

## Licensing Sub-Committee

Monday 22 January 2018

10.00 am

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

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Sunny Lambe  
Councillor Maria Linforth-Hall

### Reserves

Councillor David Hubber

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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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: 12 January 2018



## Licensing Sub-Committee

Monday 22 January 2018  
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 LONDON DISTILLERY COMPANY LTD, 58 DRUID STREET, LONDON SE1 2EZ</b>	1 - 25
6.	<b>LICENSING ACT 2003: THE FOUNDRY, (FORMERLY TOO MANY COOKS), 30 GREAT GUILDFORD STREET, LONDON SE1 0HS</b>	26 - 64
	<b>ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.</b>	

**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: 12 January 2018

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 22 January 2018	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: The London Distillery Company Ltd, 58 Druid Street, London SE1 2EZ	
<b>Ward(s) or group(s) affected</b>		Riverside	
<b>From</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by The London Distillery Company Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The London Distillery Company Ltd, 58 Druid Street, London SE1 2EZ.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to a representation from a responsible authority and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 12 to 18 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted by the responsible authorities are attached as Appendix B.
  - d) Paragraph 19 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix C.
  - e) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

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

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

## **KEY ISSUES FOR CONSIDERATION**

### **The premises licence application**

8. On 28 November 2017 The London Distillery Company Ltd applied to this council for the grant of a premises licence in respect of The London Distillery Company Ltd, 58 Druid Street, London SE1 2EZ. The premises are described as a working distillery in a refurbished railway arch.
  
9. The application is summarised as follows:
  - The supply by retail of alcohol (on and off sales)
    - Monday to Sunday from 11:00 to 23:00
  - Opening hours
    - Monday to Sunday from 09:00 to 23:00.
  
10. The proposed designated premises supervisor of the premises is Meeghan Murdoch who has a personal licence issued by The Royal Borough of Windsor & Maidenhead.
  
11. The premises licence application form provides the applicant's operating schedule. Parts J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any

licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

### **Representations from responsible authorities**

12. Representations were submitted by the Metropolitan Police Service, the environmental protection team (EPT) and licensing (as a responsible authority).
13. The representation submitted by the Metropolitan Police Service (Licensing Unit) states that although the hours are within that recommended in the Southwark statement of licensing policy, there is a large residential block opposite. The premises does not benefit from an outside area on Druid Street and opens directly onto the pavement/loading bay. Any use of outside areas may cause public nuisance to the resident opposite and possibly obstruct the highway and possibly be hazardous to traffic and customers due to passing traffic. The police recommend that the applicant considers a number of control measures, some of which have been hinted at in the application but are not precise enough to make them enforceable.
14. The EPT representation states that the area has a history of complaints relating to noise from licensed premises and in particular from patrons externally. They have recommended a number of conditions, which if agreed will form part of the granted licence.
15. The representation from licensing (as a responsible authority) states that the applicant has not left any time between the last sale of alcohol and the closing time. This will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patrons have left the premises. They have also recommended a number of conditions which if agreed will form part of the conditions when granted.
16. Copies of all representations are attached as Appendix B.

### **Representations from other persons**

17. There are no representations submitted by other persons.

### **Conciliation**

18. The applicant's agent was sent copies of the representations, there has been no response as yet and as such all issues remain outstanding.

### **Map**

19. A map of the area is attached to this report as Appendix C. 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 are also shown on the map and provide licensable activities as stated:

- Marquis of Wellington PH, 21 Druid Street, London SE1 (Monday to Wednesday until 23.00; Thurs till 00.00; Fri & Sat till 01.00; Sun till 00.00) - Currently closed for operation.
- Elmadero, Railway Arch 840, 30 Druid Street, London SE1 (Monday to Sunday until 23.00)

- Southwark Brewing Company Limited, 46 Druid Street, London SE1 (Monday to Sunday until 23.00)
- Doodle Bar, 60 Druid Street, London SE1 (Sunday to Thursday until 00:00 and Friday and Saturday until 01:00)
- St John Bakery Company Ltd, 72 Druid Street, London SE1 (Monday to Sunday until 23.00)
- Bea's of Bloomsbury Railway Arch, 76 Druid Street, London SE1(Monday to Sun until 22.00)
- Maltby and Greek wholesalers, Railway Arch, 76 Druid Street, London SE1 (Monday to Sunday until 22.00)
- Maltby Restaurant, 40 Maltby Street, London SE1(Monday and Tuesday until 23:30, Wednesday to Saturday until 01:00 and Sunday until 17:30)
- Lassco Bar & Dinning, 37 Maltby Street, London SE1 (Monday to Sunday until 23:00)
- The Barrel Project, 80 Druid Street, London SE1 (Monday to Sunday until 23:00)
- Speckmobile, 76 Druid Street, London SE1 (Monday to Saturday until 23:00 and Sunday until 22:30)
- Doodle Bar, 60 Druid Street, London SE1 (Sunday to Thursday until 00:00, Friday and Saturday until 01:00)
- Hawkes, 92 Druid Street, London SE1(Monday to Sunday until 23:00)
- Comptoir Gourmand, 98 Druid Street, London SE1 (Monday to Sunday until 23:00)
- Hiver Beers, 56 Stanworth Street, London SE1 (Monday to Friday until 22:00, Saturday until 23:00 and Sunday until 20:00)
- Ronnies Supermarket, 116-118 Tanners Street, London SE1 (Monday to Saturday until 23:00 and Sunday until 22:30)
- Anspach & Hobday, 116 - 118 Druid Street, London SE1 (Monday to Sunday until 23:00)
- Bottles, 128 Druid Street, London SE1 (Monday to Sunday until 23.00)
- Lemporio, 134 Druid Street, London SE1(Sunday to Wednesday until 22.00 and Thursday to Saturday until 23:00)
- Thames Takeaway, 140 Tanner Street, London SE1 (Sunday to Thursday until 00:00 and Sunday until 00:30).

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

20. The premises is situated in a residential area and under the Southwark statement of licensing policy 2016 - 2020 the appropriate closing times for restaurants, cafes, public houses, wine bars or other drinking establishments is 23:00 daily.
21. 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.
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 £190.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value bands 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 similar notices were exhibited outside of the premises for a period of 28 consecutive days.

## **Community impact statement**

25. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

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

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

28. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
29. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
30. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:
    - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
    - Any condition which must under section 19, 20 or 21 be included in the licence
  - To exclude from the scope of the licence any of the licensable activities to which the application relates
  - To refuse to specify a person in the licence as the premises supervisor
  - To reject the application.

## Conditions

31. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
32. The four licensing objectives are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
33. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
34. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
35. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

## Reasons

36. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision.

## Hearing procedures

37. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
  - The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.

- The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
38. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

#### **Council's multiple roles and the role of the licensing sub-committee**

39. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
40. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
41. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
42. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

43. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.

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

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

#### **Guidance**

46. Members are required to have regard to the Home Office Revised Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

#### **Strategic Director of Finance and Governance**

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

#### **BACKGROUND DOCUMENTS**

<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	Application for a premises licence
Appendix B	Representations by responsible authorities
Appendix C	Map of the local area

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	10 January 2018	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law & Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		11 January 2018

28/11/2017

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

Ref No. 933111

## 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

	The London Distillery Company LTD
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## Premises Details

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

£	21,750
	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

	The London Distillery Company Ltd
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Postal address of premises or, if none, ordnance survey map reference or description

Address Line 1	58 DRUID STREET
Address Line 2	
Town	LONDON
County	
Post code	SE1 2EZ
Ordnance survey map reference	
Description of the location	Refurbished Railway arch
Telephone number	

## Applicant Details

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

	<input type="checkbox"/> a person other than an individual (limited company, partnership, etc)
--	--

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

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

#### Personal Details - First Entry

Name	The London Distillery Company Ltd
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#### Address - First Entry

Street number or building name	58
Street Description	Druid Street
Town	London
County	London
Post code	SE1 2EZ
Registered number ( where applicable )	07681347
Description of applicant ( for example, partnership, company, unincorporated association etc )	limited company

#### Contact Details - First Entry

Telephone number	██████████
Email address	distillery@londondistillery.com

#### Operating Schedule

When do you want the premises licence to start?

	27/11/2017
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If you wish the licence to be valid only for a limited period, when do you want it to end?

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General description of premises ( see guidance note 1 )

	We are a working distillery in a refurbished Railway Arch
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Please select the range of the number of people expected to attend the premises at any one time.

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

Operating Schedule part 2

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

	(Please see sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 to the Licensing Act 2003)
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Provision of regulated entertainment (Please read guidance note 2)


Provision of late night refreshment

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Supply of alcohol

	j) Supply of alcohol
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J - Supply of Alcohol

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

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

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

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

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

	on sales 11:00 to 22:30
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Please upload the consent form completed by the proposed premises supervisor

	<a href="#">DPS-Consent-Form-2017-2-.pdf</a>
--	--

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Meeghan
Surname	Murdoch

DOB

Date Of Birth	██████████
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Address of proposed designated premises supervisor

Street number or Building name	58
Street Description	Druid Street
Town	London
County	London

Post code	SE1 2EZ
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Personal licence number of proposed designated premises supervisor, if any,

Personal licence number ( if known )	██████████
Issuing authority ( if known )	Royal Borough of Windsor & Maidenhead

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children ( Please read guidance note 9)

	Non applicable
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L - Hours premises are open to public

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

Day	Start	Finish
Mon	09:00	23:00
Tues	09:00	23:00
Wed	09:00	23:00
Thur	09:00	23:00
Fri	09:00	23:00
Sat	09:00	23:00
Sun	09:00	23:00

State any seasonal variations ( Please read guidance note 5 )

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

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M - Steps to promote four licencing objectives

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

	That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months.
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	<p>That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the Police and the council</p> <p>The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.</p> <p>All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police. premises to council or police officers on request.</p> <p>Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required</p>
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b) the prevention of crime and disorder

	<p>That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the Police and the council</p> <p>The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.</p> <p>All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police. premises to council or police officers on request.</p> <p>Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required</p>
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c) public safety

	<p>That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months.</p> <p>That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the Police and the council</p> <p>The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.</p> <p>All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police. premises to council or police officers on request.</p> <p>Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required</p>
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d) the prevention of public nuisance

	<p>That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months.</p> <p>That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the Police and the council</p> <p>The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof</p>
--	--

	<p>of Age (SPA) card.                  All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police. premises to council or police officers on request.                  Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required</p>
--	--

e) the protection of children from harm

	All children using the premises will be supervised by an adult
--	--

Please upload a plan of the premises

	<a href="#">Distillery-map.pdf</a>
--	------------------------------------

Please upload any additional information i.e. risk assessments

--	--

Checklist

	<p>I have enclosed the plan of the premises.                  I understand that if I do not comply with the above requirements my application will be rejected.                  I understand that I must now advertise my application (In the local paper within 14 days of applying)</p>
--	--

Home Office Declaration

Please tick to indicate agreement

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

Declaration

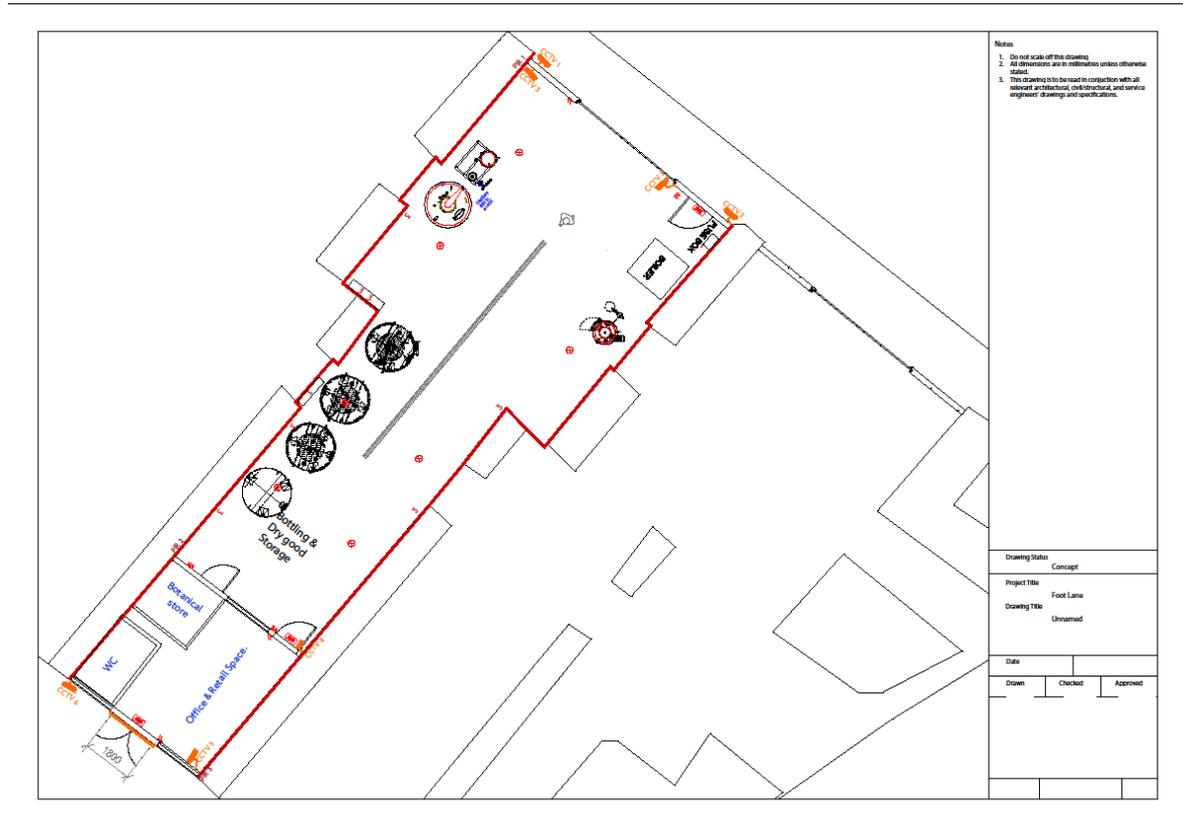
I agree to the above statement

	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.

Appendix A

The approved are of the distillery is outlined below:





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

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

Tel: 020 7232 6756  
 Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD//30078/17

**Date:** 20th December 2017

Dear Sir/Madam

**Re:- The London Distillery Co. 58 Druid Street, London SE1 2EZ**

Police are in receipt of an application from the above for a new premises licence for the following opening hours

Opening Hours to public      Mon - Sun                      0900hrs to 2300hrs

Sale of Alcohol on/off sales      Mon - Sun                      1100hrs to 2300hrs

The hours are within that recommended in the Southwark statement of Licensing Policy for Bar. There is a large residential blocks opposite.

The premises does not benefit from an outside area on Druid Street and opens directly onto the pavement/loading bay. Any use of outside area may cause public nuisance to the resident opposite and possible obstruct the highway and possibly be hazardous to traffic and customers due to passing traffic.

However we object to the granting of the licence unless further conditions are placed on the licence to negate complaints about anti-social behaviour, noise nuisance and crime and disorder. The applicant has offered a number of control measure within the application which we welcome and would like to see the wording we have suggested to avoid ambiguity.

Police would like to see the following conditions

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises and all areas the public have access including outside areas.
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.
5. No customers should be allowed to take drinks from the licensed area other than to take away and they must be in a sealed container.
6. Customers shall use no outside area other than those who temporarily leave the premises to smoke a cigarette and No more than 5 people at one any time.

Kind Regards

**PC Graham White 288MD**  
**Southwark Police Licensing Unit**  
**Southwark Police Station**  
**323 Borough High Street SE1 1JL**  
**0207 232 6756**

**From:** Earis, Richard  
**Sent:** Monday, December 18, 2017 12:20 PM  
**To:** Regen, Licensing  
**Cc:** 'distillery@londondistillery.com'  
**Subject:** New premises license application for 'The London Distillery Company Ltd'

**RE: New premises license application for 'The London Distillery Company Ltd'**

I have considered the above and I would like to object on the grounds that the controls listed are insufficient to ensure the Prevention of Public Nuisance licensing objective. The area has a history of complaints relating to noise from licensed premises and in particular from patrons externally.

I would be happy to withdraw my objections if the applicant can agree to the following conditions:

- That customers shall not use any outside area to the front of the premises other than those who temporarily leave the premises to smoke, and no more than 5 people shall be permitted to do so at any one time. No drinks shall leave the premises other than off sales that are sold in a sealed container for consumption away from the premises.
- That alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00 and 20.00.
- Clearly legible signage shall be prominently displayed at all exits where it can easily be seen and read, requesting that customers leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Noise from plant, patrons and activities at the premises shall be managed to ensure that public nuisance shall not be caused in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.
- All external doors and doors to noise lobbies used by patrons to enter the premises shall have self-closers to the doors in accordance with BS 6459 Pt. 1 1984.

Kind Regards,

Richard

**Richard Earis**  
Principal Environmental Protection Officer  
**Environmental Protection Team**

**020 7525 2469**

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

[www.southwark.gov.uk](http://www.southwark.gov.uk)

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



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

## MEMO: Licensing Unit

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To	Licensing Unit	Date	20 December 2017	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

---

Subject Re: The London Distillery Company, 58 Druid Street, London, SE1 2EZ  
 – Application for a premises licence

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

- Supply of alcohol (on and off the premises) on Monday to Sunday from 11:00 to 23:00
- Overall opening times shall be on Monday to Sunday from 09:00 to 23:00

The premises is described within the application as a *'We are a working distillery in a refurbished railway arch'*.

The premises is situated in a residential area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for Restaurants; Cafes, Public Houses, Wine bars or other drinking establishments is 23:00 daily.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy.

The application has not left any time between the last sale of alcohol and the closing time when patrons should have left the premises, this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patron have left the premises.

Therefore to promote the licensing objectives I ask the applicant to

- Amend the sales of alcohol 'on' the premises to cease at 22:30 (this will allow half an hour drinking up time).

Furthermore due to the limited information on the application form and to promote the licensing objectives I ask the applicant to provide the following information:

- To provide an accomodation limit for the premises. (to be conditioned)
- To provide a written dispersal policy for the premises. (to be conditioned)

Add further conditions to the operating schedule as follows:

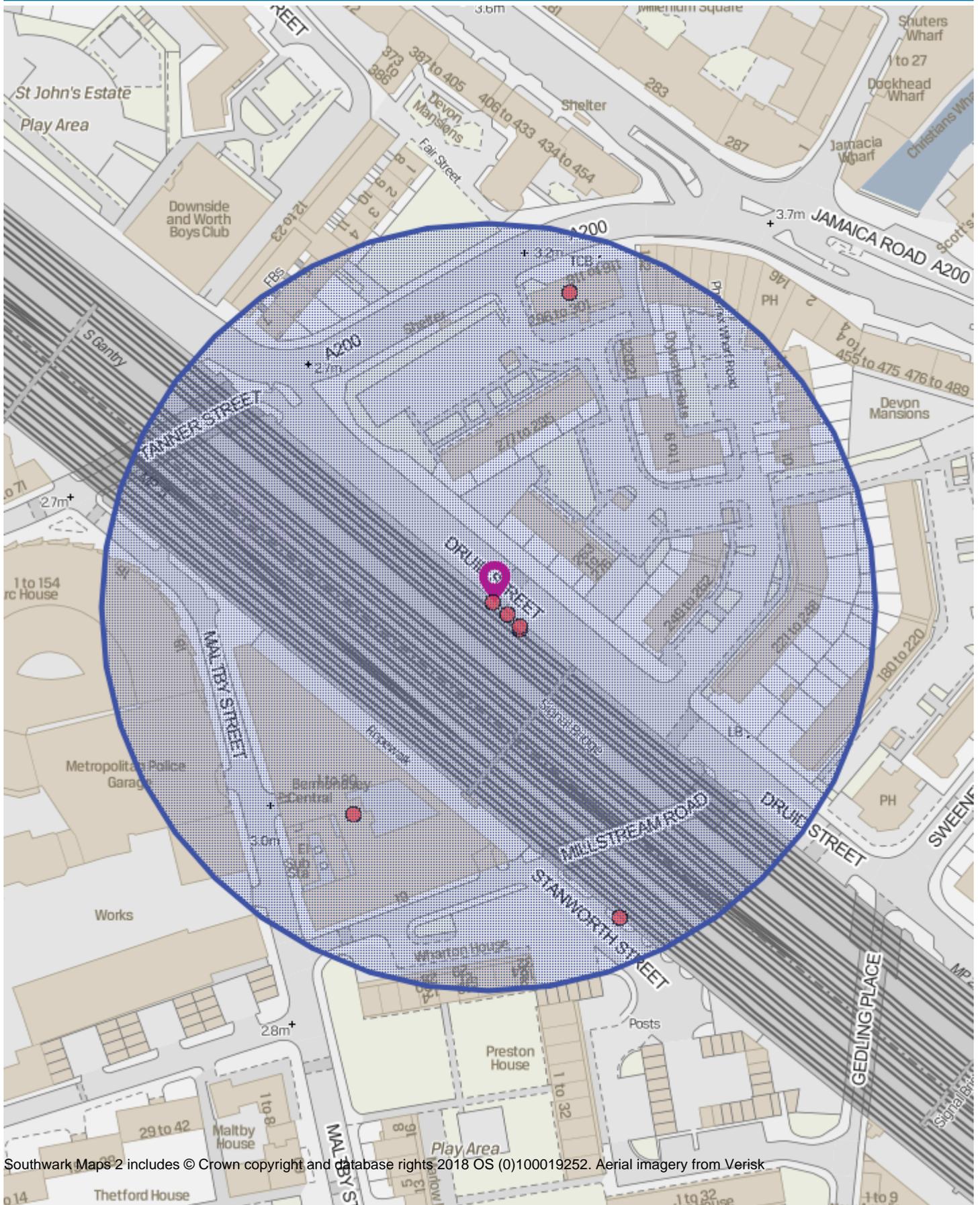
- Any '*off sales*' of alcohol shall be provided in sealed containers and taken away from the premises
- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as off sales should not be opened and consumed in the vicinity of the premises

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

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



Southwark Maps 2 includes © Crown copyright and database rights 2018 OS (0)100019252. Aerial imagery from Verisk



50 m

8-Jan-2018

Scale = 1 : 1323.000

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 22 January 2018	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: The Foundry, (formerly Too Many Cooks), 30 Great Guildford Street, London SE1 0HS	
<b>Ward(s) of group(s) 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 Vacherin Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as the Foundry, 30 Great Guildford Street, London SE1 0HS.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to a representation from a responsible authority and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 11 to 17 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted by the responsible authorities and subsequent conciliatory statement and withdrawal emails are attached to this report in Appendices B, C & D.
  - d) Paragraph 18 of this report deals with the premises history and a previous licence attached as Appendix E.
  - e) Paragraph 19 deals with licensed premises within a 100m radius of the premises. A map of the area is attached as Appendix F.
  - f) 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 21 November 2017 Vacherin Limited applied to this council for the grant of a premises licence in respect of the Foundry, 30 Great Guildford Street, London, SE1 0HS. The premises are described in the application as a Café.
9. The application is summarised as follows:
  - Films (indoors)
    - Monday to Friday from 11:00 to 23:00
  - The supply by retail of alcohol (on and off sales)
    - Monday to Friday from 11:00 to 23:00
  - Opening hours
    - Monday to Friday from 07:30 to 23:30.
  - The proposed designated premises supervisor of the premises is Sarah Thomson who has a personal licence by Elmbridge Borough Council.

10. The premises licence application form provides the applicant's operating schedule. Parts B, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

### **Representations from responsible authorities**

11. Representations were submitted by the Metropolitan Police Service, licensing (as a responsible authority), public health and trading standards.
12. The representation submitted by the Metropolitan Police Service (Licensing Unit) states that the premises is situated within the Borough and Bankside cumulative impact zone (CIZ) and as such the presumption changes from that to grant to that of refused unless enough measures are offered to negate the cumulative impact the venue will have. The application has offered no extra measures to that previously submitted and the police believe the same evidence is still relevant to that previously submitted. The police recommend that the applicant considers a number of control measures, some of which have been hinted at in the application but are not precise enough to make them enforceable.
13. The representation from licensing (as a responsible authority) refers to the premises being in the CIZ and that the applicant has not addressed the presumption to refuse the application in the operating schedule. They have also recommended a number of conditions which if agreed will form part of the conditions when granted.
14. The public health representation was made under the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, and public safety, due to concerns in relation to the availability of alcohol. They state that the applicant has not provided an accommodation limit for their business nor have they provided a justification for the request for off sales.
15. The representation submitted by this council's trading standards authority is in relation to the prevention of crime and disorder and the protection of children from harm licensing objectives. They state they welcome the statements made in operating schedule. However, for the purposes of completeness and the avoidance of any ambiguity, they would like to see a number of conditions go on the licence, if granted. These conditions have been agreed and trading standards have therefore withdrawn their representation. Copies of all representations and subsequent withdrawals are attached as Appendices B and C.

### **Representations from other persons**

16. There are no representations submitted by other persons.

### **Conciliation**

17. The applicant's agent was sent copies of the representations. A conciliation statement was submitted and circulated to all concerned. The conciliation process has led to agreed conditions by the applicant and therefore trading standards have withdrawn. All other representations remain outstanding.

### **Premises history**

18. The premises had a licence in place which was originally issued to Too Many Cooks in 14 May 2015 (licence attached as Appendix E). However due to a new layout and updated conditions a new licence is sought.

### **Map**

19. A map of the area is attached to this report as Appendix F. 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 are also shown on the map and provide licensable activities as stated:

- Rosie Grocery & Newsagent, 23 Great Guildford Street, London SE1 (Monday to Saturday until 20:00 and Sunday until 17:00)
- Hixter, 16 Great Guildford Street, London SE1 (Monday to Saturday until 01:30 and Sunday until 00:30)
- Mark & Spencer, Unit 3 Bankside, 90 Southwark Street, London SE1 (Monday to Saturday until 23:00 and Sunday until 21:00)
- Itsu, 65 Southwark Street, London SE1 (Monday to Sunday until 22:30)
- Ewer Street Car Park, Great Guildford Street, London SE1 (Monday to Sunday until 07:30).

### **Borough and Bankside cumulative impact zone**

20. Council assembly approved the introduction of a special policy for Borough and Bankside on the cumulative impact of a concentration of licensed premises (saturation/cumulative impact policy) on 5 November 2008, and extended the area in April 2011. This application falls within the policy area.
21. 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.
22. The effect of this special policy is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
23. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

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

24. Within Southwark's statement of licensing policy, the premises are identified as being inside the Borough and Bankside cumulative impact zone and inside a residential

area. Relevant closing times recommended in the statement of licensing policy for cafes and restaurant are as follows:

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

25. 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.

26. 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**

27. 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 bands B.

### **Consultation**

28. 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**

29. 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**

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

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

32. 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.
33. 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.
34. 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

35. 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.
36. The four licensing objectives are:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
37. 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.
38. 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.
39. 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

40. 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

41. 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.
42. 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**

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

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

### Guidance

50. Members are required to have regard to the Home Office Revised Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

### Strategic Director of Finance and Governance

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

### BACKGROUND DOCUMENTS

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

### APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations by responsible authorities
Appendix C	Conciliatory statement
Appendix D	Withdrawal email from trading standards
Appendix E	Previous premises licence (Too Many Cooks)
Appendix F	Map of the local area

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	10 January 2018	
<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>		10 January 2018

21/11/2017

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

Ref No. 929881

## 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

	Vacherin Limited
--	------------------

## Premises Details

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

£	19,750
	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

	The Foundry (formerly Too Many Cooks)
--	---------------------------------------

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

Address Line 1	Metal Box Factory
Address Line 2	30 Great Guildford Street
Town	London
County	
Post code	SE1 0HS
Ordnance survey map reference	
Description of the location	
Telephone number	02070420415

## Applicant Details

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

	<input checked="" type="checkbox"/> a person other than an individual (limited company, partnership, etc)
--	---

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

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

Other Applicants

Personal Details - First Entry

Name	Vacherin Limited
------	------------------

Address - First Entry

Street number or building name	16-18
Street Description	Hatton Garden
Town	London
County	
Post code	EC1N 8AT
Registered number ( where applicable )	04516461
Description of applicant ( for example, partnership, company, unincorporated association etc )	limited company

Contact Details - First Entry

Telephone number	(020) 70420415
Email address	tburton@tandtp.com

Operating Schedule

When do you want the premises licence to start?

--	--

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>Cafe                  The premises were previously licensed under licence no. 851370. The application is for a new licence subject to the same layout and updated conditions.</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 (Please read guidance note 2)

	b) films

Provision of late night refreshment

--	--

Supply of alcohol

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

B- Films

Will the exhibition of films take place indoors or outdoors or both? ( Please read guidance note 3)

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

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

	as permitted by licence no. 851370
--	------------------------------------

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

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

State any seasonal variations for the exhibition of films ( Please read guidance note 5)

--	--

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 6 )

--	--

J - Supply of Alcohol

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

	Both
--	------

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

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

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

--	--

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

--	--

Please upload the consent form completed by the proposed premises supervisor

	<a href="#">Consent-Sarah.pdf</a>
--	-----------------------------------

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Sarah
Surname	Thomson

DOB

Date Of Birth	17/11/1981
---------------	------------

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 )	Elmbridge Borough Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the

use of the premises that may give rise to concern in respect of children ( Please read guidance note 9)

	n/a
--	-----

L - Hours premises are open to public

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

Day	Start	Finish
Mon	07:30	23:30
Tues	07:30	23:30
Wed	07:30	23:30
Thur	07:30	23:30
Fri	07:30	23:30
Sat		
Sun		

State any seasonal variations ( Please read guidance note 5 )

--	--

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

--	--

M - Steps to promote four licencing objectives

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

	All staff to be trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and , upon request, to be made immediately available to officers of the police and council.
--	---

b) the prevention of crime and disorder

	CCTV is controlled by the building management where this unit is situated and covers access and egress points. Footage from this will be available upon request to the managing company.
--	--

c) public safety

	All necessary health and safety and fire safety measures will be in place under relevant legislation and no additional measures under the licence are considered necessary.
--	---

d) the prevention of public nuisance

	Clearly legible notices shall be prominently displayed where they can easily be seen and read by customers requesting them to leave the area in a quiet and orderly manner.
--	---

e) the protection of children from harm

	The premises shall operate a challenge 25 age verification policy and a refusal log will be kept.
--	---

Please upload a plan of the premises

	<a href="#">cjerrom-20-11-2017-15-56-00.3.pdf</a>
--	---

Please upload any additional information i.e. risk assessments

--	--

Checklist

	I have enclosed the plan of the premises. I understand that if I do not comply with the above requirements my application will be rejected. I understand that I must now advertise my application (In the local paper within 14 days of applying)
--	---

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.







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

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

Tel: 020 7232 6756  
 Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD21/3074/17

**Date:** 19th December 2017

Dear Sir/Madam

**Re:- The Foundry Cafe, 30 Great Guildford Street, London SE1 0HS**

Police are in possession of an application from the above for a new premises licence. The application describes the operation as a café in a business centre.

Although the hours applied for are within that recommended by Southwark's licensing policy, the venue sits within the Borough and Bankside cumulative impact zone (CIZ) and is therefore subject to Southwark's cumulative impact policy however within the application it is stated that they previously held a licence number 851370 but this is unavailable to view on the council website so cannot be confirmed..

This creates a rebuttable presumption that applications for new premises licences which are likely to add to the existing cumulative impact will be refused or subject to certain limitations. The applicants should give consideration to cumulative impact issues when setting out the steps they will take to promote the licensing objectives.

It is for this reason that Police object to this application on the grounds that they have failed to address the four licensing objectives and have not considered the possible cumulative impact of their premises.

Police recommend that the applicant consider the following control measures, some of which have been hinted at in the application but are not precise enough to make them enforceable.

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.

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

Yours Sincerely

**PC Graham White 288MD**

Licensing Officer

Southwark Police Licensing Unit

Tel: 0207 232 6756

## MEMO: Licensing Unit

---

To	Licensing Unit	Date	19 December 2017	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

---

Subject Re: The Foundry Cafe, Metal Box Factory, 30 Great Guilford Street, London, SE1 OHS  
Application for a premises licence

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

- Films (indoors) on Monday to Friday from 11:00 to 23:00
- Supply of alcohol (on and off the premises) on Monday to Friday from 11:00 to 23:00
- Overall opening times shall be on Monday to Friday from 07:30 to 23:30

The application describes the premises as

*'Café. The premises were previously licensed under licence no. 851370. The application is for a new licence subject to the same layout and updated conditions'*

The premises is situated in Bankside and Borough District Town Centre Area and also falls within the Borough and Bankside CIP Area.

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.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Borough and Bankside policy area as defined in paragraph 129 of the policy and as a Restaurants & Cafes this premises could fall into varying classes of premises in 130 of the policy.

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

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can

demonstrate that the premises will not be contributing to crime and disorder and public nuisance within the policy area.

I understand that this premises has held a licence in the past, yet this application has not adequately addressed the licensing objectives. Therefore due to the lack of information within the application I ask the applicant for more information and to consider adding the following conditions which would promote the licensing objectives and could assist the applicant in this rebuttal:

Further information

*An accommodation limit is provided for the premises (to be conditioned).*

*A written dispersal policy is provided for the premises (to be conditioned).*

Conditions

- Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premises
- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as 'off sales' should not be opened and consumed in the vicinity of the premises

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

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

**From:** Sharpe, Carolyn **On Behalf Of** Public Health Licensing ([carolyn.sharpe@southwark.gov.uk](mailto:carolyn.sharpe@southwark.gov.uk))  
**Sent:** Tuesday, December 19, 2017 4:38 PM  
**To:** Regen, Licensing  
**Cc:** Public Health Licensing  
**Subject:** RE: Consultation - New Premises Licence 30 Great Guildford Street

To whom it may concern:

**Re: The Foundry Cafe, 30 Great Guildford Street, London SE1 0HS**

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.

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

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

The applicant requests a new licence for the sale of alcohol both on and off the premises between the hours of 11:00 to 23:30 Monday to Friday.

This premises is located within the Borough and Bankside Cumulative Impact Policy area and in my opinion the applicant has not adequately rebutted the presumption that this premises will add to the cumulative impact of alcohol harms in the local area.

The applicant has not provided an accommodation limit for their business nor have they provided a justification for the request for off sales. I would request that both of these pieces of information are provided to me before I can recommend this licence is issued.

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

Yours sincerely,

Carolyn Sharpe

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

Carolyn Sharpe | [carolyn.sharpe@southwark.gov.uk](mailto:carolyn.sharpe@southwark.gov.uk) | 02075250025 | [REDACTED]  
Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

**From:** Masini, Bill (bill.masini@southwark.gov.uk)  
**Sent:** Friday, December 15, 2017 12:39 PM  
**To:** Regen, Licensing  
**Cc:** Tear, Jayne  
**Subject:** Application for Premises Licence - The Foundry (formerly Too many Cooks) Metal Box Factory 30 Guildford Street London SE1 0HS

As a Responsible Authority under The Licensing Act, Trading Standards are in receipt of an application from Vacherin Limited for a Premises Licence for a business called The Foundry at 30 Great Guildford Street London SE1 0HS and respond accordingly under the Licensing Objectives.

Trading Standards welcome the statements made in Paragraph M e) under the objective – The Protection of children from harm. However, for the purposes of completeness and the avoidance of any ambiguity, Trading Standards would like to see the following conditions to go on the licence, if granted

- That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.

**Bill Masini - Trading Standards Officer**

Southwark Council Trading Standards | Environment & Social Regeneration  
 3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX

**From:** Masini, Bill  
**Sent:** Thursday, January 04, 2018 11:41 AM  
**To:** 'Jack Spiegler'; Tear, Jayne  
**Cc:** Mills, Dorcas; Tilly Burton  
**Subject:** RE: Premises ilicence application - The Foundry, 30 Gt Guildford Street, SE1

Thanks for your email below Jack; that's fine from a Trading Standards perspective.

Dorcas, Trading Standards are now happy to withdraw its rep for this application.

Best regards & wishes for 2018.

**Bill Masini - Trading Standards Officer**

Southwark Council Trading Standards | Environment & Social Regeneration

3rd Floor Hub 1, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 2629 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages [www.southwark.gov.uk/TradingStandards](http://www.southwark.gov.uk/TradingStandards)

Need clear practical consumer advice? Visit Consumer Direct at [www.direct.gov.uk/consumer](http://www.direct.gov.uk/consumer)

**From:** Jack Spiegler [<mailto:JSpiegler@tandtp.com>]  
**Sent:** Wednesday, January 03, 2018 5:47 PM  
**To:** Tear, Jayne; [SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk); [SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk); Masini, Bill  
**Cc:** Mills, Dorcas; Tilly Burton  
**Subject:** Re: Premises ilicence application - The Foundry, 30 Gt Guildford Street, SE1

Dear All

Happy New Year

Thank you for your comments in respect of the application. I have set out the agreed conditions at the bottom of this email. All your proposed conditions are agreed in their entirety, except for amendments made to 3 of your conditions - highlighted in red. I explain the reasons for these amendments below.

#### Off sales – Licensing Authority condition 1

As you may know, the applicant provides in house catering for Workspace at the Metal Box building on Great Guildford Street. Workspace operates as a flexible working and office space. The application relates to the buildings lower floors, namely the café and restaurant area.

Licensable activities will include the sale of alcohol to persons working in the building, at office functions held by Workspace and to general members of the public visiting the building – most likely for meetings etc.

Off sales were included to also allow an alcohol sale to Workspace users elsewhere in the office building – for example a bottle of champagne to celebrate a business deal in a meeting room on one the other floors.

#### CCCTV – Police conditions 3 & 4

The CCTV is controlled centrally by Workspace. I have amended the CCTV conditions to allow our client to work with Workspace to get copies of the CCTV to officers on request ASAP.

#### Capacity

Carolyn – in relation to your query on capacity - the overall capacity is substantial as it includes all the Workspace office areas. You will see from page 2 of the attached plan that the café/restaurant area is small.

I appreciate this is slightly unusual application so please feel free to call me if you'd like to discuss in more detail and go through the amendments to your proposed conditions.

#### **AGREED CONDITIONS:**

##### **Licensing Authority**

1. **Any 'off sales' of alcohol shall only be provided: (a) in sealed containers and taken away from the premises; or (b) taken to other parts of the premises building not included in the licence demise.**

2. That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as '*off sales*' should not be opened and consumed in the vicinity of the premises

#### **Police**

3. 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.
4. All CCTV footage be kept for a period of 31 days and shall on request be made available to officers of the police and the council as soon as practicable.
5. A member of the office management staff should be 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.
6. 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.

#### **Trading Standards**

7. That a challenge 25 scheme shall be maintained at the premises requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
8. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
9. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
10. That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS

shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to council or police officers on request.

Thanks and kind regards

Jack

**Jack Spiegler**  
**Associate**

Thomas & Thomas Partners LLP  
38a Monmouth Street  
London WC2H 9EP

M: 07720 975272

D: 020 7042 0413

T: 020 7042 0410

F: 020 7379 6618

E: [jspiegler@tandtp.com](mailto:jspiegler@tandtp.com)

W: [www.tandtp.com](http://www.tandtp.com)



# Licensing Act 2003 Premises Licence

55

APPENDIX E



Environmental Health & Trading Standards  
Licensing Unit  
Hub 2, 3rd Floor  
PO Box 64529  
London, SE1P 5LX

Premises licence number

847851

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Too Many Cooks 30 Great Guildford Street London SE1 0HS	
Ordnance survey map reference (if applicable),	
<b>Post town</b> London	<b>Post code</b> SE1 0HS
<b>Telephone number</b>	

Where the licence is time limited the dates

**Licensable activities authorised by the licence**  
Films - Indoors and Outdoors  
Live Music - Indoors  
Sale by retail of alcohol to be consumed on premises

**The opening hours of the premises**  
For any non standard timings see **Annex 2**

Monday	11:00 - 17:30
Tuesday	11:00 - 17:30
Wednesday	11:00 - 17:30
Thursday	11:00 - 17:30
Friday	11:00 - 17:30

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

**The times the licence authorises the carrying out of licensable activities**  
For any non standard timings see Annex 2 of the full premises licence

**Films - Indoors and Outdoors**

Monday	11:00 - 17:30
Tuesday	11:00 - 17:30
Wednesday	11:00 - 17:30
Thursday	11:00 - 17:30
Friday	11:00 - 17:30

**Live Music - Indoors**

Monday	11:00 - 17:30
Tuesday	11:00 - 17:30
Wednesday	11:00 - 17:30
Thursday	11:00 - 17:30
Friday	11:00 - 17:30

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

Monday	11:00 - 17:30
Tuesday	11:00 - 17:30
Wednesday	11:00 - 17:30
Thursday	11:00 - 17:30
Friday	11:00 - 17:30

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

Le Project Limited  
 Littlecotte  
 51H Wickham Road  
 London  
 SE4 1LT

**Registered number of holder, for example company number, charity number (where applicable)**

08905221

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Mathilde Fruit  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

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

Licence No. [REDACTED]  
 Authority L.B Southwark

Licence Issue date 14/05/2015

[REDACTED]  
 Anti-Social Behaviour, Noise Nuisance &  
 Licensing Manager  
 Hub 2, 3rd Floor  
 PO Box 64529  
 London, SE1P 5LX  
 020 7525 5748  
[licensing@southwark.gov.uk](mailto:licensing@southwark.gov.uk)

## Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

identification bearing their photograph, date of birth and either

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

**489** The responsible person shall ensure that -

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

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

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

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

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula  $P = D + (D \times V)$ , where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a

change to the rate of duty or value added tax;

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

**Annex 2 - Conditions consistent with the operating Schedule**

**340** CCTV is controlled by the building management where this unit is situated and covers access and egress points. Footage from this will be available upon request to the managing company.

**341** Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a table meal and by consumption of such persons as an ancillary to a substantial table meal.

**342** Privately booked events will have a terminal hour of 23:00hrs.

**343** Upon the commencement of British Summer Time the closing time for public admittance will be 19:00hrs. Once British Summer Time has ceased, the premises will revert back to normal operating hours.

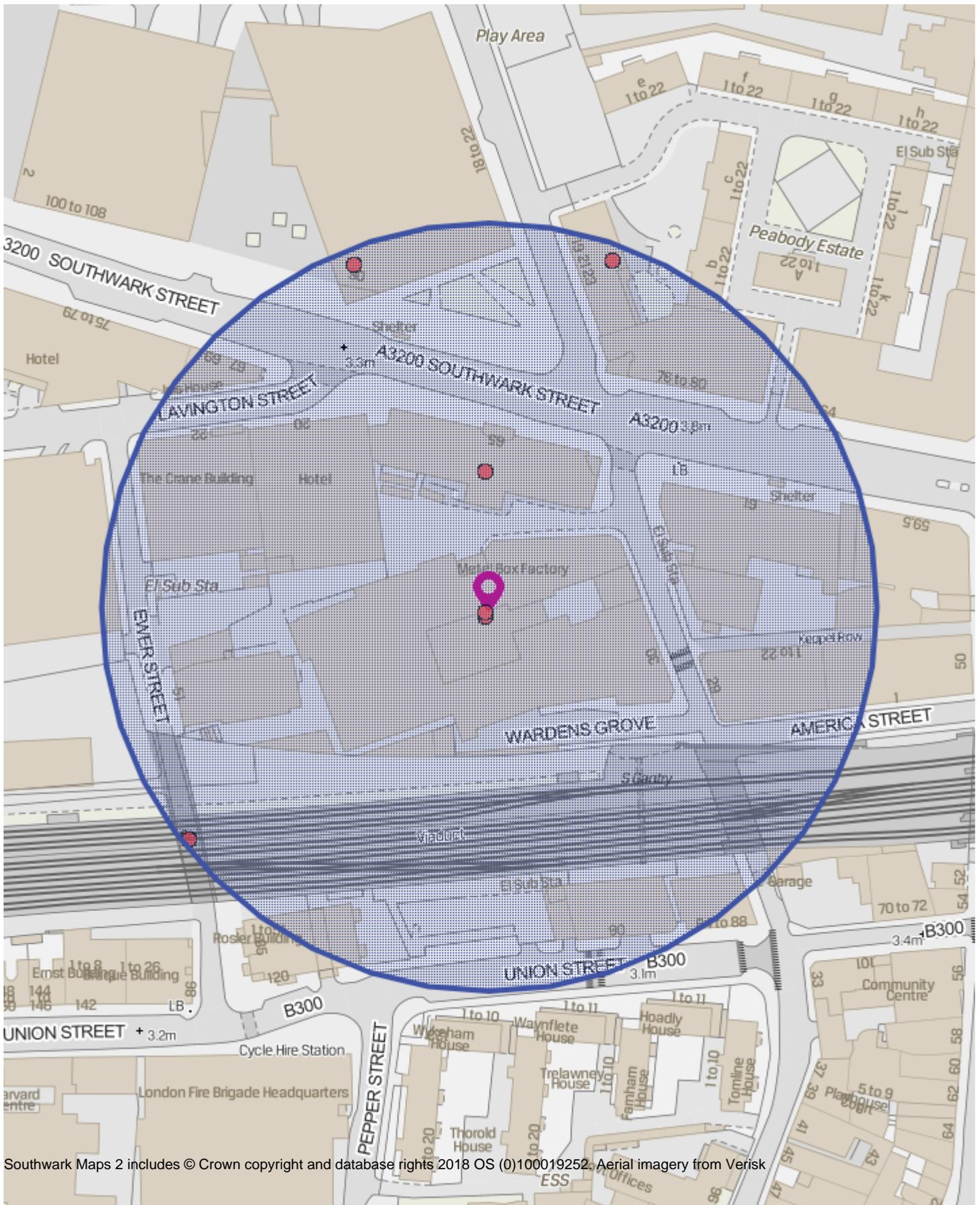
**344** Fires safety equipment to be maintained.

**4AA** That the premises shall adopt the Challenge 25 age verification policy and a refusal log will be utilised. This will be made available to police and authorised officers of the council.

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

**Annex 4 - Plans - Attached**

Licence No. 847851  
Plan No. METAL-00-CAFE GL,  
METAL-00-CAFE FPI  
Plan Date 16.12.2014



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