

## Licensing Sub-Committee

Friday 10 November 2017

10.00 am

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

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Dora Dixon-Fyle MBE  
Councillor David Hubber

### Reserves

Councillor Adele Morris

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

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

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 31 October 2017



## Licensing Sub-Committee

Friday 10 November 2017  
10.00 am

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

### Order of Business

Item No.	Title	Page No.
<b>PART A - OPEN BUSINESS</b>		
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003: THE CLF ART LOUNGE, 12A STATION WAY, LONDON SE15 4RX</b>	1 - 74
6.	<b>LICENSING ACT 2003: HFC CHICKEN, 19 LONDON ROAD, LONDON SE1 6JX</b>	75 - 103

**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: 31 October 2017

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 10 November 2017	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: The CLF Art Lounge, 12a Station Way, London SE15 4RX	
<b>Ward(s) of group(s) affected</b>		The Lane	
<b>From</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers whether an application submitted by Michael Smith and Saija Kamarainen for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as The CLF Art Lounge, 12a Station Way, London SE15 4RX.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 13 to 17 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report in Appendix B. A map showing the location of the premises is attached to this report as Appendix D.
  - 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 31 July 2017 Michael Smith and Saija Kamarainen applied to this council for the grant of a premises licence in respect of The CLF Art Lounge, 12a Station Way, London SE15 4RX.
9. The application is summarised as follows:
- **Late night refreshment**
    - Sunday to Wednesday from 23:00 to 00:00 (midnight)
    - Thursday from 23:00 to 01:00 the following day
    - Friday and Saturday from 23:00 to 04:00 the following day.
  - **Plays, films, live music, recorded music, performance of dance, anything similar to live or recorded music and performances of dance, the sale of alcohol to be consumed both on and off the premises**
    - Sunday to Wednesday from 07:00 to 00:00
    - Thursday from 07:00 to 01:00
    - Friday and Saturday from 07:00 to 04:00.
  - **Proposed opening hours of the premises**
    - Sunday to Wednesday from 07:00 to 00:00
    - Thursday from 07:00 to 01:00
    - Friday and Saturday from 07:00 to 04:00.

- **Non standard timings**
    - On the August Bank holiday licensable activities shall be permitted until 05:00 the following day and the premises shall be permitted to open until 05:00 the following day.
    - On New Year's Eve licensable activities shall be permitted until 06:00 the following day and the premises shall be permitted to open until 06:00 the following day.
10. The premises are described as an art lounge with cinema, three seating areas, a bar and kitchen.
  11. The premises licence application form provides the applicant's operating schedule. Parts A, B, 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 then 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 as Appendix A.

#### **Designated premises supervisor**

12. The proposed designated premises supervisor (DPS) is Saija Kamarainen.

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

13. The environmental protection team submitted a representation in respect of the prevention of public nuisance and the prevention of crime and disorder licensing objectives. The representation notes that the operating hours applied for fall outside the hours of operation recommended in this council's statement of licensing policy for licensed premises at the premises' location. The representation notes that the premises are within the Peckham cumulative impact policy (CIP) area and contends that the proposed operation will increase the negative cumulative impact on public nuisance and crime and disorder in the CIP area.
14. The Metropolitan Police Service has submitted a representation which notes that the premises are within the Peckham CIP area. The representation notes that the operating hours applied for fall outside the hours of operation recommended in this council's statement of licensing policy for licensed premises at the premises' location. The representation lists twelve conditions that the police recommend that the licensing sub-committee consider if the licensing sub-committee are minded to grant a licence with operating hours similar to those applied for.
15. The licensing responsible authority has submitted a representation in respect of the prevention of public nuisance and the prevention of crime and disorder licensing objectives. The representation notes that the premises are within the Peckham CIP area. The representation notes that the operating hours applied for fall outside the hours of operation recommended in this council's statement of licensing policy for licensed premises at the premises' location. The representation notes that there is a presumption to refuse new premises licence applications to which the Peckham CIP applies and which do not demonstrate that the intended operation of the premises won't add to the existing cumulative impact. The licensing responsible authority contends that the applicant hasn't demonstrated that the proposed operation of the

premises won't add to the existing cumulative impact and therefore that the application should be refused.

16. The director of public health has submitted a representation in respect of the prevention of crime and disorder, the prevention of public nuisance and the protection of public safety licensing objectives. The representation notes that the premises are within the Peckham CIP area. The representation notes that the operating hours applied for fall outside the hours of operation recommended in this council's statement of licensing policy for licensed premises at the premises' location. The representation recommends that the application is rejected unless the applicant amends the application to include details on the maximum number of people expected to attend the premises at any one time and to explicitly state that no vertical drinking will be allowed in the proposed establishment.
17. Copies of the representations are attached as Appendix B.

### **Representations from other persons**

18. No representations have been submitted by other persons.

### **Conciliation**

19. The applicant has provided replies to all of the representations submitted, has proposed additional conditions and has also provided a document in support of the application. At this time all of the representations remain outstanding and must be considered by the licensing sub-committee.
20. Copies of the applicant's replies to the representations, the additional proposed conditions and the document in support of the application are attached as Appendix C. Please note that the applicant's replies to the representations were included by the applicant in copies of the representations themselves in bold italic type.

### **Premises history**

21. No licensing authorisation has been issued in respect of the premises under the Licensing Act 2003 or any previous legislation.
22. No temporary event notices have been submitted in regards to the premises.
23. On 31 July 2017 Michael Smith and Saija Kamarainen applied to this council for the grant of a premises licence in respect of The CLF Art Lounge, 12a Station Way, London SE15 4RX.

### **Deregulation of entertainment**

24. 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.
25. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

## Map

26. A map showing the location of the premises is attached to this report as Appendix D. The following licensed premises are also shown on the map and provide licensable activities as stated:

**Roof B (Bussey Building), 133 Copeland Road, London SE15 3SN** licensed for:

- The sale of alcohol to be consumed on the premises:
  - Monday to Friday from 17:00 to 22:30
  - Saturday from 12:00 to 22:30
- The provision of films:
  - Monday to Sunday from 12:00 to 00:00
- The provision of live music:
  - Monday to Sunday from 12:00 to 22:00
- The provision of plays:
  - Monday to Sunday from 12:00 to 23:00.

**Forza Win Ltd, Unit 4.1, Copeland Industrial Park, 133 Copeland Road, London SE15 3SN** licensed for:

- The sale of alcohol to be consumed on the premises:
  - Wednesday to Saturday from 12:00 to 23:30
  - Sunday from 12:00 to 22:30.

**The Last Refuge Arts, 133 Unit, 9a Copeland Road, London SE15 3SN** licensed for:

- The provision of films:
  - Monday to Friday from 08:00 to 00:00
  - Saturday and Sunday from 12:00 to 00:00
- The sale of alcohol and the provision of live music and recorded music:
  - Monday to Friday from 17:30 to 00:00
  - Saturday and Sunday from 14:30 to 00:00
- The provision of plays:
  - Monday to Friday from 19:30 to 22:30
  - Saturday and Sunday from 14:30 to 22:30.



**Bims African Store, 102 Rye Lane, SE15 4RZ** licensed for:

- The sale of alcohol to be consumed off the premises
  - Monday to Saturday from 09:30 to 00:00.

**Rye Express, 137-139 Unit 1 Rye Lane, London SE15 4ST** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Sunday from 08:00 to 00:00.

**Iceland Frozen Foods, 74 Rye Lane, London SE15 5DQ** licensed for:

- The sale of alcohol to be consumed off the premises:
  - Monday to Saturday from 08:00 to 23:00
  - Friday to Saturday from 10:00 to 22:30.

**Il Giardino Restaurant, 7 Blenheim Grove, London SE15 4QS** licensed for:

- The sale of alcohol to be consumed on the premises:
  - Monday to Saturday from 11:00 to 00:00
  - Sunday from 12:00 to 23:30
- The provision of late night refreshment:
  - Monday to Saturday from 11:00 to 00:00
  - Sunday from 12:00 to 23:30.

**Peckham Refreshment Rooms, 12-16 Unit 4 Blenheim Grove, London SE15 4QL** licensed for:

- The sale of alcohol to be consumed on the premises:
  - Monday to Friday from 07:00 to 22:30
  - Saturday from 09:00 to 23:30
  - Sunday from 09:00 to 16:30.

**Honest Burgers, 12-16 Unit 1 To 2 Blenheim Grove, London SE15 4QL** licensed for:

- The sale of alcohol to be consumed on the premises:
  - Monday to Thursday from 10:00 to 23:00
  - Friday and Saturday from 10:00 to 00:00
  - Sunday from 10:00 to 23:00
- The provision of late night refreshment:
  - Friday to Saturday from 23:00 to 00:00.

**Brick Brewery, Railway Arch 209, Blenheim Grove, London SE15 4QL** licensed for:

- The sale of alcohol to be consumed on and off the premises:
  - Monday to Friday from 11:00 to 22:30.

**Bar Story, Arch 213 Blenheim Grove, SE15 4QL** licensed for:

- The sale of alcohol to be consumed on the premises:
  - Monday to Saturday from 10:00 to 00:00
  - Sunday from 10:00 to 23:30
- The provision of late night refreshment:
  - Monday to Saturday from 10:00 to 00:30
  - Sunday from 10:00 to 00:30.

**Serious Pig, Railway Arch 221 Blenheim Grove, SE15 4QL** licensed for:

- The sale of alcohol to be consumed on and off the premises:
  - Monday to Sunday from 10:00 to 19:00.

**McDonald's Restaurants Limited, 72-74 Rye Lane, SE15 5DQ** licensed for:

- The provision of late night refreshment:
  - Sunday to Thursday from 23:00 to 01:00
  - Friday and Saturday from 23:00 to 02:00.

**PeckhamPlex, 95A Rye Lane, SE15 4ST** licensed for:

- Films
  - Sunday to Thursday from 09:00 to 00:00
  - Friday and Saturday from 09:00 - 02:00
- The sale of alcohol to be consumed on the premises
  - Monday to Thursday from 14:00 to 22:00
  - Friday to Sunday from 12:00 to 23:00.

### **Southwark council saturation policy for Peckham**

27. Council assembly approved the introduction of a special policy for Peckham on the cumulative impact of a concentration of licensed premises (saturation policy) on 12 October 2011. This was renewed in November 2015 when full council assembly approved the 2016-2020 statement of licensing policy.
28. 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.

29. The effect of this special policy is that is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
30. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

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

31. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
  - Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
  - Section 5 - Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 - Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy.
  - Section 7 - Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 - The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 - Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 - The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 - The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective
32. 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.

33. The premises are located in Peckham major town centre area. Closing times suggested in the statement of licensing policy for relevant types of licensed premises located in Peckham major town centre area are:

- Restaurants and cafes:
  - Friday and Saturday: 01:00
  - Sunday to Thursday: 00:00.
- Public houses, wine bars or other drinking establishments:
  - Friday and Saturday: 00:00
  - Sunday to Thursday: 23:00.
- Night clubs (with 'sui generis' planning classification):
  - Monday to Sunday: 00:00.
- Cinemas and theatres
  - Monday to Sunday: 02:00.

### **Resource implications**

34. A fee of £190.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band C.

### **Consultation**

35. 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**

36. 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**

37. The sub-committee is asked to determine the application for a premises licence under section 17 of the Licensing Act 2003.

38. The principles which sub-committee members must apply are set out below.

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

39. 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.

40. 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.
41. 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**

42. 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.
43. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
44. 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.
45. 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.
46. 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

47. 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

48. 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.
49. 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

50. 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.
51. 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.

52. 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.
53. 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.
54. 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.

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

**BACKGROUND DOCUMENTS**

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

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Copy of the application
Appendix B	Copies of representations submitted and related correspondence
Appendix C	Copies of the applicant's replies to the representations, the additional proposed conditions and the document in support of the application
Appendix D	Map of the local area

**AUDIT TRAIL**

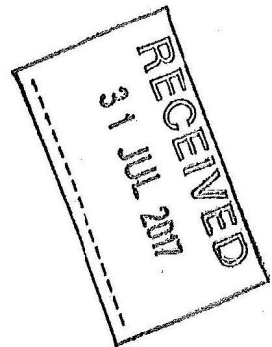
<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Social Regeneration	
<b>Report Author</b>	Wesley McArthur, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	19 October 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		27 October 2017



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

03/06/2017

Business - Application for a premises licence to be granted under the Licensing Act 2003  
Ref No. 827099



Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

	Michael Smith + Salla Kamarainen
--	----------------------------------

Premises Details

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

£	19450
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	Yes

Premises trading name

	The CLF Art Lounge
--	--------------------

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

Address Line 1	12A STATION WAY
Address Line 2	
Town	LONDON
County	
Post code	SE15 4RX
Ordnance survey map reference	
Description of the location	Upper level units in station way next to station
Telephone number	

Applicant Details

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

	An individual or individuals
--	------------------------------

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

If you applying as an individual or non-individual please select one of the following:-

	I am carrying on or proposing to carry on a business which involves the use of the  premises for licensable activities
--	--

## Details of Individual Applicant

## Personal Details

Title	Mr
If other, please specify	
Surname	Smith
Forenames	Michael Andrew
I am 18 years old or over	Yes

## Current Address

Street number or Building name	
Street Description	
Town	
County	
Post code	

## Contact Details

Daytime contact telephone number	
Email Address	

Do you wish to add a second individual applicant?

	Yes
--	-----

## Second Individual Applicant

## Personal Details

Title	
If other, please specify	
Surname	
Forenames	

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

I am 18 years old or over	Yes
---------------------------	-----

## Current Address

Street number or Building name	
Street Description	
Town	
County	
Post code	

## Contact Details

Daytime contact telephone number	
Email Address	

## Operating Schedule

When do you want the premises licence to start?

	01/07/2017
--	------------

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

--	--

## General description of premises ( see guidance note 1 )

	<p>The CLF Art Lounge - Set in a 2 floor building in station way diagonally / opposite the main entrance of Peckham Rye Train Station [above Jennys Burgers and an ex African convenience store - bordering both sides of PH Dental], the premises is made up of x2 spaces which have been combined [restored to original layout] to create a single venue.</p> <p>Combined space is approx 132.5 m<sup>2</sup> and both spaces were previously derelict / uninhabitable and have been extensively renovated. New venue benefits from X2 routes of escape. The first Main Entrance and Fire Exit stairwell [which the venue will have sole / public access to] leads to / from Station way [opposite bike repair shop / Peckham Rye Station main entrance] and will be used as the main entrance to the venue. The Other Stairwell will act as an Emergency Fire Exit only - leading from the venue's main space and exits the opposite direction / on the other side of Station Way [next to Jenny's Burgers] leading to Rye Lane. Pls see attached plans.</p> <p>The new space will operate as an art lounge with X3 seating areas for adults to sit back, relax and enjoy Peckham. The main room will seat around 50/60 people and will have a small stage and retractable cinema screen for intimate performances, showings and exhibitions.</p> <p>Venue offering x2 further small seating areas including a relaxation / chill out booth that</p>
--	---

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

	<p>can be rented privately. The whole venue will be serviced by a main bar, with service bar and a relatively large kitchen that will be used for prep, storage and serving of simple foods. No hot ovens or gas used. Electric / microwave used only, simple yet stylish foods served.</p> <p>The building is set in the Station Way Arcade / next to Peckham Rye Station's main entrance and as a result benefits from excellent transport links. Trains to buses. It's location also perfect for the servicing of the busy bustling Station patrons. The New CLF Art Lounge offering everything from Afternoon Tea to Fresh Coffees. Freshly Squeezed Juices to a place to sit relax and enjoy the free WI Fi.</p> <p>The CLF Art Lounge will be a much needed oasis of calm and culture for adults to sit back, relax, embrace and at the same time get away from the bustling, ever evolving world that is Peckham.</p>
--	--

Please select the range of the number of people expected to attend the premises at any one time.

	Less than 5000
If 5,000 or more people are expected to attend the premises at any one time. Please state the number expected to attend	

Operating Schedule part 2

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

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

Provision of regulated entertainment

	a) plays
	b) films
	e) live music
	f) recorded music
	g) performance of dance
	h) anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment

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

Supply of alcohol

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

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

#### A - Plays

Will the performance of a play take place indoors or outdoors or both? ( Please read guidance note 2 )

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

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

	Occasional Plays / Theatrical / Solo Productions and Performances will take place in the main lounge space for a small intimate seated audience.
--	--

Standard days and timings for Plays ( Please read guidance note 6 )

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00
Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

State any seasonal variations for performing plays ( Please read guidance note 4 )

	No Seasonal Variations
--	------------------------

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

	During New Years Eve and August Bank Holiday weekends Plays will possibly take place during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs.
--	---

#### B- Films

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

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

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

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

	Films will be shown inside the main art lounge space. Venue having retractable screen and projector for screening of cutting edge and globally eclectic specialist film.
--	--

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

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00
Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

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

	No Seasonal Variations
--	------------------------

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

	During New Years Eve and August Bank Holiday weekends Films will possibly be shown during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs.
--	---

## E - Live Music

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

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

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

	Live Music will be performed in the main art lounge space. Intimate Live Performances, solo performances to trios and quartets. Live Music will be both Amplified and Unamplified.
--	--

Standard days and timings for Live Music ( Please read guidance note 6 )

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00

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

Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

State any seasonal variations for the performance of live music ( Please read guidance note 4 )

No Seasonal Variations.
-------------------------

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 5 )

During New Years Eve and August Bank Holiday weekends Music will be played during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs
--

## F - Recorded Music

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

Indoors
---------

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

Recorded Music will play throughout the venue. Music will be Amplified.
---

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

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00
Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

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

No Seasonal Variations.
-------------------------

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

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

	During New Years Eve and August Bank Holiday weekends Recorded Music will be played during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs
--	---

G - Performances of Dance

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

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

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

	Dance Performances will take place in the main art lounge space. Intimate solo performances to cabaret and mime.
--	--

Standard days and timings for Performance of dance ( Please read guidance note 6 )

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00
Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

State any seasonal variations for the performance of dance ( Please read guidance note 4 )

	No Seasonal Variations.
--	-------------------------

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

	During New Years Eve and August Bank Holiday weekends Dance performances will possibly take place during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs
--	---

H - Anything of a similar description to that falling within (e), (f) or (g)

Please give a description of the type of entertainment you will be providing

	Art Exhibitions, Orators / Spoken Word Events, Animation Screenings, Book & Food Clubs and 'Specialist Entertainment and Education' Projects such as Book Fairs and Photography / Historical lectures.
--	--



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

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

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

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

	Aforementioned projects will take place in the main art lounge space.
--	---

Standard days and timings for Anything of a similar description to that falling within (e), (f) or (g) ( Please read guidance note 6 )

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00
Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) ( Please read guidance note 4 )

	No Seasonal Variations.
--	-------------------------

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. ( Please read guidance note 5 )

	During New Years Eve and August Bank Holiday weekends alternative forms of entertainment will possibly take place during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs
--	---

## I - Late Night Refreshment

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

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

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

	Late Night Refreshments will be supplied via X1 main bar and x1 small service bar. The first main bar located in the bar area
--	---

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

and utilised to cover the entire venue. The 2nd 'service bar' opens directly into main lounge space to aid table service.
---

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

Day	Start	Finish
Mon	23:00	00:00
Tues	23:00	00:00
Wed	23:00	00:00
Thur	23:00	01:00
Fri	23:00	04:00
Sat	23:00	04:00
Sun	23:00	00:00

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

No Seasonal Variations.
-------------------------

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

During New Years Eve and August Bank Holiday weekends - Late night refreshments will be provided during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs
---

## J - Supply of Alcohol

Will the supply of alcohol be for consumption ( Please read guidance note 7 )

On the premises
-----------------

Standard days and timings for Supply of alcohol ( Please read guidance note 6 )

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00
Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

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

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

	No Seasonal Variations.
--	-------------------------

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

	During New Years Eve and August Bank Holiday weekends - alcohol will be supplied for consumption during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs
--	--

Please upload the consent form completed by the proposed premises supervisor


	DPS-Consent-Form-2017-Complete-1.pdf
--	--------------------------------------

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Michael
Surname	Smlth

Address of proposed designated premises supervisor

Street number or Building name	
Street Description	
Town	
County	
Post code	

Personal licence number of proposed designated premises supervisor, if any,

Personal licence number ( if known )	
Issuing authority ( if known )	

K

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

	Activities, services and 'entertainment forms' staged or shown at the premises that may give concern in respect of children - include but are not limited to the following, A: Showing of Films rated by the BBFC as 18,
--	---

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

	<p>B: Staging of Theatrical Performances or cabaret that have an Adult theme,</p> <p>C: Staging of photographic and art exhibitions that might contain nudity or semi-nudity,</p> <p>D: Staging of children themed plays where special provision must be made for the accompaniment, care, needs and safety of children,</p> <p>E: Staging of live performances and music + lounge events where alcohol is available for sale,</p> <p>F: Staging of Spoken Word / Orators and Comedy Events where themes discussed and explored are of an Adult nature.</p> <p>G: Showing of Films classified for and aimed at children [Eg Saturday Morning Matinee] where special provision must be made for the accompaniment, care, needs and safety of children.</p>
--	---

L - Hours premises are open to public

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

Day	Start	Finish
Mon	07:00	00:00
Tues	07:00	00:00
Wed	07:00	00:00
Thur	07:00	01:00
Fri	07:00	04:00
Sat	07:00	04:00
Sun	07:00	00:00

State any seasonal variations ( Please read guidance note 4 )

	No Seasonal Variations.
--	-------------------------

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, ( Please read guidance note 5 )

	During New Years Eve and August Bank Holiday weekends - alcohol will be supplied for consumption during non standard times. Finishing no later than [August BH] 0500hrs, [New Years Eve] 0600hrs.
--	---

M - Steps to promote four licencing objectives

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

	<p>The Premises [which is an Art Lounge, Bar &amp; Eaterie] will promote all four licensing objectives through;</p> <p>1: the design and implementation of an appropriate operating schedule. 2: Operate with a safe fixed maximum capacity.</p>
--	--

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

	<p>2: Avoid the promotion, staging or exhibition of works that will cause offence or incite violence.</p> <p>3: Prohibit the display, staging, promotion or exhibition of sexually explicit material in any form,</p> <p>4: Restrict access to the Premises to persons under the age of 18 [unless accompanied by an Adult]. With all persons under the age of 18 denied access after 2200hrs.</p> <p>5: Use a combination of reinforced plastic containers, toughened glass and plastic for the serving of beverages [where necessary] to enhance safety.</p> <p>6: Utilise the services of SIA registered security to control and monitor access and egress to the venue during special events and or the provision of late night refreshments on weekends</p> <p>7: Continually monitor and keep clean areas surrounding / connected to the premises.</p> <p>8: The Premises has been completely sound proofed to avoid issues of noise pollution.</p> <p>9: The premises surround sound systems fitted is a small system with low out put to avoid potential sound spillage and protect patrons and staff from negative impact on hearing.</p> <p>10: Install a CCTV system to help monitor alcohol sales and help prevent issues of crime and disorder whilst helping to increase premises security.</p> <p>11: Premises to run an Age Compliance Scheme which requires the production of an accredited proof of age identification to purchase alcohol or at specific special events - gain admission</p> <p>12: Implement findings of venue specific 'fire risk assessment' and follow premises 'operating schedule' which allows for the safe running and emergency evacuation of the premises. This includes provision of relevant Fire safety equipment and training of staff to implement significant findings of risk assessment.</p> <p>13: Displaying of relevant signage in relation to - Drugs policy A DRUGS FREE ZONE, protection of children, signage stating that sales of alcohol will not be made to under 18s and that age identification will be required, prominent signage stating premises opening times + additional signage asking patrons to leave quietly. Display Transport link signage to help enable speedy premises dispersal.</p> <p>14: Utilise extensive local bus and Train routes to ensure speedy and easy access egress. 15: Ensure that a personal license holder is on premises during periods where alcohol is sold.</p> <p>16: Develop, implement and continually evolve a policy for keeping children safe from harm and train staff sufficiently to practice it. Pls find more detailed breakdown in point e.</p>
--	--

## b) the prevention of crime and disorder

	<p>Crime &amp; Disorder Prevention steps taken will include, but are not limited to;</p> <p>1: setting of a safe capacity of for the venue.</p> <p>2: Use of Crime prevention notices,</p> <p>3: Opening times displayed at entrance and advertised.</p> <p>4: The Installation of CCTV,</p> <p>5: Stop open containers being removed from the premises, plus display signage to that effect,</p> <p>6: Operate proof of age scheme,</p>
--	--

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

	<p>7: Use a combination of plastic containers and toughened glass for the serving of beverages where possible,</p> <p>8: Implement Bottle Bans where appropriate. Also a complete Bottle Ban on weekend late night opening. Curfew beginning at 1000hr [Thurs - Sat],</p> <p>9: Employ appropriate amount of SIA registered security for late night weekend general opening + 'special events' [2300hr to 0400hrs] as well as TENS notice approved events</p> <p>11: Irresponsible drinks promotions will be avoided, 12: Implementation of A Drugs Policy, including the display of Signage stating that the venue is A DRUGS FREE ZONE,</p> <p>13: Implement a dispersals policy which encourages customers to leave smoothly, quickly, quietly and orderly no matter what time of day. Breakfast to Supper.</p> <p>14: Provide sufficient seating so that the majority of customers do not have to stand. Seating cleared for occasional specific events, but will operate primarily as a sit down 'chill out' art lounge.</p> <p>15: Avoid the exhibition and performances of projects and performances that incite hatred, violence, racism, sexism or create disorder. 16: Use Bona Fide alcohol suppliers</p> <p>17: Access to hawkers will be denied and no counterfeit products such as alcohol, tobacco, DVDS, CDs will be supplied or sold at the venue.</p> <p>18: A Security Log will be kept detailing all security personnel working at the premises / utilised at specialist late night events or private functions.</p> <p>19: Incident report log kept detailing any problems relating to crime and disorder at the premises.</p>
--	---

## c) public safety

	<p>Steps to Increase Public Safety at the premises will include but are not limited to the following;</p> <p>1: setting of a safe capacity for the venue,</p> <p>2: Installation of CCTV for the monitoring of patrons,</p> <p>3: Use a combination of plastic containers and toughened glass for the serving of beverages, preventing [eg] injury by broken glass,</p> <p>4: Employ appropriate amount of SIA registered security for late night weekend events Fri + Sat [2300hr to 0400hrs] as well as TENS notice approved events,</p> <p>5: irresponsible drinks promotions will be avoided,</p> <p>6: Implementation of a drugs policy, including the display of Signage stating that the venue is A DRUGS FREE ZONE</p> <p>7: Implement and strictly adhere to the findings of our Risk Assessment, allowing for the safe running and emergency evacuation of the premises. This includes Provision of fire precaution and alarm systems + training of staff to implement significant findings of risk assessment.</p> <p>8: Ensure that necessary Fire Exit signage is clearly displayed and kept in good condition,</p> <p>9: Ensure that all areas and spaces connected to the premises are covered by emergency lighting,</p> <p>10: Ensure Water Sprinkler system is continually checked in accordance with LFB guidelines.</p>
--	---

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

	<p>11. Install relevant fire alarm and smoke detection system</p> <p>12: Appoint and train venue Fire Marshals and Wardens,</p> <p>13: Provide First Aid Kits + ensure that all premises staff are trained in basic first aid + aware of all serious emergency provisions.</p> <p>14: Avoid the exhibition and performances of projects and performances that incite hatred, violence, racism, sexism, so avoiding threats to public safety.</p> <p>15: Display signage for and rigorously enforce the Internal No Smoking Ban.</p> <p>16: Ensure that all health, safety and fire requirements are strictly adhered to at all times.</p> <p>17: Host regular health, safety and fire prevention meetings with tenants / businesses located within station square .</p> <p>18: Conduct on-going fire drills.</p> <p>19: Liaise with emergency services, to help re the safe running of the premises. Additional glazing of all premises windows to further avoid sound spillage,</p> <p>20: Premises Perimeter checked periodically [especially at night] to help ensure that all public nuisance issues are being answered.</p>
--	--

## d) the prevention of public nuisance

	<p>To avoid issues of public nuisance the premises will do the following;</p> <p>1: Venue will be soundproofed as per the instructions of a qualified acoustic consultant,</p> <p>2: Small surround sound system fitted to ensure that all music is kept to an acceptable + legal level.</p> <p>3: The premises has excellent access and egress. As it's entrance is located next to Peckham Rye Stations entrance - this will aid the smooth and quiet dispersal of customers leaving the premises. Allowing for controlled exiting of said premises via x3 different exit routes and public transport within metres of the venue. Trains to buses .....</p> <p>4: All rubbish [cans, cups etc] stored within meters of the venue in large recycling bins. Said bins located at designated station way rubbish / bin point. Avoiding issues of noise pollution during post and pre operations clean ups, or during bin collections. [limited to between 0800hrs and 2000hrs]</p> <p>5: A Combination of prominent signage, CLF Staff and SIA Registered security [as necessary] utilised to ensure that customers leave quietly upon closing</p> <p>6: The venue is located directly on a major Train and bus and night bus route [Peckham Rye Station is within 5 secs walk] allowing for easy transport to and from the venue.</p> <p>7: Reputable Taxi companies services utilised to aid / quicken audience dispersal when required. Eg during late night lounge activities at weekends</p> <p>8: The venues is located directly on a major Train and bus and night bus = Bicycle route [Peckham Rye Station mere secs walk] allowing for easy transport to and from the venue.</p> <p>9: Reputable Taxi companies services utilised to aid / quicken audience dispersal.</p> <p>10: The venue is less than two minutes away from a Multi Story Car Park, which can offer parking for patrons who drive. Note use of public transport and Bicycles will be encouraged by us and preferred.</p>
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## Business - Application for a premises licence to be granted under the Licensing Act 2003

	<p>11: Utilise Bicycle parking in front of station and encourage bicycle use.</p> <p>12: Front and rear of premises kept clean and free of rubbish at all times,</p> <p>13: Door Closers utilised throughout the premises to avoid sound leakage into and out of the venue.</p> <p>14: Installation of appropriate air distribution and cooling system.</p>
--	---

## e) the protection of children from harm

	<p>Steps taken to protect children from harm include, but are not limited to the following;</p> <p>1: Display prominent signage informing customers and staff that the sale of alcohol to anyone under the age of 18 is strictly prohibited and that age identification will be required.</p> <p>2: The Premises will run an Age Compliance Scheme which requires the production of an accredited proof of age identification [eg Challenge 21]. Production of an accredited card / document such as driving license or passport, required by those customers who look under the age of 21 and are, either trying to</p> <p>a] Attempt to gain admission to the premises or b] Attempt to buy Alcohol.</p> <p>3: Ensure that between the hours of 0700hrs and 2200 hrs that no person under the age of 18 is allowed entry to the premises without the accompaniment of an adult</p> <p>4: All staff involved in the sale of alcohol to be trained in aforementioned proof of age compliance scheme.</p> <p>5: Enforce a strict no under 18s policy [even if accompanied by an adult] after the time of 2200hrs.</p> <p>6: Ensure that a personal license holder is on the premises during times that alcohol is supplied.</p> <p>7: Ensure that Alcohol is displayed in an area which is constantly monitored by staff and separate from goods likely to be purchased by persons under the age of 18.</p> <p>8: Ensure that all premises promotions, advertising and campaigns [whether related to alcohol or not] are carried out in a socially responsible manner restricted to those who meet the required age limit in accordance with any certificate granted by the BBFC.</p> <p>10: Strictly Prohibit the display, production, promotion or staging of any sexually explicit or adult material at all times.</p> <p>11: Ensure that all Child Specific Film or Animation Screenings are seating only and that children are accompanied and supervised by an appropriate number of adults.</p> <p>12: Develop, implement and continually evolve a policy for keeping children safe from harm and ensure that all staff are sufficiently trained to practice it. This includes staffs personal conduct and relationships with child patrons, recognition of issues related to and how to deal with possible abuse or violence towards children by other users of the premises.</p>
--	--

Please upload a plan of the premises

	CLF-Art-Lounge-Plans-And-Location.pdf
--	---------------------------------------

Please upload any additional information i.e. risk assessments



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

	CLF-ART-LOUNGE-FIRE-RISK-ASSESSMENT.1.doc
--	---

Checklist

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

Home Office Declaration

Please tick to indicate agreement

	I am not a company or limited liability partnership
--	---


Proof of Entitlement to work in the UK

Please upload proof of entitlement to work in the UK

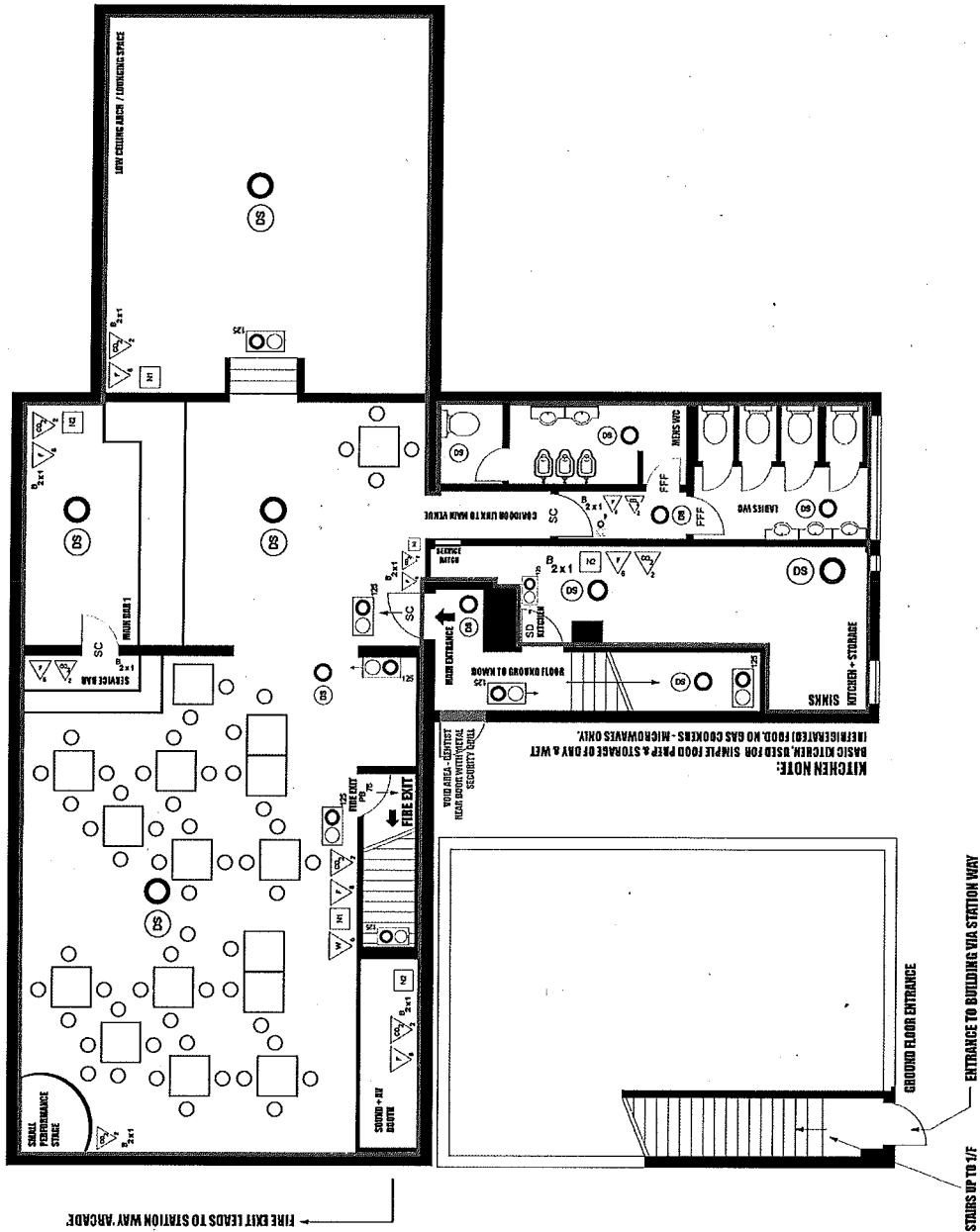
	
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Declaration

I agree to the above statement

	
PaymentDescription	
AuthCode	
LicenceReference	
PaymentContactEmail	

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



Property Details: 4A + 12A STATION WAY, LONDON SE15 4RX	 DRAWN BY <b>CHRONIC ARTCHITECTS</b> 1/F, BLOCK A, BUSSEY BUILDING, 133 COPELAND RD, LONDON SE16 3SN TEL: [REDACTED]
SCALE 1:100 @ A3	Plans Drawn: 01/11/2016

**From:** Newman, Paul  
**Sent:** Wednesday, August 23, 2017 3:49 PM  
**To:** Regen, Licensing  
**Cc:** [REDACTED]  
**Subject:** CLF Arts Lounge 12A station parade Peckham EPT Ref 859732 (deadline 28 August 2017)

EPT wish to make the following representations about the application for this new premises licence in the Peckham area;

1. Representation on the grounds of cumulative impact of public nuisance and crime and disorder in the Peckham CIP area

The application is for a new licence within the Peckham Cumulative Impact Policy area. [Statement of Licensing Policy](#) explains the purpose of the CIP areas, and says (section 6, pages 32-36) that parts of Southwark have reached saturation point in respect of licensed premises, and data analysis shows that in these areas, the benefits of the night time economy begin to be outweighed by health impacts, loss of amenity, and costs of excessive alcohol consumption, crime and disorder. It further says (paragraph 134 page 35), that a CIP policy is considered appropriate and necessary in the Peckham area.

If the application is to be granted or part granted, then under the policy (paragraph 119 page 33), the applicant needs to demonstrate to the Licensing Sub Committee that the application will not, if granted or part granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

This application does not appear to exhibit any of the example characteristics that may demonstrate there will be no impact listed in paragraph 140, page 36.

In these circumstances, EPT are of the view that the licence, if granted, will increase footfall in the late night economy of patrons associated with alcohol licensed premises, and this will have a negative cumulative impact on public nuisance and crime and disorder within the Peckham CIP area.

2. Representation on the grounds of excessive hours in Peckham Major Town Centre

In addition to the presumption against grant of a new licence in Peckham CIP area, the application does not comply with the hours policy set out on pages 37-39, with particular reference to the table on page 39.

The applicants seek

- Supply of alcohol on the premises
- Plays, Films, and performances of Dance
- Live music until 4am on Fridays and Saturdays
- Recorded music until 4am on Fridays and Saturdays
- Late Night refreshment

all until 4am on Fridays and Saturdays (and 5am August Bank Holiday, 6am New Years Eve);

If granted sui generis planning consent to operate as a nightclub, hours for licensable activities should be limited to 03.00 Friday and Saturday, 01.00 Monday to Thursday, and midnight on Sundays.

Without sui generis planning consent to operate as a nightclub, then any cinema and theatre element should be licensed to no later than 02.00 daily, and the supply of alcohol should be restricted to bona fide cinema and theatre patrons after the closing hours for drinking establishments, which are midnight on Friday and Saturdays, 23.00 on other days.

Live and recorded music should be granted in line with alcohol licensed hours, not including any alcohol licensed hours that are restricted to cinema and theatre patrons, unless such music is incidental to a genuine theatre (including a performance of dance), or cinema production.

EPT do not have any objections to the provision of late night refreshment at any time that the premises are authorised to be open to the public.

In these circumstances, EPT are of the view that the licence, if granted, will increase the negative cumulative impact on public nuisance and crime and disorder especially in the hours later than those specified as appropriate in the statement of licensing policy.

Kind regards

**Paul Newman**

**Principal Environmental Health Officer**

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

Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

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

**From:** [Graham.S.White@met.pnn.police.uk](mailto:Graham.S.White@met.pnn.police.uk) [<mailto:Graham.S.White@met.pnn.police.uk>]  
**Sent:** Thursday, August 24, 2017 2:04 PM  
**To:** Regen, Licensing  
**Cc:** Franklin, David  
**Subject:** Art Lounge, 12a Station way

Please find attached the police response to the above application.

Regards

**PC Graham White 288MD**

*Southwark Police Licensing Unit  
 323 Borough High Street*

*London*

*SE1 1JL*

*Tel: 0207 232 6756 (726756)*

[SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk)

[graham.white4@met.police.uk](mailto:graham.white4@met.police.uk)



**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](mailto:SouthwarkLicensing@met.police.uk)

**Our reference:** MD/21/ 3008/17

**Date:** 24<sup>th</sup> August 2017

Dear Sir/Madam

**Re:- CLF Art Lounge, 12a Station Way, London, SE15 4RX**

Police are in possession of an application from the above for a new premises licence. The application describes the operation as an Art Lounge but would appear to be a multi-use space with bar and kitchen available for private hire.

The premises falls within the Peckham cumulative Impact Zone (CIZ) and the Peckham Major Town centre area as set out within the Council Licensing policy.

The times applied for are outside that recommended within the policy even for that of a Night club. From what is described within the application, the licensable activities

applied for and the control measures offered with the operating schedule the venue could operate as a night club and as such the police would like to see control measures suitable for a night club and the hours as recommended within the policy if granted by the Licensing sub-committee.

If consideration is given to the granting of a premises licence with hours of operation similar to those as per the application, a significant number of control measures would be required in order to address the promotion of the licensing objectives.

1. The premises will install a CCTV system and maintain this system in good working order, the system will be of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered including the bar and smoking areas. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available for inspection to Officers of the Police and the Council
2. There shall be at least one member of staff on duty at all times the premises are in operation under its licence trained and proficient in the operation of the CCTV system capable of operating and retrieving footage on request of the Police or other authorised officer.
3. The premises will employ a minimum of 3 SIA registered door supervisors, one of whom shall be female. They will be employed each night the premises are in operation under the premises licence when the terminal hour is after 0030hrs and will be on duty to receive patrons 21:00. They will be provided with and will use electronic search wands in respect of the search of all persons who wish to enter the premises. This includes all DJ's and associated staff and their equipment. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.
4. If the terminal hour is before 00.30hrs then one SIA registered door supervisors will be employed from 21.00hrs. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict within the venue.
5. A 696 must be submitted for any occasion in a premises licensed under the provisions of the Licensing Act 2003, using a DJ or MC performing to recorded background music, operating any time between 10pm and 6am, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket."
6. That a Personal Licence holder is on the premises and on duty at all times after 22:00 when intoxicating liquor is supplied.
7. An ID scanning system to the reasonable satisfaction of Police be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 22:00 when the premises are in operation under the premises

licence and the terminal hour is after 00.30hrs. It will be used to record the details of all persons entering the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document and or the person's details are already stored on the system and they are identified using a biometric identification system.

8. At all times the premises is in operation under the premises licence there will be at least one member of staff trained to a satisfactory standard able to operate the ID scan system and able to retrieve data from the system on request of the Police or other authorised officer.
9. That all staff concerned in the sale or supply of intoxicating liquor undergoes a recognised training scheme for such duties. Records of such training should be kept and made available for inspection, on request by Police or other authorised officer.
10. That no beverages will be consumed in the smoking area after 22.00hrs, patrons will be encouraged to leave this area as soon as practicable.
11. There will be no new entry or re-entry to the premises after 01:00 on each night the premises are open to the public.
12. That all incidents of violence and or disorder that result in an injury to another will be reported to the Police as soon as practicable. The reasoning behind any delayed report will be recorded in the incident report book. This report book will be made available for inspection by any authorised officer from the Police or local authority.

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

Yours Sincerely

**PC Graham White 288MD**  
Southwark Police Licensing Unit  
Tel: 0207 232 6756

**From:** Franklin, David  
**Sent:** Thursday, August 24, 2017 5:46 PM  
**To:** Regen, Licensing  
**Cc:** McArthur, Wesley  
**Subject:** The CLF Art Lounge, 12a Station Way SE15 4RX.docx

## MEMO: Licensing Unit

**To** Licensing **Date** 24 August 2017

### Copies

**From** David Franklin **Telephone** 020 7525 5800

**Email** [david.franklin@southwark.gov.uk](mailto:david.franklin@southwark.gov.uk)

**Subject** The CLF Art Lounge, 12a Station Way, London SE15 4RX

I make this representation with regards to the application for a new premises licence submitted by Mr Michael Andrew Smith and Saija Marjaana Kamarainen for The CLF Art Lounge, 12a Station Way, London SE15 4RX.

My representation is based on all four of the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance.

The premises is described as *"The CLF Art Lounge - Set in a 2 floor building in station way diagonally / opposite the main entrance of Peckham Rye Train Station [above Jennys Burgers and an ex African convenience store - bordering both sides of PH Dental], the premises is made up of x2 spaces which have been combined [restored to original layout] to create a single venue.*

*Combined space is approx 132.5 m<sup>2</sup> and both spaces were previously derelict / uninhabitable and have been extensively renovated. New venue benefits from X2 routes of escape. The first Main Entrance and Fire Exit stairwell [which the venue will have sole / public access to] leads to / from Station way [opposite bike repair shop / Peckham Rye Station main entrance] and will be used as the main entrance to the venue. The Other Stairwell will act as an Emergency Fire Exit only - leading from the venue's main space and exits the opposite direction / on the other side of Station Way*

*[next to Jenny's Burgers] leading to Rye Lane. Pls see attached plans.*

*The new space will operate as an art lounge with X3 seating areas for adults to sit back, relax and enjoy Peckham. The main room will seat around 50/60 people and will have a small stage and retractable cinema screen for intimate performances, showings and exhibitions.*

*Venue offering x2 further small seating areas including a relaxation / chill out booth that can be rented privately. The whole venue will be serviced by a main bar, with service bar and a relatively large kitchen that will be used for prep, storage and serving of simple foods. No hot ovens or gas used. Electric / microwave used only, simple yet stylish foods served.*

*The building is set in the Station Way Arcade / next to Peckham Rye Station's main entrance and as a result benefits from excellent transport links. Trains to buses. It's location also perfect for the servicing of the busy bustling Station patrons. The New CLF Art Lounge offering everything from Afternoon Tea to Fresh Coffees. Freshly Squeezed Juices to a place to sit relax and enjoy the free Wi Fi.*

*The CLF Art Lounge will be a much needed oasis of calm and culture for adults to sit back, relax, embrace and at the same time get away from the bustling, ever evolving world that is Peckham."*



The application asks for the following licensable activities:

**Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors**

Sunday to Wednesday 07:00 to 00:00 hours  
 Thursday 07:00 to 01:00 hours  
 Friday & Saturday 07:00 to 04:00 hours

**Sale of alcohol on the premises**

Sunday to Wednesday 07:00 to 00:00 hours  
 Thursday 07:00 to 01:00 hours  
 Friday & Saturday 07:00 to 04:00 hours

**Late night refreshment indoors.**

Sunday to Wednesday 23:00 to 00:00 hours  
 Thursday 23:00 to 01:00 hours  
 Friday & Saturday 23:00 to 04:00 hours

**Opening Hours**

Sunday to Wednesday 07:00 to 00:00 hours  
 Thursday 07:00 to 01:00 hours  
 Friday & Saturday 07:00 to 04:00 hours

**Non standard timings**

**All licensable activities and opening times**

August Bank Holiday 07:00 to 0500 hours,  
 New Years Eve 07:00 to 0600 hours

Section six of the Statement of Licensing Policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham policy area as defined in paragraph 129 of the policy into the class of premises in 130 of the policy are night clubs, pubs and bars, off-licences, grocers, supermarkets, convenience stores and similar premises.

It seems from the application that this premises would fall into the category of a night club, particularly if the premises provides predominantly amplified recorded music to 04:00 hours, when public transport is likely to be restricted to no trains and only occasional night busses.

Under 119 of the policy there is a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

In this application the applicant has not provided sufficient information to rebut the presumption that the operation of the premises will give rise crime and disorder within the policy area, there is inadequate information on how the clientele will be dispersed at 04:00 hours without contributing to the already high levels of crime disorder and public nuisance.

I therefore recommend on the information currently provided that the application is refused under the cumulative impact policy.

Should the application be restricted by condition to operate primarily as a theatre/cinema, under section seven (from page 137) of the statement of policy on hours of operation will apply.

This premises is in the Peckham Major Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises are:

Closing time for Public Houses Wine bars or other drinking establishments : Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours

Closing time for Night Clubs (with sui generis planning classification) : Monday to Thursday is 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours

**Closing time for Cinemas and Theatres is 02:00 hours daily**

I would advise that if the premises is predominantly theatre/cinema that recorded music is either removed from the application, or made ancillary to the provision of plays or films, and that the sale of alcohol is sold as ancillary to the provision of plays, films or table meals.

The application also asks for the same finishing times for the activities and the closing times, leaving no time for patrons to finish there activity, such as consuming their alcohol, and leave over a period of time.

To promote the licensing objectives the licensable activities times are adjusted as follows:

**Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors**

Sunday to Wednesday 07:00 to 23:30 hours

Thursday 07:00 to 00:30 hours

Friday & Saturday 07:00 to 01:30 hours

**Sale of alcohol on the premises**

Sunday to Wednesday 07:00 to 23:30 hours

Thursday 07:00 to 00:30 hours

Friday & Saturday 07:00 to 01:30 hours

**Late night refreshment indoors.**

Sunday to Thursday 23:00 to 23:30 hours

Friday & Saturday 23:00 to 01:30 hours

**Opening Hours**

Sunday to Thursday 07:00 to 00:00 hours

Friday & Saturday 07:00 to 02:00 hours

With the following additional conditions:

- That the sale of alcohol shall be sold as ancillary to the showing of films, the provision of plays, live music or performances of dance or as ancillary to a substantial table meal.
- That the provision of recorded music is provided as ancillary to the showing of films, the provision of plays, live music or performances of dance.
- Drinks shall not be taken outside the premises
- There will be no new entry or re-entry to the premises after 00:00 hours (midnight).

- The maximum number of patrons in the premises at any one time shall not exceed .....(to be confirmed)
- A dispersal policy is written and kept at the premises, management at the premises shall implement the policy on closing time.

David Franklin  
Licensing Authority as a Responsible Authority

**From:** Regmi, Sadie  
**Sent:** Friday, August 25, 2017 3:53 PM  
**To:** Regen, Licensing  
**Cc:** Public Health Licensing  
**Subject:** RE: New Premises licence 12a Station Way

To whom it may concern:

**Re: The CLF Art Lounge, 12a Station Way, SE15 4RX**

On behalf of the Director of Health and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

The representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

Public Health are in receipt of an application from the above for a new licence for the sale of alcohol on the premise between 0700-0000 Sundays - Wednesdays, 0700-0100 Thursdays and 0700:0400 Fridays and Saturdays. Southwark's Statement of Licensing Policy's recommends the following closing times for establishments such as the one proposed: Sunday to Thursday 23:00 hours and Friday and Saturday 00:00 hours. The applicant has also requested an early start time for alcohol sales. Early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking.

The premises are located in the **Peckham Cumulative Impact Policy** area, an area with considerable issues relating to alcohol fuelled anti-social behaviour, violence, disorder and street drinking. In my opinion, given the above concerns, the applicant has not rebutted the presumption that these premises will add to the cumulative impact of alcohol related harm in the local area.

I therefore recommend that the application is rejected unless the applicant can amend their application with details on the maximum number of people expected to attend the premises at any one time and explicitly state that no vertical drinking will be allowed in the proposed establishment.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely,

Dr Sadie Regmi

*on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)*

-----  
Dr Sadie Regmi | [sadie.regmi@southwark.gov.uk](mailto:sadie.regmi@southwark.gov.uk) | 02075253063  
Specialty Registrar in Public Health Medicine, London Borough of Southwark, 160 Tooley Street, London SE1 2QH

**From:** Newman, Paul  
**Sent:** Wednesday, August 23, 2017 3:49 PM  
**To:** Regen, Licensing  
**Cc:** [REDACTED]  
**Subject:** CLF Arts Lounge 12A station parade Peckham EPT Ref 859732 (deadline 28 August 2017)

EPT wish to make the following representations about the application for this new premises licence in the Peckham area;

1. Representation on the grounds of cumulative impact of public nuisance and crime and disorder in the Peckham CIP area

The application is for a new licence within the Peckham Cumulative Impact Policy area. [Statement of Licensing Policy](#) explains the purpose of the CIP areas, and says (section 6, pages 32-36) that parts of Southwark have reached saturation point in respect of licensed premises, and data analysis shows that in these areas, the benefits of the night time economy begin to be outweighed by health impacts, loss of amenity, and costs of excessive alcohol consumption, crime and disorder. It further says (paragraph 134 page 35), that a CIP policy is considered appropriate and necessary in the Peckham area.

If the application is to be granted or part granted, then under the policy (paragraph 119 page 33), the applicant needs to demonstrate to the Licensing Sub Committee that the application will not, if granted or part granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

***As stated in the support documents, we believe that The CLF Art Lounge will answer all 4 licensing objectives and have a positive impact on the local and surrounding area. Making it safer and cleaner. Also: Pls see attached Licensing Objectives Doc. Cleaning up and managing an area that currently has issues of crime and disorder due to lack of activity.***

***Our plan to run a successful food and beverage driven art lounge that offers subtle sophisticated entertainment to it's diners in a well managed and safe environment. Cleaning up and continually managing and monitoring both internal and (importantly) external spaces to offer better security and a safer better lit CCTV monitored space (especially at night) in Station Square.***

***IMPORTANT: When looked at this project as a Lounge bar and restaurant, issues of potential for crime and disorder are reduced significantly. Again pls see support doc for description of CLF Art Lounge which has no intention of operating as a Night Club. Food and fine drinks at it's core.***

***We are also more than willing to amend our regulated entertainment hours. As per below***

This application does not appear to exhibit any of the example characteristics that may demonstrate there will be no impact listed in paragraph 140, page 36.

In these circumstances, EPT are of the view that the licence, if granted, will increase footfall in the late night economy of patrons associated with alcohol licensed premises, and this will have a negative cumulative impact on public nuisance and crime and disorder within the Peckham CIP area.

*We feel that the location of the venue is perfect to cater to an already busy commuting community that utilise Peckham Rye Station by the tens of thousands daily. They currently have little options when it comes to food, a coffee or somewhere to sit and catch their breath and I think that we will answer that need.*

*Evenings / Nights are different. Being a Peckham resident for 15 years (Choumert Rd near station way) and owner of one of Southwarks largest capacity art venues, I know the area well and .... night times, Station Way is like a ghost town and not safe for those who use it. We believe that by opening The CLF Art Lounge and renovating internally, cleaning + santising and repainting externally + operating a security system with both CCTV and SIA registered security with all day cleaning - will go a long way to creating a safer atmosphere at night. Furthermore it will cater to those people struggling for anywhere to eat or relax in Peckham, which has a huge shortage of places to dine or relax. Making it fair to say that the opening of The CLF Art Lounge, would decrease crime and disorder issues as it would cater to people already in the area, not add to it.*

#### **Patron management**

*As you will see from the submitted venue plans, the CLF Art Lounge has a long wide staircase at it's 4a Station Way main entrance. With 12a Station Way rear entrance used as fire exit. Said 4a staircase easily able to accommodate around 50+ people, meaning that customers can be queued internally before entering the 1/F space, creating zero issues in terms of impact of people coming to the 100 capacity (including staff) seated CLF Art Lounge restaurant and bar and surrounding area. Note: Staircase also allows for customers to be searched pre entry (weekends after 22.00hrs) before they enter the premises at ground level. Adding additional security at night.*

#### **Easy Exit / controlled dispersal**

*The use of both staircases during exiting of customers (which head to 3 different streets, Rye Lane, Blenheim Grove or Holly Grove) will also making it easier to exit customers in different directions, so easing issues of over saturation. As Peckham Rye Station closes a little after midnight (where the area is deserted) and due to the small number of diners / patrons - ease of access and egress should increase further during the evenings. Hence I believe that the well-managed system we will implement and the type of business we intend to run will have no negative impact on public nuisance and crime and disorder and will make the area safer.*

**Note: there are also no residential neighbours**

*The CLF Art Lounge will not on the whole increase traffic to the area, only during late eve/early mornings. (Times where the area is empty) and will be managed by security and monitored by CCTV - by people used to running large spaces for a 1000+ people. (With no entry or re-entry after 02.00hrs Friday + Saturday) Our experience and proven track record in Peckham speaking volumes with regards to keeping people safe.*

*So and as stated I believe that the art lounge will be highly beneficial to Station Way and will improve security and offer a much needed service to cater to an existing local base of people looking for somewhere to eat and relax.*

2. Representation on the grounds of excessive hours in Peckham Major Town Centre

In addition to the presumption against grant of a new licence in Peckham CIP area, the application does not comply with the hours policy set out on pages 37-39, with particular reference to the table on page 39.

The applicants seek

- Supply of alcohol on the premises
- Plays, Films, and performances of Dance
- Live music until 4am on Fridays and Saturdays (**Happy to make this earlier in line with a 03.00 close on Fri + Sat – Namely 02.30 Fri + Sat, 23.30 Mon – Weds, 00.30 Thursdays**)
- Recorded music until 4am on Fridays and Saturdays (**Background Music will be our main source of recorded music with occasional entertainment. Happy to make regulated entertainment music earlier as per above**)
- Late Night refreshment

all until 4am on Fridays and Saturdays (and 5am August Bank Holiday, 6am New Years Eve);

**As mentioned happy to make eg regulated entertainment 30 mins earlier than terminal hour. Also happy to amend opening hours til 03.00 Fridays + Saturdays, (4am August bank Holidays and 5am New Years Eve)**

If granted sui generis planning consent to operate as a nightclub, hours for licensable activities should be limited to 03.00 Friday and Saturday, 01.00 Monday to Thursday, and midnight on Sundays.

**Even though The CLF Art Lounge is a restaurant, cocktail bar and lounge that predominantly will use background music and provide regulated entertainment that again, on the whole will be secondary to food and conversation, if you still feel the need to classify us as a Nightclub???? We would be willing to Close as proposed.**

**00.00 hrs Sunday to Wednesdays, 01.00hrs Thursday, and 03.00 Friday and Saturday,**

Without sui generis planning consent to operate as a nightclub, then any cinema and theatre element should be licensed to no later than 02.00 daily, and the supply of alcohol should be restricted to bona fide cinema and theatre patrons after the closing hours for drinking establishments, which are midnight on Friday and Saturdays, 23.00 on other days.

**As per the attached CLF Art Lounge Doc, our main activities will be dining, lounging and drinking supplemented by occasional entertainment for diners (lounge singer, poets, romantic films, comedians etc), hence and taking into consideration all of the above we would be happy to settle for the following;**

**00.00hrs Sunday to Wednesdays, 01.00hrs Thursday, 03.00hrs Friday and Saturday,**

Live and recorded music should be granted in line with alcohol licensed hours, not including any alcohol licensed hours that are restricted to cinema and theatre patrons, unless such music is incidental to a genuine theatre (including a performance of dance), or cinema production.

***All forms of entertainment will be curated to entertain diners and lovers of cocktails in the lounge, with all pre recorded and performed entertainment performed primarily as background music for diners at all times, so and again the proposed hours above work to achieve this with a small addition to cover things that may be deemed Theatre, Comedy etc. Namely***

***00.00 Monday to Wednesdays, 01.00 Thursdays, 03.00 Friday and Saturday, With regulated entertainment (Films, Comedian, Jazz Trio etc) finishing no later than 23.30 Sunday to Wednesday, 00.30 Thursday and 02.30 Friday and Saturday,***

EPT do not have any objections to the provision of late night refreshment at any time that the premises are authorised to be open to the public.

***Great. Thank you. As long as we can agree to go with your proposed above hours, as it's important that a place that is part supper club, offers food and fine drinks til late.***

In these circumstances, EPT are of the view that the licence, if granted, will increase the negative cumulative impact on public nuisance and crime and disorder especially in the hours later than those specified as appropriate in the statement of licensing policy.

***As stated, we feel that this statement is contrary to the reality of the situation. If granted, we believe that The CLF Art Lounge will operate in a way that will offer more rather than less security and will decrease crime and disorder, decrease public nuisance and improve further Peckham's glowing reputation as a centre for arts, creativity and now Food. The addition of The CLF as a business in this location is necessary, as Station Way needs to join the 21<sup>st</sup> century today. Hence the new Station Square project.***

***I believe we can get the Station Way Area area clean, clear, sanitised and operating at its full potential soonest. Offering a safer 'monitored' and 'secure' internal and external space for the local and wider community. Especially at night, in areas where there is little activity - where crime and disorder is an issue in Peckham. The CLF Art Lounge would change that - offering better security and an improved welcome to Peckham. Making the area Safer, decreasing crime and public nuisance + making Peckham a cleaner and better place.***

Kind regards

**Paul Newman**

**Principal Environmental Health Officer**

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

Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

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



*Thanks for your time + I look forward to hearing from you soon re the above / attached.*

*With thanks,*

*All the best,*

*Mickey Smith*

[Redacted signature block]

[Redacted line]

[Redacted line]

**From:** [Graham.S.White@met.pnn.police.uk](mailto:Graham.S.White@met.pnn.police.uk) [<mailto:Graham.S.White@met.pnn.police.uk>]  
**Sent:** Thursday, August 24, 2017 2:04 PM  
**To:** Regen, Licensing  
**Cc:** Franklin, David  
**Subject:** Art Lounge, 12a Station way

Please find attached the police response to the above application.

Regards

**PC Graham White 288MD**

*Southwark Police Licensing Unit  
323 Borough High Street*

*London*

*SE1 1JL*

*Tel: 0207 232 6756 (726756)*

[SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk)

[graham.white4@met.police.uk](mailto:graham.white4@met.police.uk)



**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](mailto:SouthwarkLicensing@met.police.uk)

**Our reference:** MD/21/ 3008/17

**Date:** 24<sup>th</sup> August 2017

Dear Sir/Madam

**Re:- CLF Art Lounge, 12a Station Way, London, SE15 4RX**

Police are in possession of an application from the above for a new premises licence. The application describes the operation as an Art Lounge but would appear to be a multi-use space with bar and kitchen available for private hire.

The premises falls within the Peckham cumulative Impact Zone (CIZ) and the Peckham Major Town centre area as set out within the Council Licensing policy.

The times applied for are outside that recommended within the policy even for that of a Night club. From what is described within the application, the licensable activities

applied for and the control measures offered with the operating schedule the venue could operate as a night club and as such the police would like to see control measures suitable for a night club and the hours as recommended within the policy if granted by the Licensing sub-committee.

***COMMENT: As per attached CLF Art Lounge Doc, The venue will operate as a fine food lounge bar and supper club. Although we will provide regulated entertainment that will be utilised to entertain diners in the seated venue, we are not, or should not be confused with a night club and are happy to put reasonable measures in place to ensure that our activities are as described. Namely;***

***A day to night restaurant and bar with supplementary entertainment for patrons.***

If consideration is given to the granting of a premises licence with hours of operation similar to those as per the application, a significant number of control measures would be required in order to address the promotion of the licensing objectives.

***Agreed and happy to devise the correct plan for our venue***

1. The premises will install a CCTV system and maintain this system in good working order, the system will be of evidential quality in all lighting conditions and should be able to capture a clear facial image of all persons that enter the venue. All public areas will be covered including the bar and smoking areas. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available for inspection to Officers of the Police and the Council

#### ***1. Agreed***

2. There shall be at least one member of staff on duty at all times the premises are in operation under its licence trained and proficient in the operation of the CCTV system capable of operating and retrieving footage on request of the Police or other authorised officer.

#### ***2. Agreed***

3. The premise will employ a minimum of 3 SIA registered door supervisors, one of whom shall be female. They will be employed each night the premises are in operation under the premises licence when the terminal hour is after 0030hrs and will be on duty to receive patrons 21:00. They will be provided with and will use electronic search wands in respect of the search of all persons who wish to enter the premises. This includes all DJ's and associated staff and their equipment. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.
4. ***As mentioned, The CLF Art Lounge is above all else is a restaurant and bar, not a night club, so we feel that use of security during the week, namely Sunday to Thursday is a case of overkill (we propose to close at 00.00 hrs Sunday – Wednesday, 01.00 Thursday, and have proposed to***

*all relevant bodies that we close Friday + Saturdays at 03.00 hrs instead of 04.00hrs).*

*A case can be argued for the use of Security personnel at weekends (to keep patrons/area safe) as stated in my application. Namely after 22.00hrs, but happy if absolutely necessary to start security personnel at 21.00hrs.*

*Also and as per my application, we feel that the type of dining and drinks establishment we intend to run would be perfectly able to operate well / correctly with 2 SIA registered door supervisors (1 male, 1 Female) with internal restaurant space controlled by highly trained CLF management, Staff and waiters / table servers who will be linked to security using radios and have access to CCTV to monitor both inside and outside the venue.*

*It is agreed that magic wand searches should take place after 21.00hrs, although 22.00 hrs preferred and we feel adequate. With regard to DJs' performers etc, of course they should also be searched physically and electronically after this time, but and again as mentioned, this won't be a nightclub and will not be charging admission entry for events. Just want to make clear what type of operation we are. As a restaurant and bar, we would like to make customers feel welcome, but we also understand that we obligated to keep them safe, Hence we propose the following*

*Sunday - Wednesday (midnight close), Thursday (01.00 close) no security required. Friday + Saturday (03.00 close) security receive patrons from 21:00. 22.00 preferred. Electronic search wands utilised for the search of all persons who wish to enter the premises after said hour Fri + Sat. SIA security utilised where relevant eg at a private corporate event or wedding / as necessary.*

*The Safety of our customers and the local area being something that is truly important to us. Safety, Decrease in Crime & Disorder and Decrease In Public Nuisance, being something that we feel our project will achieve.*

*The CLF cleaning up the largely rubbish strewn, graffiti ridden area Station Way exterior by repainting, sanitising, monitoring and sustainably managing the venue and connecting area and adding security, CCTV and personnel to keep the area alive and safe. Which will be particularly valuable to the area late at night.*

*We believe that well managed sophisticated, creative activity in Station Way will make an area that was once a "late night no go area", a welcoming, well lit monitored place, where people feel safe. The CLF Art Lounge a restaurant and bar set up to services the local and wider community and improve the quality of cuisine on offer in SE15.*

*Note: Our dispersal policy will be correctly implemented and both venue exits used to efficiently, speedily and quietly exit all patrons. (4a Station way staircase also used to queue all restaurant/bar customers - in turn minimising their impact on Station way and surrounding Peckham Rye Station area). The venues location is ideal, offering 2 routes of escape / access and egress that lead to 3 different streets, in 3 different directions (Rye lane, Blenheim Grove*

*and Holly Grove), with the venue set in an area used to dealing with large volumes of people. Perfect for handling under 100 diners.*

*Also access and egress to the restaurant and bar during daytimes and late evenings is extremely good, with Peckham Rye Train Station + numerous bus routes / public transport literally within seconds of the main and rear entrance to the venue at 4 and 12 station way. There are even Sheffield stands for use by patrons who travel by bike at Peckham Rye Station, which is also in front of a major bicycle route. So like I say the location is ideal, the project necessary. Especially for weary pre or post commute travellers and locals.*

5. If the terminal hour is before 00.30hrs then one SIA registered door supervisors will be employed from 21.00hrs. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict within the venue.

*4.As we propose to close Monday – Wednesday (00.00), Thursday (01.00 close) and will already be employing greeters and relevant highly trained staff, again we feel that midweek security is not necessary for the restaurant / bar. Alternatively we could close at 0.30 Thursdays, which would negate the need for security. That said - please consider removing this request. Pls let me know what you think.*

*Also pls see attached “Answering Licensing Objective doc” which was CC’d to Relevant bodies in part answer to objections. FYI: Unfortunately on-line Southwark Portal would not let me add info to my original application, So have copied to a Microsoft word doc and is attached.*

4. A 696 must be submitted for any occasion in a premises licensed under the provisions of the Licensing Act 2003, using a DJ or MC performing to recorded background music, operating any time between 10pm and 6am, that is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket."

*5. For the reasons stated above, namely we will be open as a restaurant and bar with supplementary entertainment for the diners and as a venue will not have ‘promoted music club night events’ or ‘club nights’ with ‘dancing’. Furthermore, the types of entertainment booked will be cabaret, comedy, orators, solo pianists up to a jazz trio, occasional DJs to play curated background music or music to create an atmosphere whilst people dine. The venue mostly using recorded background music for ambience for its day-to-day operations (including weekends). Hence we believe that the use of a 696 form is not relevant to the type of seated restaurant/bar venue that we are, or how we intend to operate which is as a “Day to night restaurant, lounge bar and café”. Pls consider removing this request. Thanks.*

5. That a Personal Licence holder is on the premises and on duty at all times after 22:00 when intoxicating liquor is supplied.

## **6. Agreed**

6. An ID scanning system to the reasonable satisfaction of Police be installed and maintained at the premises. The system should be capable of sharing information about banned customers with other venues, identify the hologram of an ID and read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 22:00 when the premises are in operation under the premises licence and the terminal hour is after 00.30hrs. It will be used to record the details of all persons entering the premises including staff, members of the public, performers and their assistants. Entry to the premises will not be permitted without the production of the relevant ID document and or the person's details are already stored on the system and they are identified using a biometric identification system.

***7. You know what I am going to say. As a restaurant and bar we feel that the use of an I-D scanning system is a case of overkill and absolutely unnecessary. As a lover of visiting cocktail lounges world wide for inspiration and having toured London's scene from The Mondrian to The whole Hilton Group, or even The Sky Bar at CBS in NYC, or Bar in The Eiffel Tower + an unlimited number of fine dining restaurants from Tokyo to Cuba, I have never once had to use an I-D scanner as a customer and frankly I would never return if I had to. Especially if I was simply going to eat a meal or drink a coffee. I-D Scanners simply do not fit at an intimate, relaxed fine dining and drinks restaurant (especially the type this will be) and I would ask you to reconsider / remove this from your requests for obvious reasons. Especially as the restaurant and lounge bar is extremely low risk in terms of operation and clientele. Thanks in advance.***

7. At all times the premises is in operation under the premises licence there will be at least one member of staff trained to a satisfactory standard able to operate the ID scan system and able to retrieve data from the system on request of the Police or other authorised officer.

***8. Pls see answer to point 7***

8. That all staff concerned in the sale or supply of intoxicating liquor undergoes a recognised training scheme for such duties. Records of such training should be kept and made available for inspection, on request by Police or other authorised officer.

***9. Agreed. All members of staff will be professional, fully trained personnel.***

9. That no beverages will be consumed in the smoking area after 22.00hrs, patrons will be encouraged to leave this area as soon as practicable.

***10. Agreed***

10. There will be no new entry or re-entry to the premises after 01:00 on each night the premises are open to the public.

***11. As a restaurant and bar, the above timings are not practical Friday + Saturday, (where our new proposed closing time is 03.00) with the kitchen open til 230am to fulfil the "Supper club part" of our operations. Naturally point***

**11 makes some kind of sense for a nightclub, but we are not and should not be seen or classified as one. Can we agree to the following: -**

**“No new entry or re-entry to the premises after 02:00hrs on each Friday + Saturday night the premises are open to the public and 00.00hrs Mon to Wednesday, 00.30 hrs Thursday”.**

**Note (we close midnight Sundays to Wednesday, 01.00hrs Thursdays)” So mostly affects Fri + Sat.**

**Pls advise if the above timings are acceptable.**

11. That all incidents of violence and or disorder that result in an injury to another will be reported to the Police as soon as practicable. The reasoning behind any delayed report will be recorder in the incident report book. This report book will be made available for inspection by any authorised officer from the Police or local authority.

**12. Absolutely. We have a 25 year long track record of running small and large venue and understand the system and it's importance.**

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

Yours Sincerely

**PC Graham White 288MD**  
Southwark Police Licensing Unit  
Tel: 0207 232 6756

**Thanks for your time and on a personal note, trust you are well. It's been a while.**

**As you will now see from the above and attached docs, this project, will be great for Peckham and make Station Way safer, without impacting the area negatively at all.**

**Hopefully we can conciliate all matters and move this project forward.**

**Should you need anything else then please don't hesitate to get in touch,**

**Have a great day,**

**Yours Sincerely,**

[Redacted signature block]

[Redacted signature block]

**From:** Franklin, David  
**Sent:** Thursday, August 24, 2017 5:46 PM  
**To:** Regen, Licensing  
**Cc:** McArthur, Wesley  
**Subject:** The CLF Art Lounge, 12a Station Way SE15 4RX.docx

## MEMO: Licensing Unit

**To** Licensing **Date** 24 August 2017

### Copies

**From** David Franklin **Telephone** 020 7525 5800

**Email** [david.franklin@southwark.gov.uk](mailto:david.franklin@southwark.gov.uk)

**Subject** The CLF Art Lounge, 12a Station Way, London SE15 4RX

I make this representation with regards to the application for a new premises licence submitted by Mr Michael Andrew Smith and Saija Marjaana Kamarainen for The CLF Art Lounge, 12a Station Way, London SE15 4RX.

My representation is based on all four of the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance.

The premises is described as *"The CLF Art Lounge - Set in a 2 floor building in station way diagonally / opposite the main entrance of Peckham Rye Train Station [above Jennys Burgers and an ex African convenience store - bordering both sides of PH Dental], the premises is made up of x2 spaces which have been combined [restored to original layout] to create a single venue.*

*Combined space is approx 132.5 m<sup>2</sup> and both spaces were previously derelict / uninhabitable and have been extensively renovated. New venue benefits from X2 routes of escape. The first Main Entrance and Fire Exit stairwell [which the venue will have sole / public access to] leads to / from Station way [opposite bike repair shop / Peckham Rye Station main entrance] and will be used as the main entrance to the venue. The Other Stairwell will act as an Emergency Fire Exit only - leading from the venue's main space and exits the opposite direction / on the other side of Station Way*

*[next to Jenny's Burgers] leading to Rye Lane. Pls see attached plans.*

*The new space will operate as an art lounge with X3 seating areas for adults to sit back, relax and enjoy Peckham. The main room will seat around 50/60 people and will have a small stage and retractable cinema screen for intimate performances, showings and exhibitions.*

*Venue offering x2 further small seating areas including a relaxation / chill out booth that can be rented privately. The whole venue will be serviced by a main bar, with service bar and a relatively large kitchen that will be used for prep, storage and serving of simple foods. No hot ovens or gas used. Electric / microwave used only, simple yet stylish foods served.*

*The building is set in the Station Way Arcade / next to Peckham Rye Station's main entrance and as a result benefits from excellent transport links. Trains to buses. It's location also perfect for the servicing of the busy bustling Station patrons. The New CLF Art Lounge offering everything from Afternoon Tea to Fresh Coffees. Freshly Squeezed Juices to a place to sit relax and enjoy the free Wi Fi.*

*The CLF Art Lounge will be a much needed oasis of calm and culture for adults to sit back, relax, embrace and at the same time get away from the bustling, ever evolving world that is Peckham."*



The application asks for the following licensable activities:

**Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors**

Sunday to Wednesday 07:00 to 00:00 hours  
 Thursday 07:00 to 01:00 hours  
 Friday & Saturday 07:00 to 04:00 hours

**Sale of alcohol on the premises**

Sunday to Wednesday 07:00 to 00:00 hours  
 Thursday 07:00 to 01:00 hours  
 Friday & Saturday 07:00 to 04:00 hours

**Late night refreshment indoors.**

Sunday to Wednesday 23:00 to 00:00 hours  
 Thursday 23:00 to 01:00 hours  
 Friday & Saturday 23:00 to 04:00 hours

**Opening Hours**

Sunday to Wednesday 07:00 to 00:00 hours  
 Thursday 07:00 to 01:00 hours  
 Friday & Saturday 07:00 to 04:00 hours

**Non standard timings**

**All licensable activities and opening times**

August Bank Holiday 07:00 to 0500 hours,  
 New Years Eve 07:00 to 0600 hours

Section six of the Statement of Licensing Policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Peckham policy area as defined in paragraph 129 of the policy into the class of premises in 130 of the policy are night clubs, pubs and bars, off-licences, grocers, supermarkets, convenience stores and similar premises.

It seems from the application that this premises would fall into the category of a night club, particularly if the premises provides predominantly amplified recorded music to 04:00 hours, when public transport is likely to be restricted to no trains and only occasional night busses.

***As per attached CLF Art Lounge Doc, The venue will operate as a fine food lounge bar and supper club. Although we will provide regulated entertainment that will be utilised to entertain diners in the seated venue, we are not, or should not be confused with a night club and are happy to put reasonable measures in place to ensure that our activities are as described. Namely;***

***A day to night restaurant and bar with supplementary entertainment for patrons.***

***Amplified and Performed Music will be predominantly used to create ambience and as background entertainment for diners and guests, not door admission driven events in any way shape or form.***

***Furthermore and as proposed to the EPD we propose amending our proposed operating hours as follows Monday – Thursday 07.00 – 01.00, Friday + Saturday 07.00 – 03.00, Sundays 07.00 – 00.00***

*Regarding Transportation: As we are dealing with a relatively low number of people (less than 100 at any one time, including staff, many of whom will be local to Peckham), and the venues close proximity to public transport, including several night bus routes, with trains running up to Midnight from Peckham Rye to Victoria and beginning again at 5am, and ease of pick up Taxi points, we believe that there is enough public and private options available to patrons when leaving the premises.*

*To aid this, The CLF Art Lounge have designed and will enforce a strict dispersal policy that will help facilitate ease of access and egress to and from the venue and will also utilise the internal 4 Station Way staircase into the 1/F venue to Queue Diners and guests so as minimising impact on the local area as patrons enter or leave the venue. Said staircase and rear fire exit stairwell also allowing for stricter venue control and ease of exit.*

Under 119 of the policy there is a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

*Pls see attached Licensing Objectives doc, which shows a clear method to answer all objectives.*

*In further support of the attached doc we would like to say that .... The venue (which is a restaurant and bar) will cater to an existing (not increase) the number of people using Peckham's facilities / our venue. It will be quite local centric with food and drink at its heart and something that Peckham is desperately short of. A venue that should ease the burden on the street, not add to it.*

*As also mentioned, we intend to take out numerous internal and external measures that will improve the quality of life around the station.*

*Removing the station way Grafitti and rubbish that adorns the floors, repainting relevant sections and washing pavements, install and increase lighting, put in a sustainable system of cleaning exterior areas, add CCTV, SIA security at weekends + More. All of which we believe will make the area safer, cleaner and more functional. Traffic to and from our venue, especially at night, turning Station Way and small square in front of Peckham Rye Station into a monitored utilised safe zone. A welcoming space, the by-product of the introduction of a venue that is run correctly that answers all four licensing objective impeccably.*

*As we are also the owners of and run + manage the 1050 cap CLF Art Café and Rye Wax in Rye lane, (somewhere we have run for over a decade, with very few issues), we believe that mine and my partner Saija Kamarainen combined 50 year experience in food and the arts is more than enough to show that we truly know how to operate a venue. Running a restaurant and bar for under 100 guests something we know how to do and manage and will do well and I believe effortlessly.*

***FYI: When making Application on-line, restriction in application length stopped me from giving you full information on licensing objections. Pls find attached in the form of a Microsoft word document "CLF Art Lounge Licensing Objectives". Each objective answered in full / more detail. Pls advise if you need any more info.***

In this application the applicant has not provided sufficient information to rebut the presumption that the operation of the premises will give rise crime and disorder within the policy area, there is inadequate information on how the clientele will be dispersed at 04:00 hours without contributing to the already high levels of crime disorder and public nuisance.

***Pls see above answers and read attached document outlining how we would answer our licensing objectives. Also and as mentioned we will now be looking at a closing time of 03.00 and feel that our restaurants presence will offer more rather than less security in the area. Decreasing Crime and Disorder and Public Nuisance.***

I therefore recommend on the information currently provided that the application is refused under the cumulative impact policy.

***Pls see the above and attached support information and in your evaluations think of us as a restaurant and bar with supplementary entertainment for its diners. Not a night club in any way shape or form. Once you have, am sure that you will see in a new light and recommend that the license is approved as it will have absolutely minimal or no negative effect on the CIP. It will make the place safer, cleaner and Station Way operate better. Decreasing crime and disorder and public nuisance without a doubt.***

Should the application be restricted by condition to operate primarily as a theatre/cinema, under section seven (from page 137) of the statement of policy on hours of operation will apply.

***This is not what we propose running as, Theatre and film used as part of our programme to entertain diners and drinkers as per a Lounge bar and supper club. Fine Food and drink at its core.***

This premises is in the Peckham Major Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises are:

Closing time for Public Houses Wine bars or other drinking establishments : Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours

Closing time for Night Clubs (with sui generis planning classification) : Monday to Thursday is 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours

***Although we are not a nightclub, I understand that some of our activities for the Restaurant and bar might fall into that category. For the project we simply require a late enough opening time to answer the supper club element of our business, the idea being to have a licensed venue where you can eat late (last food order 02.30 weekends), relax and listen to good music played at a level where you can converse whilst still being entertained. That said, the guideline times you propose for nightclubs are exactly the hours we would look to open. Namely***

**Monday to Thursday 01:00 hours and for Friday and Saturday 03:00 hours and for Sunday 00:00 hours**

**And we would love to confirm that these as the times that we would like for the restaurant and lounge bar to open**

**Closing time for Cinemas and Theatres is 02:00 hours daily**

I would advise that if the premises is predominantly theatre/cinema that recorded music is either removed from the application, or made ancillary to the provision of plays or films, and that the sale of alcohol is sold as ancillary to the provision of plays, films or table meals.

**The venue will not be predominantly Theatre/ cinema, as these services will be part of a programme to entertain diners whilst they eat or drink. The venue will have a mature classy programme with cabaret, comedy, intimate live singers and acoustic musicians, classic film showings over dinner etc. Those activities we are happy to finish 30mins before closing time on any given day, namely Mon – Thurs 00.30hrs, Fri + Sat 02.30 hrs, Sundays 23.30 hrs, allowing time for patrons to leave in an orderly, measured and controlled fashion.**

The application also asks for the same finishing times for the activities and the closing times, leaving no time for patrons to finish there activity, such as consuming their alcohol, and leave over a period of time.

**Apologies, my mistake. Although that is what is written, it is not how we intend to operate or operate at other venues that I run. As per previous point, we intend for all regulated entertainment, food and beverage sales to be finished 30mins prior to close whenever we are open. Allowing patrons time to finish their meals and drinks in an orderly controlled / timely fashion.**

To promote the licensing objectives the licensable activities times are adjusted as follows:

**Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors**

Sunday to Wednesday 07:00 to 23:30 hours  
 Thursday 07:00 to 00:30 hours  
 Friday & Saturday 07:00 to 01:30 hours

**Sale of alcohol on the premises**

Sunday to Wednesday 07:00 to 23:30 hours  
 Thursday 07:00 to 00:30 hours  
 Friday & Saturday 07:00 to 01:30 hours

**Late night refreshment indoors.**

Sunday to Thursday 23:00 to 23:30 hours  
 Friday & Saturday 23:00 to 01:30 hours

**Opening Hours**

Sunday to Thursday 07:00 to 00:00 hours  
 Friday & Saturday 07:00 to 02:00 hours

**Post reading the above and attached + baring in mind that we are not a nightclub, and in fact are a restaurant and bar that will uplift the local area further. Pls consider the following opening hours**

*for the venue. Also pls see my response to Police Dep Objection and you will see that we will ensure that the venue is run correctly, positively and smoothly + is necessary for Peckham.*

***Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors***

***Sunday to Wednesday 07:00 to 23:30 hours***

***Thursday 07:00 to 00:30 hours***

***Friday & Saturday 07:00 to 02:30 hours***

***Sale of alcohol on the premises***

***Sunday to Wednesday 07:00 to 23:30 hours***

***Thursday 07:00 to 00:30 hours***

***Friday & Saturday 07:00 to 02:30 hours***

***Late night refreshment indoors.***

***Sunday to Wednesday 23:00 to 23:30 hours***

***Thursday 23:00 to 00:30 hours***

***Friday & Saturday 23:00 to 02:30 hours***

***Opening Hours***

***Sunday to Wednesday 07:00 to 00:00 hours***

***Thursdays 07:00 to 01:00 hours***

***Friday & Saturday 07:00 to 03:00 hours***

With the following additional conditions:

- That the sale of alcohol shall be sold as ancillary to the showing of films, the provision of plays, live music or performances of dance or as ancillary to a substantial table meal.

***A large part of the CLF Art Lounges reputation will be built on cocktails and food. Although most people will eat, we would also like the option that people can just come to enjoy fine cocktails or a simple solitary glass of white wine. Tables will also be reserved for diners, but there will be a small standing area next to the main bar for customers to drink whilst awaiting a table or socialise. We would also want / expect customers to come to a restaurant to eat and drink first, not just to watch the entertainment (which is for patrons only), we will after all be part supper club. Hence we feel that this condition is not necessary.***

- That the provision of recorded music is provided as ancillary to the showing of films, the provision of plays, live music or performances of dance.

***We are fine with this in principal, as long as it is clear that we will also use recorded background music to entertain guests as the norm, whilst customers are eating dinner, dinner, drinking or lounging. Entertainment will be very much secondary to food and drink. There to compliment proceedings.***

- Drinks shall not be taken outside the premises

***Absolutely Agreed***

- There will be no new entry or re-entry to the premises after 00:00 hours (midnight).

***This proposed time (although fine Sunday to Thursday), it would somewhat defeat the idea of The Supper Club element of the restaurant and bar business.(A place for adults to relax, enjoy life, chat and eat late). In line with the new above times - Would you consider the following.***

***“There will be no new entry or re-entry to the premises after 02:00 hours (Friday + Saturday) and 00.00 (Midnight – Sunday to Thursday)”***

- The maximum number of patrons in the premises at any one time shall not exceed .....(to be confirmed)

***We would propose a number of 100 people including CLF staff and artists + security. Happy to meet in person to go through space, which is of adequate size.***

- A dispersal policy is written and kept at the premises, management at the premises shall implement the policy on closing time.

***Agreed. Already submitted as has Risk Assessment and plans.***

David Franklin  
Licensing Authority as a Responsible Authority

***Thanks David,***

***Hope than answers the all + happy to talk through any issues you might have or that I might have missed, but pls know and as per the attached that this is a different kind of venture / the future for us (getting old), looking at a relaxed all seated venue that is a restaurant and fine drinks established first that utilises entertainment and the arts to make the experience more pleasurable. All we want is to set up a refined space for quality food and drink and start dealing with cleaning up station way and utilising the space before it's knocked to the ground.***

***Pls take a sec to read the attached docs and consider the above information + hopefully / by now you trust us to do what we say, the way that we say we going to do it.***

***Thanks for your time, any questions you know where I am,***

***All the best,***

[Redacted signature block]

[Redacted signature block]

**From:** Regmi, Sadie  
**Sent:** Friday, August 25, 2017 3:53 PM  
**To:** Regen, Licensing  
**Cc:** Public Health Licensing  
**Subject:** RE: New Premises licence 12a Station Way

To whom it may concern:

**Re: The CLF Art Lounge, 12a Station Way, SE15 4RX**

On behalf of the Director of Health and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

The representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

***Please see attached Answering Licensing Objectives Doc. Pls also see attached What is The CLF Art Lounge Doc, which clearly gives a better idea of what the project actually is. Namely a Morning to Evening / late Night Restaurant/Bar/Supper Club with regulated sophisticated entertainment for diners. Intimate Film to Cabaret. A low risk venue and project***

Public Health are in receipt of an application from the above for a new licence for the sale of alcohol on the premise between 0700-0000 Sundays - Wednesdays, 0700-0100 Thursdays and 0700:0400 Fridays and Saturdays. Southwark's Statement of Licensing Policy's recommends the following closing times for establishments such as the one proposed: Sunday to Thursday 23:00 hours and Friday and Saturday 00:00 hours. The applicant has also requested an early start time for alcohol sales. Early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking.

***Again, Please see attached 'What is The CLF Art Lounge Doc', which will give you a better description and understanding of the type of business that we propose. Namely A Day to Nighttime Art Lounge, Bar, Café and Restaurant with fixed seating (except for a small area by the bar) and regulated entertainment such as cabaret and comedy for patrons/diners. A low impact venue that we believe will have high impact positive results for the local area. Especially in terms of added security and cleanliness in the direct and surrounding areas connected to the premises.***

***This we believe will happen as a bi-product of the opening of the venue, where we intend to take a pretty shoddy and grafitti strewn Station way area, clean it up, repaint it, re-light it, add CCTV, SIA management at weekends and a sustainable cleaning regime + run a venue that attracts a mature adult client base from the local area and answers the needs of local Peckham people looking for somewhere to relax, converse and sample great food in a safe environment.***

**NOTE: Regarding Early start Alcohol sales. We have not applied for this to encourage morning drinking, but as a unique lounge bar venue, we would like the opportunity to manage as diverse and wide a creative sphere of activity for the space as possible. Looking at every eventuality and having a license in place to cater to it, no matter how rare. (Whether that be a special corporate champagne and oysters Breakfast or someone who simply wants a Bloody Mary cure or a glass of Bucks Fizz to celebrate a special occasion). Also and so you know, early morning we will be opening for breakfast, offering fresh pastries, coffees teas, juices etc, Alcohol something we will not be pushing, but available where necessary. Customers displaying habits of over drinking or distinct early morning drinking will not be served.**

**Safe Area continued .....**

**It is proven that taking derelict spaces and putting them into well managed, maintained and secure use for the local and wider community, can have hugely positive results. Furthermore the way we intend to manage, clean up, re-light and reinvent said space - will actually decrease crime & disorder and public nuisance in Station Way (especially at night). Turning a renowned late night no go area into a brightly lit, controlled and well managed area with the correct security protocols in place to make the place safe.**

**As you will see from the correspondence with EPT, Police and Licensing, we have also amended our opening hours and hours of regulated entertainment in line with those suggested by said departments. As follows;**

**Entertainment for Plays, Films, Live Music, Recorded Music, Performance of Dance and Anything Similar – All Indoors**

**Sunday to Wednesday 07:00 to 23:30 hours**

**Thursday 07:00 to 00:30 hours**

**Friday & Saturday 07:00 to 02:30 hours**

**Sale of alcohol on the premises**

**Sunday to Wednesday 07:00 to 23:30 hours**

**Thursday 07:00 to 00:30 hours**

**Friday & Saturday 07:00 to 02:30 hours**

**Late night refreshment indoors.**

**Sunday to Wednesday 23:00 to 23:30 hours**

**Thursday 23:00 to 00:30 hours**

**Friday & Saturday 23:00 to 02:30 hours**

**Opening Hours**

**Sunday to Wednesday 07:00 to 00:00 hours**

**Thursdays 07:00 to 01:00 hours**

**Friday & Saturday 07:00 to 03:00 hours**

**Additional**



*“There will be no new entry or re-entry to the premises after 02:00 hours (Friday + Saturday) and 00.00 (Midnight – Sunday to Thursday)”*

***Proposed Venue Capacity***

***100 People including staff with fixed seating and small standing area next to main cocktail bar. Bar Area utilised for customers awaiting tables or interaction with cocktail bar men.***

The premises are located in the **Peckham Cumulative Impact Policy** area, an area with considerable issues relating to alcohol fuelled anti-social behaviour, violence, disorder and street drinking. In my opinion, given the above concerns, the applicant has not rebutted the presumption that these premises will add to the cumulative impact of alcohol related harm in the local area.

***As per attached documents, we believe that the establishment of a quality restaurant and bar/lounge with active positive security protocols and a remit to keep the area safe, will actually decrease crime and disorder + public nuisance and answer the needs of an existing local centric audience (not increase the numbers of people in Peckham). Furthermore, additional protocols will be put in place and made conditions of our license to ensure that the venue is run as promised and will indeed not negatively impact alcohol related harm in the local area. Including but not limited to the following;***

***1: Drinks / containers are not allowed to be taken into or off premises.***

***2: No drinking outside the premises.***

***3: Sustained cleaning of exterior areas connected to the venue, offering a safer more welcoming experience upon arriving or leaving Peckham Rye Station / Station Way.***

***4: increase Lighting at front and rear of the venue, to offer a feeling / reality of safety.***

***5: SIA security personnel utilised during late night dining at weekends (Fri + Sat after 22.00hrs).***

***6: Installation of CCTV covering both inside and outside of the venue (that is watched and managed constantly) with footage kept for 30days in case of potential related or non-venue related security issue.***

***7: 4a Station Way Stairwell used to Queue all Restaurant/Bar customers so eliminating any potential people pressure to the local area during operations.***

***8: utilise ‘excellent location’ (seconds away from Peckham Rye Station Main Entrance / Local Transport, Bus and Bicycle Routes – with x3 means of access and egress to the location via Rye lane, Blenheim Grove & Holly Grove) for easy, quiet and well-managed access and egress to and from the venue.***

***9: Management of a strong efficient Dispersals Policy etc.***

***Pls see attached CLF Art Lounge Answering Licensing Objective Doc for full list of measures.***

I therefore recommend that the application is rejected unless the applicant can amend their application with details on the maximum number of people expected to attend the premises at any one time and explicitly state that no vertical drinking will be allowed in the proposed establishment.

***Capacity wise, we would propose a number of 100 people including CLF staff and artists at any one time. Venue fixed seating with no vertical drinking to take place.***

***Note we had envisioned a small area in front of the main cocktail bar with bar stools where people could simply drink and talk at the bar. If bar stools are taken / Occupied can we have permission for up to 8 patrons to drink vertically. Utilising the cocktail bar area eg when all tables are taken. Pls advise. Not a deal breaker, but in line with the type of quality venue it will be, it would be nice to have the flexibility.***

If you have any further questions, please do not hesitate to contact me.

As you will see from the above / attached

Yours sincerely,

Dr Sadie Regmi

*on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)*

-----  
Dr Sadie Regmi | [sadie.regmi@southwark.gov.uk](mailto:sadie.regmi@southwark.gov.uk) | 02075253063

Specialty Registrar in Public Health Medicine, London Borough of Southwark, 160 Tooley Street, London SE1 2QH

***Thanks for your time Dr Regmi,***

***After reading the above / attached, hopefully you will agree that the type of business we intend to run will be highly beneficial to the local and wider area and will also act as a great bridge between now and the upcoming building of station Square and demolition of the building.***

***Reclaiming an area currently known for negative issues (especially at night) and running and operating it correctly, professionally and securely for the betterment of Peckham.***

***With over 50 years combined experience in the arts, entertainment and service industries, as well as valuable experience gained by founding and managing The CLF Art Café (Block A Bussey Building) 1000+ capacity venue in Peckham, both myself and partner Saija Kamarainen feel that we know the area as well as anyone***

*in the creative industries and have a unique and safe way of operating, that has seen our venue help positively uplift Peckham as an area permanently.*

*We / The CLF are the perfect people to take this current project forward and manage the Station Way area correctly with nothing but positive results for the local and wider area.*

*Finally, I would ask you to pls remember that The CLF Art Lounge (as it name implies) is not a nightclub project, simply a day to night restaurant, bar, café and lounge with regulated entertainment. Something sorely needed in Peckham, which is extremely low risk in terms of operation and potential negative impact. Something that will service the needs of existing local people, positively increasing the use of a better managed, maintained and secure Station Way. Something The CLF Art Lounge project will offer.*

*Should you need any more information, then pls don't hesitate to get in touch,*

*Yours Sincerely,*

*Michael Smith*

[Redacted signature block]

[Redacted contact information]

[Redacted contact information]

**From:** Mickey Smith [REDACTED]  
**Sent:** Friday, September 22, 2017 10:07 PM  
**To:** Newman, Paul  
**Subject:** Re: Re 12a Station Way Premises License Objections

Dear Paul,  
thanks for the mail and i completely understand.

Please see below details of email i just sent to PC White, who also agrees that enforceable conditions are key to this project.

-----

Dear PC White,  
thanks for your comments + as discussed pls find below a list of enforceable license conditions that i propose being added to our Station Way premise license.

Hopefully said conditions will give all relevant bodies sufficient confidence that we will operate as described. Namely a restaurant/bar/lounge with regulated entertainment for diners

As follows;

- 1: "That no vertical drinking shall be permitted at the premises at any time. When / if necessary, customers will be advised by staff to only consume beverages at the premises when seated"
- 2: "That all patrons at the premises shall be seated when consuming food or beverages, when regulated entertainment is being provided and during any performance of entertainment at the premises."
- 3: "That no dance floor area shall be provided and / or installed at the premises at any time."
- 4: "That regulated entertainment shall only be provided at the premises when food is available to purchase at the premises."
- 5: "That the provision of licensable activities at the premises shall not give rise to statutory or public nuisance at any time."

Please let me know what you think,

Have a great weekend,

-----

Pls let me know what you think,

Hopefully they answer your worries,

Speak post weekend,

All the best,

Mickey Smith  
[REDACTED]  
[REDACTED]

& Chronic Fonk Records

[REDACTED]

[REDACTED]

---

**From:** Newman, Paul  
**Sent:** Monday, September 25, 2017 11:41 AM  
**To:** 'Mickey Smith'  
**Cc:** McArthur, Wesley; Graham.S.White@met.pnn.police.uk; Tear, Jayne; Franklin, David; Regmi, Sadie; 'Saija Kamarainen'; Blackburn, Gavin  
**Subject:** RE: Re 12a Station Way Premises License Objections

Hi Mickey

Thank you for the proposed conditions.

The commitments not to provide a dance floor, and to include a condition for patrons to be seated during consumption of food and alcohol is helpful, and it helps indicate this is cabaret, rather than including dancing that would normally be described as nightclub activities. The Planning responsible authority will be able to comment on whether, if you operate in your proposed format, you would still need sui generis consent for use as a nightclub.

I am less sure about the proposed condition requiring patrons to be seated during regulated entertainment, as people may need to enter, leave and re-enter the licensed area during performances. Perhaps this should be a requirement for you to request patrons to be seated during performances, rather than potentially creating an offence every time someone stands up.

The commitment not to cause public or statutory nuisance isn't really adding to your existing responsibility not to cause nuisance. It would be better to say what it is that you will do to avoid causing public or statutory nuisance.

There still remains the two issues that what you are applying for falls foul of CIP policy, and also the hours policy.

The test in the [Licensing Policy](#) for allowing an exception to the presumption against new licences, is whether you as applicant can demonstrate that the application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives. Please have a look at paragraph 140 (page 36) of the Licensing Policy. It will be for the sub committee to decide whether or not you have passed that test.

For the Hours policy, please also see paragraph 150 page 37. For this you will need to explain fully to the sub committee, the arrangements intended to be put in place to ensure that the premises does not add to cumulative impact.

Please note I shall be away on leave from Tuesday 3<sup>rd</sup> to Friday 13<sup>th</sup> inclusive, and wont have access to emails until Monday 16<sup>th</sup> October.

I hope that is helpful

Kind regards

**Paul Newman**

**Principal Environmental Health Officer**

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

Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

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

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



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



## PREMISES LICENSE APPLICATION SUPPORT DOC



### **What is The CLF Art lounge**

Think afternoon lounge bar and cafe meets sophisticated 19th century supper club and 21st century cocktail lounge / fine food eatery. The CLF Art Lounge will be a seated only venue [with small cocktail bar area near entrance] set up for people to chill and converse, eat drink and be entertained in a relaxed, quiet intimate environment. NOT A NIGHT CLUB, although some of the activities being applied for (I believe) will fall into that category, but know that they are necessary to allow for the scope of operations to entertain diners.

NOTE: please know that we are happy to regulate said entertainment to

finish at times appropriate to allow for the easy and smooth exiting of patrons

But and to be clear The CLF Art Lounge sees entertainment as supplementary to the main focus, which is food, fine wines spirits and cocktails - and will curate an occasional programme - in the form of entertainment for adults. EG. Occasional Jazz trio, an orator, a showing of Casablanca at Valentines, all happening whilst the main focus of the venue is catered to, namely eating, drinking and conversing.

Music and entertainment played or performed at a level to allow for conversation, drinking and dining, as that is what the CLF Art Lounge focus is. Daytime will be about having the space to eat, relax, read a book or have a coffee, evenings will be about fine simple foods, a wide array of fine wines and spirits backed by occasional curated entertainment, such as a singer, or a spoken word artist, or comedian - but [and partly due to the limited size of the space] entertainment will be limited as artists financially prohibitive to book. The main focus of the venue is an Art Lounge, eatery and supper club + cocktail lounge.

### **Private Hires / Entertainment**

With regard to entertainment, another area that we hope to explore will be private hires for things like weddings, anniversaries and corporate events which often demand some form of performance, singer, magician, comedian, cabaret or even if it is just the best man singing Karaoke, giving a speech on a microphone or singing to his wife - hence we have applied for a wide range of licensing to cover all eventualities. A Premises License that would allow us to operate at our maximum 'creative capacity'. Namely cover all options, groups, different cultural demographics, catering to the local and wider community who are in search of a quality venue where adults can go to sit back relax and socialise in a safe positive environment.

### **Not a Nightclub**



As mentioned, The CLF Art lounge is Not a Night Club and we have no intention of hosting "club nights" or have "dancing" or charging money to see DJs - As mentioned (and I hope I am now labouring the point) the venue will be a day/night lounge bar and fine food and beverage eatery with fixed seating, tables chairs and small bar area. The venue serving direct to table with fine food and beverage served all day / eve. On the whole recorded background music will be used for ambience during opening hours, with occasional entertainment and private functions utilising artists to entertain diners. Again music played at a level to allow for a conversation in the classic traditional form of a supper club from the golden days of NYC.

### **CLF Art Lounge Focus**

Our focus will be customer care, creating a safe and relaxed atmosphere to enjoy human company without the drama or noise found at most venues in South London, hence i would also state that The CLF Art Lounge will ease, rather than add to issues arising from the implications of the cumulative impact policy. Aiding what the CIP is there to achieve. Namely (amongst things) make Peckham safer and run smoother.

### **Making Area / Station Way Safer**

As we (The CLF) have shown over the years (The CLF Art Café), the introduction of activity in derelict spaces and adding security [both physical and CCTV] + monitored and well managed quality and diverse activity and entertainment at said spaces quickly improves an area and makes an area that much safer.

Station Way at night is currently dark and forbidding and is (through the upcoming Station Sq project) currently making the transition to becoming a more open and welcoming place, hence I would argue that we are the perfect bridge for that project and over the next year we can start to make the area feel that much more safe at night. Reclaiming the Sq if you will - Cleaning up and repainting the exterior as well as interior of the space.

Removing graffiti, sanitising and cleaning the surrounding Station way area [which is often covered in rubbish and boxes] and maintaining it. Offering a better welcome to (and further services in) Peckham as you arrive or leave the now cleaner and better-managed area surrounding Peckham Rye Station. Something we will offer.

### **Easy Access and Egress**

The fact that the venues location [Opposite Peckham Rye Station main entrance] is in a place that is used to handling enormous numbers of travellers / human traffic, is another major bonus to the project. Especially for ease of access and egress for patrons heading to and from the venue [10 second walk] and especially during evenings / at night where the stations more than adequate 'empty' exit routes leading in 3 directions [Blenheim grove, Rye Lane, Holly Grove] offers speedy and easy access to the less than 100 patrons who will be leaving or entering the premises as the train schedule slows and stops. With guests generally leaving in stages, not en masse.

This ease of access and egress means that the project would not create any major issues in terms of the executing of our dispersal policy and as stated, with use of security personnel, CCTV, highly trained and profession staff (bar to cleaners) not only will we be able to manage the relatively low volume of traffic, but also keep the area cleaner and more importantly safer, whenever we are open.

### **CLF Management / Track Record**

As stated, I truly believe that The Lounge venue will make the area safer, cleaner and better for Peckham. Long term. The CLF having a 10 year track record in Peckham for managing 100s of thousands of patrons at The CLF Art Cafe + Beyond. In this case, both my self and restaurant trained partner Saija Kamarainen are using our combined 50 years of experience in food, the arts and music, to open an eatery, bar and cocktail lounge called The CLF Art Lounge which has a capacity of under 100 people and will be

fixed seating with food, drink and occasional entertainment for atmosphere and to entertain guests.

I suppose what i am saying is that the project is in safe hands and that we are happy (with your help) to design a license that allows us to operate as stated and removes the impression of the venue being seen or registered as a Nightclub. Which it isn't and (as importantly) the venue somehow being perceived as something, which will create issues of crime and disorder (the opposite being closer to the truth)

### **CLF Security Measures - decrease Crime & Disorder**

As stated i believe that security measures outlined in our application and our relative experience running a 1050 cap venue [The CLF Art Café] and positive effect it has had counter acting issues of crime and disorder in Peckham, clearly show that we are more than capable of and will run a small lounge bar and eatery properly, correctly, professionally and positively. A venue that we firmly believe will decrease crime and disorder in Station Way and offer a better welcome to Peckham.

Making the area safer and offering a much needed place to go for people looking for some sophistication and relaxation. Clients who offer a very low risk in terms of crime and disorder, people who normally don't go out in Peckham, as there are very few venues of this type in the area / London. Until now that is.

The CLF committed to raising the standard in Station Way, finally offering security to the area during the evenings/nights, cleaning up the rubbish, boxes and clutter and sanitising + monitoring the front and rear entrances to the venue and connecting areas physically and monitoring on CCTV daily + in person in the form of security during late evenings/nights.

As stated we will make the area safer and firmly believe that The CLF Art lounge will quickly become a major positive attraction in Peckham and fill

a much needed hole in the day and night time economy for the betterment of Peckham. Utilising said space pre demolition for the creation of Station Sq.

To answer your points specifically, i have gone through your letters and responded in full.

Pls find attached to the email with this doc,

Thanks for your time + i hope we can find a way to consolidate all issues,

Yours Sincerely

Mickey Smith

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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29-Sep-2017

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 10 November 2017	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003: HFC Chicken, 19 London Road, London SE1 6JX	
<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 London Bridge Kebab Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as HFC Chicken, 19 London Road, London SE1 6JX.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 9 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 10 to 16 of this report deals with the representations received to the premises licence application and conciliations progress made. Copies of the relevant representations from a responsible authorities and the subsequent correspondences are attached as Appendices B and C.
  - d) Paragraph 17 deals with licensed premises within a 100m radius of the premises. A map of the area is attached as Appendix D.
  - 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**

### **The premises licence application**

8. On 8 August 2017, London Bridge Kebab Limited applied to this council for the grant of a new premises licence in respect of the premises known as, HFC Chicken, 19 London Road, London SE1 6JX. The premises is described as a hot food takeaway shop with six persons seating.

The application is summarised as follows (revised during conciliation):

- Latenight refreshment (indoors and outdoors):
    - Sunday to Thursday from 23:00 to 00:00
    - Friday and Saturday from 23:00 to 01:00
  
  - Operating hours of premises
    - Sunday to Thursday from 11:00 to 00:00
    - Friday and Saturday from 11:00 to 01:00.
9. The premises licence application form provides the applicant operating schedule. Parts I, K, L, and M 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 M 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.

### **Representations from responsible authorities**

10. Representations were submitted by the Metropolitan Police Service, the environmental protection team (EPT) and licensing (as a responsible authority).
11. The Metropolitan Police Service representation states that the licensing hours sought are in conflict to those granted by planning and could result in the applicant being prosecuted for breach of planning. The venue is situated underneath a large residential block of flats and any late night opening would cause considerable public nuisance to the residents.
12. The EPT representation makes reference to the planning permission granted and the fact that the initial hours sought exceeded the planning permission. They also mention that although the applicant has submitted a reduction in hours the application does not contain any practical measures to control noise or public nuisance.
13. The licensing representation is based on the Southwark statement of licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance and the protection of children from harm. Licensing advise that the premises is situated under a large block of residential flats and the applicant has not addressed how the dispersal of patrons shall be controlled.
14. Copies of the representations are attached as Appendix B.

### **Representation from other persons**

15. There are no representations from other persons.

### **Conciliation**

16. The representations were forwarded to the applicant. The applicant proposed a reduction in hours in the form of a letter, a child policy and a dispersal policy attached as Appendix C. However they have not addressed other concerns raised. The email and subsequent documents have been forwarded to all parties and there are still ongoing discussions. The licensing sub-committee will be updated of any developments on the 10 November 2017.

### **The local area**

17. 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/restaurants:**

- 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 Sunday until 23:30)



- Southbank University, 100-116 London Road, London SE1 (Monday to Saturday until 23:00 and Sunday until 22: 30)
- Paladar, 4-5 London Road, London SE1 (Monday to Saturday until 02.00 and Sunday until 23:30)

### **Off Licences**

- Superway Supermarket, 16 London Road, SE1 (24 Hrs)

### **Deregulation of entertainment**

18. 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.
19. 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').

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

20. 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
    - Friday and Saturday is 01:00.
21. 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
22. 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**

23. A fee of £190 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band B.

### **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 a similar notice 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.
44. 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.
45. 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.
46. 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**

47. 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

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

## BACKGROUND DOCUMENTS

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

## APPENDICES

Name	Title
Appendix A	Application for a new premises licence
Appendix B	Representation from responsible authorities
Appendix C	Conciliation correspondence
Appendix D	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>	27 October 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
Date final report sent to Constitutional Team	27 October 2017	

07/08/2017

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

Ref No. 864229

## Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

	London Bridge Kebab Limited
--	-----------------------------

## Premises Details

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

£	10500
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

## Premises trading name

	HFC Chicken
--	-------------

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

Address Line 1	19 LONDON ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE1 6JX
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

## Applicant Details

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

	a person other than an individual (limited company, partnership, etc)
--	---

If you applying as an individual or non-individual please select one of the following:-

	I am making the application pursuant to a statutory function
--	--

Other Applicants

Personal Details - First Entry

Name	London Bridge Kebab Limited
------	-----------------------------

Address - First Entry

Street number or building name	7 Westmoreland House
Street Description	Cumberland Park Scrubs Lane
Town	London
County	
Post code	NW10 6RE
Registered number ( where applicable )	07337499
Description of applicant ( for example, partnership, company, unincorporated association etc )	Limited company

Contact Details - First Entry

Telephone number	██████████
Email address	████████████████████

Operating Schedule

When do you want the premises licence to start?

	01/09/2017
--	------------

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

--	--

General description of premises ( see guidance note 1 )



	Hot food takeaway shop. Chicken and chips plus pizza. Sale of soft drinks only.
--	---

Please select the range of the number of people expected to attend the premises at any one time.

	Less than 5000
If 5,000 or more people are expected to attend the premises at any one time. Please state the number expected to attend	

Operating Schedule part 2

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

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

Provision of regulated entertainment


Provision of late night refreshment

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

Supply of alcohol

--	--

I - Late Night Refreshment

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

	Both
--	------

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

	Hot food takeaway and upto 6 seating
--	--------------------------------------

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

Day	Start	Finish
Mon	23:00	02:00
Tues	23:00	02:00
Wed	23:00	02:00
Thur	23:00	02:00
Fri	23:00	04:00
Sat	23:00	04:00
Sun	23:00	02:00

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

	No variation
--	--------------

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

	None
--	------

K

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

	None
--	------

L - Hours premises are open to public

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

Day	Start	Finish
Mon	11:00	02:00
Tues	11:00	02:00
Wed	11:00	02:00
Thur	11:00	02:00
Fri	11:00	04:00

Sat	11:00	04:00
Sun	11:00	02:00

State any seasonal variations ( Please read guidance note 4 )

	None
--	------

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, ( Please read guidance note 5 )

	None
--	------

M - Steps to promote four licencing objectives

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

	We will increase lighting to prevent crime. We will put signs of warning such as no drugs on premises. We have cctv inside and outside the premises. We have extra staff.
--	--

b) the prevention of crime and disorder

	We will increase lighting to prevent crime. We will put signs of warning such as no drugs on premises. We have cctv inside and outside the premises.
--	--

c) public safety

	We are part of save heaven for kids. We have 24/7 cctv recording.
--	--

d) the prevention of public nuisance

	We will increase lighting to prevent crime. We will put signs of warning such as no drugs on premises. We have cctv inside and outside the premises.
--	--

e) the protection of children from harm

	We will let children in and close the shop if the child is in danger and try to call the police if necessary.
--	---

Please upload a plan of the premises

	20170807-232759.1.jpg
--	-----------------------

Please upload any additional information i.e. risk assessments

--	--

Checklist

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

Home Office Declaration

Please tick to indicate agreement

	<input type="checkbox"/> I am a company or limited liability partnership
--	--

Declaration

I agree to the above statement

	Yes
PaymentDescription	██████████
AuthCode	██████
LicenceReference	██████████
PaymentContactEmail	

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

store

up 140  
up 140  
gully  
up 160  
up 160  
up 180

lobby WC

shelving

freezers

entry concrete  
stairs and  
floors

shelving

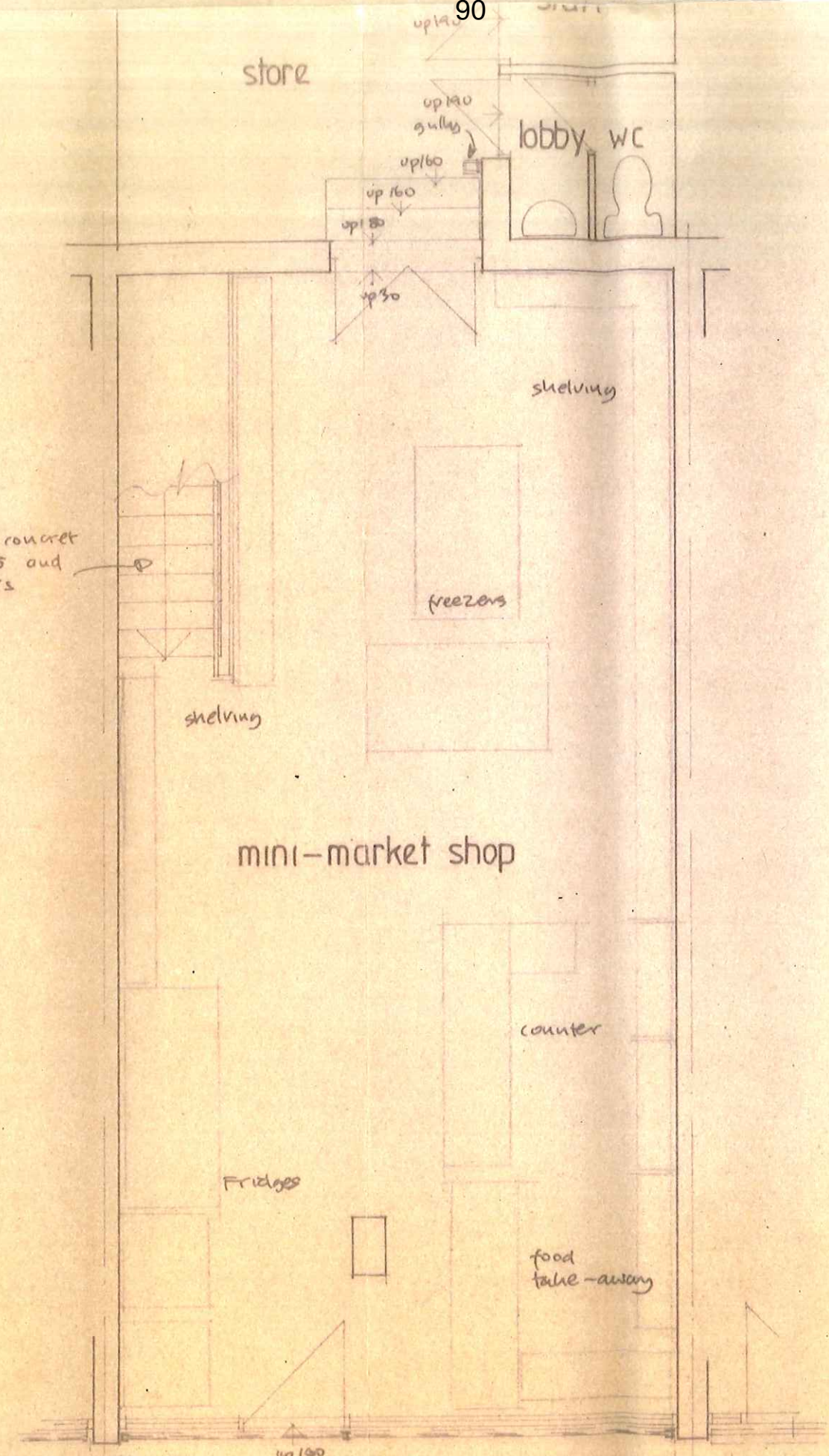
mini-market shop

counter

Fridges

food  
take-away

up 190





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 2ER

Tel: 020 -7232 6756

SouthwarkLicensing@met.police.uk

Our reference: MD/21/2988/17

Date: 5th September 2017

Dear Sir/Madam

**Re:- HFC Chicken, 19 London Road, London SE1 6JX**

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 11.00hrs – 02.00hrs

Fri – Sat 11.00hrs – 04.00hrs

Late Night Refreshment

Sun -Thurs 23.00hrs – 02.00hrs

Fri – Sat 23.00hrs – 04.00hrs

The planning consent for the venue was granted in 2000 and had conditions attached limiting the use and is limited to the following times.

Mon - Thurs 12.00hrs – 22.00hrs

Fri – Sat 12.00hrs – 23.00hrs

Sun 12.00hrs - 18.00hrs

The Southwark council Statement of Licensing policy advise parity and proper integration between Licensing and planning hours and the applicant should have relevant planning consent prior to the application.

Any Licensing hours granted in conflict to those granted by planning could result in the applicant being prosecuted for breach of planning.

The venue is situated underneath a large residential block of flats which any late night opening would cause considerable public nuisance to the residents.

The police object to the granting of the current application in full as the current planning allows the applicant to sell hot refreshments without a licence as it is before 23.00hrs the time required for late night refreshments.

Submitted for consideration

**PC Graham White 288MD**  
Southwark Police Licensing Unit

reponse to conciliation

----- Original message -----

From: [Graham.S.White@met.pnn.police.uk](mailto:Graham.S.White@met.pnn.police.uk)

Date: 19/09/2017 11:42 (GMT+00:00)

To: [REDACTED]

Subject: Notification of hearing - Premises Licence Application - HFC Chicken, 19 London Road, SE1 6JX

I have been forwarded your Conciliation letter.

We would like to see the following conditions attached to the licence as well as the reduction in hours.

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.
3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.

Regards

**PC Graham White 288MD**

*Southwark Police Licensing Unit*

*323 Borough High Street*

*London*

*SE1 1JL*

*Tel: 0207 232 6756 (726756)*

[SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk)

[graham.white4@met.police.uk](mailto:graham.white4@met.police.uk)



**From:** Prickett, Mark  
**Sent:** Monday, August 21, 2017 2:49 PM  
**To:** Regen, Licensing  
**Cc:** Tear, Jayne; 'Southwark Police Licensing ([SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk))'; Franklin, David  
**Subject:** EPT rep- Premises licence for 19 London Road

Dear Licensing,

The Environmental Protection Team (EPT) have reviewed the new premises licence for HFC Chicken, 19 London Road, SE1 6JX.

The premises licence seeks late night refreshment between 23:00 - 02:00 Sunday - Thursday, 23:00 - 04:00 Friday - Saturday. Opening hours to be extended to between 11:00 - 02:00 Sunday - Thursday, 11:00 - 04:00 Friday - Saturday.

#### **SITE HISTORY**

In July 2000 the unit was granted planning permission for the following through planning application number 00/AP/0685; 'Change of use from retail to hot food take-away and installation of electrostatic precipitator and gas control at the rear of the ground floor premises'.

The decision notice is attached for reference.

Condition 4 restricts the use of the unit to 12:00 – 22:00 Monday to Thursday, 12:00 – 23:00 on Fridays and Saturdays and 12:00 – 18:00 on Sundays.

#### **EPT STANCE**

The late night hours sought for late night refreshment and opening exceed the recommended hours for takeaways in this part of the borough, as outlined within Southwark's Licensing Policy 2016-2020.

The hours sought also exceed those permitted within the planning permission for the site.

Section M part d) of the application form also does not contain any practical measures to control noise or public nuisance.

If the site were open until 2am on week nights and 4am on weekends then the use could conceivably cause noise disturbance and public nuisance to the existing residents living directly the unit.

As such EPT **object** to this application.

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?

TP(Permit)

**SOUTHWARK COUNCIL**

Town and Country Planning Act 1990

**PLANNING PERMISSION**

To: Mr Mirza  
 c/o Reflex Design Consultants Ltd  
 88 Cranston Park Avenue  
 Upminster RM14 3XH

LBS Reg. No: 0000685  
 Case No: TP/1399-19/EA  
 Date of issue of this decision: 14/07/2000

**Planning Permission was GRANTED for the following development:**

Change of use from retail to hot food take-away and installation of electrostatic precipitator and gaseous phase control at the rear of proposed ground floor.

At: 19 LONDON ROAD, SE1

In accordance with application received on 05/05/2000

and Applicant's Drawing Nos. LR:19:RDCL:1A

**Subject to the following conditions:**

1. The development hereby permitted shall be begun before the end of five years from the date of this permission.
2. The scheme of extract ventilation shown on the approved drawings shall be carried out before the use hereby permitted is commenced and shall be retained thereafter and maintained in accordance with the manufacturers specification.
3. The use hereby permitted shall not be begun before details of the arrangements for the storing of refuse or waste have been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.
4. The use hereby permitted for hot food take-away purposes shall not be carried on outside of the hours 12 noon to 10.00 pm on Monday to Thursday, and on Friday from 12noon to 11pm and on Saturday from 12noon to 11pm and on Sunday from 12noon to 6pm including Bank Holidays.
5. All installation of the electrostatic precipitator and gaseous phase control and maintenance works must be carried out by the manufacturers or suppliers or authorised dealers and siting of the system should be such that it does not create a noise nuisance in the vicinity.

CONTINUED OVERLEAF

Signed

A handwritten signature in black ink, appearing to read "J. Sweetley".

HEAD OF PLANNING &amp; REGENERATION

Your attention is drawn to the notes on the last page of the document.

Any correspondence regarding this document should quote the Case No. and be addressed to:  
 Head of Planning, Council Offices, Chiltern, Portland Street, LONDON SE17 2ES Tel. No. 020 7525 5000

checked by H.M. Davis

TP(Permit)

**SOUTHWARK COUNCIL**

Town and Country Planning Act 1990

**PLANNING PERMISSION**

---

**LBS Reg. No:** 0000685    **Case No:** TP/1399-19/EA    **Date of issue of this decision:** 14/07/2000

---

6. The electrostatic precipitator and gaseous phase control should be services every 6 months and the records kept within the premises for inspection by the Council Noise and Pollution Team

**Reasons for the imposition of the conditions:**

1. As required by Section 91 of the Town and Country Planning Act 1990
2. In order to protect the amenity of the adjoining occupiers.
4. (2) and (3) In order to protect the amenities of the adjoining residential buildings and flats.
5. and (6) In order to protect and safegaurd the adjoining occupiers from the emission of cooking smell and gases associated with the cooking of hot food.

## MEMO: Licensing Unit

---

To	Licensing Unit	Date	5 September 2017	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

---

Subject Re: HFC Chicken, 19 London Road, London, SE1 6JX  
 – Application for a premises licence

I write with regards to the above application for a premises licence submitted by London Bridge Kebab Limited under the Licensing Act 2003, which seeks to add the following licensable activities:

- Late night refreshment on Sunday to Thursday from 23:00 to 02:00 the following day, Friday and Saturday from 23:00 to 04:00 the following day
- Overall opening times shall be on Sunday to Thursday from 11:00 to 02:00 the following day, Friday and Saturday from 11:00 to 04:00 the following day

The premises is described as '*A hot food and takeaway shop selling chicken and chips plus pizza. Sale of soft drinks only*'.

This premises is situated in the Elephant and Castle Major Town Centre area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for takeaway establishments on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours.

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance and the protection of children from harm.

The operating schedule is lacking and has not adequately addressed the licensing objectives.

The premises is situated under a large block of residential flats and the applicant has not addressed how the dispersal of patrons shall be controlled late in the evening and early morning.

Concerning the protection of children from harm licensing objective the applicant has written '*we will let children in and close the shop if the child is in danger and try to call police where necessary*', I am therefore concerned that there is no proper child protection policy considering that the premises wants to be open until 04:00 in the morning.

Therefore due to the limited information provided with the application I ask the applicant to provide the following information:

- A written dispersal policy
- A child protection policy

and to consider reducing the closing times of the premises, to be in line with the appropriate hours in the licencing policy for a takeaway premises in the area.

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

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:

[http://www.southwark.gov.uk/downloads/download/4399/licensing\\_act\\_2003 -  
\\_southwark\\_statement\\_of\\_licensing\\_policy\\_2016 - 2020](http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020)

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

## HFC CHICKEN

19 London Road  
London SE1 6JX  
020 8616 2608

**12 September 2017**

Southwark council  
Licensing Unit  
160 Tooley Street  
London SE1 2QH

**Dear Sir/Madam**

I write this letter in regards to our application for the late night refreshment license. I would like to amend our operating schedule to closing time Sunday to Thursday 00:00 hours and Friday and Saturday 01:00 hours in accordance with the Southwark Statement of Licensing policy 2016-2020.

Sincerely,

[Redacted signature]

## **HFC Chicken's General Dispersal Policy**

HFC Chicken stands to trade as they operate a good neighbor policy throughout its estate. We see cleanliness and close relationship with the local residents as a general rule to keep our customers. The company takes complaints very seriously and all complaints are dealt with the Manager effectively and quickly.

In relation to dispersal HFC Chicken operates in a neighborly manner by controlling noise, cleanliness and lighting, all of this is controlled by:

- Not playing music or making loud noises at the premises
- Keeping a high staff to customer ratio
- Strong management presence at all time including closing time to allow customers to leave quietly
- Disposing refuse at a reasonable time
- Not serving any bottle drinks
- Keeping a refuse for customers and patrolling regularly for litters
- Keeping lighting to a minimum
- Informing customers half an hour prior to closing
- Appropriate signage placed at exit doors

Experience shows that our premises tend to get busy during lunch and dinner time therefore dispersal is never an issue during closing time



## **HFC Chicken's Child Protection Policy**

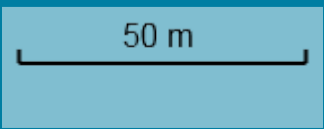
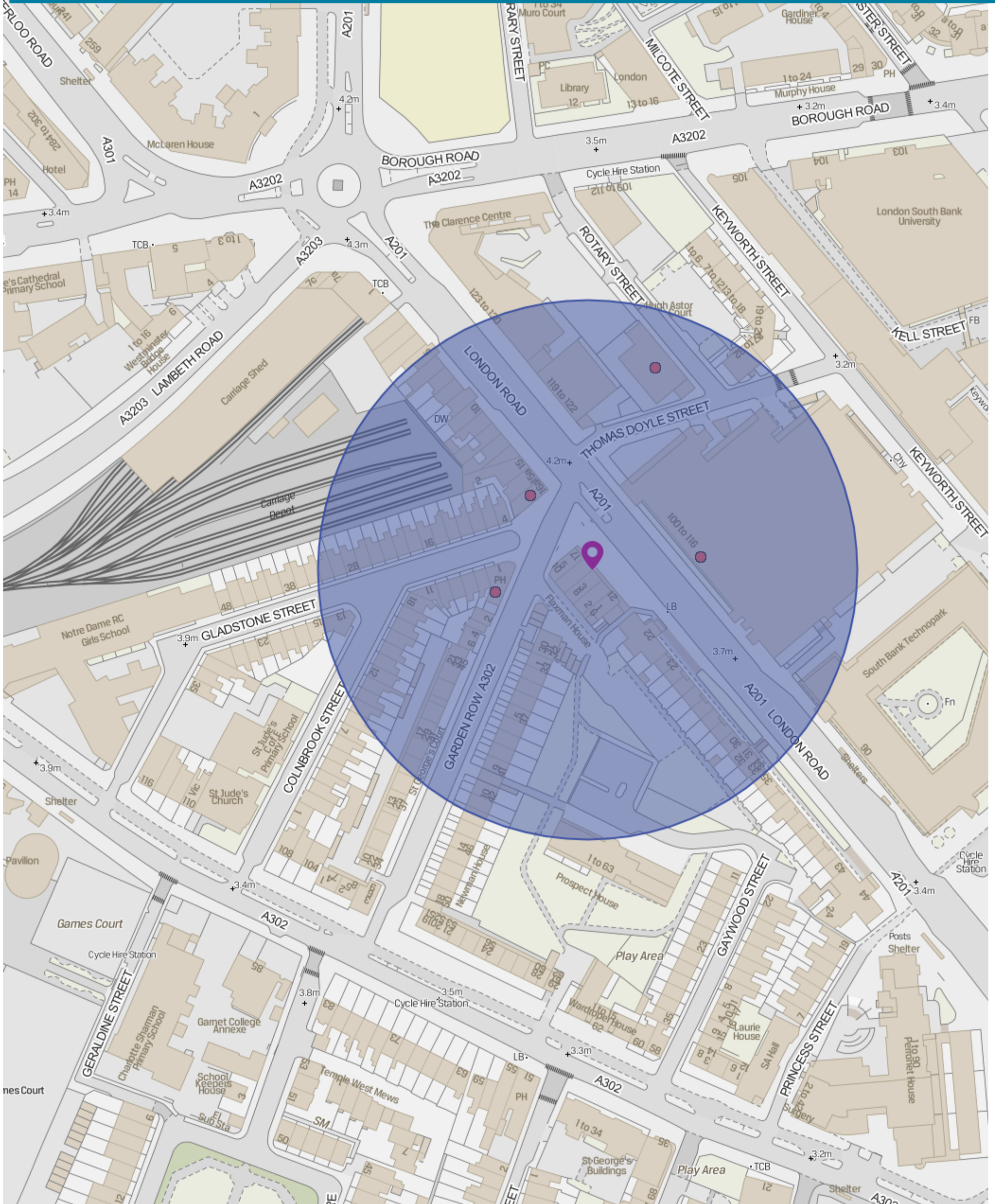
At HFC Chicken we highly value children's custom. Therefore we value all their rights including their right to be protected from harm. It's our policy to protect all children the same regardless of age, gender, disability, racial heritage, sexual orientation, religious beliefs or identity. It is also our policy to follow all legislations in protecting a child. We do not collect or record any personal information from children.

We urge parents to regularly monitor and supervise their children's activities and school hours. We will act as responsible adults throughout their visit in and out of the premises. We will stop any danger that the child maybe in that can be stopped. This is achieved by:

- Keeping extra staff during school closing times
- Keeping an eye out for any exploitation or abuse
- Stopping children from being bullied by their peers or others
- Stopping any argument or violence from breaking out
- Dispersing in a polite manner
- Keeping all schools informed of any violent behavior
- Calling the local authorities when necessary

We are part of Safe Heaven for Jimmy and we also encourage children to come to us for any aid.

# HFC CHICKEN, 19, LONDON ROAD, SE1 6JX



Scale = 1 :  
1000 000  
18-Sep-2017

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**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 Dora Dixon-Fyle MBE	1	Wesley McArthur, licensing team	1
Councillor David Hubber	By email	Dorcas Mills, licensing team	1
		Jayne Tear licensing team	1
<b>Reserve</b>		Paul Newman, environmental protection team	1
Councillor Adele Morris	By email	Mark Prickett, environmental protection team	1
		Sadie Regmi, public health team	1
		Andrew Weir (spares)	5
		<b>Total printed copies:</b>	<b>14</b>
		<b>Dated:</b> 31 October 2017	