurant garden will be closed by 0030 hours Monday to Saturday and 0000 hours on Sunday". The current recommended time limit for outdoor areas to shut is 22:00, as stated in section 224 of Southwark Licensing Policy.

The licence also permits live music until 1am on a week night. EPT have concerns as generally speaking it is difficult to control the noise caused from instruments (for instance drums, brass instruments etc). Live music occurring till 1am below residential properties/persons trying to sleep could conceivably give rise to public noise nuisance.

#### **EPT OBJECTION**

EPT raise **objection** to the major variation application. There are concerns with licensable activities sought, as well as concerns over the potential noise being generated from the licensable activities sought.

- The Supply of alcohol is proposed for off the premises. The following condition is considered required; **“That the supply of alcohol for consumption off the premises must be sold in a sealed container.”**
- EPT would request that condition 9501 (340 when reviewing on the online licensing register) is changed to state **“Patrons shall not be permitted to use the garden to the rear of the premises after 22:00hrs”**
- **“Patrons shall not be permitted to use the external area to the front on the premises on London Road after 22:00hrs, apart for access & egress and for smoking.”**
- The applicant is seeking live music both inside and outside. The current licence does not permit this outside. EPT object this and request the applicant remove live music being undertaken outside. EPT also request to revise indoor times to 11pm Sun to Thurs, midnight on Fri & Sat to ensure residents above and in neighbouring dwellings are not caused public nuisance from live music being played until late into the night 7 days a week.
- The applicant is seeking recorded music both inside and outside. The current licence does not permit this outside. EPT object to this and request the applicant to remove recorded music being undertaken outside from the application.
- The applicant is seeking late night refreshment outside between 23:00 – 02:00. The current licence does not permit this outside. EPT object to this, and have requested the outside areas (garden/courtyard and area to front of premises) to be shut by 22:00 as per above.

The following conditions are also considered relevant for this application to ensure internal music levels and management controls are in place to prevent public nuisance from occurring from a licensed premises operating to 2am Monday to Saturdays;

- **A sound limiting device shall be installed, set and maintained, to control maximum levels of amplified sound inside the premises so as to ensure entertainment noise from the premises does not cause a public nuisance in the vicinity of the premises, and in particular is not audible inside any adjoining or nearby noise sensitive premises.**
- **All audio and musical equipment used in the premises shall be played through the installed sound limiting device.**
- **During any licensed entertainment on the premises all doors and windows shall remain closed (except for access or egress).**
- **Acoustic door seals and brushes shall be installed to doors/fire doors leading out into external areas so as to minimise sound escape from the premises.**
- **Amplified music, song or speech shall not be broadcast in external areas at any time.**
- **The premises shall be adequately mechanically ventilated and comfort cooled to allow doors and windows to remain closed during licensed entertainment.**
- **External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 22.00hrs.**

- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00.

Should then applicant be in agreement to agree to the proposed changes and conditions then EPT will be in a position to remove it's objection.

It is fully appreciated that there is an existing licence in place with limited controls, however the above additional conditions and time restraints will ensure that the proposed use will not cause public nuisance in the future. These controls are common place for all new licensed premises in SE1 and for the rest of the borough.

Kind regards,

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

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

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

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

<http://www.llecp.org.uk/> - London Low Emission Construction Partnership



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

**From:** Prickett, Mark  
**Sent:** Thursday, August 24, 2017 5:44 PM  
**To:** 'p.mayhew@btbl.co.uk'  
**Cc:** Mills, Dorcas  
**Subject:** RE: Paladar, 4-5 London Road, SE1

Dear Peter,

I've only had chance to review the previous licence application today also.

It would appear that the late night hours and licensable activities, and ultimately the premises licence, were granted based on a number of statements made within the application, as follows;

Page 8;

1. *Live Music. Maximum a quartet playing classical or jazz on special occasions (birthdays / office parties / weddings etc). Expected maximum once per month.*
2. *Background Italian/classical/jazz*
3. *Provision of late night refreshment. Regularly to midnight and for special occasions (see above) until 2am. No entrance to restaurant after 11:30pm*

Page 11 referring to live music indoors;

*"Maximum four people playing classical or jazz with minimal amplification. To be restricted to special occasions only and ancillary to restaurant meal. Anticipate once a month maximum. Days variable depending on occasion".*

*"Music to 01:00 on rare occasions only. No entrance to restaurant after 23:30."*

Page 12 referring to recorded music indoors;

*"Quiet background Italian/classical/jazz with minimal amplification"*

Page 15 referring to late night refreshment;

*"Restaurant meals and drink to 24:00 (midnight) on regular basis and until 02:00 on special occasions as per music variation."*

*"Opening past 24:00 (midnight) will be on rare occasions only anticipated maximum of twelve times per year. No entrance to restaurant after 23:30 on any occasion."*

Page 16 referring to the supply of alcohol;

*"Alcohol will normally be supplied only until 23:00 (midnight) except for special occasions as described above."*

Page 18 referring to the prevention of public nuisance licensing objective;

*"Proposed live music will be low volume to match existing ambience"*

Look forward to receiving a further response acknowledging the comments that were sent over last night, attached for reference.

Kind regards,

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

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

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

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

<http://www.llecp.org.uk/> - London Low Emission Construction Partnership



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

**From:** Mills, Dorcas



18th of August 2017



Southwark Licensing Authority  
3<sup>rd</sup> Floor, Hub 2  
160 Tooley Street  
London SE1 5LX

**Re: Objection to Licensing application 859828 from Paladar Limited**

To Whom It May Concern,

We write to you as the tenants of the flat [REDACTED] the property for which the licensing application 859828 is made (4-5 London Road). We wish to make a representation to object to the aforementioned application as it will have a material impact on us as tenants, on the other local residents and the ability of our landlords to let the flat in the future.

On 31 July 2017, on behalf of us our landlords asked the applicant how the licensing objectives had been considered and were told that the application did not affect the objectives without any explanation as to why the objectives were not relevant or how they had been addressed (see Exhibit A).

The applicant has made an application for a variation that would allow people to consume alcohol while sat at the bar without the requirement to immediately consume a meal. Based on the Paladar official website the applicant seems to be promoting the Wine Bar and Bodega side of the business with the words "wines, spirits, cocktails, music" used to describe the business offering with only one mention of the food element with the word "cuisine" (see Exhibit B).

We believe the sale of alcohol without the requirement to immediately consume a meal would be detrimental to the Prevention of Public Nuisance objective as more people would consume higher amounts of alcohol without ingesting any or only little food and become more noisy and disorderly than if they were only drinking with a meal.

On these grounds we object to the application variation to allow people to consume alcohol without immediately consuming a meal.

If the variation for sale of alcohol without the requirement to immediately consume a meal was granted we would like to see additional measures to ensure that noise is kept at acceptable levels especially with regards to the rear garden and the ceiling window.

The rear garden is a small space surrounded by tall walls which generate significant sound reverberation and amplification. The windows at the back of the 5A London Road property are immediately above the garden (see Exhibit C). The London Road 5 building flats are studio apartments so the windows are directly connected to the bedroom/sleeping area. In order to minimise the noise and disturbance we would suggest including additional restrictions to the variation such as:

- (i) Limiting the number of customers that are able to use the garden area to a number that can be comfortably seated while having a meal
- (ii) No customers to be allowed in the garden without a meal
- (iii) The door or doors connecting the restaurant or bodega area with the back garden to remain closed at all times (except when customers are entering or exiting the garden) and for these doors to have an automatic closure mechanism
- (iv) No customers to be served additional food in the garden after 22.30 Monday to Saturday and 22.00 on Sunday
- (v) No customers to be permitted in the garden during official night hours between 23:00 and 7:00 to reduce noise and disturbance to the residents in the surrounding flats (in line with the Noise Act 1996).

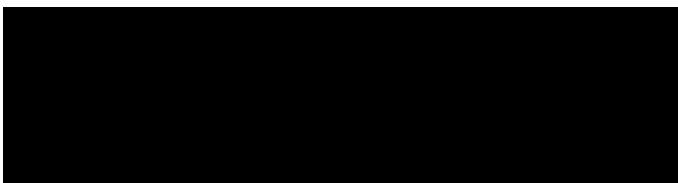
The licensed premises ceiling windows are also immediately below the residential property windows (see Exhibit D). In order to minimise the noise and disturbance we would suggest including additional restrictions to the variation such as:

- (i) The ceiling window or windows to use double glazing and to be mounted to ensure the sound is isolated inside the restaurant
- (ii) The ceiling window or windows to remain closed

We would also like to make sure that there are procedures in place to ensure compliance with the restrictions listed above, for example including, but not limited to, signs in the restaurant and garden area indicating customer restrictions, staff training to include these restrictions and how to ensure these are enforced, tables in the garden to have no more seats than the limit of people allowed in the garden, the ceiling windows to have no opening mechanism (or for this mechanism to be permanently locked), etc.

Thank you in advance for considering this objection. We remain at your disposal should you require further information or clarifications.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

**Exhibit A**

----- Forwarded message -----

From: [REDACTED]  
Date: 1 August 2017 at 00:23  
Subject: RE: Application for premises licences and club registration  
To: [REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]

Thank you for your email. Mr Tyler has already answered a number of your questions in his response.

As he suggested the first two ‘applications’ you refer to, are essentially administrative processes, which are not subject to any public consultation. They also in no way affect the Licensing Objectives and as such no consideration is given to these by the applicant or the Responsible Authorities save for the Police.

The current application is for a variation of the existing Premises Licence, rather than a new application. Unfortunately due to the way Southwark Licensing require us to submit these online through their website, there is no actual ‘application form’ which we have in a format I could send you. However this can be obtained by contacting Southwark Licensing at [licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

I am however happy to sum up the main parts of the variation for you and will be happy to respond to any follow-up questions you may have.

Much of this application to vary the premises licence is an administrative processes. To correct existing anomalies on the current licence. in preparation for the newly refurbished restaurant.

**Premises Licence Plans**

For example we are required to present a new plan for the premises, as the layout will be slightly different once the refurbishment has been completed. Southwark should supply this if you request it.

**Opening Hours**

There are no great changes to the hours of the existing Premises Licence proposed, although it seeks to permit the premises to open an hour earlier than it currently does; i.e from 11.00 each day.

There is to be no change to the closing time permitted by the current Premises Licence from Monday to Saturday.

We are however adding hours on a Sunday, which were previously omitted from the Premises Licence. These will be from 11.00 to 22.30 for the Sale of Alcohol with half an hour 'drinking up time'. These are fairly 'standard hours' for similar type businesses on Sundays. We have also requested that hours on days before Bank Holidays be the same as those currently permitted for Saturdays under the existing Premises Licence.

These change of hours do add any significant risk in our opinion, as there is no significant change in the terminal hours currently permitted; with the exception of the additional hours on Sundays, which we feel are reasonable.

### **Premises Licence Conditions**

We have looked at the existing conditions on the Premises Licence and asked for a number to be removed, however the main reason for this is that they were out of date and / or did not reflect current perceived best practice. Some of them were essentially null and void or unenforceable.

However wherever we have asked for a condition to be removed, we have where appropriate replaced it with a more up-to-date version.

We have also volunteered as a show of good faith, a number of additional conditions to be placed on the licence. Many of these we would not normally expect to add to a Premises Licence, where only relatively minor changes are being sought. We did however feel it was important to show that the applicant will use best-practice and where appropriate this could be guaranteed by condition.

You will see all the changes we have suggested, when you obtain a copy of the variation from the Licensing Authority. The conditions we have offered which add to the safeguards already in place on the existing Premises Licence cover areas such as:

- CCTV
- Staff Training
- Record Keeping
- Controlling litter

- Age verification
- Signage

As Mr Tyler mentioned in his email, I am currently out of the country for a week on annual leave, so I may respond more slowly to email than usual. However if you have any additional questions, please do not hesitate to contact me.

Kind regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Information in this e-mail and any attachments are confidential, and may not be copied or used by anyone other than the addressee, nor disclosed to any third party without the express permission of Beyond the Blue Limited. There is no intention to create any legally binding contract or other binding commitment through the use of this electronic communication unless it is issued in accordance with a Beyond the Blue Limited Official Order Form.

Beyond the Blue Limited (registration number 5556483). Registered Office: 92 Vegal Crescent, Englefield Green, Surrey TW20 0QF, UK

VAT Number GB 890 2047 31

## Exhibit B



The graphic is a promotional poster for Paladar. At the top left is the Paladar logo with the tagline 'The Taste of Latin America' and a sunburst icon. At the top right are Facebook and Instagram icons. The central image shows a wooden table with a set of cutlery, a glass, and a menu. The menu has 'PALADAR' and 'MENU' printed on it. Overlaid on the image is the text 'COMING SOON' in large white letters, with 'The Taste of Latin America' in a smaller script below it. A decorative geometric border separates the image from the text below. The text below includes the opening date, a description of the restaurant, the location, and contact information.

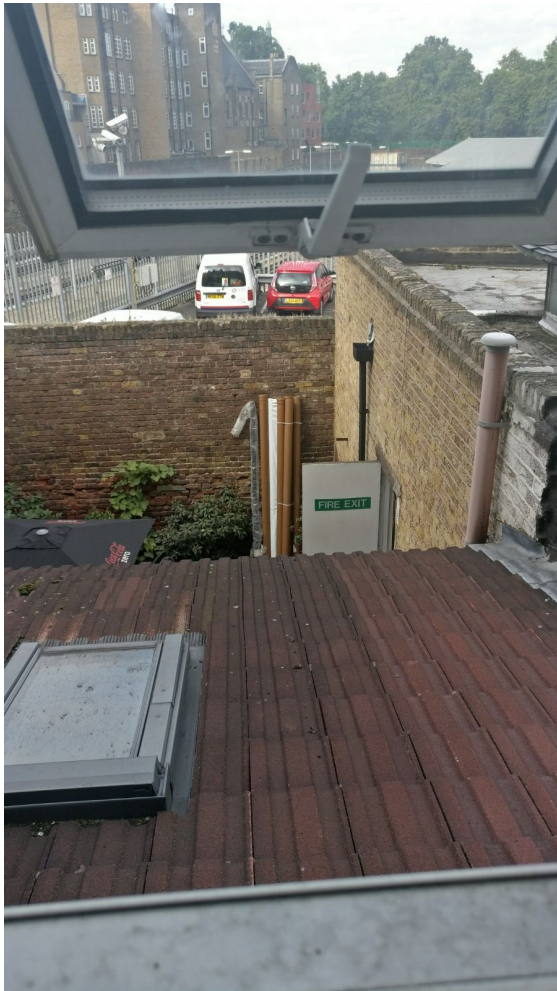
**PALADAR**  
*The Taste of Latin America*

COMING SOON  
*The Taste of Latin America*

**OPENING IN OCTOBER 2017**

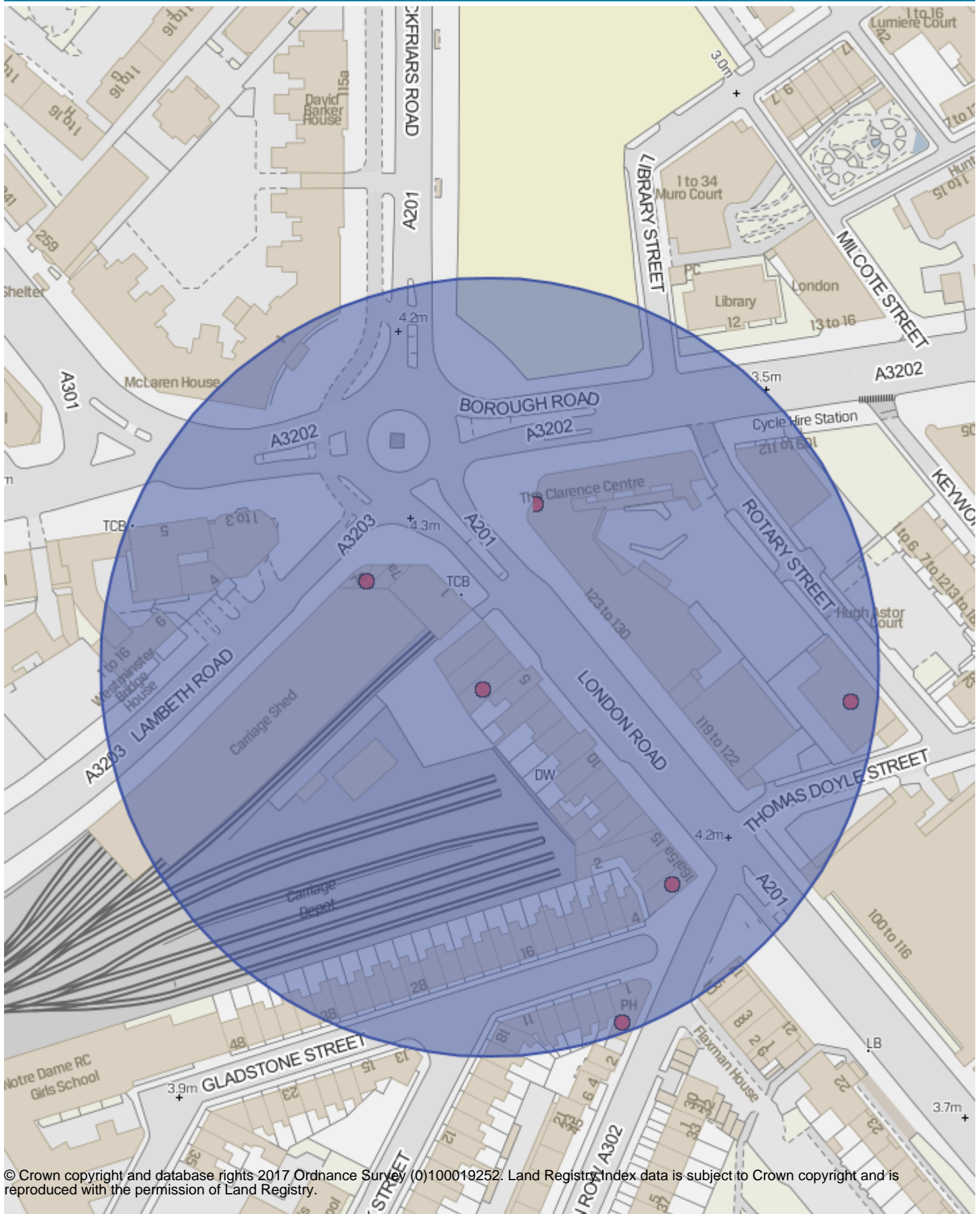
Paladar is an exciting new Restaurant, Wine Bar and Bodega proudly showcasing the best of Latin American cuisine, wines, spirits, cocktails, music and art. Come and enjoy the taste of Latin America in London SE1...

For more information please email  
[info@paladarlondon.com](mailto:info@paladarlondon.com)

**Exhibit C****Exhibit D**



# PALADAR, 4-5 LONDON ROAD SE1 6JZ



© Crown copyright and database rights 2017 Ordnance Survey (0100019252). Land Registry Index data is subject to Crown copyright and is reproduced with the permission of Land Registry.



50 m

Scale = 1 : 1323.000

5-Sep-2017

Legal Services



This page is intentionally blank.

**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Andrew Weir - Tel: 020 7525 7222

Name	No of copies	Name	No of copies
<b>Members</b>		<b>Officers</b>	
Councillor Renata Hamvas (Chair)	1	Debra Allday legal team	1
Councillor Lorraine Lauder MBE	1	Dorcas Mills, licensing team	1
Councillor Bill Williams	1	Mark Prickett, environmental protection team	1
<b>Reserve</b>			
Councillor Sunny Lambe	By email	Andrew Weir (spares)	3
		<b>Total printed copies:</b>	9
		<b>Dated:</b> 8 September 2017	