

Licensing Sub-Committee

Monday 29 January 2018
10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Adele Morris
Councillor Sandra Rhule

Reserves

Councillor Lorraine Lauder MBE

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 19 January 2018



Licensing Sub-Committee

Monday 29 January 2018
10.00 am

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

Order of Business

Item No.	Title	Page No.
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PART A - OPEN BUSINESS

1. APOLOGIES

To receive any apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

5. WE ARE THE FAIR/GALA FESTIVAL, PECKHAM RYE PARK, PECKHAM RYE, SE15 3JA	1 - 49
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6. ZOLABAGGIOS - 57-59 CAMBERWELL ROAD, LONDON, SE5 0EZ	50 - 85
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ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 19 January 2018

Item No. 5.	Classification: Open	Date: 29 January 2017	Meeting Name: Licensing Sub-Committee
Report Title:		We Are The Fair/Gala Festival, Peckham Rye Park, Peckham Rye, SE15 3JA	
Wards or groups affected:		Peckham Rye	
From:		Strategic Director of Environment & Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers whether an application made by We Are The Fair Limited for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as Peckham Rye Park, Peckham Rye, SE15 3JA.
2. Notes:
 - a) This application forms a new application for a time limited premises licence submitted under Section 17 of the Licensing Act 2003. The application is subject to representations submitted by responsible authorities and 'other persons' and is therefore referred to the licensing sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application. A copy of the full application is attached in Appendix A.
 - c) Paragraphs 13 to 17 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted by responsible authorities, and related correspondence, are attached to this report as Appendix B. Copies of the representations submitted by other persons are attached to this report as appendix C. A map showing the location of the premises is attached to this report as Appendix E.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to
 - The Act itself
 - The guidance to the act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.

7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 22 November 2017 We Are The Fair Limited applied to this council for the grant of a premises licence in respect of Peckham Rye Park, Peckham Rye, SE15 3JA.

9. The application is for a time limited premises licence in respect of 27 and 28 May 2018 to facilitate a music and food festival. The application is summarised as follows:
 - **The provision of films, live music, recorded music, performance of dance, any thing similar to live or recorded music**

Sunday 27 May 2018 11:00 to 22:30
Monday 28 May 2018 11:00 to 22:00

 - **The sale of alcohol for consumption on the premises**

Sunday 27 May 2018 11:00 to 22:00
Monday 28 May 2018 11:00 to 21:30

 - **Proposed opening hours of the premises**

Sunday 27 May 2018 11:00 to 23:00
Monday 28 May 2018 11:00 to 22:30

The application seeks to allow up to 9999 people to attend the premises at any one time.

10. The premises licence application form includes an 'operating schedule'. Parts B, E, F, G, H, J, K, L and M of the operating schedule set out the proposed licensable activities, operating hours and operational control measures in full with reference to the four licensing objectives. Should a premises licence be issued in respect of the application then the information provided in the document titled "Gala Festival Licence Application 2018 Operating Schedule" attached to part M of the application form's operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. Copies of the application, document titled "Gala Festival Licence Application 2018 Operating Schedule" and the premises floor plan are attached to this report as appendix A.
11. The premises are a specified section of a Peckham Rye Park which will be fenced off. The section to be used of the park is shown in the premises plan attached in appendix A.

Designated premises supervisor

12. The proposed designated premises supervisor (DPS) is Robert Dudley.

Representations from responsible authorities

13. Representations have been submitted by this council's Licensing Responsible Authority.
14. The Licensing Responsible Authority's representation has been submitted in respect of the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The representation is concerned with the dispersal of people leaving the event. The representation requests that a dispersal policy is submitted by the applicant and that a condition relating to the dispersal policy is imposed on any licence issued subsequent to the application.
15. Copies of the representations submitted by responsible authorities, and any related correspondence, are attached as Appendix B.

Representations from other persons

16. Nine representations objecting to the application were submitted by other persons. All of the representations are concerned that significant noise nuisance and crime and disorder may arise as a result of the proposed event.
17. Copies of the representations submitted by other persons are attached as Appendix C.

N.B. Many of the representations are concerned with potential damage to the park or the effect of the proposed event on the park's flora and fauna – please note that such matters will not be considered in the determination of this application and the licensing sub-committee is limited to considering matters pertaining to the licensing objectives only. Permission to use the park has already been sought and granted.

Conciliation

18. The applicant was sent copies of all the representations. The applicant was advised that they could reply, via the Licensing Unit, to the representations submitted by other persons. The applicant was advised to contact directly any responsible authorities who had submitted representations.

19. The licensing responsible authority has not been conciliated and their representation must be considered by the licensing sub committee.

Premises history

20. A premises licence (number 10891) is currently held by Southwark Council in respect of the entire park and the common. The licence was issued on 16 January 2007.
21. The licence permits live music, recorded music, anything similar to live or recorded music, films, performances of dance and plays as follows:

Monday to Thursday	10:00 – 21:00
Friday and Saturday	10:00 – 22:00
Sunday	11:00 – 21:00

22. Licence number 10891 allows licensable activities to take place in respect of 4999 persons.

N.B. The licence being applied for is required because the proposed event is for up to 9999 persons which would not be permitted by the existing licence, and also because the existing licence does not permit the sale of alcohol.

23. For reference a copy of the existing premises licence (number 10891) is attached to this report as Appendix D.
24. No Temporary Event Notices have been submitted in regards to the premises within the last 5 years.
25. On 22 November 2017 We Are The Fair applied to this council for the grant of a premises licence in respect of Peckham Rye Park, Peckham Rye, SE15 3JA.

Map

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

- **The Clockhouse, 196a Peckham Rye, SE15 9QA** licensed for:

The sale of alcohol to be consumed on and off the premises

Sunday to Thursday	11:00 - 00:00 (midnight)
Friday and Saturday	11:00 - 01:00 the following day

Live music, recorded music, anything similar to live or recorded music, films and performances of dance:

Sunday to Thursday	11:00 - 23:30
Friday and Saturday	11:00 - 00:00

Late night refreshment:

Sunday to Thursday	23:00 - 00:00
Friday and Saturday	23:00 - 01:00 the following day

- **The Herne Tavern, 2 Forest Hill Road, SE22 0RR** licensed for:

Films, indoor sporting events, performances of dance, plays, recorded music and the sale of alcohol to be consumed on or off the premises

Sunday to Thursday 09:00 - 01:00 the following day
Friday and Saturday 09:00 - 02:00 the following day

- **Lorenzo of Dulwich, 32 Forest Hill Road, SE22 0RR** licensed for:

The provision of late night refreshment

Friday & Saturday 23:00 - 01:30 the following day

The sale of alcohol to be consumed on and off the premises

Sunday to Thursday 11:00 - 00:00
Friday & Saturday 11:00 - 01:00 the following day

- **Co-op, 26 – 28 Forest Hill Road, SE22 0RR** licensed for:

The sale of alcohol to be consumed off the premises

Monday to Saturday 08:00 - 23:00
Sunday 10:00 - 22:30

- **East Dulwich News, 10 Forest Hill Road, SE22 0RR** licensed for:

The sale of alcohol to be consumed off the premises

Monday to Saturday 08:00 - 23:00
Sunday 10:00 - 22:30

- **French Cafe Bistro, 44 Forest Hill Road, SE22 0RR** licensed for:

The sale of alcohol to be consumed on and off the premises

Monday to Saturday 09:00 - 23:00
Friday to Saturday 09:00 - 22:00

- **The Seamaster, 36 Forest Hill Road, SE22 0RR** licensed for:

The sale of alcohol to be consumed off the premises

Monday to Saturday 11:00 - 22:30
Sunday 12:00 - 22:30

Late night refreshment:

Monday to Sunday 23:00 – 00:30
Sunday 11:00 - 17:00

Southwark council statement of licensing policy

27. 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 – Which 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 – Which 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 – Which 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 of the policy.
 - Section 7 – Hours of Operation – Which 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 – Which provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public Safety – Which provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The Prevention of Nuisance – Which provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The Protection of Children from Harm – Which provides general guidance on the promotion of the fourth licensing objective.
28. 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.
29. The statement of licensing policy states that the premises are located in a residential area. Below are closing times for various types of premises in residential areas in Southwark as suggested in the statement of licensing policy.

Restaurants, cafes & takeaway establishments:

Monday to Sunday 23:00 hours

Public houses, wine bars or other drinking establishments:

Monday to Sunday 23:00 hours

Night clubs:

Not considered suitable for residential areas

Resource implications

30. A fee of £1100.00 has been paid by the applicant in respect of this application, that fee being the statutory fee payable for premises within non-domestic rateable value band 'A' and where the additional fee in respect of 5000 – 9999 people being in attendance at the premises at any one time applies.

Consultations

31. 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

32. 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

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

Principles for making the determination

35. 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.
36. 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
37. 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

38. 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.
39. The four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
40. 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.
41. 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.
42. 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

43. 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

44. 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.
45. 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

46. 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.
47. 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.
48. 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.
49. 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.
50. 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.

51. 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.
52. 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

53. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS 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	Copies of the application and the document titled "Gala Festival Licence Application 2018 Operating Schedule" submitted with the application
Appendix B	Copies of representations submitted by responsible authorities, and related correspondence
Appendix C	Copies of representations submitted by other persons
Appendix D	Copy of premises licence number 10891
Appendix E	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	15 January 2018	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		17 January 2018

22/11/2017

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

Ref No. 930204

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

	We Are The Fair 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)

£	0
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

Premises trading name

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

Address Line 1	Peckham Rye Park
Address Line 2	Peckham Rye
Town	London
County	
Post code	SE15 3JA
Ordnance survey map reference	174963534910
Description of the location	Peckham Rye Park and Peckham Rye Common together
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	We Are The Fair Ltd
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Address - First Entry

Street number or building name	██████████
Street Description	██████████
Town	██████████
County	
Post code	██████████
Registered number (where applicable)	██████████
Description of applicant (for example, partnership, company, unincorporated association etc)	Limited Company

Contact Details - First Entry

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

Operating Schedule

When do you want the premises licence to start?

	27/05/2018
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If you wish the licence to be valid only for a limited period, when do you want it to end?

	28/05/2018
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General description of premises (see guidance note 1)

	Peckham Rye Park and Peckham Rye Common together make up 113 acres of open recreational grassland, ornamental and water gardens, a lake and woodland. There is also a children's play site and an older children's adventure playground, which has recently undergone renovations. This application will be limited to the area indicated on the attached site plan.
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Please select the range of the number of people expected to attend the premises at any one time.

	5000 to 9999
If 5,000 or more people are expected to attend the premises at any one time. Please state the number expected to attend	9999

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)

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

Provision of late night refreshment

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Supply of alcohol

	j) Supply of alcohol
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B- Films

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

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

	Film may be shown as individual entertainment or as an accompaniment to other entertainment
--	---

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

Day	Start	Finish
Mon	11:00	22:00
Tues		
Wed		
Thur		
Fri		
Sat		
Sun	11:00	22:30

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)

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E - Live Music

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

	Both
--	------

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

	Live musical performances by bands and performers as part of the event's wider program of entertainment
--	---

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

Day	Start	Finish
Mon	11:00	22:00
Tues		

Wed		
Thur		
Fri		
Sat		
Sun	11:00	22:30

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

--	--

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

--	--

F - Recorded Music

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

	Both
--	------

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

	Recorded music played by DJs and as background music
--	--

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

Day	Start	Finish
Mon	11:00	22:00
Tues		
Wed		
Thur		
Fri		
Sat		
Sun	11:00	22:30

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

--	--

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

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G - Performances of Dance

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

	Both
--	------

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

	Musical performances may be accompanied by dance
--	--

Standard days and timings for Performance of dance (Please read guidance note 7)

Day	Start	Finish
Mon	11:00	22:00
Tues		
Wed		
Thur		
Fri		
Sat		
Sun	11:00	22:30

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

--	--

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

--	--

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

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

	MC, compere and the like
--	--------------------------

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

	Both
--	------

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

	MC, compere and the like
--	--------------------------

Standard days and timings for Anything of a similiar description to that falling within (e), (f) or (g) (Please read guidance note 7)

Day	Start	Finish
Mon	11:00	22:00
Tues		
Wed		
Thur		
Fri		
Sat		
Sun	11:00	22:30

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 5)

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Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. (Please read guidance note 6)

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J - Supply of Alcohol

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

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

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

Day	Start	Finish
Mon	11:00	21:30
Tues		
Wed		
Thur		
Fri		
Sat		
Sun	11:00	22:00

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)

--	--

Please upload the consent form completed by the proposed premises supervisor

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Premises Supervisor

Full name of proposed designated premises supervisor

First names	Robert
Surname	Dudley

DOB

Date Of Birth	
---------------	--

Address of proposed designated premises supervisor

Street number or Building name	
Street Description	
Town	
County	
Post code	

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

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

K

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

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

	NONE
--	------

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	11:00	22:30
Tues		
Wed		
Thur		
Fri		
Sat		
Sun	11:00	23:00

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)

	Please see attached - Gala Festival Licence Application 2018 Operating Schedule
--	---

b) the prevention of crime and disorder

	Please see attached - Gala Festival Licence Application 2018 Operating Schedule
--	---

c) public safety

	Please see attached - Gala Festival Licence Application 2018 Operating Schedule
--	---

d) the prevention of public nuisance

	Please see attached - Gala Festival Licence Application 2018 Operating Schedule
--	---

e) the protection of children from harm

	Please see attached - Gala Festival Licence Application 2018 Operating Schedule
--	---

Please upload a plan of the premises

	Gala-2018-Site-Plan-v1-2-.pdf
--	-------------------------------

Please upload any additional information i.e. risk assessments

	Gala-Festival-Licence-Application-2018-Operating-ScheduleV1.1.docx
--	--

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 th elocal 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	<input type="checkbox"/>
AuthCode	<input type="checkbox"/>
LicenceReference	<input type="checkbox"/>
PaymentContactEmail	<input type="checkbox"/>

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.

Gala Festival Licence Application 2018 Operating Schedule

1 - GENERAL

1. The maximum licensed capacity for this event will be 9999, inclusive of all persons on site.
2. Any damage to the site will be minimised and restoration carried out in a proper and timely fashion
3. Specialist care for trees will be shown in the planning of the event, ensuring that no vehicles or generators are placed beneath trees and that planned infrastructure is not positioned where it may be possible to damage tree roots or canopies.
4. Southwark Council's Highways and Parking departments and Transport for London shall be consulted on the event traffic management, ingress and egress plans. These plans will take into consideration use of the local transport infrastructure by the event and its audience.
5. The event will seek to protect the local environment by maximising sustainable activity through recycling and reusable / sustainable products and materials e.g. recycled cups and plates.
6. The event will follow the following Health and safety legislation:
 - The Event Safety Guide: A guide to health, safety and welfare at music and similar events HSG 195
 - Guide to Safety at Sports Grounds
 - Health and safety at Work Act 1974
 - Management Regulations 1999, and advice given in HG65 The Principles of Safety Management.
 - RIDDOR 2013
 - The Children's Act 1989
 - The Regulatory Reform (Fire Safety) Order 2005
 - Wildlife and Countryside Act 1981
 - London Borough of Southwark Open Spaces Bylaws
7. The event will be ticketed and open to ticket holders only.
8. Day 1 will be an 18+ only event.
9. Day 2 will be a family friendly event, catering to all ages.
10. A Challenge 25 Policy will be in operation at all bars. Clear signage will be in place informing customers of this policy. The DPS will ensure that all staff are briefed on the acceptable forms of ID
11. An event and site-specific Event Safety Management Plan (ESMP) will be developed and shared with the Licensing Authority and Safety Advisory Group (SAG) and will be agreed and signed off by the SAG 6 weeks in advance of the event
12. The event organisers shall have a means of counting in the people entering the event site to ensure that they are able to provide on request, the number of people on site at any point in time to authorised officers
13. Locked amnesty bins shall be provided for the disposal of alcohol and other waste.
14. The following documentation will be produced in consultation with the SAG and will be submitted in several phases from January 2018

- a) Event Safety Management Plan
- b) Event Risk Assessments & Method Statements
- c) Fire Risk Assessment
- d) Site Plan
- e) Security & Crowd Management Plan
- f) Drugs Policy
- g) Liquids Policy
- h) Alcohol Management Plan
- i) Medical Operational Plan
- j) Noise Management Plan
- k) Construction Phase Plan
- l) Egress Plan
- m) Lost Child & Vulnerable Persons Procedures
- n) Emergency Procedures Plan
- o) Equal Opportunity Statement
- p) Traffic Management Plan
- q) Public Liability Insurance
- r) Production Schedule

These documents will be living documents which are reviewed during the build up to the event

2 – THE PREVENTION OF CRIME AND DISORDER

1. A reputable and experienced SIA-accredited security and stewarding company will be appointed to ensure public safety and to prevent crime and disorder
2. The Security & Crowd Management Plan will outline details of the level of search on entry to be implemented
3. Searches will only be carried out by SIA Registered staff of the same sex
4. The Drugs Policy will include NPS and No2/NOS/Nitrous Oxide. No2 will not be permitted on site and any found on entry will be confiscated
5. Anyone found on entry with more than the agreed quantities for personal consumption (as outlined in the Drugs Policy) of controlled substances or NPS will be refused entry and the Police informed immediately
6. Anyone found with an offensive weapon on entry will be refused admittance and the Police informed immediately
7. Each bar on site shall have a dedicated bar manager or supervisor and team who shall be conversant with the requirements and responsibilities for the sale of alcohol and shall be given written designation of their responsibilities
8. The DPS shall brief all bar staff before each event. A written record of this briefing shall be kept on site.

3 – PUBLIC SAFETY

1. The event site will fully accord with both HSE guidance and also Fire Safety measures – an event and site-specific Risk Assessment and Fire Risk Assessment will be undertaken and implemented
2. The PLH shall carry out a suitable and sufficient Medical Risk Assessment as well as use the Health and Safety Executive (HSE) "purple guide" on outdoor events to determine the level of first aid provision for the event, such that there is no undue demand on National Health Service resources
3. All EMERGENCY EXITS, TOILETS AND FIRST AID POSTS shall be clearly indicated, such that it is visible from all parts of the licensed area
4. All drinks shall be sold in either opened cans, PET containers or decanted into polycarbonate vessels. No glass will be permitted into the public festival arena. Glass bottles will be retained behind bars for disposal
5. The appropriate type and number of firefighting equipment shall be provided throughout the site. Locations and numbers will be specified in the ESMP
6. A queuing system will be designed and implemented at the main entrance to minimise waiting time whilst maintaining crowd safety
7. Loudhailers will be deployed at the entrance to assist Stewards in providing information to customers regarding delays and other pertinent information

4 - THE PREVENTION OF PUBLIC NUISANCE

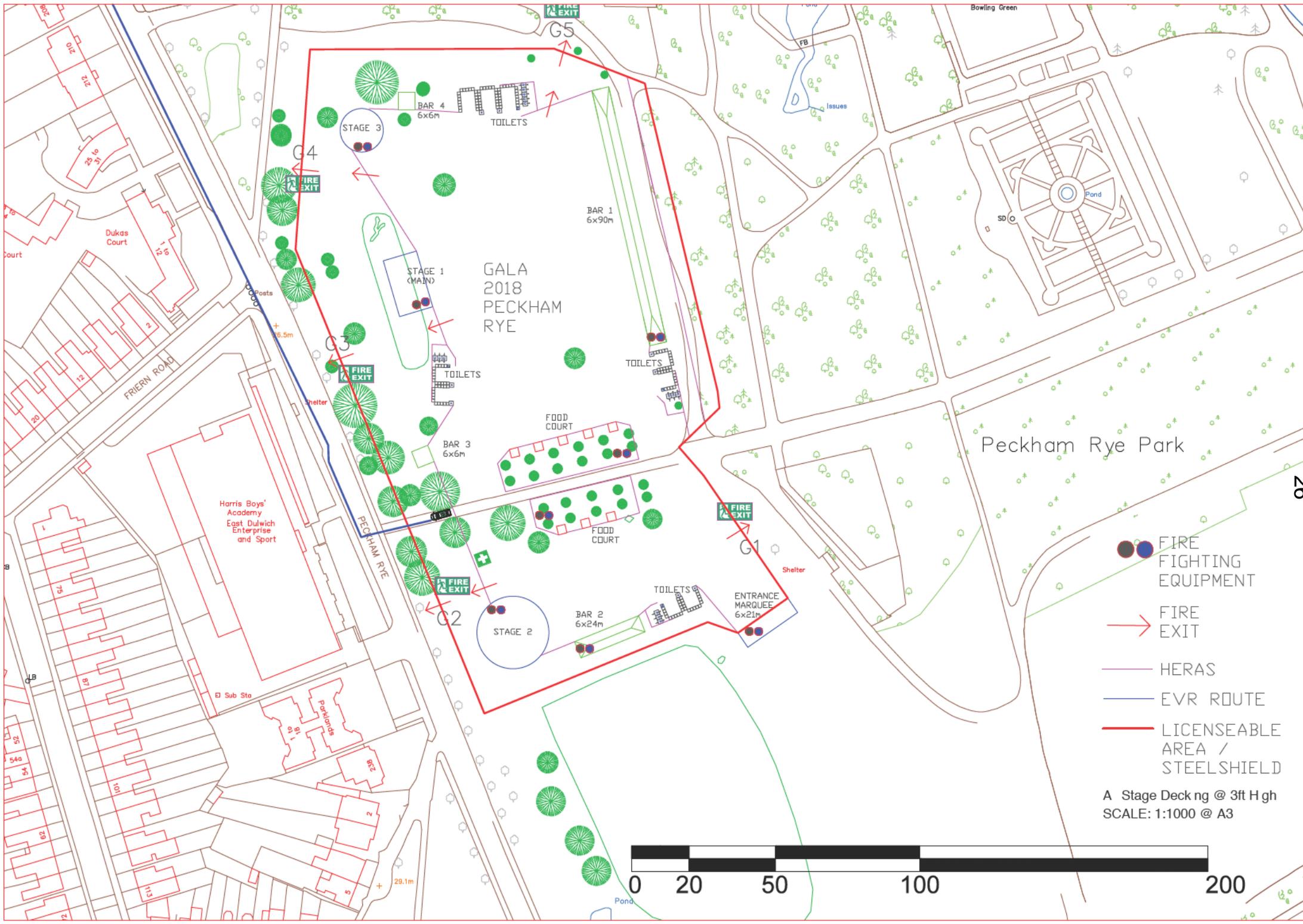
1. A qualified and suitably experienced Noise Management Consultancy will be appointed to produce a Noise Management Plan (NMP) and provide representatives on site during the live hours of the event
2. There will be no amplified music or other entertainment after 22:00 on either day
3. Local residents will receive prior notification of the event including details of the event timings. The distribution radius for the notification letter will be agreed with the Local Authority. This is to include local businesses that may be affected by attendees to the event during ingress and egress
4. A noise "hot line" number will also be included to allow residents to contact an event representative should they need to make a complaint during the event
5. The PLH shall have in place an arrangement (contract) with a reputable waste management company to manage the event site and externally affected areas for the duration of the event and a post event clean up

5 – THE PROTECTION OF CHILDREN FROM HARM

1. Day 1 – The event is ticketed and open to adults over the age of 18 only.
2. Day 1 – A Challenge 25 Policy will be in effect on entry and at all bars.
3. Day 2 - Children are to be supervised at all times by an adult over 21. All parent/carers will be responsible for their children. Any child under the age of 16 MUST BE accompanied by an ADULT (over 21) into the festival site. These age

restrictions will be clearly stated on the event website

4. Day 2 - Each adult will be allowed to supervise a maximum of 3 children (U16)
5. Day 2 - On arrival at the festival all responsible adults will be given a white wristband to write their mobile number on to then put on their child's wrist in case of emergency.
6. Day 2 - Over 18's who have proved their age will have a festival wristband to facilitate the Challenge 25 policy at the bars but we still be asked to show ID each time they use the bars.
7. Day 2 - The LOST KIDS station will be located by the Information Point in the food court throughout the duration of the event. This will be staffed by 2 DBS checked staff at all times
8. Day 2 - Children will not be allowed into the bar areas.
9. Days 1 & 2 - Bars will operate a Challenge 25 policy. This policy will be clearly signposted.
10. Days 1 & 2 - A Lost Child & Vulnerable Person Procedure will be in place and will be detailed in the ESMP.



- FIRE FIGHTING EQUIPMENT
- FIRE EXIT
- HERAS
- EVR ROUTE
- LICENSEABLE AREA / STEELSHIELD

A Stage Deck ng @ 3ft H gh
SCALE: 1:1000 @ A3



Appendix B – copies of the representations submitted by responsible authorities and related correspondence

From: [Tear, Jayne](#)
To: [Regen. Licensing](#)
Cc: [McArthur, Wesley](#)
Subject: REPRESENTATION RE PECKHAM RYE PARK (TIME LIMITED APPLICATION)
Date: 20 December 2017 14:42:30
Attachments: [Peckham Rye Park.pdf](#)
[image001.png](#)
Importance: High

Dear Licensing

Please find attached my representation regarding the above application,

With kind regards

Jayne

Jayne Tear - Principal Licensing Officer – As Responsible Authority for Licensing

Southwark Council | Licensing Unit

160 Tooley Street | London | SE1 2QH

Direct line 020 7525 0396 | Fax 020 7525 5735 | Call Centre 020 7525 2000

Visit our web pages <http://www.southwark.gov.uk/licensing>



Womens Safety Charter

<http://www.southwark.gov.uk/business/licences/entertainment-and-alcohol-licences/women-s-safety>

MEMO: Licensing Unit

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

Subject Re: Peckham Rye Park, Peckham Rye, London, SE15 3JA

Application for a premises licence

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

Time limited from 27.05.2018 to 28.05.2018 (ticketed event)

On Sunday 27.05.2018 - (18 + only event)

- Films; live music, recorded music, performance of dance and anything of a similar description to live music, recorded music and performance of dance (all indoors and outdoors) from 11:00 to 22:30
- Supply of alcohol (on the premises) from 11:00 to 22:00
- Opening times from 11:00 to 23:00

On Monday 28.05.2018 – (family friendly event catering for all ages)

- Films; live music, recorded music, performance of dance and anything of a similar description to live music, recorded music and performance of dance (all indoors and outdoors) from 11:00 to 22:00
- Supply of alcohol (on the premises) from 11:00 to 21:30
- Opening times from 11:00 to 22:30

The premises is described as ‘ *Peckham Rye Park and Peckham Rye Common together make up 113 acres of open recreational grassland, ornamental and water gardens, a lake and woodland. There is also a children’s play site and an older children’s adventure playground, which has recently undergone renovations. This application will be limited to the area indicated on the attached site plan*’

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, the prevention of public nuisance.

The premises is situated within a residential area and I am concerned that the applicant has not provided a dispersal policy within the application and I ask the applicant to explain how a possible total of 9999 persons shall make their way home after the event has finished without

having a negative impact on the prevention of public nuisance and the prevention of crime and disorder licensing objectives. I therefore ask the applicant to provide a written dispersal policy to address those concerns (to be conditioned).

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

Appendix C – copies of representations submitted by ‘other persons’**Party 1**

From: [REDACTED]
Sent: Thursday, December 14, 2017 2:47 PM
To: Regen, Licensing
Subject: Proposed live event WE ARE THE FAIR LTD Sunday and Monday 27th and 28th May 2018 - Peckham Rye Park

Dear Sirs

I wish to object to the proposed event as above.

Peckham Rye Park is a very well used park by much of the community in this area - families, football matches, dog walkers, general strollers, etc. It is a lovely park and my concern is that the event will cause many upheavals over the two day period, namely: excessive noise, disturbance to local people who live close to the park, litter both in and out of the park, those local people who regularly use the park will not be able to do so; the event is planned to end far too late into the evening – are we expected to put up with live music until 11.00pm?! And, as alcohol will also be permitted that will just make matters worse as not everybody is a responsible drinker; it is not clear if alcohol will be on sale all day on both days.

I have seen the aftermath of these music events – namely on Clapham Common. The destruction of the grass is quite considerable, particularly if it is raining – pools of muddy areas where the grass has been trampled on takes some considerable time to regrow. What about parking in the area?? I understand there will be no dedicated parking area for all of the 5000 !!!!! (as per the application) people who may/will attend, which means all of us who live very close to the park will be unable to re-park in front of our houses if we dare to venture out during those two days.

We have a lovely fete every September on the Common – a real family gathering which is much enjoyed by all and perfectly adequate for the area. A music festival with alcohol included would not be welcome in such a residential area where there are increasingly more and more young families moving into. Glastonbury we are not.

I do hope that Southwark Council turn down this application and take into consideration the residents in the surrounding area.

[REDACTED]

14th December 2017

Party 2

From: [REDACTED]
Sent: Thursday, December 14, 2017 6:38 PM
To: Regen, Licensing
Subject: Proposed live event WE ARE THE FAIR LTD Sunday and Monday 27th and 28th May 2018 - Peckham Rye Park . licence no 861145

Dear Licensing,

I object to the granting of an alcohol license to this event.

The gala will wreck the Park habitat and enclose it off from families and young people who would enjoy it over the Bank Holiday weekend.

This is a public space which shouldn't be charged £45 entrance for.
This is not equal access to public land.

The Park is small yet a haven for wildlife, the grass would be cut up, plants disturbed, nesting birds disrupted in the breeding season. How much disturbance would 5000 pissed people make
Alcohol would attract crowds, rowdiness and for a mindless cash making gala and then there is leaving the venue.

The whole gala idea should be proposed for a larger area with only grass that could be disturbed.

And then there is the rubbish . The locked gates to Straker Road are there to avoid this type of party behaviour yet granting a license and sanctioning the whole thing for 2 whole days(the restriction to the Park for the prepare and dismantle) does the opposite- the only difference is the price!

This is not to mention the disturbance to residents.

[REDACTED]

14 December 2017

Party 3

From: [REDACTED]
Sent: Sunday, December 17, 2017 11:12 AM
To: Regen, Licensing
Cc: Hamvas, Renata; Edwards, Gavin
Subject: ' We are the Fair' Music Festival licence application 861146

Dear Sir

As someone who lives on Peckham Rye, I would like to object very strongly to the holding of a music festival in Peckham Rye Park and to the grant of an alcohol licence for the event.

There seems to have been no consultation on the event during the planning stage and the weblink given on the posters that have been put up around the area is bogus. Clearly, whoever was responsible for the poster forgot to put in the reference where the form instructs you to - and no-one bothered to check before printing the posters and putting them up. I did try to call the number on the poster but gave up after after about 5-10 minutes when no one answered. It is all a bit of a shambles, which doesn't bode well for the actual event - if it goes ahead.

My worry is that the Park will be vulnerable to damage as the venue (although it will be caged) can only be accessed through the park, which will therefore be kept open at night when it is normally closed. If alcohol is allowed, the risk of damage to one of London's finest parks will be substantial. - and even if alcohol is not served, I can't see how the park will not be damaged with some 8,000 festival attendees a day wandering through it during the two days scheduled for the event. There will also be the disturbance caused to local residents by noise throughout the day and by crowds of people leaving the festival late at night. If they are well fuelled by alcohol, the problem will be much worse.

Given that the homes of so many Peckham and East Dulwich residents do not have gardens or any outdoor space, it seems especially inconsiderate to schedule a music festival for a bank holiday weekend when the park and common are usually full of people simply enjoying the quiet green surroundings. The event means that a large section of the park will be closed to them (unless they pay) and that the whole area will be blighted by noise throughout the weekend. Indeed the plan appears to involve excluding people from the venue site in the park for a full week, while things are set up and then taken down. Furthermore the closing time for the event seems unduly late. How does it compare with other events held in London parks?

The whole point of the park is that it should be available for the use of the public at no cost. Caging off a large section and charging up to £40 (or so I understand) to enter the cage, runs counter to the whole ethos of what the park is for.

My own view is that Peckham Rye Park is too small a location and is too residential a location for a music festival of this kind. Burgess Park would seem the natural venue - if Southwark is set on holding a music festival in one of its/our parks. The last time there was a music festival on Peckham Rye Common (on the north-west corner by East Dulwich Road), it was a disaster with the police forced to maintain a constant presence - and we were told at a meeting with councillors and the events team after the event that no more music festivals of that kind would be held on the common - and that no events would be held in the northern part of the common (which is presumably why the proposal is to hold this music festival in the Park rather than on the Common).

I sincerely hope that the music festival will not go ahead and that if the decision is made to persist with this bad idea that no alcohol license will be granted.

Please acknowledge receipt of this letter.

Yours faithfully

[Redacted signature]

[Redacted address]

Party 4

From: [Redacted]
Sent: Saturday, December 16, 2017 7:59 PM
To: Regen, Licensing
Subject: We are the Fair' Music Festival licence application 861146

We are the Fair' Music Festival licence application 861146

The [Redacted] object to this licence application for the following reasons:

- We feel the consultation has been badly handled. The web link on the licence application posters (20th Nov.) was incorrect, (and still is). [Redacted] were not invited to a meeting to be informed of details until the 7 December (2 weeks after the notices had put up) – by the time the correct web link had been sent to us (via the park manager) it left only just over a week for any comments to be made.

- Earlier this year we [REDACTED] were invited to Tooley Street to discuss Event Strategy relating to the Park and Common. One point we raised that owing to the close proximity of residential properties to both areas amplified music is extremely intrusive and if possible should be avoided. This has obviously been ignored.
- The venue is within Peckham Rye Park – we have concerns that the Park will be vulnerable to damage. The official closing time of the Park in May is [9pm](#). We understand that the Park will remain open until past [11pm](#). The closing time is too late.
- We have concerns that a relatively large area of the Park will be fenced off for over a week, thus restricting the use of the area to local residents for recreational use.
- The western edge of the site is naturally damp and there are mature trees inside the site. – we have concerns that the use of that area by thousands of visitors will cause extreme damage.
- The main entrance/exit from the venue is within the Park – it has not been made clear how this is to be policed or if it is to be cordoned off. According to the plan of the site this is not into an existing path.

Although not a Park issue we have concerns that residential properties in proximity to the site and further along Peckham Rye West will be seriously affected. Up to 8,000 people exiting the Park up to and after [11pm](#) onto an extremely busy road is dangerous. We must point out that only one bus operates along that stretch of road and we were told that some local stations will be closed over the Bank holiday weekend.

Compared with other nearby Parks, Peckham Rye Park and Common are relatively small and in close proximity to residential properties. Although we welcome community events taking place we have concerns that this venue may set a precedent for private venues such as this.

Yours

[REDACTED]

Party 5

From: [REDACTED]
Sent: Sunday, December 17, 2017 8:40 AM
To: Regen, Licensing
Subject: We are the Fair music festival licence application 861146

‘We are the Fair’ Music Festival licence application 861146

As a resident living on Peckham Rye and a user of the park i object to this licence application for the following reasons:

The close proximity of residential properties to both areas with amplified music is extremely intrusive. The circus music is an example and while limited in duration and volume is noticeable, this will be louder and longer creating a continuous disturbing presence. The venue is within Peckham Rye Park and I have concerns that the Park will be vulnerable to damage, it only needs a wet period before the event and extensive damage will be done to the area and surrounding area.

A relatively large area of the Park will be fenced off for over a week, thus restricting the use of the area to local residents for recreational use. The park is already well used and to limit access to these users on a bank holiday weekend seems totally unfair.

The western edge of the site is naturally damp and there are mature trees inside the site. I have concerns that the use of that area by thousands of visitors will cause extreme damage.

The main entrance/exit from the venue is within the Park – it has not been made clear how this is to be policed or if it is to be cordoned off Thus leading to issues with the volume of people in the surrounding area and streets all of which are residential.

Finally I don't believe the impact of large groups of people who have been drinking will have on the local area has been properly assessed. We currently have groups who use the Rye after dark for drinking sessions and letting off fireworks. Some of those leaving the venue are likely to wish to continue partying after the closing time and so continue the disturbance well into the night and early morning.

While I am happy to see the Park well used and enjoy the cultural festivals and events. I think this is an unsuitable event for this locality.

[REDACTED]

Party 6

From: [REDACTED]
Sent: Monday, December 18, 2017 10:33 AM
To: Regen, Licensing
Subject: Licence No 861145

Dear Licensing Team.

I have tried to send you an email about this by clicking on the link but I don't think my email got through. My address is [REDACTED] Underhill Road, London SE22 [REDACTED]

I am emailing to object to a Licence being granted to We are The Fair limited in connection with an event they wish to hold in Peckham Rye Park over the May Bank Holiday next year. The Application Number is 861145.

I consider public safety will be at risk because the site is very close to a very busy and dangerous road. There are very few pedestrian crossings and when people get drunk they take risks like darting across a road when this is not safe.

There are a number of rare and fragile trees in this part of the park, it is not just a field. These trees are likely to be destroyed if this event is held on this site which I would argue is a public nuisance. Once again drunk people are more likely to do damage of this sort.

We have recently had one very serious crime committed in the open part of the common when a man was knifed. Leaving more of this area open late at night obviously might result in more crime and disorder, because it is well known that there is a link between alcohol and particularly violent crime.

I therefore request that this licence not be granted.

Yours sincerely, [REDACTED]

Party 7

From: [REDACTED]

Sent: Monday, December 18, 2017 11:48 AM

To: Regen, Licensing

Subject: licence application 861146 music festival

I am having problems trying to comment on this application as the reference link on the posters round the common and park doesn't work.

These posters are for an alcohol licence and give no idea of the size of the proposed music festival. As a local resident living on Peckham Rye I have had no notification about the festival, nor have my neighbours. We have not been consulted in any way and yet we will be directly affected by the festival.

Our Park and Common is not large and is closely surrounded by houses and flats who will be blighted by noise for two days let alone the disturbance during the setting up and dismantling.

The proposed area in the dip opposite the Harris Academy for Boys stretches to across the wildflower area in the South West corner of the Park. Allowing for staging and its surrounding support area, portaloos etc this area will not accommodate 8,000 people let alone the damage which will be done to the wildflower area.

What additional transport is being arranged to accommodate 8,000 extra visitors. The nearest stations, Peckham Rye, Nunhead and Honor Oak are all a significant walk away from the Common and I understand Nunhead and Honor Oak are scheduled for work. Everyday we see the bus system struggling with the school children going home from the two Harris Academies. Will there be additional buses to ferry to the rail stations/ beyond? (8,000 people require an extra 100 buses).

For the above reasons I therefore object to the proposed music festival.

[REDACTED]

[REDACTED]

[REDACTED]

Party 8

Senders Email Address: [REDACTED]

Message:

Dear Sirs

Re Licence no 861145 by We are the Fair Ltd

I write to object to the application made for a licence on Peckham Rye for 27th -28th May 2018. As the crow flies, I live very close to the venue.

I object on the following grounds:

1. Prevention of public nuisance. I believe that there the music will represent a public nuisance to those residents who live near the Rye. I think that there will be a great increase in traffic (particularly as Peckham Rye station will be closed that weekend). These vehicles will be parking in adjacent streets to the detriment of local residents.
2. Public safety. See above in relation to increased traffic.

Yours faithfully

[REDACTED]

[REDACTED]

Party 9

-----Original Message-----

From: www.southwark.gov.uk Website [<mailto:noreply@southwark.gov.uk>]

Sent: Tuesday, December 19, 2017 5:20 PM

To: Regen, Licensing

Subject: Contact form for: Licensing Team

A visitor to the www.southwark.gov.uk website has used the Email Us facility to send you an email from a contact on a webpage.

Contact Name: Licensing Team

Page Name: How to lodge a representation Page Type: Content Page

Link:

<http://www.southwark.gov.uk/admin/system/ShowEntity?entity=bridge%3A%2F%2Fsouthwark-internet%2Fmodules%2Fm.Content~%2F~%2F.Entry%2F2224>

Senders Email Address: [REDACTED]

Message:

Re: licence number 861145 (application to hold music festival in Peckham Rye Park).
I write this objection to the application on 19.12.17.

My objections are due to wanting to protect Peckham Rye Park from damage (and potentially criminal damage & vandalism) that will inevitably result from such an application being granted a licence. I also object to this application on grounds that it will cause noise pollution to surrounding residents and that the proposed music festival is on a scale completely unsuitable for such a park as Peckham Rye Park. The disruption to local park users (and local residents) will be experienced beyond the times of the actual music festival itself. I am very concerned about the short-term and long-term damage our beautiful park would sustain, should such an event be held there. Further more it is a PUBLIC park and should not be hired out for profit so that only an elite few can use it at certain times. I strongly object to the application and hope you will consider the points raised and fall down on the side of protecting our beautiful park (and not disrupting local peoples enjoyment of the park) rather than taking an opportunity to make money out of it.

Signed electronically by:

A large black rectangular redaction box covering the signature area.

Copy of premises licence number 10891

Licensing Act 2003

Premises Licence

Environmental Health & Trading Standards
 Licensing Unit
 Chaplin Centre
 Thurlow Street
 London SE17 2DG

Premises licence number

10891

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Peckham Rye Park Peckham Rye SE15 3JA	
Peckham Rye Common, the area bound by Peckham Rye West, Peckham Rye East And Strakers Road. Ordnance survey map reference (if applicable)	
Post town London	Post code SE15 3JA
Telephone number 020 7635 0430	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
EA Plays EB Films EE Live Music EF Recorded Music EG Performance Of Dance EH Entertainment Similar to EE, EF,EG

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

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

The times the licence authorises the carrying out of licensable activities			
For any non standard timings see Annex 2			
Plays	Monday	10:00	21:00
Plays	Tuesday	10:00	21:00
Plays	Wednesday	10:00	21:00
Plays	Thursday	10:00	21:00
Plays	Friday	10:00	22:00
Plays	Saturday	10:00	22:00
Plays	Sunday	11:00	21:00
Films	Monday	10:00	21:00
Films	Tuesday	10:00	21:00
Films	Wednesday	10:00	21:00
Films	Thursday	10:00	21:00
Films	Friday	10:00	22:00
Films	Saturday	10:00	22:00
Films	Sunday	11:00	21:00
Live Music	Monday	10:00	21:00
Live Music	Tuesday	10:00	21:00
Live Music	Wednesday	10:00	21:00
Live Music	Thursday	10:00	21:00
Live Music	Friday	10:00	22:00
Live Music	Saturday	10:00	22:00
Live Music	Sunday	11:00	21:00
Recorded Music	Monday	10:00	21:00
Recorded Music	Tuesday	10:00	21:00
Recorded Music	Wednesday	10:00	21:00
Recorded Music	Thursday	10:00	21:00
Recorded Music	Friday	10:00	22:00
Recorded Music	Saturday	10:00	22:00
Recorded Music	Sunday	11:00	21:00
Performance Of Dance	Monday	10:00	21:00
Performance Of Dance	Tuesday	10:00	21:00
Performance Of Dance	Wednesday	10:00	21:00
Performance Of Dance	Thursday	10:00	21:00
Performance Of Dance	Friday	10:00	22:00
Performance Of Dance	Saturday	10:00	22:00
Performance Of Dance	Sunday	11:00	21:00
Entertainment Similar to EE, EF,EG	Monday	10:00	21:00
Entertainment Similar to EE, EF,EG	Tuesday	10:00	21:00
Entertainment Similar to EE, EF,EG	Wednesday	10:00	21:00
Entertainment Similar to EE, EF,EG	Thursday	10:00	21:00
Entertainment Similar to EE, EF,EG	Friday	10:00	22:00
Entertainment Similar to EE, EF,EG	Saturday	10:00	22:00
Entertainment Similar to EE, EF,EG	Sunday	11:00	21:00

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

London Borough Of Southwark
15 Spa Road
London
SE16 3QW
020 7525 0778
events@southwark.gov.uk

Registered number of holder, for example company number, charity number (where applicable)**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol****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 Issue date 16 January 2007

_____ Env
Environmental Health and
Trading Standards Manager
Chaplin Centre
Thurlow Street
London SE17 2DG
020 7525 5748
licensing@southwark.gov.uk

1100 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself

1101 Where a film is to be submitted for classification to the licensing authority, the cinema or venue operator must submit the film intended for exhibition to the authority at least 28 days prior to the first date upon which the film is intended to be exhibited

1102 Where a programme includes a film in the 12a, 15 or 18 category no person appearing to be under the age of 12 (and unaccompanied in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms

-'PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME'

Where films of different categories form part of the same programme, the notice shall refer to the old stage restriction.

This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained

1103 Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film

1104 Immediately before each exhibition at the premises of a film passed by the licensing authority notices shall be displayed both inside and outside of the premises so that persons entering can readily read them and be aware of the Category attached to any film or trailer

1201 Any individual carrying out security activities at the premises must be licensed by the Security Industry Authority. This does not apply where the premises are being used primarily as a Qualifying Club under a Club Premises Certificate, under a Temporary Event Notice, or primarily as a cinema, restaurant or theatre

9604 a) Proposed events will be in line with the Council's overall aims and objectives for culture as set out in 'Southwark @ the Centre -Strategy and Priorities for Arts, Culture and Heritage'

b) Any damage to sites will be minimised and restoration carried out in a proper and timely fashion

c) The following criteria will be used to determine whether approval will be given to a specific event. These criteria should be read alongside the application process to ensure compliance with the objectives of the Events Policy and the requirements for holding an event:

- Security and public safety issues
- Effect on the fabric of the area and damage limitation
- Effect of event on regular users of public spaces, stakeholders and local residents
- Timing of the event
- Size of location, numbers attending or numbers estimated to attend
- impact on transport infrastructure to support the event. e.g. parking, increased use of public transport and road closures. Quality of the event
- The creation of opportunities for local participation
- The ability to demonstrate commitment to Southwark Council's Equal Opportunities Statement.
- The ability to demonstrate the capacity of the organisers to effectively plan, manage and control the event.
- The ability to demonstrate the impact of the event on local business. No financial risk to London Borough of Southwark Legal constraints
- All events will meet any further criteria set out in conditions specific to the location of the event.

d) Upon receiving any applications for events consultation will be carried out with internal and external partners, including appropriate responsible authorities. The level of consultation is dependent on the location of the event and the impact on its surroundings. The consultation process may include the following;

- Initial information is received by the Events Team to ensure it fits within the events policy.
- Comments will be sought from relevant internal departments. Opinion may be sought from the Metropolitan Police.
- Local Ward Councillors will be alerted to and consulted about a proposed event.
- The relevant level of external consultation will occur
- If objections are received through the public consultation, conciliation is offered where appropriate.
- In case of continued dispute the Strategic Director of Environment and Leisure will make a final decision.

e) Fly posting by event organisers shall be discouraged and if it can be directly linked to any event occur, the event's organiser will be deemed in breach of their contract with the Council and will subsequently incur any associated costs arising through the Council having to remove such material. Where possible, prosecutions will be taken and future applications from offenders will not be accepted. Event organisers must inform Council officers of all event advertising, prior to the commencement of advertising. The organisers must identify the following:

- Advertising schedule and process
- Methods of advertising
- Publications and volume
- Radio stations
- Poster board sites

f) The following restrictions to the siting of events near trees will apply:

- Organisers will adhere to the protection of the borough's current tree stock accordingly
- No structure shall touch or interfere with any tree canopy
- No tree or shrub should be pruned without authorisation
- No exhausts from heaters, generators, etc. shall be positioned next to the base of trees and where possible, exhausts shall be directed away from the tree canopy.
- Nothing shall be attached to trees.
- Any damage to trees as a direct result of the event shall be charged to the organiser.

g) Transport - Event organisers must inform Southwark Council's Highways and Parking departments and Transport for London and act on any appropriate guidance. A Transport Infrastructure Plan should be drawn up and submitted as part of the application process.

h) Temporary Events Notice (TEN) or Time-limited Premises Licence may be required by event organisers. In these circumstances any hire agreement will be conditional on a license being granted. Equally, the issue of a TEN or time limited premises licence does not itself constitute permission to use the land.

i) Waste Management - event organisers to be solely responsible for the clearance and maximum avoidance of waste. In addition, the council expects organisers to promote and facilitate recycling methods as its first option of waste management before waste disposal.

j) Environmental Protection - Every effort should be made to minimise environmental impact and maximise the 'green' production of events through the use of recyclable and/or reusable sustainable products and materials, e.g. Minimising power consumption, bio-diesel generators and recycled cups and plates.

k) Normal Service Levels are provided by the London Borough of Southwark for the day-to-day maintenance, upkeep and cleaning of public areas. All increases in these service levels will result in costs being charged directly to event organisers. These details are outlined in the application process.

l) Provisional bookings will only be accepted following submission of a completed application form.

m) Each event must ensure that health and safety legislation is adhered to through the organisers and sub-contractors and that high standards are ensured for both audience and workers. Event organisers will need to ensure that they have developed processes for and that all documentation be available to the London Borough of Southwark Events Manager or representative on request a minimum of 2 weeks prior to the event.

- Documents required will be:
- Crowd Management Plan
- Emergency Control Plan
- Risk Assessments
- Method Statements
- Equal Opportunity Statement

- Fire Procedures
- Event Communication Plan
- Medical Plan
- Transport Infrastructure Plan
- Lost Child Procedure
- Food Hygiene Certificates
- Waste Management Plan
- Environmental Impact Assessment Site Plans
- Access (& interpretation) provision
- Public Liability Insurance
- Timetable and event description/line-up
- Marketing Plan

n) Regulations - All events must conform to:

- The Event Safety Guide: A guide to health, safety and welfare at music and similar events HSG 195
- Health and safety at Work Act 1974
- Management Regulations 1999, and advice given in HG65 The Principles of Safety Management.
- RIDDOR 1995
- The Children's Act 1989
- Fire Precautions Act 1971
- Wildlife and Countryside Act 1981
- London Borough of Southwark Open Spaces Bylaws

9605 Noise Conditions for Open Air Events in Southwark

These conditions will be considered for open-air events, or events where residents or noise sensitive buildings are in close proximity to the event necessitating noise control over the event.

Small and Large 1 Events - up to 2000 attendees

- a) The organiser shall ensure that all requests from the Council's Environmental Health and Trading Standards Business Unit officers are complied with
- b) Details of two contact telephone numbers including a mobile telephone number permanently manned during performances are to be made available to Council Officers prior to the events.
- c) Regular checks are to be carried out at the nearest sound sensitive locations to the event (e.g. houses, residential homes, churches) to monitor the noise and ensure that reasonable noise levels are not exceeded.
- d) If the event is considered by the council's events team to have significant noise impact, the organiser may be required to adhere to some or all of the conditions for larger events as set out in the section below.

Additional conditions for large 2, 3 and 4 events - up to 8000 attendees

- e) The organiser will be required to employ a noise control consultant who shall carry out a sound test prior to the event of the sound sources. The sound tests should be conducted from the nearest residential premises.
- h) At least one week prior to the beginning of the event a leaflet drop is to be made to households in the immediate area. The leaflet is to include a description of each performance, and contact telephone numbers.

i) That the organiser conforms with the Code of Practice on Environmental Noise Control at Concerts, The Noise Council 1995

j) From the Code, the music noise levels (MNL) measured or predicted at 1 meter from the facade of noise sensitive premises shall not;

1. *exceed 65dB(a) over a 15 minute period, or

2. *exceed the background noise level by more than 15dB(A) over a 15 minute period

k) Regular checks are to be carried out at the nearest sound sensitive locations to the event (eg. houses, residential homes, churches) to monitor the noise and ensure that the limit set is not exceeded.

l) All sound equipment on site shall be controlled by the noise control consultant.

m) No additional sound equipment shall be used on site without the prior agreement of the Council's Noise Team and the noise control consultant.

n) The appointed noise control consultant shall continually monitor noise levels at the sound mixer position and advise the sound engineer accordingly to ensure that the noise limits are not exceeded. The Council shall have access to the results of the noise monitoring at any time.

*Note that 9605.j.1 applies for venues that hold 1-3 days of events per calendar year, 9605.j.2 applies to venues that hold 4 and over days of events per calendar year. This is not the number of days of any particular event but is an accumulation of all the days of all the events at one particular venue.

9614

a) No firework displays shall not be permitted. However in the event of any form of pyrotechnic special effects to be used, full details must be provided in time for full public consultation to occur

b) All event organisers shall show evidence of Public Liability Insurance)

c) In an event with an age limitation eg showing a rated film or selling alcohol (under additional licence), were to take place, appropriate signage and advanced notice of the event and controlled entry shall be considered and proof of age shall be requested

d) For small size events, there shall be a maximum of 12 per calendar year of up to 500 attendees

e) There shall be a minimum time of 21 days between event for Large (1) size events totalling 6 per calendar year of up to 2000 attendees

f) There shall be a minimum of 21 days between events for Large (2, 3, 4) size events totalling 3 per calendar year of up to 4000, 6000, 8000 attendees respectively

g) These conditions are specifically designed to cover events of Peckham Rye Common not for Peckham Rye Park hence;

h) Area A: North West corner of the common will not be used for siting events infrastructure of any kind and should not be considered a suitable 'event space'.

i) Area B: The One O'Clock Club is managed by Play Services and any events hosted in this space will be overseen by Play Services

j) Only in exceptional circumstances will any changes be allowed to the permanent infrastructure of the site. Permission must be granted from the Park Manager and Events Manager

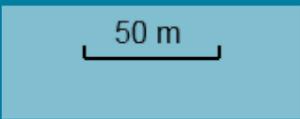
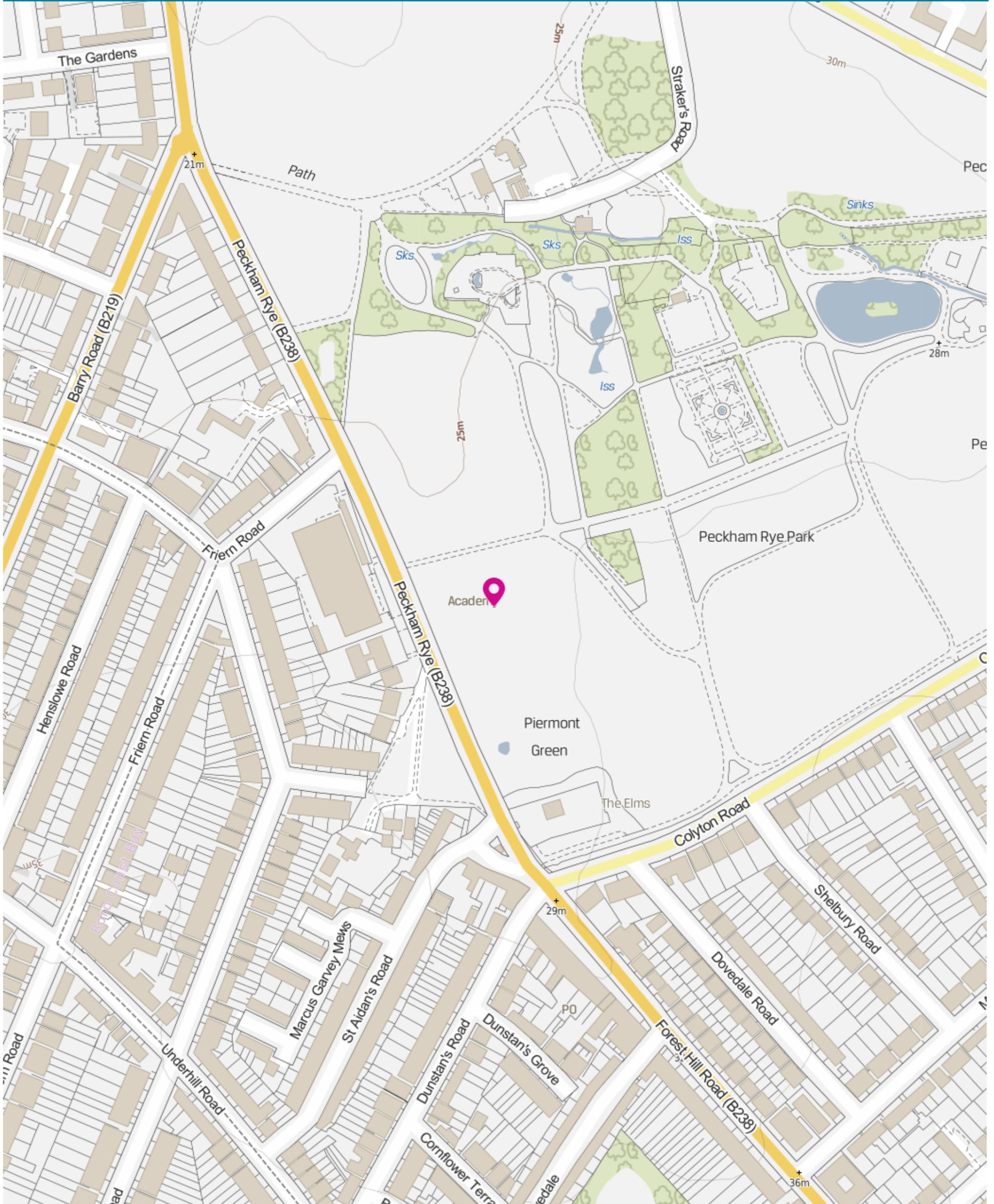
k) The level of consultation is dependent on the size of the events;

l) For small size event, there shall be a maximum of 12 per calendar year of up to 500 attendees

- 46
- m) For Large (1) size events, there would be a 28 days consultation to internal departments, Ward Councillors for Peckham Rye, The Lane and Chair of Friends of Peckham Rye Park
 - n) For Large (2, 3, 4) size events, there would be a 28 days consultation to internal departments, Ward Councillors for Peckham and The Lane, Chair of Friends of Peckham Rye Park, Local residents, Traders Associations and additional individual residents who have specifically requested consultation
 - o) Vehicle access point shall be through Strakers Road entrance of Peckham Rye, unless specifically agreed with the Area Park Manager
 - p) The weight limit shall not exceed 7.5 tons. Anything greater must be through specific consultation and agreement with the Area Park Manager). There is to be no parking on Strakers Road.
 - r) All damages above reasonable wear and tear to physical infrastructure and environment will be reinstated and the cost charged directly to event organisers
 - s) All vehicle movement not on set roadways should be minimised and agreed with London Borough of Southwark. Vehicles should travel at a maximum of 5.m.p.h

Annex 4 - Plans - Attached

Licence No.	10891
Plan No.	OT533 - PRP
Plan Date	19 Aug 2004



Scale = 1 : 2646.000

15-Jan-2018

Agenda Item 6

Item No. 6.	Classification: Open	Date: 29 January 2018	Meeting Name: Licensing Sub-Committee
Report Title:		ZolaBaggios – 57-59 Camberwell Road, London, SE5 0EZ	
Wards or groups affected:		Faraday	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Tim McTigue for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as ZolaBaggios – 57-59 Camberwell Road, London, SE5 0EZ.
2. Notes:
 - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 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 12 to 16 of this report deal with the representations submitted in respect of the application. Copies of the representations submitted responsible authorities are attached to this report in Appendix B. Representations from other persons are attached at Appendix C. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 21 November 2017 Tim McTigue applied to this council for the grant of a premises licence in respect of ZolaBaggios – 57-59 Camberwell Road, London, SE5 0EZ. The premises are described in the application simply as being:

“ZolaBaggios is a retro Italian bar/restaurant selling large slices of pizza, as well a good range of Italian craft beers, wines and spirits. The bar is on ground level and covers 2 units. The trading hours we are hoping for will be, open every day from until 00.00. (01.00 on Friday and Saturday) - Subject to license. The bar will be a very relaxed bar playing music, but not at a very high level - you [will] be able to have a clear conversation without having to shout over the music...”

9. The application and is summarised as follows:

The sale by retail of alcohol (on sales only)

- Monday to Thursday from 16:00 to 00:00 (midnight)
- Friday from 13:00 to 01:00 (the following day)
- Sunday from 13:00 to 00:00 (midnight)

The provision of late night refreshment (indoors):

- Sunday to Thursday from 23:00 to 00:00 (midnight)
- Friday and Saturday from 23:00 to 01:00 (the following day)

The provision of regulated entertainment in the form of recorded music (Indoors)

- Monday to Thursday from 16:00 to 00:00 (midnight)
- Friday from 13:00 to 01:00 (the following day)
- Sunday from 13:00 to 00:00 (midnight)

Opening hours

- Monday to Thursday from 16:00 to 00:00 (midnight)
- Friday from 13:00 to 01:00 (the following day)
- Sunday from 13:00 to 00:00 (midnight)

Seasonal Variations / Non-Standard Timings

It is noted from the application that the applicant has completed these sections with the words:

*“Christmas Eve and New Year’s Eve
Bank Holidays – Saturday and Sunday prior to.”*

However, the applicant has made no reference to any specific changes in times of licensable activities or opening times and therefore these cannot be considered.

10. The proposed designated premises supervisor of the premises is Tim McTigue (the licence applicant) who has a personal licence by London Borough of Southwark.
11. The premises licence application form provides the applicant’s operating schedule. Parts A, B, C, E, F, G, H, I, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application and premises plan is attached to this report in Appendix A.

Representations from responsible authorities

12. Representations were submitted by the Metropolitan Police (Licensing Division), this Council’s Planning, and Trading Standards Authorities.
13. The Metropolitan Police Service has made a representation which raises concerns in relation to a second premises licence being located at the same address (Southbank Nightclub) – however, it should be noted that this licence actually only covers the basement, whereas the applicant’s application covers the first floor. In addition, the Police have requested additional conditions. The representation is available in Appendix B.
14. The representation from Southwark Council’s Public Health Department is concerned with the hours that alcohol is made available. The representation is available in Appendix B.
15. The representation from the council’s Licensing Department in their role as Responsible Authority requested additions conditions and draws the attention of the applicant to the Southwark Licensing Policy. The representation is also available in Appendix B.

Representations from other persons

16. Representations have been received from 2 other persons, both from local residents in the immediate vicinity. These representations raise concerns in relation to the current management of the club and do not treat this as an individual application. The residents have been provided with advice and support on making complaints in relation to the existing premises. These representations are available in Appendix C.

Conciliation

17. The applicant has been sent copies of all the submitted representations. At the point that this report was published, no conciliation had been reached between any parties.

Premises history

18. Historically, the premises had been run as a club on both the ground and basement floors for a number of years. In July 2014, the licence was reapplied for, but for the

club to take up the basement floor only. The ground floor has remained unlicensed since that time.

19. There is no history of Temporary Events Notices (TENs) for the ground floor; however, the basement club has received TENs in the past.
20. There is a recent history of complaints in relation to this premises, however, the complaints are in reference to the address and the club contained within. Therefore there are no complaints associated with the ground floor. The basement club is currently receiving advice on its management.

Map

21. A map showing the location of the premises is attached to this report as Appendix D. The following are a list of similarly licensed premises are in the immediate vicinity of the premises application:

- **Southbank Nightclub – 57-59 Camberwell Road, SE5 0EZ**, licensed for:

The sale by retail of alcohol (on sales only)

Sunday to Wednesday	10:00 to 00:00 (midnight)
Thursday	10:00 to 02:30 (the following day)
Friday and Saturday	10:00 to 04:30 (the following day)

The provision of late night refreshment (indoors and outdoors)

Sunday to Wednesday	23:00 to 00:00 (midnight)
Thursday	23:00 to 02:30 (the following day)
Friday and Saturday	23:00 to 04:30 (the following day)

The provision of regulated entertainment in the form of films, performances of dance, live music and recorded music (indoors)

Sunday to Wednesday	10:00 to 00:00 (midnight)
Thursday	10:00 to 02:30 (the following day)
Friday and Saturday	10:00 to 04:30 (the following day)

- **Emukay Restaurant – 91 Camberwell Road, SE5 1EZ**, licenced for:

The sale by retail of alcohol (on and off sales)

Monday to Sunday	10:00 to 02:30 (the following day)
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The provision of late night refreshment (indoors)

Monday to Sunday	23:00 to 03:00 (the following day)
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The provision of regulated entertainment in the form of performances of dance, live music, recorded music and anything similar (indoors)

Monday to Sunday	20:00 to 02:30 (the following day)
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- **Red Sea – 85 Camberwell Road, SE5 0EZ**, licensed for:

The sale by retail of alcohol (both on and off sales)

Sunday to Thursday	12:00 to 23:00
Friday	12:00 to 00:00 (midnight)
Saturday	12:00 to 02:00 (the following day)

The provision of late night refreshment (indoors)

Friday	23:00 to 00:00 (midnight)
Saturday	23:00 to 02:00 (the following day)

- **Legacy Restaurant – 53 Camberwell Road SE5 0EZ**, licenced for:

The sale by retail of alcohol (on sales only)

Monday to Thursday	10:00 to 00:30 (the following day)
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Friday to Sunday 10:00 to 02:30 (the following day)

The provision of late night refreshment (indoors)

Monday to Thursday 23:00 to 00:30 (the following day)

Friday to Sunday 23:00 to 02:30 (the following day)

The provision of regulated entertainment in the form of performances of dance, live music and recorded music (indoors)

Monday to Thursday 18:00 to 00:30 (the following day)

Friday to Sunday 18:00 to 02:30 (the following day)

- **Abokobi Ghanaian Restaurant – 33 Camberwell Road, SE5 0EZ**, licensed for:

The sale by retail of alcohol (both on and off sales)

Monday to Sunday 12:00 to 23:30

The provision of late night refreshment (indoors)

Monday to Sunday 23:00 to 23:30

- **Dallas Chicken and Ribs – 30 Camberwell Road, SE5 0EN**, licensed for:

The provision of late night refreshment (indoors)

Monday to Sunday 23:00 to 01:00 (the following day)

- **Astra Newsagents – 22 Camberwell Road, SE5 0EN**, licensed for:

The sale by retail of alcohol (off sales only)

Monday to Sunday 06:00 to 22:00

- **Costcutter Supermarket – 25 Camberwell Road, SE5 0EZ**, licensed for:

The sale by retail of alcohol (off sales only)

Monday to Sunday 24hours-a-day

Southwark council statement of licensing policy

22. Council Assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011 Council Assembly approved Southwark's Statement of Licensing Policy 2016-20 on 25 November 2015. The policy came into effect on 1 January 2016.

23. Further 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 – Which 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 - Which 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 – Which 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 – Which 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 – Which provides general guidance on the promotion of the first licensing objective
 - Section 9 – Public Safety – Which provides general guidance on the promotion of the second licensing objective
 - Section 10 – The Prevention of Nuisance – Which provides general guidance on the promotion of the third licensing objective
 - Section 11 – The Protection of Children from Harm – Which provides general guidance on the promotion of the fourth licensing objective.
24. 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.
25. Within Southwark’s Statement of Licensing Policy, the premises are identified as being outside of a CIP Area but within a residential area Under the Southwark Statement of Licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for the following categories of premises:
- Closing time for restaurants and cafes: 23:00hrs daily
 - Closing time for public houses: 23:00hrs daily

Resource implications

26. 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 D/E.

Consultations

27. 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

28. 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

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

Principles for making the determination

31. 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.
32. 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
33. 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

34. 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.
35. The four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm
36. 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.
37. 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.
38. 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

39. 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

40. 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.
41. 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

42. 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.
43. 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.

44. 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.
45. 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.
46. 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.

47. 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.
48. 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

49. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS 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 submitted by responsible authorities
Appendix C	Representations submitted by other persons
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Andrew Heron, Principal Licensing Officer	
Version	Final	
Dated	12 January 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	12 January 2018	

APPENDIX A

17/11/2017

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

Ref No. 926841

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

	Tim.McTigue
--	-------------

Premises Details

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

£	29000
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	Yes

Premises trading name

	ZolaBaggios
--	-------------

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

Address Line 1	57-59
Address Line 2	CAMBERWELL ROAD
Town	
County	LONDON
Post code	SE5 0EZ
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Applicant Details

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

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

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

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

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

Details of Individual Applicant

Personal Details

Title	Mr
If other, please specify	
Surname	McTigue
Forenames	Tim
I am 18 years old or over	Yes

Current Address

Street number or Building name	████
Street Description	██████████
Town	██████
County	██████
Post code	██████

Contact Details

Daytime contact telephone number	██████████
Email Address	██████████████████

Do you wish to add a second individual applicant?

	No
--	----

Operating Schedule

When do you want the premises licence to start?

	01/02/2018
--	------------

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

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

--	--

General description of premises (see guidance note 1)

	ZolaBaggios is a retro Italian bar/restaurant selling large slices of Pizza, as well as a good range of Italian Craft Beers, wines and spirits. The bar is on ground level and covers 2 units. The trading hours we are hoping for will be, open every day from 4pm until 00.00. (01.00 on Friday and Saturday) - Subject to license. The bar will be a very relaxed bar playing music, but not at a very high level - You will be able to have a clear conversation without having to shout over the music.
--	---

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)

	f) recorded music

Provision of late night refreshment

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

Supply of alcohol

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

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

F - Recorded Music

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

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

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

	Music will be played on a regular sound system and will go through standard speakers - There will be no amplifiers.
--	--

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

Day	Start	Finish
Mon	16:00	00:00
Tues	16:00	00:00
Wed	16:00	00:00
Thur	16:00	00:00
Fri	16:00	00:00
Sat	16:00	00:00
Sun	16:00	00:00

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

	Christmas Eve New Years Eve
--	--------------------------------

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

	Bank Holiday Weekends - The Saturday and Sunday prior to.
--	---

I - Late Night Refreshment

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

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

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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	16.00	00.00	Please give further details here (please read guidance note 4)		
Tue	16.00	00.00			
Wed	16.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 5) Christmas Eve and New Years Eve		
Thur	16.00	00.00			
Fri	16.00	01.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) Bank Holidays – Saturday and Sunday Prior to.		
Sat	13.00	01.00			
Sun	13.00	00.00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	00.00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23.00	00.00			
Wed	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) Christmas Eve and New Years Eve		
Thur	23.00	00.00			
Fri	23.00	01.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) Bank Holidays – Saturday and Sunday Prior to.		
Sat	23.00	01.00			
Sun	23.00	00.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	16.00	00.00	State any seasonal variations for the supply of alcohol (please read guidance note 5) Christmas Eve and New Years Eve		
Tue	16.00	00.00			
Wed	16.00	00.00			
Thur	16.00	00.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) Bank Holidays – Saturday and Sunday Prior to.		
Fri	16.00	01.00			
Sat	13.00	01.00			
Sun	13.00	00.00			

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) Christmas Eve and New years Eve
Day	Start	Finish	
Mon	16.00	00.00	
Tue	16.00	00.00	
Wed	16.00	00.00	
Thur	16.00	00.00	
Fri	16.00	01.00	
Sat	13.00	01.00	
Sun	13.00	00.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) Bank Holidays – Saturday and Sunday Prior to.

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

	We will be serving large slices of American style pizzas each night, as well as a good range of Italian craft beers and a selection of wines and spirits.
--	---

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

Day	Start	Finish
Mon	16:00	00:00
Tues	16:00	00:00
Wed	16:00	00:00
Thur	16:00	00:00
Fri	16:00	01:00
Sat	13:00	01:00
Sun	13:00	00:00

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

	Christmas Eve New Years Eve
--	--------------------------------

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

	Bank Holidays - The Saturday and Sunday prior to.
--	---

J - Supply of Alcohol

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

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

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

Day	Start	Finish
Mon	16:00	00:00
Tues	16:00	00:00
Wed	16:00	00:00
Thur	16:00	00:00
Fri	16:00	00:00
Sat	13:00	00:00
Sun	13:00	00:00

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

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

	Christmas Eve New Years Eve
--	--------------------------------

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

	Bank Holidays - The Saturday and Sunday prior to.
--	---

Please upload the consent form completed by the proposed premises supervisor

	DPS-Consent-Form-2017.txt
--	---------------------------

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Tim
Surname	McTigue

DOB

Date Of Birth	██████████
---------------	------------

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)	Southwark

K

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

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

	There will be NO adult entertainment or any such activities, no gaming machines or films.
--	---

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	16:00	00:00
Tues	16:00	00:00
Wed	16:00	00:00
Thur	16:00	00:00
Fri	16:00	00:00
Sat	13:00	00:00
Sun	13:00	00:00

State any seasonal variations (Please read guidance note 5)

	Christmas Eve New Years Eve
--	--------------------------------

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

	Bank Holiday - The Saturday and Sunday prior to.
--	--

M - Steps to promote four licencing objectives

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

	Be a good neighbour. Encourage sensible drinking. Good relationship with all authorities Safe environment for customers and colleagues alike.
--	--

b) the prevention of crime and disorder

	Well trained staff Good relationship with police and local authorities Zero tolerance to drug use on the premises refuse the sale of alcohol where someone is too drunk
--	--

c) public safety

	clean premises - Particularly kitchen and toilet areas Well maintained building
--	--

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

	Health and Hygiene promoted Well trained kitchen staff
--	---

d) the prevention of public nuisance

	Well trained staff Refuse alcohol where someone is too drunk or being abusive Good relationship with police and local authorities Zero tolerance to drugs use on premises
--	--

e) the protection of children from harm

	No adult entertainment No gambling machines No adult films
--	--

Please upload a plan of the premises

	Camberwell-Rd-57-67-NEW.pdf
--	---

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 th elocal 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	017229

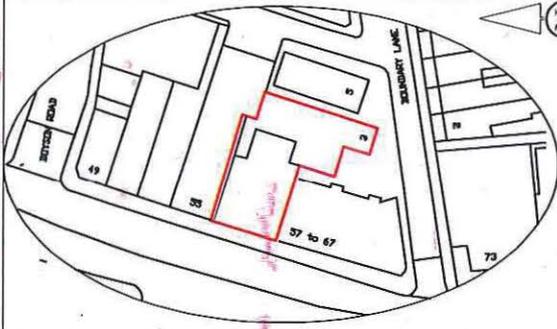
Business - Application for a premises licence to be granted under the Licensing Act 2003

LicenceReference	ks102 94212
PaymentContactEmail	[REDACTED]

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.

Oaklever Ltd.

Unit 1 Grosvenor Way
London, E5 9ND
Tel: (020) 8880 8960



Licence number 10020449
Location Plan 1:1250



Main Plan

LEASE

PROPERTY ADDRESS:

57-69 Camberwell Rd
London, SE5 0EZ

TITLE:

Ground Floor Plan

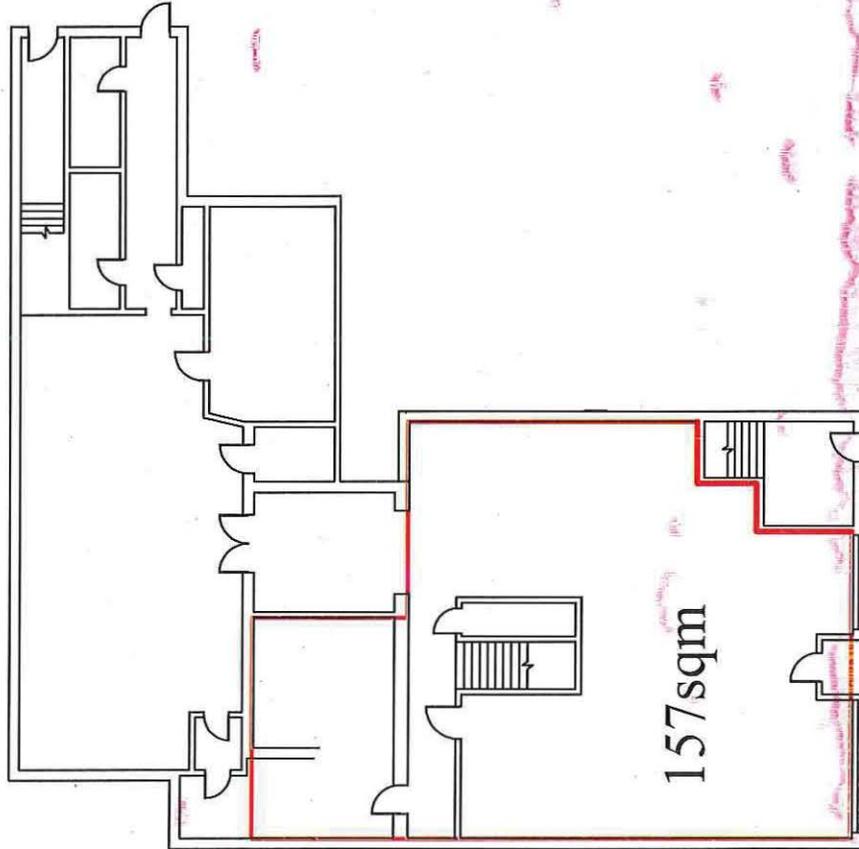
SCALE: 1:200 (A4)

DRAWING No: CR.57-67

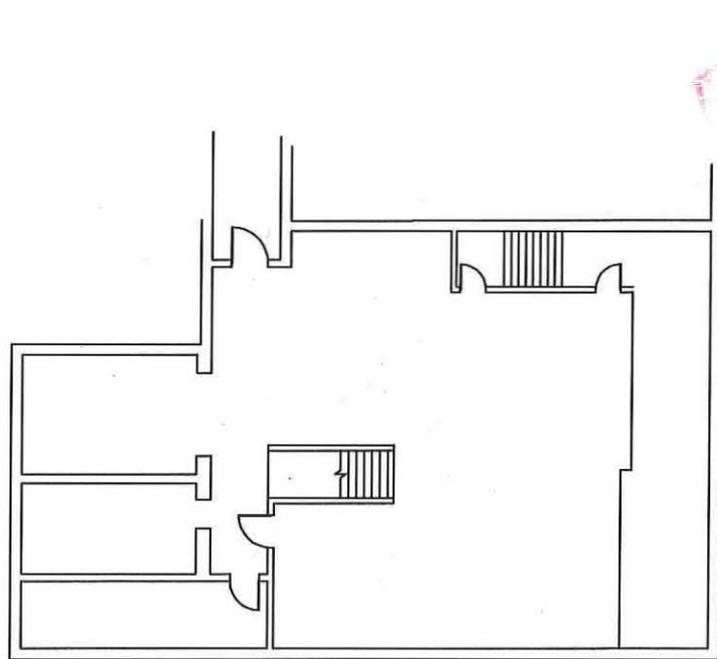
DATE: 24.01.14

DRAWN BY: A.J.

Lease Plan



Ground Floor



Basement Plan



APPENDIX B

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

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

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD21/3074/17

Date: 19th December 2017

Dear Sir/Madam

Re:- ZolaBaggios, 57-59 Camberwell Road, London SE5 0EZ

Police are in possession of an application from the above for a new premises licence. The application describes the operation as an Italian Bar/Restaurant selling large Pizza slices.

The hours applied for are within that recommended by Southwark's licensing policy for restaurants as the premises are situated in a designated major town centre. However the application does not mention that a licence already exist for the premises licence number 848589 Southbank nightclub which has the ground floor and basement.

Police would like some explanation as to how the two licences run in the same premises and how the difference in conditions be dealt with. We would recommend the other licence be surrendered.

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

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

Heron, Andrew

From: Jerrom, Charlie
Sent: 19 December 2017 12:54
To: Heron, Andrew
Subject: FW: RE: ZolaBaggios, 57-59 Camberwell Road, LDO = 19/12/2017

FYI

From: Jerrom, Charlie **On Behalf Of** Regen, Licensing
Sent: Tuesday, December 19, 2017 12:43 PM
To: Jerrom, Charlie
Subject: FW: RE: ZolaBaggios, 57-59 Camberwell Road, LDO = 19/12/2017

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Tuesday, December 19, 2017 12:25 PM
To: Regen, Licensing
Subject: RE: RE: ZolaBaggios, 57-59 Camberwell Road, LDO = 19/12/2017

To whom it may concern:

Re: 57-59 Camberwell Road, London SE5 0EZ

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 on the premises between the hours of 16:00 – 00:00 Sundays to Thursdays, 16:00-01:00 on Fridays and 13:00-01:00 on Saturdays.

This premises is located within a residential area and Southwark's Statement of Licensing Policy recommends that all licensed premises in residential areas close at 23:00. Additionally, the applicant has given very little consideration to the impact of this premises on the local area and how they intend to uphold the licensing objectives within their application.

Recommendations

- I recommended a close time for alcohol sales of 23:00

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 | 02075250025 | 07927563567

Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

From: Tahir, Sarah

Sent: 21 November 2017 13:55

To: Alcohol@homeoffice.gsi.gov.uk ; Sharpe, Carolyn; Chowdhury, Farhad; Chudasama, Sailesh; DIP Team; Farrington, Ian; FireSafetyRegulationSE@london-fire.gov.uk ; Graham White; Ifepa; Masini, Bill; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Richards-Vassell, Thomas; Qau Safeguarding; safer; Shannon, Rochelle; southwark.repro@pbms.co.uk; Tear, Jayne; West Team diary

Subject: RE: ZolaBaggios, 57-59 Camberwell Road, LDO = 19/12/2017

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: ZolaBaggios, 57- 59 Camberwell Church Street, London, SE5 8QZ
Application for a premises licence

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

- Recorded music (indoors) on Monday to Thursday from 16:00 to 00:00; Friday from 16:00 to 01:00 the following day, Saturday from 13:00 to 01:00 the following day and on Sunday from 13:00 to 00:00
- Late night refreshment (indoors) on Monday to Thursday from 23:00 to 00:00; Friday and Saturday from 23:00 to 01:00 the following day and on Sunday from 23:00 to 00:00
- The supply of alcohol (on and off the premises) on Monday to Thursday from 16:00 to 00:00; Friday from 16:00 to 01:00 the following day, Saturday from 13:00 to 01:00 the following day and on Sunday from 13:00 to 00:00
- Overall opening times shall be from Monday to Thursday from 16:00 to 00:00; Friday from 16:00 to 01:00 the following day, Saturday from 13:00 to 01:00 the following day and on Sunday from 13:00 to 00:00
- Non standard timings for on 'Saturday and Sundays prior to bank holidays' have been asked for on all activities within the application yet no timings have been provided.
- Seasonal variations have been asked for on 'Christmas and New Years Eve' have been asked for on all activities within the application yet no timings have been provided.

The premises is described as a 'ZolaBaggios is a retro Italian bar/restaurant selling large slices of pizza, as well as a good range of Italian craft beers, wines and spirits. The bar is on the ground level and covers 2 units. The trading hours we are hoping for will be open every day from 4pm until 00:00. (01:00 on Friday and Saturday subject to licence). The bar will be very relaxed bar playing music, but not at a very high level – You will be able to have a clear conversation without having to shout over the music'.

This premises is situated within the saturation area for Camberwell. 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.

The classes of premises to which the policy applies in the Camberwell area is defined as follows – night clubs; pubs and bars; off-licences, grocers, supermarkets, convenience stores and similar premises.

The premises is also situated in Camberwell District Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times are as follows:

- Restaurants and cafes on Sunday to Thursday until 00:00 hours and on Friday and Saturday until 01:00 hours
- Public houses, wine bars or other drinking establishments on Sunday to Thursday until 23:00 hours, Friday and Saturday until 00:00 hours.

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

The application describes the premises as a bar/restaurant. A restaurant would not fall under the classes of premises defined for the saturation area in Camberwell, however a bar would fall under the type of premises to which the saturation policy would apply as described within Southwark's Statement of Licensing Policy. The plans provided with the application do not show any fixed structures or tables and chairs so I ask the applicant to clarify this.

To avoid any ambiguity with regards to whether the premises should be addressing the negative cumulative impact if it were to operate as a bar I would request a condition which would be consistent with a restaurant, is added to the operating schedule

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. So I also ask the applicant to consider reducing the supply of Alcohol 'on sales' by half hour to allow for half an hour drinking up time.

Furthermore the operating schedule is lacking and has not adequately addressed the any of the licensing objectives. I ask the applicant to provide an operating schedule that addresses the licensing objectives and I may submit further comments once this information is provided.

Due to the limited information provided and to promote the prevention of crime and disorder it would be helpful if the applicant could provide the following:

- Accomodation limits for the basement area and the ground floor as indicated on the plans (to be conditioned)
- To provide a written dispersal policy for the premises. (to be conditioned)

And consider adding further conditions to the operating schedule as follows:

- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that customers leave the area in a quiet and orderly manner.
- Any 'off sales' of alcohol shall be provided in sealed containers and taken away from the premise
- 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

To retain the premises operation a restaurant

- 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 their meal

I reserve the right to submit further comments once all of the information is provided.

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

APPENDIX C PARTY A

Heron, Andrew

From: Tahir, Sarah
Sent: 03 January 2018 15:26
To: Heron, Andrew
Subject: FW: Application of Zolabaggios LTD, 57-59 Camberwell Road, London, SE50EZ

Added to l1u = 861083

From: [REDACTED]
Sent: Wednesday, January 03, 2018 2:50 PM
To: Regen, Licensing
Subject: Re: Application of Zolabaggios LTD, 57-59 Camberwell Road, London, SE50EZ

Dear Sir or Madam:

I am writing to formally protest the application of Zolabaggios LTD, 57-59 Camberwell Road, London, SE5 0EZ.

As a resident of the premise directly opposite, Flat 1, 44 Camberwell Road, SE5 0EN, we have in the last couple of years regularly experienced noise complaint issues from this premises opposite. The venue opposite, previously uses as a late night drinks venue has caused several problems. In particular

- Queueing. The venue would allow large queues of people to stand outside the flat from 10PM – 2AM. Door staff made no attempt to control noise.
- Smoking Area. A smoking area outside the front of the building sits directly opposite our bedroom window. There is zero effort made to control the noise- or consideration for neighbours.
- Dispersal. The venue would close promptly at 4 or 5 AM, shutting the front doors and making no efforts to disperse the crowd. Often, they will stay in the area, congregating, making noise until 6AM.
- Fighting. There are cases of the fights happening outside the premises, or outside our flat, Grosvener Terrace
- Litter. The street is full of cans, bottles, smashed glasses.
- Taxi drop off/ Car noise. Cars will often arrive, with loud music, directly outside our flat in the early hours of the morning.

As a result of this, I have had to sleep with ear plugs in, and even this is still not enough due to the huge amount of noise and disruption caused from this.

Our concerns with this new application is that they are intending to open until midnight or 1AM every night of the week. This application shows no consideration for local residents. It will lead to crowds of people congregating outside, opposite our bedroom window daily. This will seriously impact our quality of life. It will have impact over our sleep, causing a lot of stress, aggravation and grief.

The amount of disruption caused by the previous venue, opening a few weekend nights a month, is serious. The application to open a late night venue every day of the week I believe is unacceptable.

I would appreciate a response to this e-mail, and information on how to take this application protest, process further should I need to.

Kind Regards,

[REDACTED]

PARTY B**Heron, Andrew**

From: Regen, Licensing
Sent: 03 January 2018 14:40
To: Heron, Andrew
Subject: FW: Appeal against licensing

Added to l1u = 861083

From: [REDACTED]
Sent: Wednesday, January 03, 2018 2:31 PM
To: Regen, Licensing
Subject: Appeal against licensing

Good afternoon,

I would like to submit an appeal against a new licensing application.

Location: ZOCABAGGIOS LTD. 57-59 CAMBERWELL ROAD, LONDON, SE5 0EZ.

Opening Hours: Sunday - Thursday 16pm until 12pm
Friday and Saturday 16pm until 1am.

Currently we have made a number of complaints regarding noise and have had to call the police on several occasions due to violence, noise and disruptive behaviour.

This area is a main road, however on either side of this building and above is residential areas. There is no respect for when the customers are queuing to enter - often very noisy. When leaving or exiting to a smoking area, again it is noisy. We have had fights at 5am, customers lying down in the middle of the road, police and ambulance being called due to a stabbing.

I bought my property in 2013 and in the past year, it has made my life really unpleasant and affecting my quality of life. It has come to the point we are thinking of leaving Southwark for good. My partner sleeps on a Friday and Saturday night with ear plugs. On a Sunday, it really is quite disgusting to walk outside where there is rubbish left on either side of the pavement and piles of sick or blood from fights.

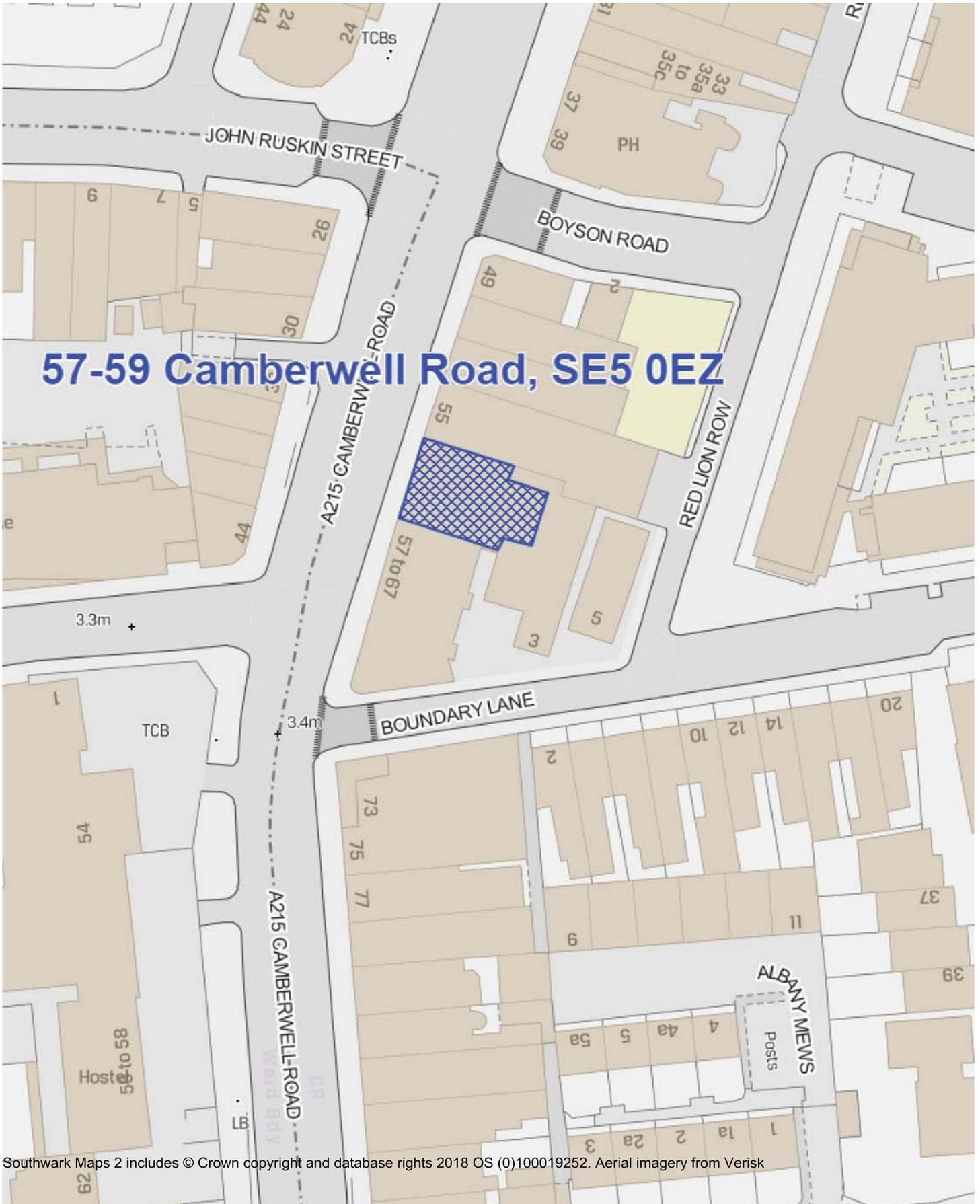
Currently at the moment, I do not feel council are supportive of respecting the residents who are paying to live in this area. I would like advice on how we can appeal this, it will be myself and other neighbours in the area.

Of course, for businesses we are happy for restaurants to open and serve alcohol. But not for a nightclub/bar which is what is happening at the moment. We need conditions to these licensing agreements and they need to be maintained and observed by the council allowing them. It can no longer continue the way it is - with customers sprawling out at 5am and then nobody asking them to be quiet, allowing the noise etc and all the mess that comes with it. This is not central London there are children living in some of the buildings next to us.

I appreciate a reply as I will want to pass this information on to others who will be keen to appeal also.

Thank you for reading this

APPENDIX D



57-59 Camberwell Road, SE5 0EZ

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