

Licensing Sub-Committee

Friday 27 July 2018

10.00 am

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

Membership

Councillor Maria Linforth-Hall
Councillor Kath Whittam
Councillor Ian Wingfield

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.

Babysitting/Carers allowances

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

Access

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

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: 17 July 2018



Licensing Sub-Committee

Friday 27 July 2018
10.00 am

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

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	ELECTION OF CHAIR	
	To elect a chair for the meeting.	
2.	APOLOGIES	
	To receive any apologies for absence.	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
4.	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.	
5.	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.	
6.	LICENSING ACT 2003: UBREW, UNIT 29 - 30 OLD JAMAICA ROAD INDUSTRIAL ESTATE, OLD JAMAICA ROAD, LONDON SE16 4AW	1 - 33

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: 17 July 2018

Item No. 6.	Classification: Open	Date: 27 July 2018	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Ubrew, Unit 29 – 30 Old Jamaica Road Industrial Estate, Old Jamaica Road, London SE16 4AW	
Ward(s) or groups affected:		North Bermondsey	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATION

1. That the licensing sub-committee considers an application submitted by an 'other person' under Section 51 of the Licensing Act 2003 (the Act) for the review of the premises licence held by UBREWCC LTD in respect of the premises known as Ubrew, Unit 29 - 30 Old Jamaica Road Industrial Estate, Old Jamaica Road, London SE16 4AW.
2. Notes:
 - a) The grounds for the review are stated in paragraph 14 of this report. A copy of the review application is attached as Appendix A.
 - b) The review application is supported by a representation submitted by an 'other person'. A copy of the representation is in Appendix D. Details of the representation are provided in paragraph 19.
 - c) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix B. A map of the area that the premises are located in is attached as Appendix G.
 - 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 new 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 applications 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. 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.
8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 51 of the Act it remains open to any responsible authority or other person to apply to the local licensing authority for a review of the premises licence where there are ongoing concerns regarding one or more of the four stated licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence

9. The premises licence allows the provision of licensable activities as follows:
 - **The sale of alcohol to be consumed on and off the premises:**
 - Monday to Sunday from 11:00 to 23:00
 - **Recorded music:**
 - Monday to Sunday from 09:00 to 22:00
 - **Opening times:**
 - Monday to Sunday from 09:00 to 23:00.
10. The licence is subject to the mandatory conditions set down under the Act and further conditions consistent with the operating schedule submitted with the application for the licence. A copy of the full premises licence is attached as Appendix B.

11. At the time that the review application was submitted, the licence number was 847970. The review application refers to licence number 847970. An application to vary the licence to specify a new designated premises supervisor (DPS) with immediate effect was submitted on 18 June 2018. The application to vary the licence to specify a new DPS was not subject to representations, therefore the application was granted and an amended licence was issued dated 18 June 2018. The amended licence has a new licence number. The new licence number is 863725 and is the current licence number. It is a copy of licence number 863725 that is attached as appendix B.

Designated premises supervisor

12. The current DPS named on the licence is Alexis Timothy Julian Quinn.

The review application

13. On 1 June 2018 an application was submitted by an 'other person', under Section 51 of the Licensing Act 2003, for the review of the premises licence held by UBREWCC LTD in respect of the premises known as Ubrew, Unit 29 - 30 Old Jamaica Road Industrial Estate, Old Jamaica Road, London SE16 4AW.
14. The review application was submitted in respect of the prevention of public nuisance licensing objective and in summary states:
 - That excessive noise nuisance is caused as a result of the operation of the premises. The sources of the noise nuisance are the premises' customers congregating at and in the vicinity of the premises.
 - That the premises operate outside of permitted hours.
 - That condition 101 of the premises licence issued in respect of the premises has allegedly been breached. Condition 101 states: "Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence."
 - That condition 341 of the premises licence issued in respect of the premises has allegedly been breached. Condition 341 states: "When events are to be held at the premises, event management plans will be available including risk assessments and nuisance management plans of any activities taking place on site."
 - That condition 342 of the premises licence issued in respect of the premises has allegedly been breached. Condition 342 states: "Patrons shall not be permitted to use the external area to the front of the premises after 22:00hrs Monday to Fridays and 20:00hrs on Saturdays, Sundays and Bank Holidays, apart for access & egress and for smoking."
 - That condition 347 of the premises licence issued in respect of the premises has allegedly been breached. Condition 347 states: "SIA registered staff will be utilised during large events."
15. Full details of the grounds for the review are provided within review the application. The review application is attached as Appendix A.

Representations from responsible authorities

16. The Metropolitan Police Service have submitted a representation stating that the application describes a number of issues relating to public nuisance, but no crime and disorder issues. The representation further states that the Metropolitan Police Service has been unable to associate any crime and disorder with the venue in the last 12 months.
17. A copy of the representation submitted by the Metropolitan Police Service is attached as Appendix C.

Representations from other persons

18. Two representations have been submitted by 'other persons'. Both other persons are local residents (to be referred to as 'party 1' and 'party 2' hereafter).
19. Party 1's representation has been submitted in support of the review application and alleges that noise nuisance is caused by the operation of the premises and that the noise nuisance can be 'deafening' and 'nerve racking'. The representation also indicates that condition 342 of the premises licence issued in respect of the premises has allegedly been breached.
20. Party 2's representation has been submitted in support of the licensee. Party 2 states that party 2 'has never experienced any problems as a result of the trading activities or Ubrew' and has not 'witnessed any public nuisance'.
21. Copies of the representations submitted by the other persons are attached as Appendix D.

Operating History

22. On 10 March 2015 a premises licence was issued in respect of the premises to UBREWCC LTD. The DPS of the premises at this time was Matthew Denham (co-founder of Ubrew).
23. On 27 March 2015 a licensing officer conducted a 'licence induction' with Matthew Denham. During a licence induction the licence document and conditions are fully explained as are the possible consequences of breaching licence conditions. A copy of an induction checklist signed by Matthew Denham is attached in Appendix E.
24. On 1 April 2015 an application to vary the premises licence to specify a new DPS with immediate effect was submitted. The application was granted, Carrie Fleetwood was specified as the premises' DPS and an amended licence was issued dated 1 April 2015.
25. On 23 May 2015 a licensing officer conducted a licence induction with Wilf Horsfall (co-founder of Ubrew). A licensing inspection of the premises was also undertaken on this date and the premises were found to be being operated compliantly. A copy of an induction checklist signed by Wilf Horsfall is attached in Appendix E.
26. On 22 June 2015 two complaints from two separate local residents were made to the licensing team. The complaints alleged that noise nuisance arose from the premises during an event that took place on 19 June 2015. The complaints both alleged that

noise nuisance was caused by very loud music and also by the loud voices of customers who were at and in the vicinity of the premises. The licensee was contacted by a licensing officer who discussed the complaint and advised against causing noise nuisance in the future.

27. On 4 July 2015 a licensing officer conducted a follow up visit to the premises to speak to the premises' management in person in regards to the noise complaints of 22 June 2015.
28. On 1 June 2018 an application was submitted by an 'other person', under Section 51 of the Licensing Act 2003, for the review of the premises licence.
29. On 18 June 2015 an application to vary the premises licence to specify a new DPS with immediate effect was submitted. The application was granted, Alexis Quinn was specified as the premises' DPS and an amended licence was issued dated 18 June 2015.
30. Details of temporary event notices (TENs) submitted in respect of the premises are attached as Appendix F.

The local area

31. A map of the local area is attached as appendix G. The following premises are shown on the map and are licensed as stated below.

Grazing Corporate and Event Catering, Units 25 - 26, Old Jamaica Business Estate, SE16 4BB licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Sunday from 08:00 to 20:00.

Bone Daddies, Unit 27, Old Jamaica Business Estate, SE16 4AN licensed for:

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Sunday from 10:00 to 22:30.

Brew by Numbers, Railway Arch 75, Enid Street, SE16 3RA licensed for:

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

Pilango, Railway Arch 78, Enid Street, SE16 3RA licensed for:

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Sunday from 10:00 to 22:30.

Moor Beer Company, Railway Arch 71, Enid Street, SE16 3RA licensed for:

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

Spirit of London, Railway Arch 69, Enid Street, SE16 3RA licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Sunday from 00:00 to 00:00 (24 hours).
- The provision of late night refreshment:
 - Monday to Sunday from 23:00 to 00:00 (midnight).

London Calling Sweden, Railway Arch 72, Enid Street, SE16 3RA licensed for:

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

Cloudwater Brew Co, Railway Arch 72, Enid Street, SE16 3RA licensed for:

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Sunday from 08:00 to 23:00.

Tesco Stores Ltd, 78 Jamaica Road, SE16 4BA licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Sunday from 06:00 to 00:00.

Southwark council statement of licensing policy

32. Council assembly approved Southwark's Statement of Licensing Policy 2016 - 20 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.

- Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this authority’s approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
33. 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.
34. Within Southwark’s statement of licensing policy 2016 - 2020 the premises are identified as being within a residential area. The closing time recommended in the statement of licensing policy for public houses, wine bars or other drinking establishments in residential areas is 23:00 daily.

Resource implications

35. There is no fee associated with this type of application.

Consultation

36. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003.

Community impact statement

37. 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

38. The sub-committee is asked to determine, under Section 51 of the Licensing Act 2003, following an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
39. The principles, which sub-committee members must apply, are set out below.

Principles for making the determination

40. Under Section 52 the licensing authority must hold a hearing to determine the review and any relevant representations.
41. The four licensing objectives are:
- The prevention of crime and disorder
 - The protection of public safety
 - The prevention of nuisance
 - The protection of children from harm.
42. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
- Modify the conditions of the licence by altering, omitting or adding any condition
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence.
43. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:
- Are relevant to one or more of the licensing objectives
 - Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period
 - Have not been withdrawn
 - If made by an other person (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.
44. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
45. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
46. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action

should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

47. It is of particular importance that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

48. Where the authority determines an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
 - The applicant
 - Any person who made relevant representations
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

49. 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.

50. 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

51. 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.
52. 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.
53. 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.
54. 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.
55. 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.
56. 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.
57. 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.

58. 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

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

Strategic Director of Finance and Governance

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Copy of the review application
Appendix B	Copy of the premises licence
Appendix C	Copy of the representation submitted by the Metropolitan Police Service
Appendix D	Copies of the representations submitted by other persons
Appendix E	Copies of induction checklists signed by previous designated premises supervisor
Appendix F	Details of temporary event notices submitted in respect of the premises
Appendix G	Map

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Social Regeneration	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	13 July 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	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		16 July 2018

01/06/2018

Application for a review of a premises licence or club premises certificate under the Licensing Act
Ref No. 1032214

Please enter the name of the applicant who is applying for the review of a premises licence under section 51/apply for a review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises

	██████████
--	------------

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

Address Line 1	████████████████████
Address Line 2	
Town	██████████
County	
Post code	██████████
Ordnance survey map reference or description	

Name of premises licence holder or club holding club premises certificate (if known)

	UBrewCC LTD
--	-------------

Name of premises licence or club premises certificate (if known)

	license 847970, license type :Premises
--	----------------------------------------

I am

	1) an individual, body or business which is not a responsible authority (please read guidance note 1)
--	-------------------------------------------------------------------------------------------------------

This application to review relates to the following licensing objective(s)

	Please check one or more boxes if appropriate
	3) the prevention of public nuisance

Please state the ground(s) for review (please read guidance note 2)

	3) the prevention of public nuisance
--	--------------------------------------

Please provide as much information as possible to support the application (please read guidance note 3)

	<p>I am a resident living near UbrewCC LTD (29-30, Old Jamaica Business Estate, 24 Old Jamaica Rd, London SE16 4AW). I have been corresponding with Ubrew for 6months regarding excessive night time noise from their establishment. On 2 occasions last week I found issues that need to be addressed by way of a formal license review.</p> <p>The evidence captured identifies that UBrewCC Ltd is not adhering to their licensable activities and conditions stated under their license, 847970.</p> <p>Condition 101 - Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence License activities state 'Sale by retail of alcohol to be consumed on premises' 'Friday 11:00 to 23:00'</p> <p>Evidence found, which identifies violation of license condition: I visited the Premises at 11.10pm on Friday 25th May 2018 to inform the manager about the excessive noise outside of their premises. The noise was from people sitting outside on benches and loud metal banging noise outside. A man was still serving behind the bar. He asked me what I wanted to order. When I said I was looking for the manager he told me that he doesn't work at the premises. There were in excess of 12 people indoors of which 5-6 people still drinking around the bar area. All of these issues occurred after 11pm.</p> <p>342 - Patrons shall not be permitted to use the external area to the front of the premises after 22:00hrs Monday to Fridays and 20:00hrs on Saturdays, Sundays and Bank Holidays, apart for access & egress and for smoking.</p> <p>Evidence found, which identifies violation of license condition: Photo evidence has been shared with Ubrew. On many occasions I have had to inform Patrons sitting outside the Units after 11pm to keep the noise down.</p> <p>Issues with Patrons sitting outside include, but are not limited to :</p> <ul style="list-style-type: none"> - 07.04.18 11.45pm - There was a large group of approx. 14 people outside the units - 08.03.2018 11.20pm disruptive noise after 11pm - group outside 3.12.17 at 1.06am smoking and talking loudly - group outside 30.9.17 12.37am drinking - group outside drinking and talking loudly 9.9.17 at 1.23am <p>Events: 341 - When events are to be held at the premises, event management plans will be available including risk assessments and nuisance management plans of any activities taking place on site. 347 - SIA registered staff will be utilised during large events.</p> <p>Evidence provided: On Saturday 26th May UbrewCC LTD had a long event in which there were at least 50 people seen outside their premises. I do not know how many people were inside the units. I could not see any security persons on site.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Have you made an application for review relating to this premises before?

	No
--	----

If yes, please state the date of the application

--	--

If you have made representations before relating to these premises please state what they were and when you made them

	<p>I have contacted UbrewCC LTD via e-mail, between 7.12.17- present date. The e-mails were about specific issues concerning disruptive noise after 11pm.</p> <p>E-mails send to them include:</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	7, 8, 10, 11 December 2017 8, 14, 17 March 2018 19th April 2018 1st May 2018 1st June 2018
--	--------------------------------------------------------------------------------------------------------

Checklist

	I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate I understand that if I do not comply with the above requirements my application will be rejected
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Declaration - Full name of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant and please state in what capacity.

Applicant Full Name	██████████
Applicant's Solicitor/Other duly authorised agent Full name	
Date	01/06/2018
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 4)

Full name	██████████
-----------	------------

Address (please read guidance note 4)

Address Line 1	████████████████████
Address Line 2	
Town	██████████
County	
Post code	██████████
Telephone number (if any)	██████████
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	████████████████████

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.

Licensing Act 2003 Premises Licence



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

Premises licence number

863725

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Ubrew Units 29 To 30 Old Jamaica Road Industrial Estate Old Jamaica Road Ordnance survey map reference (if applicable): 179379534025	
Post town London	Post code SE16 4AW
Telephone number	

Where the licence is time limited the dates

Licensable activities authorised by the licence
Recorded Music - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 09:00 - 23:00 Tuesday 09:00 - 23:00 Wednesday 09:00 - 23:00 Thursday 09:00 - 23:00 Friday 09:00 - 23:00 Saturday 09:00 - 23:00 Sunday 09:00 - 23:00

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

The times the licence authorises the carrying out of licensable activities

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

Recorded Music - Indoors

Monday	09:00 - 22:00
Tuesday	09:00 - 22:00
Wednesday	09:00 - 22:00
Thursday	09:00 - 22:00
Friday	09:00 - 22:00
Saturday	09:00 - 22:00
Sunday	09:00 - 22:00

Sale by retail of alcohol to be consumed on premises

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 23:00

Sale by retail of alcohol to be consumed off premises

Monday	11:00 - 23:00
Tuesday	11:00 - 23:00
Wednesday	11:00 - 23:00
Thursday	11:00 - 23:00
Friday	11:00 - 23:00
Saturday	11:00 - 23:00
Sunday	11:00 - 23:00

Part 2

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

UBREWCC LTD

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

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

[Redacted]

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

Alexis Timothy Julian Quinn

[Redacted]
[Redacted]
[Redacted]

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

Licence No.: [Redacted]

Authority: [Redacted]

Licence Issue date: 18/06/2018



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

Annex 1 - Mandatory conditions

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

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

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

107 Any individual carrying out security activities at the premises must be.

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of that Act.

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

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

- (a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

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

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of

alcohol at the premises is carried on in accordance with the age verification policy.

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

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

489 The responsible person shall ensure that -

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

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

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

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

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

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

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

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

where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence;

(ii) the designated premises supervisor (if any) in respect of such a licence; or

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

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

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

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

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

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

Annex 2 - Conditions consistent with the operating Schedule

340 An incident log shall be kept at the premises, and be made available on request to a Police Officer or authorised Officer of the Council.

341 When events are to be held at the premises, event management plans will be available including risk assessments and nuisance management plans of any activities taking place on site.

342 Patrons shall not be permitted to use the external area to the front of the premises after 22:00hrs Monday to Fridays and 20:00hrs on Saturdays, Sundays and Bank Holidays, apart for access & egress and for smoking.

343 During any licensed entertainment on the premises, permitted under the Licensing Act 2003, all doors and windows leading out onto external areas shall remain closed (except for access or egress).

344 That no music is to be broadcast to any external area.

345 That there will be no external handling of waste, depositing of waste into external waste bins or cleaning of the outdoor area between 23:00hrs and 08:00hrs the following day.

346 That the premises will be adequately ventilated.

347 SIA registered staff will be utilised during large events.

4AA The premises shall operate an age verification policy namely 'Challenge 25' whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

4AC Challenge 25 signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that Challenge 25 policy applies and proof of age may be required.

4AI A register of refused sales of alcohol which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy.

The register shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

427 Suitable notices shall be displayed requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.

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

Annex 4 - Plans - Attached

Licence No. 863725

Plan No. 74034

Plan Date 26 Nov 2014



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

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

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

Our reference: MD/21/3156/18

Date: 27th June 2018

Dear Sir/Madam

Re:- Ubrew, 24 Old Jamaica Road, London SE16 4AW

Police are in receipt of an application from a local resident to review the premises licence for the above venue. The application describes a number of issues relating to public nuisance but no crime and disorder issues.

I have carried out research on the police crime recording system and other systems used to recorded information. I have been unable to associate any crime and disorder with the venue in the last 12 months.

Kind Regards

PC Graham White 288MD
Licensing Officer
Southwark Police Licensing Unit
0207 232 6756

Party 1

From: [REDACTED]
Sent: Sunday, June 10, 2018 1:46 PM
To: McArthur, Wesley
Cc: [REDACTED]
Subject: FW: Application for the review of a premises licence - U Brew, 24 Old Jamaica Road, SE16 4AW (our ref: L1U 863521)

Dear Wesley McArthur

My neighbour [REDACTED] [REDACTED] has forward your response below to me. For your information, I live on the flat above [REDACTED] at [REDACTED] and my bedroom [REDACTED] [REDACTED] and Ubrew premises at a distance of less than 10m.

I would like to make a strong representation in support of the application submitted by [REDACTED]. Similar to episodes which [REDACTED] has noted in her application, I have witnesses and suffered from the nuisance caused by Ubrew as a result of their operation. I note that their licence is for serving alcohol to 10 pm Monday to Friday and 8 pm on weekends. The licence clearly states that outwith these hours, their patrons should not be congregating outside their premises. Practically every week during the summer months on Saturday evening, there is a significant crowd gathering outside drinking until early hours of the morning. This is because Ubrew do not have any internal place for their patrons and their only method of operation is to sell alcohol inside which are taken outside to drink particularly in the summer months when there is warmer weather and longer evenings. This practice which starts from early afternoon on Saturdays continues to early hours of Sunday morning. The noise from a crowd of people hanging around outside and involved in jovial conversation apart from being deafening but also incredibly nerve racking.

I hope you will be able to take the above declaration in your consideration of the application. If required, I shall be more than happy to elaborate on the above points.

Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Party 2

From: [REDACTED]
Sent: Friday, June 29, 2018 8:55 PM
To: McArthur, Wesley
Subject: Representation for application ref 1032214

Premises licence number 847970
Application ref 1032214

Dear Wesley McArthur,

I am contacting you after learning about the application for a review of UBREW's premises license.

I have lived in Old Jamaica road for 17 years & I would like to register my support for this young business which is bringing employment & industry to a previously deprived area.

I have never experienced any problems as a result of the trading activities of UBREW & I have not witnessed any public nuisance.

I look forward to hearing from you very soon.
Yours Sincerely,

[REDACTED]

Licensing induction checklist for new licensees / management.

Premises Name:UBREW

Address: Arches 29-30, 24 Old Jamaica Road, London, SE16 4AW

Licensee: ..UBREW

DPS:Matt Denham

1. INTRODUCTION

- Who staff are.
- Why meeting is being held – to ensure every licensee is fully aware of his / her responsibilities from the onset

2. THE LICENCE

- Introduce the licence document & the Annexes.
- Explain the mandatory conditions in Annex 1.
- Explain the special conditions in Annex 2 and 3.
- Give details of what happens if the conditions are breached.
- Explain about responsible authorities or interested parties, what their role is and how they can call a review. Give full details of what is involved with a review and what the outcomes can be.
- Explain that there is an annual maintenance fee to be paid for the licence.
- What must be done if the licensee decides to alter the premises
- Other circumstances in which a variation application may be necessary
- Explain in detail about when you need to apply for a variation, what is involved and what the procedure is. Also about varying the dps.
- Advise them that if they leave about surrendered the licence and the consequences for the licensee and the dps if they leave without surrendered the licence.
- Door Supervisors requirements that must be SIA registered.
- Drugs Misuse, drug policy.
- Challenge 21, suitable identification.
- Covert inspections by police, licensing and trading standards.
- Noise nuisance.

3. INSPECTIONS

- Reason for inspections and why conducted without warning and during performance
- Early inspection(s) conducted and thereafter risk-assessed. Give details of what we look for and what documents we will need to see. Also the outcome if we find things wrong – what happens next?
- Will conduct additional inspections where problems found and complaints made.

- Will listen to proposals for putting right. Will give timescale for matters that cannot be rectified easily.
- Explain inspections aim to help but that continually to operate outside of the terms of the licence will result in action
- The potential consequences of licence contravention – formal caution / legal proceedings / licence revocation
- Make sure any special arrangements at premises are understood (i.e. lobby door arrangements / removal of bolts / numbers control etc)

4. ASSISTANCE

- Emphasise that if the licensee has any problems he should contact the office and discuss

Leave calling cards:

Officer(s) Attending: (Sign)..... 

(Print)..... M. R. ORTON

Persons Present: (Sign)..... 

(Print)..... Matthew Denham

Date of Meeting: 27 / 3 / 15

Licensing induction checklist for new licensees / management.

Premises Name: VRREW
 Address: 29-30 Old Jamaica Rd IND EST SE16
 Licensee: VRREW CE LTD
 DPS: CARRIE FLEETWOOD

1. INTRODUCTION

- Who staff are.
- Why this meeting is being held – to ensure every licensee is fully aware of his / her responsibilities from the onset

2. THE LICENCE

- Introduce the licence document & the Annexes.
- Explain the mandatory conditions in Annex 1.
- Explain the special conditions in Annex 2 and 3.
- Give details of what happens if the conditions are breached.
- Explain about responsible authorities and interested parties, what their role is and how they can call a review. Give full details of what is involved with a review and what the outcome can be.
- Explain that there is an annual maintenance fee to be paid for the licence.
- What must be done if the licensee decides to alter the premises.
- Other circumstances in which a variation application may be necessary.
- Explain about when you need to apply for a variation, what is involved and what the procedure is. Also about varying the DPS.
- Advise them that if they leave with regard to surrendering the licence and the consequences for the licensee and the DPS if they leave without surrendering the licence.
- Door Supervisors requirements that must be SIA registered.
- Drugs Misuse, drug policy.
- Challenge 21, 25, suitable identification.
- Covert inspections by police, licensing and trading standards.
- Noise nuisance.

3. INSPECTIONS


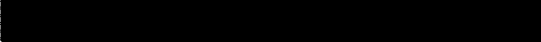
- Reason for inspections and why they would be conducted without warning and during performance.
- Early inspection(s) conducted and thereafter risk-assessed. Give details of what we look for and what documents we will need to see. Also the outcome if we find things wrong – what happens next?

- We will conduct additional inspections where problems are found and complaints made.
- We will listen to proposals for putting things right and give timescales for matters that cannot be rectified easily.
- Explain inspections aim is to help but that continuing to operate outside of the terms of the licence will result in action.
- The potential consequences of licence contravention – formal caution / legal proceedings / licence revocation.
- Make sure any special arrangements at premises are understood (i.e. lobby door arrangements / removal of bolts / numbers control etc).

4. ASSISTANCE

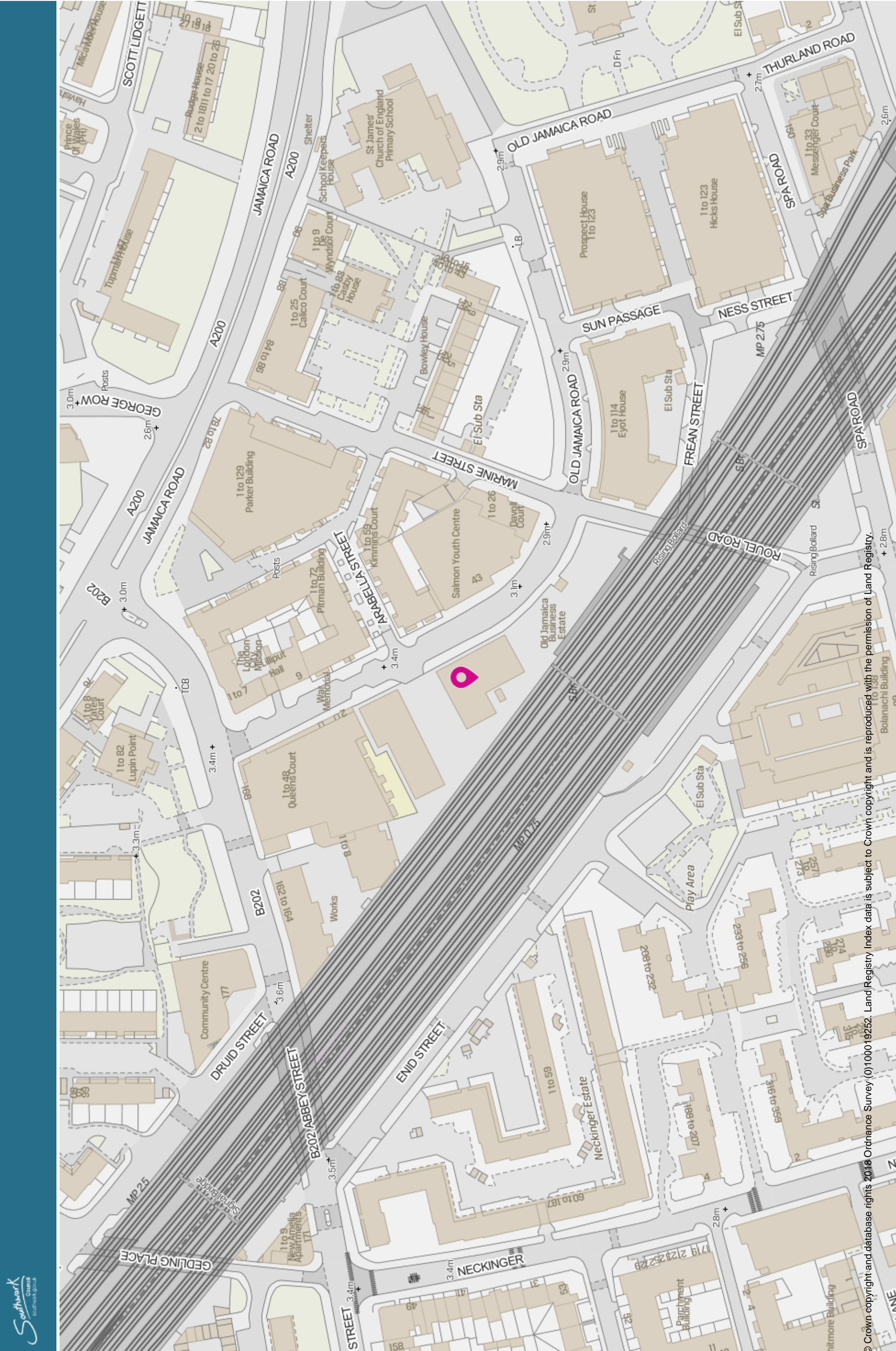
- Emphasise that if the licensee has any problems he should contact the office and discuss

Leave business cards:

Officer(s) Attending: (Sign) M. ORTON
(Print) 
Persons Present: (Sign) 
(Print) WIA HORSEALL
Date of Meeting: 23 - 5 - 2017

Appendix F - Details of TENs submitted in respect of the premises

Ref:	Start date	End date	Times	Max. No. of people	Alcohol?	Entertainment?	LNR?	Police Objection?	EPT objection?
847366	16/02/2015	22/02/2015	13:00 - 23:00	50	Yes	No	No	No	No
847495	28/02/2015	06/03/2015	13:00 - 23:00	50	Yes	No	No	No	No
847535	28/02/2015	06/03/2015	12:00 - 23:00	300	Yes	No	No	No	No
848036	19/05/2015	20/05/2015	12:00 - 23:00	450	Yes	No	No	No	No
848308	19/06/2015	20/06/2015	12:00 - 23:00	450	Yes	No	No	No	No



© Crown copyright and database rights 2018 Ordnance Survey (0100019252). Land Registry Index data is subject to Crown copyright and is reproduced with the permission of Land Registry.



50 m

11-Jul-2018

This page is intentionally blank.

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

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

Name	No of copies	Name	No of copies
Members		Officers	
Councillor Maria Linforth-Hall	1	Debra Allday, legal team	1
Councillor Kath Whittam	1	Wesley McArthur, licensing team	1
Councillor Ian Wingfield	1	Graham White, Metropolitan Police Service	By email
Councillor Lorraine Lauder MBE	By email		
Other councillors		Andrew Weir (spares)	3
Councillor Margy Newens	1	Total printed copies:	10
Councillor Sirajul Islam	1	Dated: 17 July 2018	