

## Licensing Sub-Committee

Friday 7 September 2018

10.00 am

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

### Membership

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

### Reserves

Councillor Charlie Smith

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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#### Contact

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

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 28 August 2018



## Licensing Sub-Committee

Friday 7 September 2018  
10.00 am

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

### Order of Business

Item No.	Title	Page No.
<b>PART A - OPEN BUSINESS</b>		
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>LICENSING ACT 2003: LONDONER KEBABS, ARCH 975, 23 DUKE STREET HILL, LONDON SE1 2SW</b>	1 - 33
6.	<b>LICENSING ACT 2003: UNIT 272, LONDON BRIDGE STATION, LONDON SE1 9SP</b>	34 - 94
7.	<b>LICENSING ACT 2003: THE PIE CART, UNIT 19, OLD JAMAICA BUSINESS ESTATE, 24 OLD JAMAICA ROAD, LONDON SE16 4AW</b>	95 - 131

**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: 28 August 2018

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 7 September 2018	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Londoner Kebabs, Arch 975, 23 Duke Street Hill, London SE1 2SW	
<b>Ward(s) of group(s) affected</b>		London Bridge and West Bermondsey	
<b>From</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Londoner Kebabs Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Londoner Kebabs, Arch 975, 23 Duke Street Hill, London SE1 2SW.
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 and 9 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 10 to 16 of this report deal with the representations submitted and any further correspondence in respect of the application. Copies of the representations are attached as Appendices B and C.
  - d) Paragraph 18 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix D.
  - e) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

3. The Licensing Act 2003 provides a 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 14 June 2018, Londoner Kebab Limited applied to this council for the grant of a premises licence in respect of Londoner Kebabs, Arch 975, 23 Duke Street Hill, London SE1 2SW. The premises is described as a small A3 Unit specialising in hot food to takeaway with soft drinks. The application is summarised as follows:
  - **Latenight refreshment (indoors)**
    - Sunday to Tuesday from 12:00 to 01:00
    - Wednesday and Thursday from 12:00 to 03:00
    - Friday and Saturday from 12:00 to 05:00.
  
  - **Operating hours**
    - Sunday to Tuesday from 12:00 to 01:00
    - Wednesday and Thursday from 12:00 to 03:00
    - Friday and Saturday from 12:00 to 05:00.
  
9. The premises licence application form provides the applicant's operating schedule. Parts I, 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 the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

### **Representations from responsible authorities**

10. There are representations from the Metropolitan Police Service, licensing (as a responsible authority) and public health.
11. The police requested that there be conditions included on the licence to promote the crime and disorder licensing objective. A number of conditions were suggested to the applicant and have since been agreed. These specifically concerned the installation of CCTV, training of staff and the use of outside areas. As the conditions were agreed the police representation was withdrawn.
12. The licensing representation is based on the Southwark statement of licensing policy 2016 - 2020 and relates to the licensing objectives for the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. They advise that the premises is situated in the Borough and Bankside and London Bridge strategic cultural area and the Borough and Bankside district town centre area. Additionally, the premises falls within the Borough and Bankside cumulative impact policy area. They advise that under the Southwark statement of licensing Policy 2016 - 2020 the local cumulative impact policy applies to night clubs, public houses and bars, restaurants and cafes, off-licences, supermarkets, convenience stores and similar premises and the appropriate closing times for take-away establishments in this area on Sunday to Thursday is 00:00 and for Friday and Saturday is 01:00. They recommend that a dispersal policy be submitted and the hours sought be brought in line with those recommended by the Southwark statement of licensing policy.
13. The public health representation also states that this premises is located within the Borough and Bankside cumulative impact policy area and that the applicant has not adequately rebutted the presumption that this premises will contribute to the cumulative impact of alcohol-related harm in the local area. The applicant has offered no explanation as to how they intend to promote the licensing objectives, nor have they given consideration to their location within a CIP area.
14. The representations are attached as Appendix B.

### **Representations from other persons**

15. There are no representations from other persons.

### **Conciliation**

16. The representations were forwarded to the applicant representative and following conciliation the police representation is withdrawn. The conciliation statement and police withdrawal are attached as Appendix C. The licensing sub-committee will be updated on 7 September 2018 of any developments.

### **Deregulation of entertainment**

17. On 6 April 2015 entertainment became deregulated and as a result:
  - Live unamplified music is deregulated between 08:00 and 23:00 on any premises.

- Live and recorded amplified music is deregulated between 08.00 and 23.00 at on-licensed premises provided the audience does not exceed 500 people. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

### **Map of the local area**

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

#### **Restaurants, Public Houses/Bars:**

- Azzuro, Unit 31, Cottons Centre, London SE1 (Monday to Saturday until 00:30 and Sunday until 00:00)
- The Mug House, 1-3 Tooley Street, London SE1 (Monday to Sunday until 02:30)
- The New Building, 1 London Bridge Street, London SE1 (Monday to Sunday until 00:00)
- Jamies, 10-18 London Bridge Street, London SE1 (Monday to Sunday until 02.30)
- ITSU, Unit 4 Shard Arcade, Joiner Street, London SE1 (Monday to Sun until 23:00).

#### **Off licences:**

- Bridge Walk Food & Wine, 3 London Bridge Walk, London SE1 (Monday to Wednesday until 23:00, Thursday and Friday until 00:00 and Saturday and Sunday until 22:00)
- Odd Bins, 7 Borough High Street, London SE1 (Monday to Saturday until 23:00 and Sunday until 22:30).

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

- Restaurants and Cafes:
  - Sunday to Thursday is 00:00 hours
  - Friday and Saturday is 01:00 hours
  - There are no restriction times for hotel bars and guest houses.

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

20. Council assembly approved the introduction of a special policy for Borough and Bankside on the cumulative impact of a concentration of licensed premises (saturation/cumulative impact policy) on 5 November 2008, and extended the area in April 2011. This application falls within the policy area.

21. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
22. The effect of this special policy is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
23. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

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

24. 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.
25. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining

applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

### **Resource implications**

26. A fee of £100.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band A.

### **Consultation**

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

### **Guidance**

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

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

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

### **BACKGROUND DOCUMENTS**

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



**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Application for a premises licence
Appendix B	Representations submitted by responsible authorities
Appendix C	Conciliation and withdrawal email from police
Appendix D	Map of area

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Social Regeneration	
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	23 August 2018	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	23 August 2018	

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

13/06/2018

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

Ref No. 1038977

#### 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

ILIRIYAHADA LONDONER KEBABS LIMITED

#### Premises Details

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

£	00.00
	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

LONDONER KEBABS

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

Address Line 1	
Address Line 2	
Town	
County	
Post code	
Ordnance survey map reference	
Description of the location	ARCH 975, 23 DUKE STREET HILL
Telephone number	02074037141

#### Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

<input type="checkbox"/>	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	MR HIRSHABA LONDONER KEBABS LIMITED
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Address - First Entry

Street number or building name	23 Duke Street Hill
Street Description	London Bridge
Town	London
County	
Post code	SE1 2SW
Registered number (where applicable)	11376282
Description of applicant (for example, partnership, company, unincorporated association etc)	LIMITED COMPANY - LONDONER KEBABS LIMITED - COMPANY REC. 11376282

Contact Details - First Entry

Telephone number	(20) 74037141
Email address	

Operating Schedule

When do you want the premises licence to start?

	14/06/2018
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If you wish the licence to be valid only for a limited period, when do you want it to end?

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General description of premises ( see guidance note 1 )

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

	SMALL A3 UNIT SPECIALISING IN TAKEAWAY OF WRAPS, KEBABS, GRILLED CHICKEN, BURGERS AND SOFT DRINKS
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If 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number.

	Less than 5000
--	----------------

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 of the Licensing Act 2003)
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Provision of regulated entertainment (Please read guidance note 2)


Provision of late night refreshment

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

Supply of alcohol

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1 - Late Night Refreshment

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

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

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

FOOD PREPARED TO ORDER WITHIN PREMISES FOR TAKEAWAY
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Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

Day	Start	Finish
Mon	12:00	01:00
Tues	12:00	01:00
Wed	12:00	03:00
Thur	12:00	03:00
Fri	12:00	05:00
Sat	12:00	05:00
Sun	12:00	01:00

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

NONE
------

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

AS LISTED
-----------

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	12:00	01:00
Tues	12:00	01:00
Wed	12:00	03:00
Thur	12:00	03:00
Fri	12:00	05:00
Sat	12:00	05:00
Sun	12:00	01:00

State any seasonal variations ( Please read guidance note 5 )

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

	NONE
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Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, ( Please read guidance note 6 )

	AS LISTED
--	-----------

M - Steps to promote four licencing objectives

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

	CCTV CAMERAS INSTALLED IN ACCORDANCE WITH STATUTORY REQUIREMENTS
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b) the prevention of crime and disorder

	CCTV CAMERAS INSTALLED IN ACCORDANCE WITH STATUTORY REQUIREMENTS
--	---

c) public safety

	CCTV CAMERAS INSTALLED IN ACCORDANCE WITH STATUTORY REQUIREMENTS
--	---

d) the prevention of public nuisance

	CCTV CAMERAS INSTALLED IN ACCORDANCE WITH STATUTORY REQUIREMENTS
--	---

e) the protection of children from harm

	CCTV CAMERAS INSTALLED IN ACCORDANCE WITH STATUTORY REQUIREMENTS
--	---

Please upload a plan of the premises

	<a href="#">23-dukes-street-hill-PLAN.pdf</a>
--	---

Please upload any additional information i.e. risk assessments

--	--

Checklist

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

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

## Home Office Declaration

Please tick to indicate agreement

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

## Declaration

I agree to the above statement

	Yes
PaymentDescription	, ,
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	

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


Full name	MR ILIR SHALA
Date (DD/MM/YYYY)	[REDACTED]
Capacity	COMPANY DIRECTOR/SHAREHOLDER

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

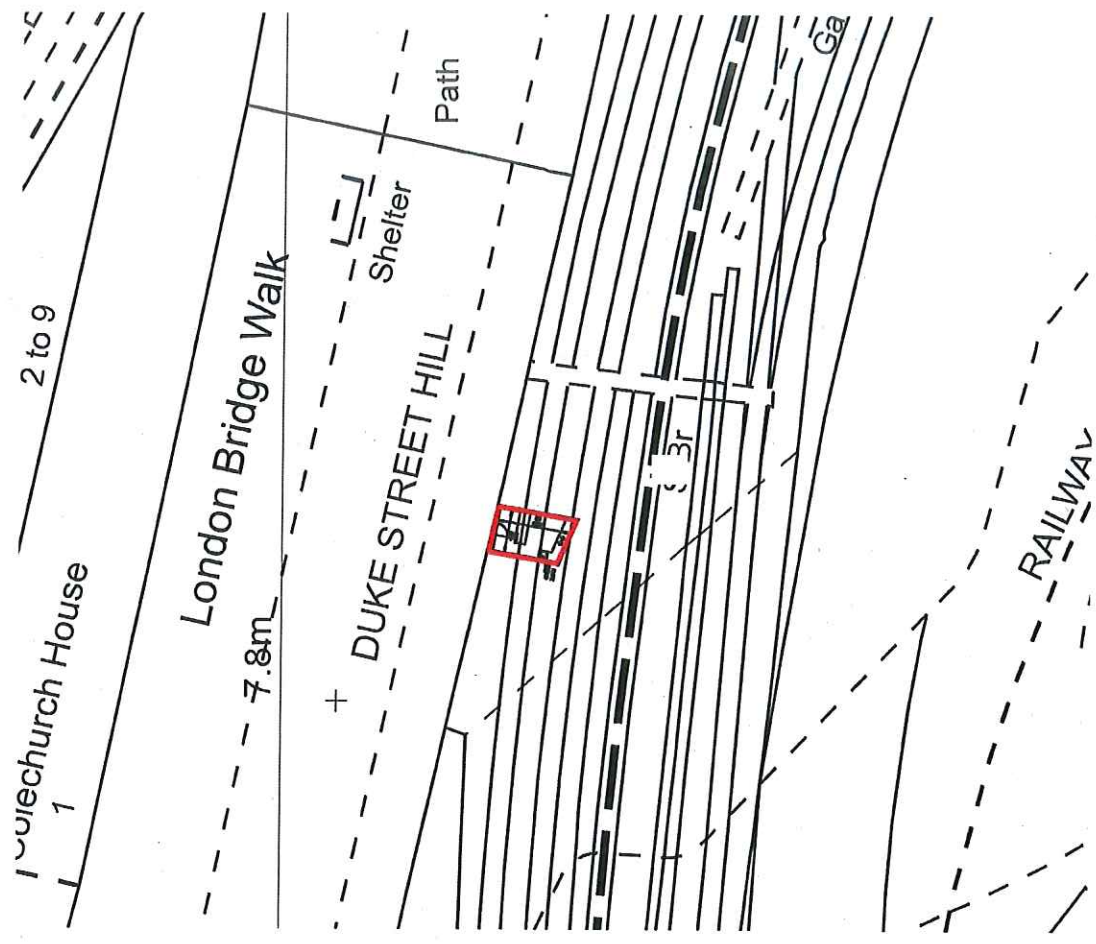
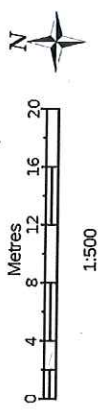
Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 14)

Contact name and address for correspondence	Mr Ilir Shala 23 Duke Street Hill London Bridge
Telephone No.	[REDACTED]

If you prefer us to correspond with you by e-mail, your email address (optional)	
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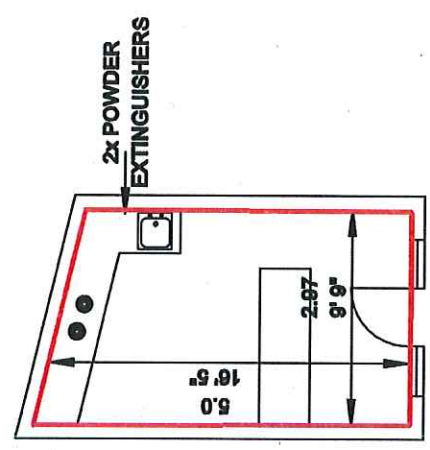
The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.





**23 DUKES STREET HILL**  
**LONDON SE1**  
**SCALE 1:100**  
**A4 PAPER SIZE**

Gross Internal Area = 14 sq. metres  
 155 sq. feet



**GROUND FLOOR**

**DUKES STREET HILL**





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/21/3167 /18

**Date:** 12<sup>th</sup> July 2018

Dear Sir/Madam

Re:- Londoner Kebabs 23 Duke Street Hill SE1 2SW

Police are in possession of an application from the above for a new premises licence 863655. The application relates to late night refreshment only for a takeaway kebab and grill style premises.

The application provides little detail as to the control measure regarding CCTV for the prevention of crime or disorder.

The wording of each condition is important so it complies with home office guidance in being precise and enforceable. Some of the conditions have been offered but we would like to see the following wording.

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. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council.
3. A staff member who is able to operate the CCTV system shall be present at all times that, they are open to the public.
4. An incident log (whether written or electronic form) shall be maintained and kept for not less than 6 months.

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

Yours Sincerely

PC Ian Clements 362MD

Licensing Officer

Southwark Police Licensing Unit

## MEMO: Licensing Unit

---

To	Licensing Unit	Date	12 July 2018	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

---

Subject Re: Londoner Kebabs, Arch 975, 23 Duke Street Hill, London, SE1 2SW  
 – Application for a premises licence

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

- Late night refreshment (indoors) on Sunday to Tuesday from 23:00 to 01:00 the following day; Wednesday and Thursday from 23:00 to 03:00 the following day and on Friday and Saturday from 23:00 to 05:00 the following day
- Overall opening times shall be on Sunday to Tuesday from 12:00 to 01:00 the following day; Wednesday and Thursday from 12:00 to 03:00 the following day and on Friday and Saturday from 12:00 to 05:00 the following day

The premises is described as *'Small A3 Unit specialising in takeaway of wraps, kebabs, grilled chicken, burgers and soft drinks'*.

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

The premises is situated in the Bankside, Borough, London Bridge Strategic Cultural & Bankside and Borough District Town Centre Area and also falls within the Borough and Bankside CIP Area.

Under the Southwark Statement of Licensing Policy 2016 - 2020 the Local CIP applies to night clubs, public houses & bars, restaurants & cafes, off-licences, supermarkets, convenience stores and similar premises and the appropriate closing times for take-away establishments in this area on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Borough and Bankside policy area as defined in paragraph 129 of the policy and, as an takeaway type premises falls into the class of premises in 130 of the policy.

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

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not contribute to crime and disorder and public nuisance within the policy area.

Further to this the application has not adequately addressed 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 with the application I ask the applicant to provide the following information:

- A written dispersal policy (to be conditioned)

Furthermore the opening hours applied for are in excess of what is deemed appropriate for this area within the statement of licensing policy and to promote the licensing objectives I ask the applicant to consider reducing the hours applied for to be in line with the licensing policy and to bring the licensable activity in line as follows:

- Premises to close on Sunday to Thursday at 00:00 hours and for Friday and Saturday at 01:00 hours.
- Late night refreshment to cease on Sunday to Thursday at 00:00 hours and for Friday and Saturday at 01:00 hours

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

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:  
<http://lbs-mapweb-01:9080/connect/Includes/APPIMA/SSOLP1620.pdf>

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

**From:** Sharpe, Carolyn **On Behalf Of** Public Health Licensing  
**Sent:** Thursday, July 12, 2018 11:44 AM  
**To:** Regen, Licensing  
**Cc:** Public Health Licensing  
**Subject:** RE: Consultation - New Premises Licence, 23 Duke Street Hill

To whom it may concern:

**Re: 23 Duke Street Hill, London SE1 2SW**

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

**General Comments**

The applicant requests a new licence for the sale of late night refreshment until 01:00 Sundays to Tuesdays, 03:00 Wednesdays to Thursdays, 05:00 Fridays to Saturdays.

This premises is located within the Borough Bankside Cumulative Impact Policy area and in my opinion the applicant has not adequately rebutted the presumption that this premises will contribute to the cumulative impact of alcohol-related harm in the local area. The applicant has offered no explanation as to how they intend to promote the licensing objectives, nor have they given consideration to their location within a CIP area.

The Borough Bankside CIP is a hotspot for alcohol-related crime, violence and disorder – as evidenced by the attached report. Furthermore, research indicates that late night food takeaways can generate crime and disorder due to large numbers of intoxicated individuals congregating in and around the venue. Research recently undertaken by the public health team; T.Boshari, C.Sharpe (Public Health Policy Officers) and R. Pinder (Consultant in Public Health) indicates that each late night licensed takeaway in Southwark is associated with a 1.3% increase in alcohol-related violence. This research is currently awaiting academic publication.

**Recommendations**

- I recommend a closing time and end time for licensable activities of 00:00 Sunday to Thursday and 01:00 on Fridays and Saturdays as per Southwark's Statement of Licensing Policy

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

Yours sincerely,

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

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

**Please note that I will be leaving the organisation soon. My last day will be 13<sup>th</sup> July 2018. For all  
licensing related queries after this date, please contact my colleague Leidon  
Shapo [Leidon.Shapo@southwark.gov.uk](mailto:Leidon.Shapo@southwark.gov.uk)**



Alcohol-related violence and disorder in Southwark's Cumulative Impact Policy<sup>1</sup> (CIP) areas



<b>Content</b>	❖ Introduction	page 1	
	❖ Summary of Southwark's CIP areas	page 1	
	❖ Violence and disorder hotspot maps	page 2	
	❖ Alcohol-related hotspot locations	pages 3 & 4	
	❖ Temporal summary	page 5	❖ Please see page 5 for the Glossary of terms

**Metadata**

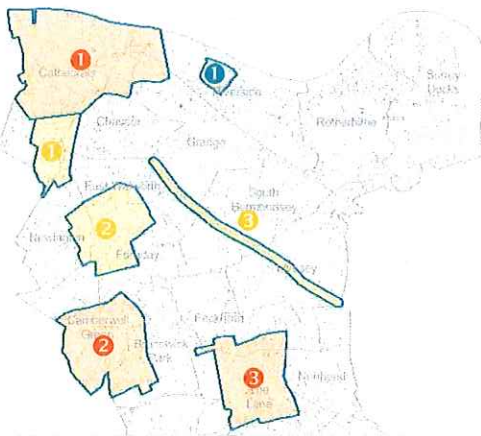
- ❶ Metropolitan Police Service CRIS<sup>2</sup> for Violence Against the Person<sup>3</sup> crime reports (Includes reports with a drink-related feature code [GA, MF, MV]<sup>4</sup>, excludes reports with a domestic abuse flag [DI, DV, DX]<sup>5</sup>)
- ❷ Metropolitan Police Service CAD<sup>6</sup> for reports of anti-social behaviour (Only reports of rowdy behaviour [code 202] and street drinking [code 209] have been included. Code 202 and 209 reports with an alcohol qualifier [code 600] are included by default)
- ❸ SafeStats<sup>7</sup> for London Ambulance Service alcohol-related call-out records
- ❹ Please note that due to limitations with the datasets, A&E and British Transport Police data were not included in this report

**Introduction**

The purpose of this document is to provide the reader with an overview of recorded alcohol-related violence and disorder in Southwark and its Cumulative Impact Policy (CIP) areas, and to help inform decision on proposed changes to CIP conditions set out in Southwark's Licensing Policy<sup>8</sup>.

**Summary**

As shown by the map below, Southwark has three ● CIP areas and three ● monitoring areas<sup>9</sup>. As requested by Southwark's Licensing Committee, ● Shad Thames has been included in this report.



The table below shows the proportion each area accounts for of the borough total. It shows that in most instances, the proportions do not change much from one financial year to the next. One exception worth mentioning is the 6.4 percentage point increase from FY15/16 to FY16/17 in non-domestic, alcohol-related Violence. The figures behind this change show a 12.8% increase in the CIP areas total against a borough-wide decrease of 7.2%.

Of the six CIP and monitoring areas, Borough and Bankside accounts for the largest proportion of alcohol-related reports.

For the 2016/17 financial year, Southwark's CIP areas accounted for the following % of reports in the borough:

- ❖ 36% of alcohol-related rowdy behaviour and street drinking;
- ❖ 24% of non-alcohol related rowdy behaviour;
- ❖ 33% of alcohol-related ambulance call-outs;
- ❖ 36% of alcohol-related violence;
- ❖ 24 % of non-alcohol related violence.

For the same period, Southwark's monitoring areas accounted for the following % of reports in the borough:

- ❖ 14% of alcohol-related rowdy behaviour and street drinking;
- ❖ 12% of non-alcohol related rowdy behaviour;
- ❖ 14% of alcohol-related ambulance call-outs;
- ❖ 19% of alcohol-related violence;
- ❖ 13 % of non-alcohol related violence.

In comparison to the CIP and monitoring areas, Shad Thames accounted for a very, very small % of reports in the borough:

- ❖ 0.7% of alcohol-related rowdy behaviour and street drinking;
- ❖ 0.4% of non-alcohol related rowdy behaviour;
- ❖ 0.4% of alcohol-related ambulance call-outs;
- ❖ 0% of alcohol-related violence;
- ❖ 0.3 % of non-alcohol related violence.

Even per square meter, report numbers were very low for Shad Thames.

Alcohol-related reports by area and year as a percentage of the borough total		FY12/13	FY13/14	FY14/15	FY15/16	FY16/17	FYTD17/18	change FY16/17 cf. FY15/16
CIP areas	❖ Rowdy behaviour and street drinking	33.0%	35.3%	36.2%	36.7%	36.0%	33.8%	-0.7 pp
	❖ Ambulance call-outs	31.3%	32.2%	31.7%	31.0%	32.9%	33.4%	+1.9 pp
	❖ non-domestic Violence	34.6%	31.9%	34.9%	29.5%	35.9%	37.7%	+6.4 pp
monitoring areas	❖ Rowdy behaviour and street drinking	16.5%	16.3%	16.3%	11.8%	13.1%	9.5%	+1.3 pp
	❖ Ambulance call-outs	13.1%	15.6%	14.7%	14.7%	13.7%	13.6%	-1.0 pp
	❖ non-domestic Violence	18.6%	24.5%	19.3%	19.6%	18.9%	17.5%	-0.6 pp
Rowdy behaviour and street drinking	❶ Borough and Bankside CIP area	15.5%	20.2%	21.3%	21.8%	18.7%	13.5%	-3.1 pp
	❷ Camberwell CIP area	6.3%	8.4%	7.8%	7.0%	9.6%	9.5%	+2.5 pp
	❸ Elephant and Castle monitoring area	6.1%	4.8%	5.8%	4.5%	6.4%	6.1%	+1.9 pp
	❹ Old Kent Road monitoring area	5.6%	4.3%	4.0%	2.3%	2.7%	1.4%	+0.4 pp
	❺ Peckham CIP area	11.2%	6.6%	7.0%	7.9%	7.8%	10.8%	-0.2 pp
	❶ Shad Thames area	0.8%	0.3%	0.2%	0.5%	0.7%	0.0%	+0.2 pp
	❷ Walworth Road and East Street monitoring area	4.8%	7.2%	6.5%	5.0%	4.0%	2.0%	-1.0 pp
	❸ Peckham CIP area	0.8%	0.3%	0.2%	0.5%	0.7%	0.0%	+0.2 pp
Ambulance call-outs	❶ Borough and Bankside CIP area	17.6%	19.7%	19.2%	17.7%	21.4%	20.5%	+3.6 pp
	❷ Camberwell CIP area	6.3%	5.9%	6.9%	7.7%	6.1%	6.9%	-1.7 pp
	❸ Elephant and Castle monitoring area	7.3%	7.0%	6.3%	7.3%	6.6%	5.8%	-0.7 pp
	❹ Old Kent Road monitoring area	2.5%	3.1%	2.9%	2.4%	2.5%	2.5%	+0.0 pp
	❺ Peckham CIP area	7.4%	6.5%	5.7%	5.5%	5.4%	6.1%	-0.0 pp
	❶ Shad Thames area	0.3%	0.4%	0.5%	0.3%	0.4%	0.4%	+0.1 pp
	❷ Walworth Road and East Street monitoring area	3.3%	5.5%	5.4%	5.0%	4.6%	5.3%	-0.3 pp
	❸ Peckham CIP area	7.4%	6.5%	5.7%	5.5%	5.4%	6.1%	-0.0 pp
non-domestic Violence	❶ Borough and Bankside CIP area	16.5%	19.1%	21.4%	17.2%	19.8%	18.8%	+2.6 pp
	❷ Camberwell CIP area	9.6%	5.4%	7.5%	5.4%	6.0%	8.4%	+0.6 pp
	❸ Elephant and Castle monitoring area	11.2%	11.0%	9.5%	8.2%	8.8%	8.4%	+0.6 pp
	❹ Old Kent Road monitoring area	2.7%	6.0%	4.0%	3.0%	3.7%	3.2%	+0.7 pp
	❺ Peckham CIP area	8.5%	7.5%	6.0%	7.0%	10.1%	10.4%	+3.1 pp
	❶ Shad Thames area	0.0%	0.6%	0.3%	0.6%	0.0%	0.0%	-0.6 pp
	❷ Walworth Road and East Street monitoring area	4.8%	7.5%	5.8%	8.4%	6.5%	5.8%	-1.9 pp
	❸ Peckham CIP area	8.5%	7.5%	6.0%	7.0%	10.1%	10.4%	+3.1 pp

**Map key**

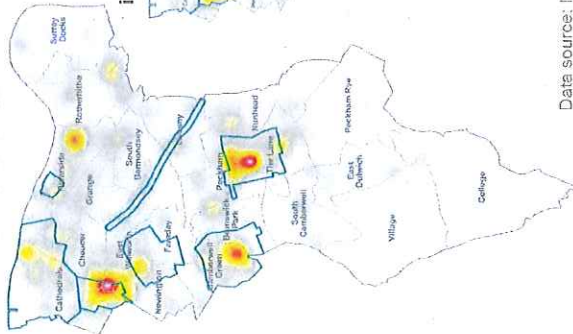
- ❶ Borough and Bankside CIP area
- ❷ Camberwell CIP area
- ❸ Peckham CIP area
- ❹ Elephant and Castle monitoring area
- ❺ Walworth Road and East Street monitoring area
- ❻ Old Kent Road monitoring area
- ❼ Shad Thames area
- Southwark's wards

Data sources: Metropolitan Police Service CAD for ASB and CRIS for crime; SafeStats for London Ambulance Service call-outs



**Hotspot maps** Based on data covering the 12-month period 1<sup>st</sup> August 2016 to 31<sup>st</sup> July 2017

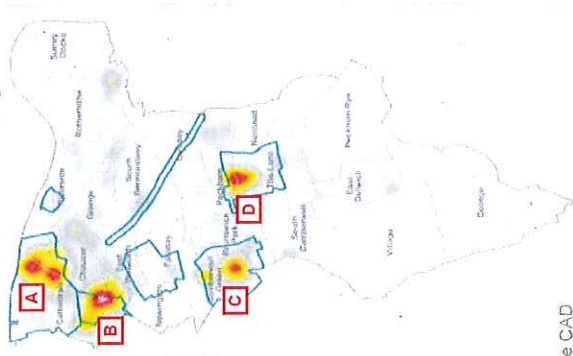
**excl. alcohol-related**



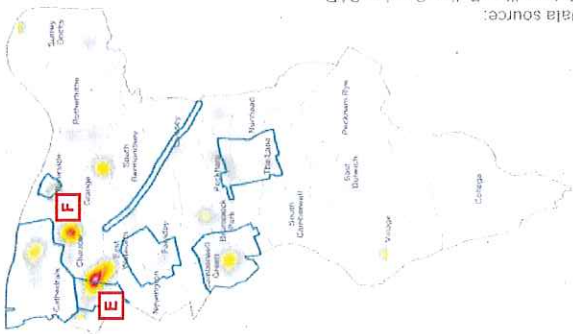
**Rowdy behaviour**



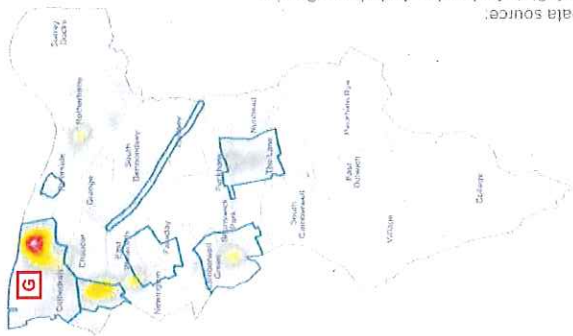
**incl. alcohol-related**



**Street drinking**



**Alcohol-related ambulance call-outs**



The maps on this page show the proximity of incident locations to one another, and affirm that Southwark's CIP areas are still relevant.

Please see page 3 for a closer look at each alcohol-related hotspot location, **A** to **L**.

**Key**  
 proximity based on 200m bandwidth and 40m cell size  
 closest proximity  
 decrease

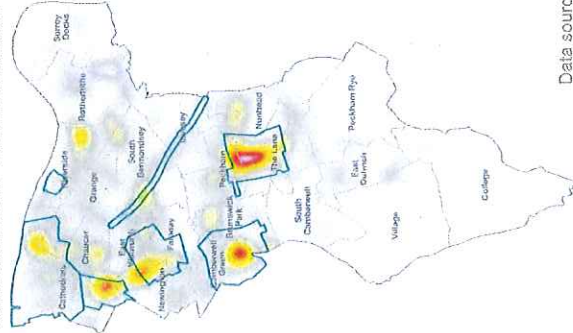
Please be aware that the data have some geographical limitations:  
 (i) Ambulance call-outs are mapped to Census output area level  
 (ii) 5% of violence records for the period 1<sup>st</sup> Aug-16 to 31<sup>st</sup> Jul-17 did not contain co-ordinate data

Data source: Metropolitan Police Service CAD  
 Safelists for London Ambulance Service

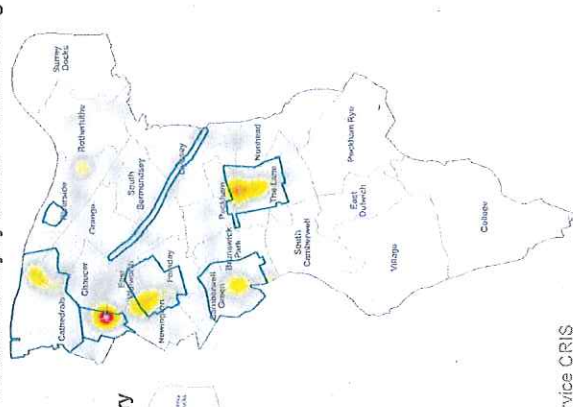
Data source: Metropolitan Police Service CAD

**non-domestic Violence (excluding alcohol-related)**

**Harassment and Common Assault**



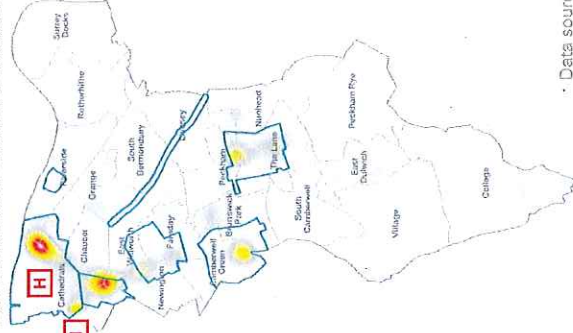
**Assault with Injury and Serious Wounding**



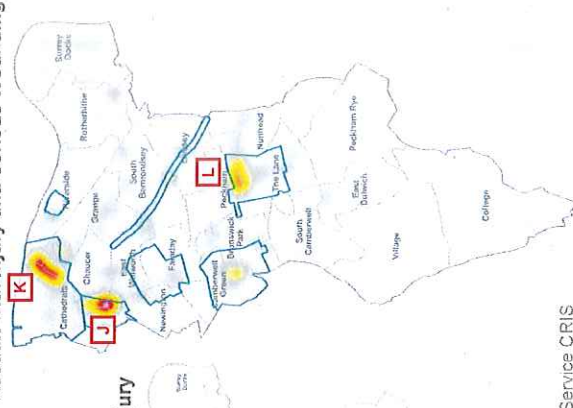
Data source: Metropolitan Police Service CRIS

**non-domestic Violence (alcohol-related only)**

**Harassment and Common Assault**



**Assault with Injury and Serious Wounding**



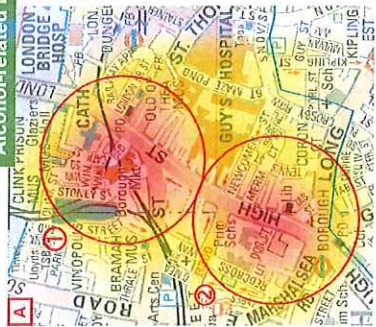
Data source: Metropolitan Police Service CRIS



**Hotspot locations** Based on data covering the 12-month period 1<sup>st</sup> August 2016 to 31<sup>st</sup> July 2017

Best viewed in conjunction with maps on page 2

**Alcohol-related rowdy behaviour**



**1** 22x alcohol-related rowdy behaviour reports. 2x repeat locations:

- 7x incidents at London Bridge bus station, mainly between the hours of 14:15 and 15:40, and 22:40 and 22:50;
- 7x incidents in / directly around Borough Market, mainly between the hours of 14:30 and 19:30.

In comparison, 92x non-alcohol related rowdy behaviour reports. 2x top repeat locations:

- 47x incidents at London Bridge bus station, mainly Sun-Thur, peak times of 01:00-02:59, 04:00-04:59, and 06:00-06:59.
- 6x incidents at St Christophers Inn [Borough High Street], Fri-Sun between 23:00 and 01:59.

**2** 13x alcohol-related rowdy behaviour reports. No repeat locations. Peak day Tue, reports made between 12:00 and 16:00. Weekend (Sat-Sun) peak time of 22:00-23:59.

In comparison, 49x non-alcohol related rowdy behaviour reports. Peak days Mon, Wed, Fri, Mon-Thu peak time of 18:00-19:59, and Fri-Sun peak time of 00:00-00:59.

- 1x repeat location:
- 4x incidents at Pret A Manger [no. 11 Borough High Street] (3x incidents on Mon, 08:40-08:50).

**Alcohol-related rowdy behaviour**



**2** 26x alcohol-related rowdy behaviour reports. 2x repeat locations:

- 4x incidents in / outside The Coronet (3x incidents between 23:15 and 02:25).
- 2x incidents at The Elephant and Castle public house (1x incident just after 18:00 and 1x incident just before 23:00).

In comparison, 161x non-alcohol related rowdy behaviour reports. 2x top repeat locations:

- 28x incidents at the Elephant and Castle shopping centre. Peak days Mon, Tue, Thu, Mon-Thu peak time of 16:00-17:59.
- 4x incidents at The Rockingham Arms. No peak days or peak times.

**Alcohol-related rowdy behaviour**



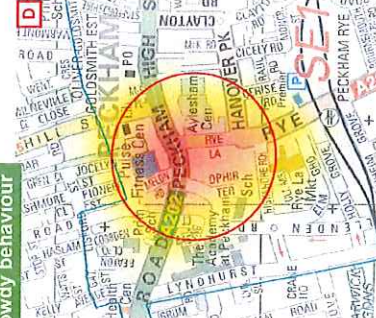
**3** 19x alcohol-related rowdy behaviour reports. 1x repeat location:

- 5x incidents at McDonalds [Butterfly Walk], mainly Thu-Sat, peak time of 23:50-01:30.

In comparison, 135x non-alcohol related rowdy behaviour reports. 3x top repeat locations:

- 25x incidents at McDonalds [Butterfly Walk], peak days Wed-Fri. Peak time of 15:00-18:59.
- 6x incidents at William Hill [Camberwell Church Street] (5x incidents on Sat, 14:00-22:59).
- 5x incidents at Camberwell Library. No peak days, incidents happened between 12:00 and 17:59.

**Alcohol-related rowdy behaviour**



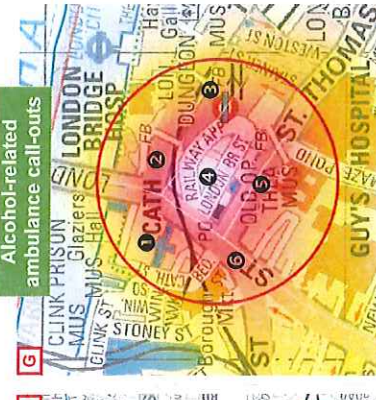
**4** 17x alcohol-related rowdy behaviour reports. 1x repeat location:

- 8x incidents at Peckham bus station [Peckham High Street], mainly Sun, Mon, Tue, between 03:00 and 05:59.

In comparison, 97x non-alcohol related rowdy behaviour reports. 2x top repeat locations:

- 14x incidents at Peckham bus station [Peckham High Street], peak day Sat. Peak time of 00:00-05:59.
- 11x incidents at The Kentish Drovers public house [Peckham High Street], peak days Wed, Sat. Peak times of 19:00-19:59 and 23:00-23:59.

**Alcohol-related ambulance call-outs**



**5** 195x alcohol-related ambulance call-outs. Peak days Fri-Sun, followed by Wed. Just over half of calls received between 21:00 and 01:59, with peak time of 23:00-00:59.

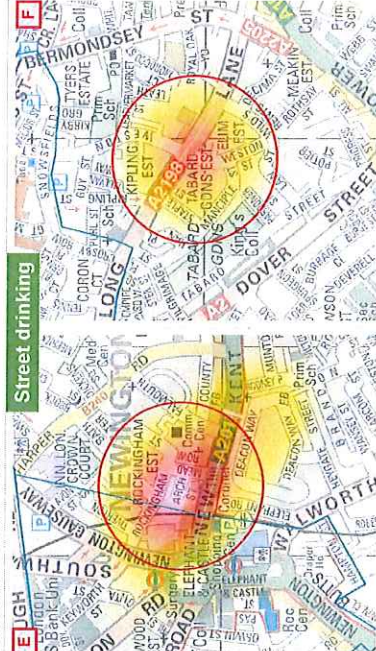
The ambulance service data published on SafeStats do not hold address information (e.g. street names, building names, property numbers); records are mapped to Census output area level, which is based on postcode areas.

For the purpose of this document, postcode-level records were counted by road. Not being an exact science, the results from this process should be viewed accordingly.

**Call-outs by road** (count of postcode level data):

- 1 Montague Close x12; peak day Sat, peak time of 21:00-22:59.
- 2 Duke Hill Street x61; peak days Fri-Sun, followed by Wed. Just over half of calls received between 21:00 and 02:59, with a peak time of 00:00-02:59.
- 3 London Bridge Station x39; peak days Fri-Sun, followed by Wed. Just over half of calls received between 21:00 and 02:59, with a peak time of 00:00-02:59.
- 4 London Bridge Street x20; peak day Sun. Calls received between 00:00 and 02:59, with a peak time of 00:00-00:59.
- 5 St Thomas Street x18; peak day Sat, peak times of 19:00-19:59 and 00:00-01:59.
- 6 Borough High Street x33; (stretch between no's 19 and 81) Peak days Mon, Tue, Sat. Peak times of 18:00-18:59, 20:00-20:59, 23:00-23:59, and 01:00-01:59.

**Street drinking**



**6** 5x street drinking reports. No repeat locations. Peak day Thu. No peak times.

**7** 7x street drinking reports. 1x repeat location:

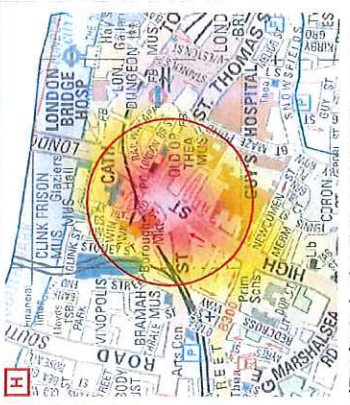
- 5x incidents on Arch Street. Various days and various times.

Data source: SafeStats for London Ambulance Service

Data source: Metropolitan Police Service CAD



Alcohol-related Harassment and Common Assault

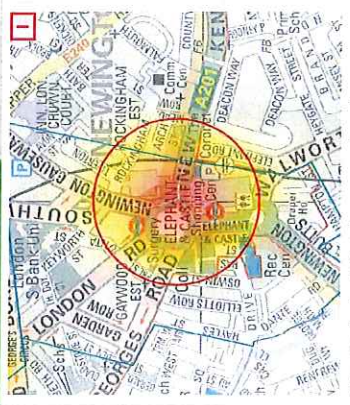


**17x alcohol-related harassment and common assault reports.** 3x repeat locations:

- 3x offences outside St Christopher's Inn [Borough High Street] (2x offences between 00:00 and 00:59 and 1x offence at 14:45)
- 2x offences at Café Rossi [Borough High Street] (1x offence at 22:00 and 1x offence just after 02:30)
- 2x offences at Pret A Manger [no.51 Borough High Street] (1x offence just after 13:30 and 1x offence at 08:30)

In comparison, 54x non-alcohol related harassment and common assault reports. 2x top repeat locations:

- 4x offences at Borough Market. Mainly weekdays, between 12:00 and 18:15.
- 4x offences at St Christopher's Inn [Borough High Street]. (3x offences on Sat between 00:30 and 02:30).

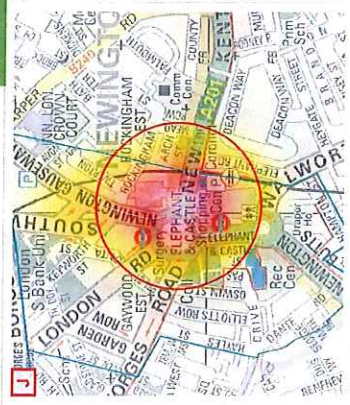


**15x alcohol-related harassment and common assault reports.** 3x repeat locations:

- 3x offences at The Coronet [New Kent Road] (2x offences on Sat, at 02:00 and 07:30, and 1x offence on Sun at 03:45)
- 2x offences at The Rockingham Arms [Newington Causeway] (1x offence just after 19:30 and 1x offence at 22:00)
- 2x offences at Iceland [Elephant and Castle shopping centre] (1x offence just after 14:00 and 1x offence at 19:30)

In comparison, 77x non-alcohol related harassment and common assault reports. 4x top repeat locations:

- 6x offences at The Rockingham Arms [Newington Causeway]. All offences Thu-Mon. Various times between 10:00 and 00:45).
- 5x offences directly outside Elephant & Castle underground station. (2x offences on Tue and 2x offences on Sun. Various times between 16:15 and 04:15)
- 5x offences at The Coronet [New Kent Road] (2x offences on Sat between 01:00 and 03:00 and 2x offences on Sun between 03:30 and 05:30).
- 4x offences at Tesco [Elephant and Castle shopping centre] (3x offences on Sat between 14:30 and 21:00)

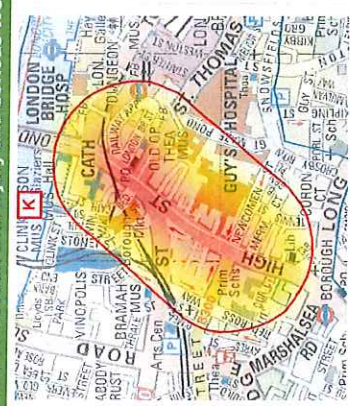


**17x alcohol-related assault with injury and serious wounding reports.** 2x repeat locations:

- 3x offences at The Coronet [New Kent Road] (All offences on Sat between 02:30 and 05:30)
- 2x offences at The Rockingham Arms [Newington Causeway] (Both offences on Mon, at 19:45 and 23:15)

In comparison, 66x non-alcohol related assault with injury and serious wounding reports. 2x top repeat locations:

- 13x offences at The Coronet [New Kent Road] (5x offences on Sat, 00:30-05:30 and 6x offences on Sun, 01:35-06:50)
- 12x offences at the Elephant and Castle Shopping Centre. Peak day Tue. Peak time 16:00-19:59.

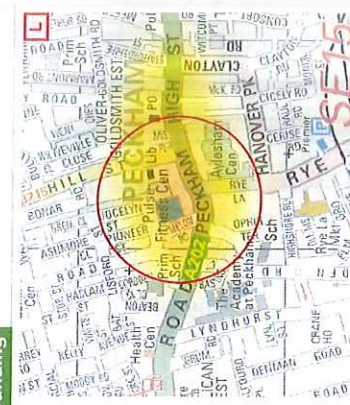


**28x alcohol-related assault with injury and serious wounding reports.** 5x repeat locations:

- 4x offences at Number 1 Bar [Duke Street Hill] (1x offence on Fri at 02:00, 2x offences on Sat, at 00:00 and 01:20, 1x offence on Sun at 05:55)
- 3x offences at Belushi's [Borough High Street] (1x offence on Thu just after 02:00 and 2x offences on Sat, at 01:30 and 02:30)
- 2x offences at St Christopher's Inn [Borough High Street] (1x offence on Wed at 01:25 and 1x offence on Fri at 01:00)
- 2x offences outside Giuseppe's [Borough High Street] (Both offences on Sat, at 02:30 and 02:50)
- 2x offences Sainsbury's [Borough High Street] (1x offence on Wed just after 02:00 and 1x offence on Sun at 05:00)

In comparison, 63x non-alcohol related assault with injury and serious wounding reports. 2x top repeat locations:

- 8x offences at Number 1 Bar [Duke Street Hill] (1x offence on Thu at 20:15, 1x offence on Fri just after 01:00, 4x offences on Sat, between 01:50 and 06:00, 1x offence on Sun at 06:00).
- 4x offences at Belushi's [Borough High Street] (1x offence on Thu at 20:45, 2x offences on Sat between 00:50 and 01:20, 1x offence on Sun at 01:15)



**14x alcohol-related assault with injury and serious wounding reports.** 2x repeat locations:

- 4x offences at O'Bar [Peckham High Street] (All offences on Sun, between 01:20 and 06:00)
- 3x offences outside the post office [no.121-125 Peckham High Street] (1x offence on Mon at 01:00, 1x offence Wed at 07:20, 1x offence on Sun at 01:30)

In comparison, 57x non-alcohol related assault with injury and serious wounding reports. Top repeat locations:

- 3x offences at Morrisons [The Avlesham Centre] (2x offences on Wed, just after 10:00 and just after 11:00, and 1x offences on Sat just after 12:00).



Data source: Metropolitan Police Service CRIS



**Temporal**

The table below shows that for

- Sundays to Thursdays, peak times in the CIP and monitoring areas are 22:00-01:59 and in the rest of the borough 18:00-02:59.
- Fridays to Saturdays, peak times in the CIP and monitoring areas are 20:00-02:59 and in the rest of the borough 22:00-01:59

Alcohol-related reports for FY2016/17 by area and hour (combines rowdy behaviour and street drinking, ambulance call-outs, and non-domestic violence)	06:00 - 06:59	07:00 - 07:59	08:00 - 08:59	09:00 - 09:59	10:00 - 10:59	11:00 - 11:59	12:00 - 12:59	13:00 - 13:59	14:00 - 14:59	15:00 - 15:59	16:00 - 16:59	17:00 - 17:59	18:00 - 18:59	19:00 - 19:59	20:00 - 20:59	21:00 - 21:59	22:00 - 22:59	23:00 - 23:59	00:00 - 00:59	01:00 - 01:59	02:00 - 02:59	03:00 - 03:59	04:00 - 04:59	05:00 - 05:59	Total
<b>❖ Sunday to Thursday</b>																									
• Southwark	45	60	48	56	57	72	72	81	89	108	106	89	140	137	146	126	174	164	201	174	132	104	72	57	2,510
• CIP and monitoring areas total	26	28	19	22	30	30	37	40	52	49	53	32	55	56	63	53	90	87	104	99	63	51	40	38	1,217
• rest of the borough	19	32	29	34	27	42	35	41	37	59	53	57	85	81	83	73	84	77	97	75	69	53	32	19	1,293
① Borough and Bankside CIP area	10	8	10	5	7	10	18	14	15	15	21	11	26	27	27	30	54	42	44	33	37	16	15	6	501
② Camberwell CIP area	2	6	4	3	7	7	8	6	5	8	4	8	8	5	6	12	11	6	12	13	4	7	4	9	165
③ Elephant and Castle monitoring area	5	2	4	5	6	4	2	4	5	6	6	5	4	13	7	1	10	13	20	20	4	7	11	8	172
④ Old Kent Road monitoring area	1	3	0	3	2	1	1	6	5	4	0	0	2	1	0	3	3	6	4	10	3	7	2	4	71
⑤ Peckham CIP area	4	4	0	3	4	3	5	5	15	10	14	7	8	6	11	4	6	10	15	14	10	9	3	7	177
⑥ Shad Thames area	0	1	0	0	0	0	0	0	1	1	0	0	0	0	0	0	2	0	0	1	0	0	0	0	6
⑦ Walworth Road and East Street monitoring area	4	4	1	3	4	5	3	5	7	5	7	1	7	4	12	3	4	10	9	8	5	5	5	4	125
<b>❖ Friday to Saturday</b>																									
• Southwark	17	17	21	22	29	28	48	35	45	63	52	72	51	56	88	73	118	127	111	94	81	58	45	30	1,381
• CIP and monitoring areas total	6	6	7	11	13	12	22	11	20	30	27	33	24	22	43	40	58	59	58	48	44	23	26	19	662
• rest of the borough	11	11	14	11	16	16	26	24	25	33	25	39	27	34	45	33	60	68	53	46	37	35	19	11	719
① Borough and Bankside CIP area	2	2	4	2	5	2	14	5	9	7	9	8	8	9	23	19	31	30	37	27	22	13	17	6	311
② Camberwell CIP area	0	2	0	2	3	4	1	6	4	6	4	5	3	7	3	5	5	4	6	4	3	4	2	2	67
③ Elephant and Castle monitoring area	2	1	0	1	0	3	3	1	2	6	2	8	3	2	5	4	11	11	9	10	3	1	3	4	95
④ Old Kent Road monitoring area	1	0	1	2	0	1	0	1	0	2	1	1	0	0	1	1	4	3	1	0	5	3	2	2	32
⑤ Peckham CIP area	1	1	0	2	2	0	0	1	3	7	3	5	3	3	8	3	7	3	3	5	2	0	2	2	67
⑥ Shad Thames area	0	0	0	0	1	0	0	1	0	0	0	1	0	0	0	2	1	2	1	0	1	0	0	0	10
⑦ Walworth Road and East Street monitoring area	0	0	2	2	2	2	1	1	0	4	6	6	5	5	4	3	3	1	3	2	4	1	0	3	60

Data source: Metropolitan Police Service CAD for ASB and CRIS for crime; SafeStats for London Ambulance Service call-outs

**Glossary of terms**

- <sup>1</sup> Cumulative Impact Policy (CIP) - The government introduced cumulative impact policies as a tool for licensing authorities to limit the growth of licensed premises in problem areas<sup>1</sup>
- <sup>2</sup> CRIS - acronym for Crime Reporting Information System
- <sup>3</sup> Violence Against the Person (VAP) is an offence group as defined by the Home Office, and consists of three sub-groups: Homicide, Violence with Injury, and Violence without injury. A full list of VAP offences is available from: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/627449/count-violence-jul-2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/627449/count-violence-jul-2017.pdf)
- <sup>4</sup> Alcohol-related feature codes used by the Metropolitan Police Service -
  - GA - alcohol consumed at scene by suspect / accused
  - MF - suspect / accused had been drinking prior to committing offence
  - MV - victim had been drinking prior to offence
- <sup>5</sup> The Association of Chief Police Officers (ACPO) defines domestic abuse as any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or family members, regardless of gender and sexuality. The Metropolitan Police Service adds the following flags to crime reports that meet the ACPO criteria -
  - DV - domestic incident
  - DI - domestic in LGBT relationship
  - DX - domestic incident resolved
- <sup>6</sup> CAD - acronym for Computer Aided Dispatch. Used by Metcall, the Metropolitan Police Service's Central Communications Command responsible for receiving emergency and non-emergency calls from the public
- <sup>7</sup> SafeStats is a data portal provided by the Greater London Authority (GLA) through which datasets from the following agencies can be obtained:
  - Metropolitan Police Service
  - British Transport Police
  - London Ambulance Service
  - Transport for London
  - London Fire Brigade
- <sup>8</sup> Southwark's Licensing Policy can be found at: [http://www.2.southwark.gov.uk/downloads/download/2385/southwark\\_statement\\_of\\_licensing\\_policy\\_2016-2020](http://www.2.southwark.gov.uk/downloads/download/2385/southwark_statement_of_licensing_policy_2016-2020)
- <sup>9</sup> Monitoring areas have similar characteristics to CIP areas, but are not governed by CIP conditions

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solicitors

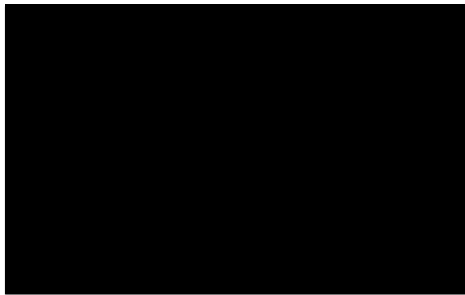
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Our Ref: LK/CM/L203/MIS91

Your Ref: MD/21/3167/18

13<sup>th</sup> August 2018

**BY EMAIL TO:** SouthwarkLicensing@met.police.uk

Dear Sirs

**Re: Londoner Kebabs – 23 Duke Street Hill, SE1 2SW**

We write further to your letter dated 12<sup>th</sup> July 2018, a copy of which we enclose for ease of your reference.

We now wish to address the points raised in your letter as follows:

1. Our client confirms that a CCTV system has been installed at the premises and it has been maintained in good working order. We now enclose pictures of the CCTV cameras located at the premises and footages of the same. The enclosed pictures confirm that the system is already in place and is able to capture a clear facial image of every person who enters the premises. There are also signs, which have been placed at the premises confirming that CCTV is in operation.
2. Our client further confirms that all CCTV footages are and will be kept for a period of thirty one days and will be made available to the Officers of the Police and Council, should the same be requested.
3. We further enclose pictures of the screen showing clear images of all areas that the cameras have been monitoring and our client confirms that there is a member of the staff who is operating the CCTV system and the same member is present at all times.

Director • Lester Kan  


4. Our client also confirms that they already have an incident log in place and the same is/will be maintained and kept for not less than 6 months.

We now enclose pictures of the CCTV cameras, the screen showing what the cameras are monitoring and the actual footages taken from the CCTV system installed by our client. We hope the information provided will suffice and we confirm that our client has complied with the conditions.

Please do not hesitate to contact us, should you require any further information.

Yours faithfully



**Lester Dominic Solicitors**

**Enc**

**From:** [Graham.S.White@met.police.uk](mailto:Graham.S.White@met.police.uk) <[Graham.S.White@met.police.uk](mailto:Graham.S.White@met.police.uk)> **On Behalf Of**  
[SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk)  
**Sent:** 13 August 2018 14:08  
**To:** Claudia Minkova [REDACTED]  
**Subject:** RE: Londoner Kebabs – 23 Duke Street Hill, SE1 2SW

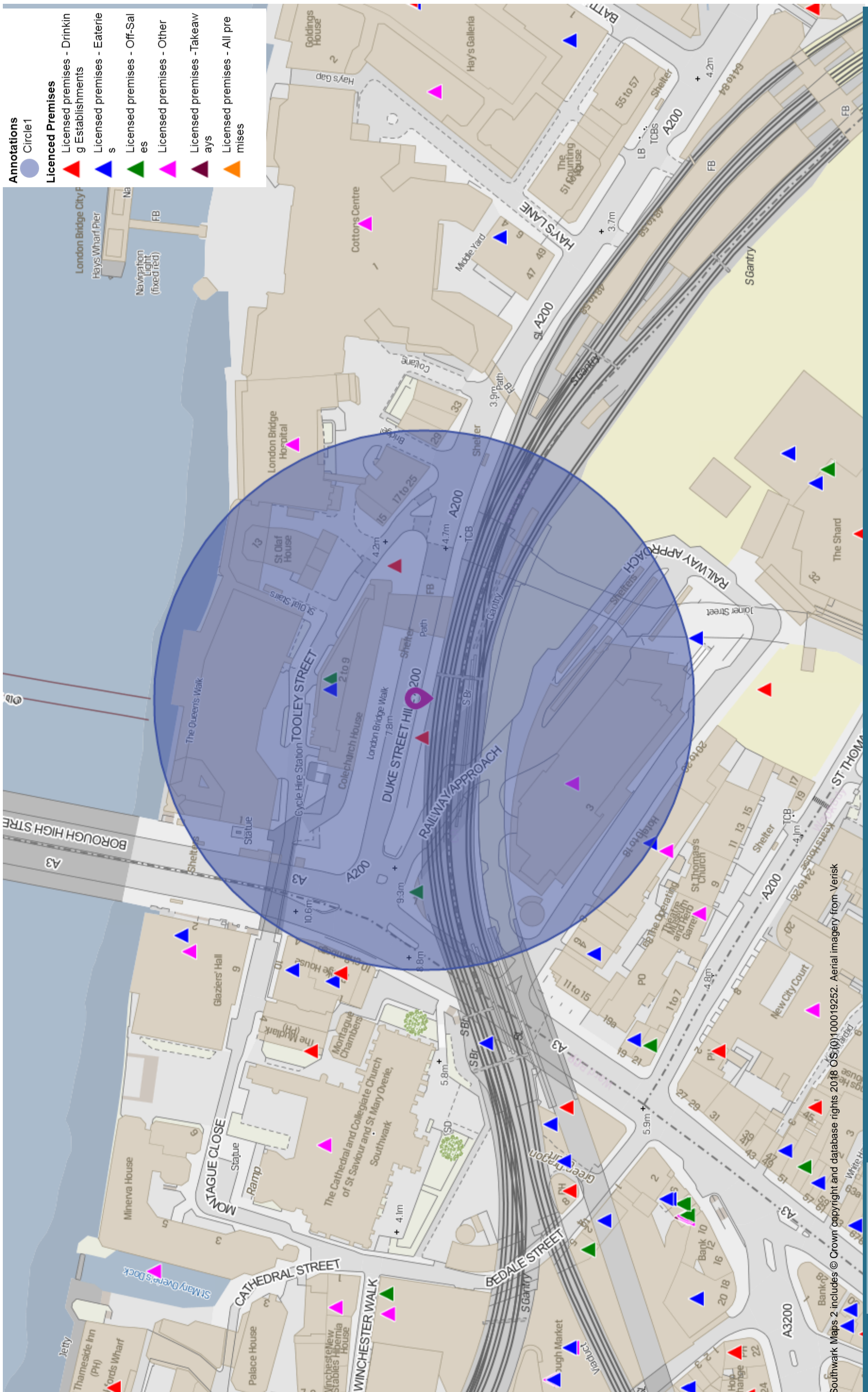
Claudia  
Thanks for the email. We will withdraw are objection.  
Regards

**PC Graham White 288MD**

*Licensing Officer*  
*Southwark Police Licensing Unit*  
*323 Borough High Street*  
*London*  
*SE1 1JL*  
*Tel: 0207 232 6756 (726756)*  
[SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk)  
[Graham.S.White@met.police.uk](mailto:Graham.S.White@met.police.uk)  
[www.met.police.uk](http://www.met.police.uk)



Londoner Kebabs, 23 Duke Street Hill, SE1 2SW



20-Aug-2018

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<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 7 September 2018	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Unit 272, London Bridge Station, London SE1 9SP	
<b>Ward(s) of group(s) affected</b>		Borough and Bankside	
<b>From</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by ETM Group Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Unit 272, London Bridge Station, London SE1 9SP.
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 - 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 11 to 17 of this report deal with the representations submitted and any further correspondence in respect of the application. Copies of the representations are attached as Appendices B and C.
  - d) Paragraph 18 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix D.
  - e) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

3. The Licensing Act 2003 provides a 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 14 June 2018, ETM Group Limited applied to this council for the grant of a premises licence in respect of Unit 272, London Bridge Station, London SE1 9SP. The premises is described as a restaurant and bar within London Bridge Station with tables and chairs on the concourse supplying late night refreshments and alcohol. The application is summarised as follows:
  - **Late night refreshment (indoors & outdoors)**
    - Monday to Sunday from 23:00 to 00:30.
  - **Supply of alcohol (on the premises)**
    - Monday to Saturday from 06:00 to 00:30
    - Sunday from 07:00 to 00:30.
  - **Operating hours**
    - Monday to Saturday from 06:00 to 00:30
    - Sunday from 07:00 to 00:30.
  
9. The premises licence application form provides the applicant's operating schedule. Parts 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 the

operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report in Appendix A.

### **Designated premises supervisor**

10. The proposed designated premises supervisor Thomas Martin who has a personal licence issued by the Hackney Borough Council.

### **Representations from responsible authorities**

11. There are representations from environmental protection team (EPT), Licensing (as a responsible authority) and public health.
12. The EPT representation contends that the controls included in the application are insufficient to ensure the prevention of public nuisance licensing objective and that the premises opening hours exceed the licensing policy hours for drinking establishments in this location. EPT also advise that it is unclear from the application exactly where the premises is located within the station. They also object to the suggested conditions 8 and 9 as these appear to have the effect of pushing liability for specifying adequate structural treatments, and checking compliance with plans, on to us. They have proposed alteration/conditions to be made to the licence application.
13. The licensing representation is based on the Southwark statement of licensing policy 2016 - 2020 and relates to the licensing objectives for the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. They advise that the premises is situated in the Borough and Bankside and London Bridge strategic cultural area and the Borough and Bankside district town centre area. Additionally, the premises falls within the Borough and Bankside cumulative impact policy area. They advise that under the Southwark statement of licensing Policy 2016 - 2020 the local cumulative impact policy applies to night clubs, public houses and bars, restaurants and cafes, off-licences, supermarkets, convenience stores and similar premises and the appropriate closing times for take-away establishments in this area on Sunday to Thursday is 00:00 and for Friday and Saturday is 01:00. They recommend that a dispersal policy be submitted and the hours sought be brought in line with those recommended by the Southwark statement of licensing policy.
14. The public health representation also states that this premises is located within the Borough Bankside cumulative impact policy area and in this premises is located within the Borough Bankside cumulative impact policy area and the applicant has not adequately rebutted the presumption that this premises will contribute to the cumulative impact of alcohol-related harm in the local area. They also propose further condition to the applicant which, if agreed, will form part of the licence conditions if granted
15. The representations are attached as Appendix B.

### **Representations from other persons**

16. There are no representations from other persons.

### **Conciliation**

17. The representations were forwarded to the applicant representative and following conciliation the police representation is withdrawn. The conciliation statement and police withdrawal are attached as Appendix C. The licensing sub- committee will be updated on 7 September 2018 of any developments.

### **Deregulation of entertainment**

18. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
  - Live and recorded amplified music is deregulated between 08.00 and 23.00 at on-licensed premises provided the audience does not exceed 500 people. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

### **Map of the local area**

19. A map of the area is attached to this report as Appendix D. For purposes of scale only the circle on the map has a 100 metre radius. The following licensed premises terminal hours are also shown on the map.

#### **Restaurants, Public Houses/Bars**

- ITSU, Unit 4 Shard Arcade, Joiner Street, London SE1 (Monday to Sunday until 23:00)
- All Bar One, 28-42, London Bridge Street, London SE1 (Monday to Sunday until 00:30)
- King College Student Union, Boland House, St Thomas Street, London SE1 (Monday and Tuesday until 01:30, Wednesday to Saturday until 02.30 and Sunday until 23:30)
- The View From The Shard, 32 London Bridge Street, London SE1(24 hours)
- Out Patients Diagnostics Centre, 32 London Bridge Street, London SE1 (Monday to Sunday until 00:00)
- Shangri-La The Shard, 31 St Thomas Street, London SE1 (24 hours)
- New Express The Shard, Unit A The Shard Tower, London SE1 (Monday to Sunday until 05:00)
- Delice De France, Shard Tower, Unit 12, London Bridge Station, London SE1 (Monday to Sunday until 05:00)
- Upper Crust Shard, Unit B, London Bridge Station, London SE1 (Monday to Sunday until 05:00)

- West Cornwall Pastry Co, Unit 3 The Shard, Railway Approach, London SE1 (Monday to Saturday until 00:30)
  - FCB Coffee, Unit 264, Railway Approach, London SE1 (Monday to Saturday until 23:00 and Sunday until 22:30)
20. Within the Southwark statement of licensing policy 2016 - 2020 the following closing times are recommended as appropriate within this area for this categories of premises as follows:
- Restaurants and Cafes:
    - Sunday to Thursday is 00:00 hours
    - Friday and Saturday is 01:00 hours
    - There are no restriction times for hotel bars and guest houses.

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

21. Council assembly approved the introduction of a special policy for Borough and Bankside on the cumulative impact of a concentration of licensed premises (saturation/cumulative impact policy) on 5 November 2008, and extended the area in April 2011. This application falls within the policy area.
22. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
23. 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.
24. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

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

25. 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.
26. The purpose of Southwark’s statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

### **Resource implications**

27. A fee of £315.00 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band C.

### **Consultation**

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

### **Community impact statement**

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

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

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

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

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

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

### **Conditions**

35. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
36. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
37. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

38. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
39. Members are also referred to the Home Office revised guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

### **Reasons**

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

### **Hearing procedures**

41. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
  - The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
42. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.



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

43. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
44. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
45. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
46. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
47. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
48. 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.
49. 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.
50. 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

51. 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

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

## BACKGROUND DOCUMENTS

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

## APPENDICES

Name	Title
Appendix A	Application for a premises licence
Appendix B	Representations submitted by responsible authorities
Appendix C	Conciliation statement
Appendix D	Map of area

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Social Regeneration	
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	23 August 2018	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	24 August 2018	

14/06/2018

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

Ref No. 1040080

## 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

	ETM Group Limited
--	-------------------

## Premises Details

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

£	65000
	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

	TBC
--	-----

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

Address Line 1	Unit SU 72, London Bridge Station
Address Line 2	Railway Approach
Town	London
County	
Post code	SE1 3QX
Ordnance survey map reference	
Description of the location	New developed unit within London bridge Station
Telephone number	██████████

## Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

Personal Details - First Entry

Name	ETM Group Limited
------	-------------------

Address - First Entry

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

Contact Details - First Entry

Telephone number	
Email address	

Operating Schedule

When do you want the premises licence to start?

	01/09/2018
--	------------

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

--	--

General description of premises ( see guidance note 1 )

	Restaurant and bar with both an A3 and A4 planning permission granted by Southwark planning authority
--	---

If 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number.

	Less than 5000
--	----------------

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 of the Licensing Act 2003)
--	---

Provision of regulated entertainment (Please read guidance note 2)


Provision of late night refreshment

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

Supply of alcohol

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

I - Late Night Refreshment

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

	Both
--	------

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

	Tables and chairs on the concourse at London bridge Station supplying late night refreshment within the hours permitted under planning permissions relating to the site but no later than 00:30 on the days following Monday to Sunday
--	--

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

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

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

--	--

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

--	--

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	06:00	00:30
Tues	06:00	00:30
Wed	06:00	00:30
Thur	06:00	00:30
Fri	06:00	00:30
Sat	06:00	00:30
Sun	07:00	00:30

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

--	--

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

--	--

Please download and then upload the consent form completed by the designated proposed premises supervisor

--	--

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Thomas
Surname	Martin

DOB

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

Address of proposed designated premises supervisor

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

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

Personal licence number ( if known )	LBH <span style="background-color: black; color: black;">XXXXXXXXXX</span>
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	00:00	00:30
	06:00	00:00
Tues	00:00	00:30
	06:00	00:00
Wed	00:00	00:30
	06:00	00:00
Thur	00:00	00:30
	06:00	00:00
Fri	00:00	00:30
	06:00	00:00
Sat	00:00	00:30
	06:00	00:00
Sun	00:00	00:30
	07:00	00:00

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 )

	<p>The applicant has a successful track record of operating similar establishments in the central London area over many years and the combination of a substantial quality food offering combined with the alcohol offer has not lead to any problems in any of the establishments within the group. To address the four licensing objectives as well as the fact that the premises are within the stress area policy the applicant has proposed a set of conditions which are attached with this application. However, it will also be happy to consider any further proposed condition or amendments as suggested by any of the relevant authorities during the course of consultation on this application. Prior to this application Network Rail made application for planning permission for the use of the premises as bar abd restaurant and this was granted by Southwark for the hours as requested,</p>
--	---



b) the prevention of crime and disorder

	see above
--	-----------

c) public safety

	see above
--	-----------

d) the prevention of public nuisance

	see above
--	-----------

e) the protection of children from harm

	see above
--	-----------

Please upload a plan of the premises

	
--	--

Please upload any additional information i.e. risk assessments

	
--	---

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

I agree to the above statement

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

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

Full name	Gareth Hughes
Date (DD/MM/YYYY)	15/06/2018
Capacity	lawyer for the applicant

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

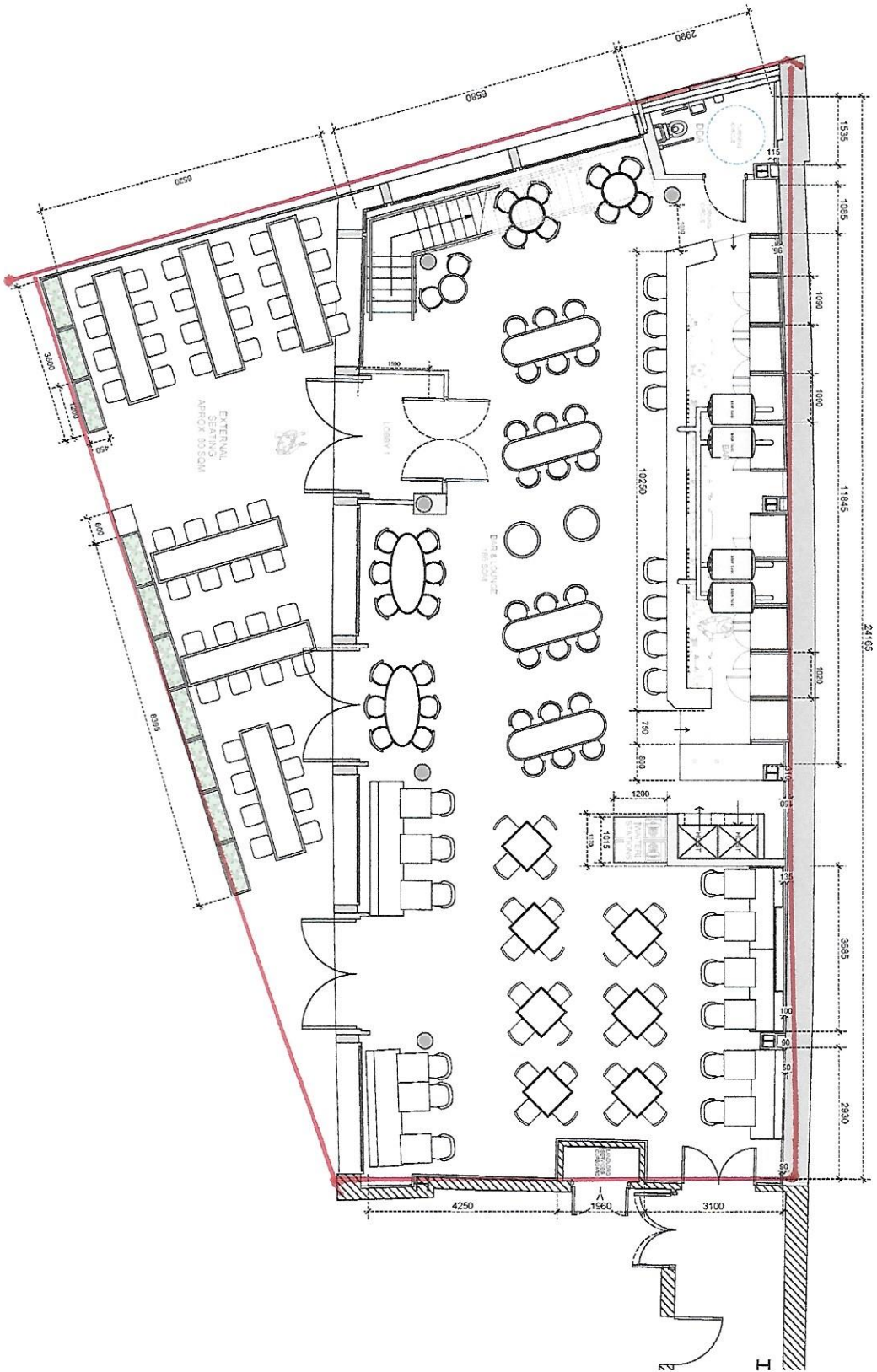
Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 14)

Contact name and address for correspondence	Gareth Hughes ██████████ ██████████ ██████████
Telephone No.	██████████
If you prefer us to correspond with you by e-mail, your email 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.

**PROPOSED CONDITIONS – LONDON BRIDGE STATION CONCOURSE SITE**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Licensing Team. All Entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of records shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
4. An incident log shall be kept at the premises, and made available on requires to an authorised officer of the City Council or the Police, which will record the following:
  - a) all crimes reported to the venue
  - b) all ejections of patrons
  - c) any complaints received concerning crime and disorder
  - d) any incidents of disorder
  - e) all seizures of drugs or offensive weapons
  - f) any faults in the CCTV system or searching equipment or scanning equipment.
  - g) any refusal of the sale of alcohol; and
  - h) any visit by a relevant authority or emergency service
5. Notices shall be displayed at the exit of the premises requesting customers leaving the premises to respect the needs of local residents and business and leave the area quietly.
6. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable form of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.
7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
8. This Premises Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the reasonable requirements of Southwark Environmental Health Team, at which time this condition will be removed from the Licence.
9. Before the premises are open to the public, the plans deposited will be checked by the Environmental Health consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed a variation application may be required.
10. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.



1 GROUND FLOOR - GENERAL ARRANGEMENT  
Scale: 1:50

REVISIONS	CODE	DATE	DESCRIPTION
-	2129 T		FOR INFORMATION
A	2111 T		REVISED LAYOUT
B	1611 T		REVISED LAYOUT
C	0112 T		UNAPPROVED FOR ISSUE
E	1201 B		SEEN MANQUANTITY REDUCED
F	2018 B		CONTRACTOR TO PROVIDE SEATING
F	2018 B		CONTRACTOR TO PROVIDE SEATING

St Michaels House, 2 Elizabeth Street  
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**FOR INFORMATION**

CLIENT: ETM

PROJECTING PROJECT: 400 LONDON BRIDGE

DATE: 19th Jan 18 NP

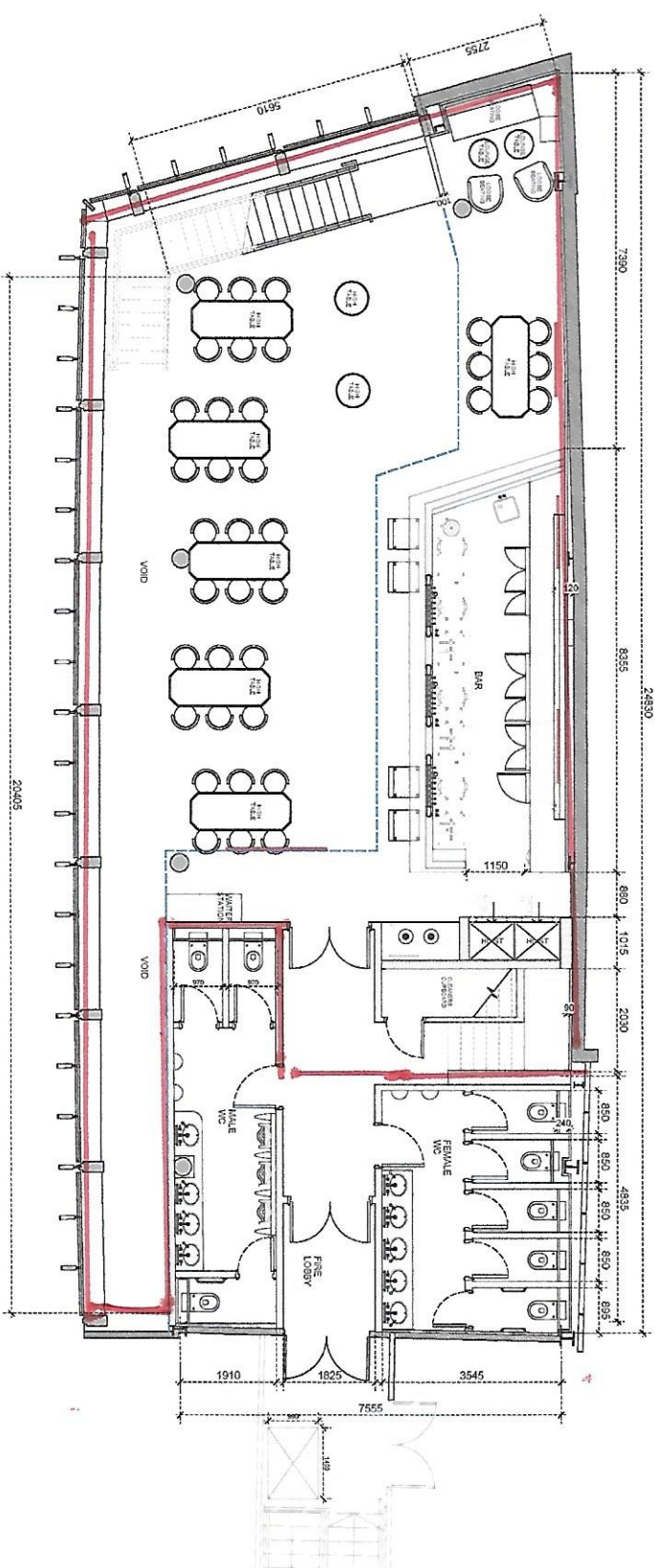
SCALE: 1:50 @ A1

1:100 @ A3

TITLE: GROUND FLOOR PROPOSED GA PLAN

DWG NO: 400-PL-G-01

REV: F



**REVISIONS:**

NO.	DATE	DESCRIPTION
1	21/09/17	FOR INFORMATION
A	02/11/17	REVISED AND NOT REVISIONED FOR ALL USES
B	14/11/17	REVISED AND NOT REVISIONED FOR ALL USES
C	21/12/17	UNCHANGED FOR ALL USES
E	05/01/18	UNCHANGED FOR ALL USES
F	20/05/18	STOOLS LOBBY

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ETM SHALL BE RESPONSIBLE FOR ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ALL REQUESTED DIMENSIONS, DRAWINGS AND SPECIFICATIONS SHALL BE PROVIDED TO THE CONTRACTOR FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK. CONTRACTORS TO CHECK AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS TO THE CLIENTS FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.

ALL DIMENSIONS TO BE CARVED OUT TO A HIGH STANDARD.

ETM SHALL BE RESPONSIBLE FOR ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ALL REQUESTED DIMENSIONS, DRAWINGS AND SPECIFICATIONS SHALL BE PROVIDED TO THE CONTRACTOR FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK. CONTRACTORS TO CHECK AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS TO THE CLIENTS FOR APPROVAL PRIOR TO COMMENCEMENT OF WORK.

**FOR INFORMATION**

**ETM**

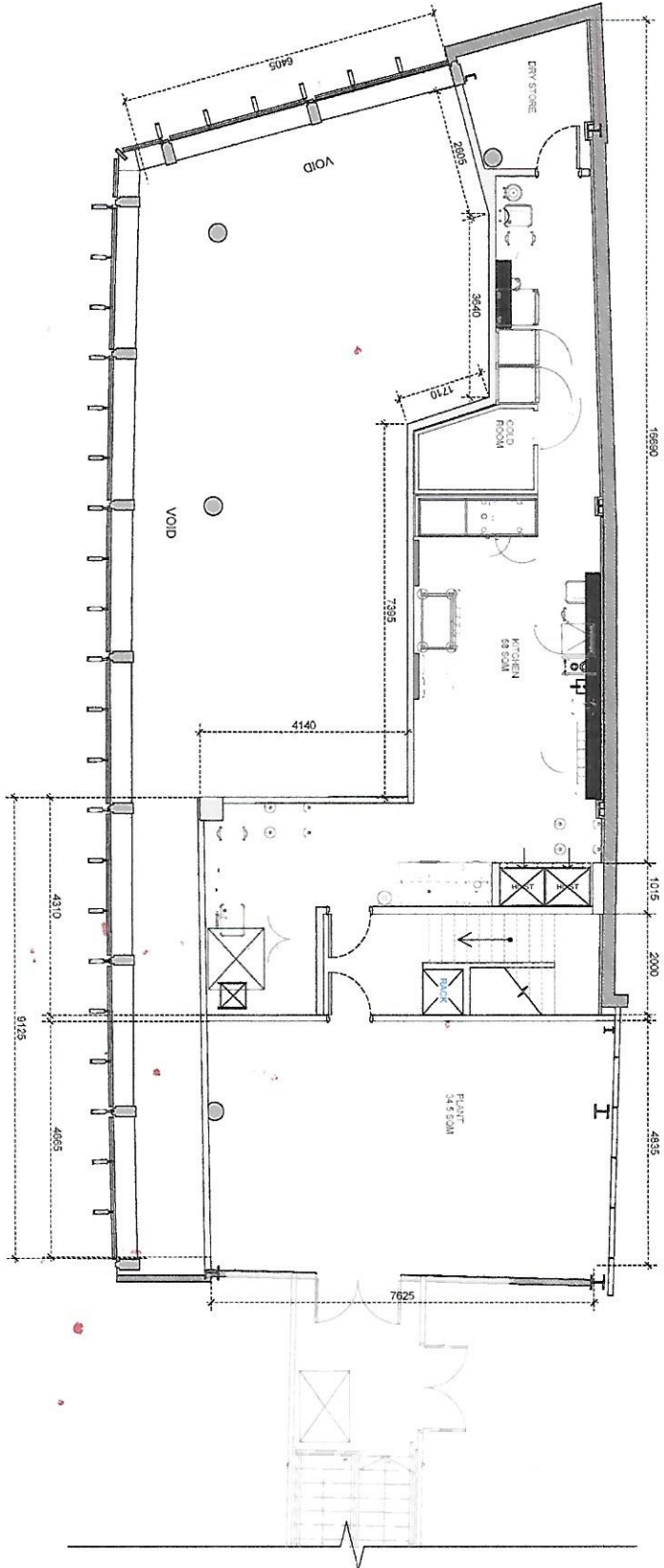
PROJECTING PROJECT  
**400**  
 LONDON BRIDGE

DATE 19th Jan 18  
 DRAWN LKRS  
 CHECKED LKRS  
 SCALE 1:50 @ A1  
 1:100 @ A3

**LOWER MEZZANINE FLOOR**  
**GENERAL ARRANGEMENT**

DWG NO: **400-PL-LM-01** REV: **F**





1 UPPER MEZZANINE - GENERAL ARRANGEMENT  
Scale: 1:50

NO.	DATE	DESCRIPTION
1	21/09/17	FOR INFORMATION
2	02/11/17	REVISED LAYOUT
3	14/11/17	REVISED LAYOUT
4	24/11/17	LAYOUT OBSERVED ON 14/11/2017
5	26/11/17	LAYOUT OBSERVED ON 14/11/2017
6	14/01/18	LAYOUT OBSERVED ON 14/01/2018
7	20/01/18	LAYOUT OBSERVED ON 14/01/2018
8	20/01/18	20/01/18

**FOR INFORMATION**

**STIMONS House, 2 Elizabeth Street**  
London SW1V 2BB

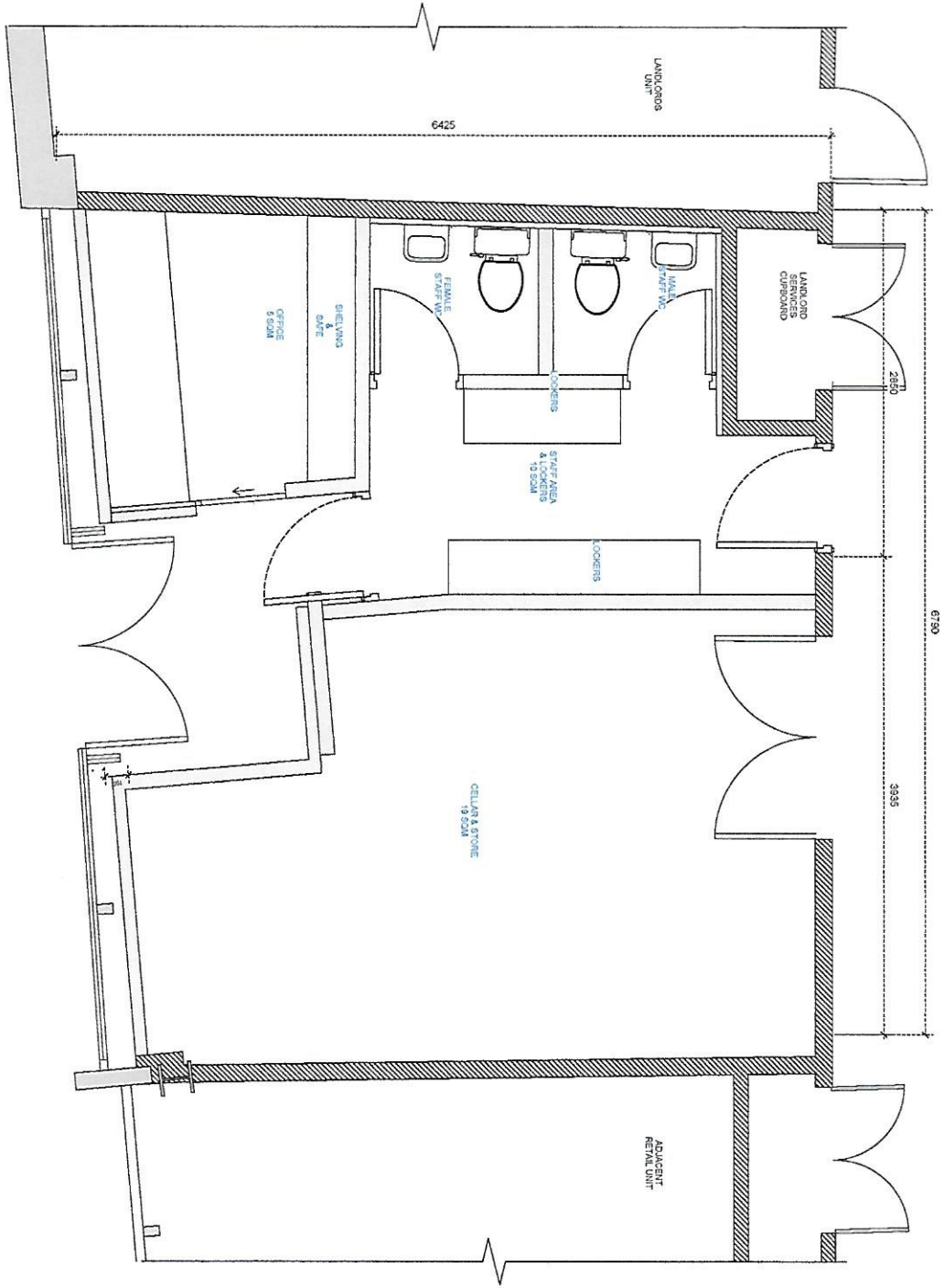
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**FOR INFORMATION**

CLIENT: ETM

PROJECT NO:	400	PROJECT NAME:	LONDON BRIDGE
DATE:	19th Jan 18	SCALE:	1:50 @ A1
TITLE:	UPPER MEZZANINE FLOOR GENERAL ARRANGEMENT	SCALE:	1:100 @ A3

NO.	400-PL-UM-01	REV.	F
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1 BACK OF HOUSE - GENERAL ARRANGEMENT  
Scale: 1:20

REVISIONS	CODE	DATE	DESCRIPTION
-	A	14/11/17	FOR INFORMATION
-	B	01/12/17	ROOM SIZES FOR STAFF ACCESS TO UNIT A/B/C
-	C	19/01/18	- 2000mm HIGH COUNTER REQUIRED - 2000mm HIGH COUNTER REQUIRED - 2000mm HIGH COUNTER REQUIRED
-	D	02/03/18	LV REVISIONS BY 9/2018

PROJECT NO	PROJECT
400	LONDON BRIDGE

DATE	DESIGNED BY	SCALE
19th Jan 18 NP	LKRS	1:50 @ A1 1:100 @ A3

TITLE
GROUND FLOOR (SU65) - BOH GENERAL ARRANGEMENT

DESIGNED BY	CLIENT
ETM	ETM

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**From:** Earis, Richard  
**Sent:** Tuesday, July 10, 2018 3:26 PM  
**To:** Regen, Licensing  
**Cc:**  
**Subject:** RE: Consultation - New Premises licence, Unit 272, London Bridge Station

**RE: New Premises licence, Unit 272, London Bridge Station**

I would like to object on the grounds that the controls included in the application are insufficient to ensure the prevention of public nuisance licensing objective and that the premises opening hours exceed the Licensing Policy hours for drinking establishments in this location. Further that it is unclear from the application exactly where the premises is located within the station.

Please could the applicant provide a location plan to show the unit in its wider context?

I would also object to the suggested conditions 8 and 9 as these appear to have the effect of pushing liability for specifying adequate structural treatments, and checking compliance with plans, on to us. Clearly the premises operator needs to satisfy themselves of suitable construction and that the premises operates in accordance with approved plans and it is not our responsibility to provide this service. They should appoint an acoustic consultant if necessary.

Subject to resolution of the above, in principle I would expect the following alterations \conditions:

- Opening hours reduced to Licensing Policy hours for this area (Sunday to Thursday until 23:00 hours and for Friday and Saturday until 00:00 hours) unless 'restaurant' condition attached limiting sale of alcohol as ancillary to a table meal in which case Policy restaurant hours may apply.
- Premises management shall regularly monitor outside the premises and take all necessary steps to ensure that noise from patrons does not cause disturbance or public nuisance
- Amplified music, song or speech shall not be broadcast in external areas at any time
- Any background music played on the premises shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most recent iteration of the policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request

I reserve the right to require additional \altered controls once the precise location is clarified.



Kind Regards,

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

**020 7525 2469**

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

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

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

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



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

## MEMO: Licensing Unit

---

To	Licensing Unit	Date	12 July 2018	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

---

Subject Re: ETM Group Limited, Unit 272, London Bridge Station, London, SE1 9SP  
 – Application for a premises licence

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

- Late night refreshment (indoors and outdoors) on Monday to Sunday to from 23:00 to 00:30 the following day.
- Supply of alcohol (on the premises) on Monday to Saturday from 06:00 to 00:30 the following day and on Sunday from 07:00 to 00:30 the following day
- Overall opening times shall be on Monday to Saturday from 06:00 to 00:30 the following day and on Sunday from 07:00 to 00:30 the following day

The premises is described as *'Restaurant and bar with both A3 and A4 planning permission by Southwark planning authority'*.

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.

This premise is situated within the Bankside, Borough, London Bridge Strategic Cultural & London Bridge District Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and for Friday and Saturday 00:00 hours. The appropriate closing times for Restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

The premises is also situated within the Borough and Bankside CIP Area. Under the Southwark Statement of Licensing Policy 2016 - 2020 the Local CIP applies to night clubs, public houses & bars, restaurants & cafes, off-licences, supermarkets, convenience stores and similar premises.

Section six of the policy (from page 32) deals with Southwark's local cumulative impact policies. This premises sits in the Borough and Bankside policy area as defined in paragraph 129 of the policy and, as a restaurant or bar this premises falls into the class of premises in 130 of the policy.

Therefore under 119 of the policy there is a rebuttable presumption that applications for new premises licenses that are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations. In such circumstances, it is for the applicant to demonstrate that the

application will not, if granted, further contribute to the negative local cumulative impact on any one or more of the licensing objectives.

The applicant has not addressed the presumption to refuse this application within the operating schedule. I would recommend refusal of this application unless the applicant can demonstrate that the premises will not contribute to crime and disorder and public nuisance within the policy area.

Additional information and the following conditions would further address the licensing objectives and could assist the applicant in this rebuttal:

To promote the licensing objectives I ask the applicant to provide the following information:

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

To consider adding a further condition:

- Sales of alcohol shall only be provided as ancillary to a table meal and to customers who are seated at tables

If the above condition is not acceptable to the applicant I would ask that the closing hours (and in turn the licensable activities) are reduced to that which is appropriate for a bar within the licensing policy which is to close on Sunday to Thursday at 23:00 hours and for Friday and Saturday at 00:00 hours

Furthermore the application has not left any time between the last sale of alcohol 'on sales' 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 patrons have left the premises.

Therefore I also ask the applicant to consider:

- Amending the alcohol sales to cease at least half hour before the closing times

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://lbs-mapweb-01:9080/connect/Includes/APPIMA/SSOLP1620.pdf>

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

**From:** Sharpe, Carolyn **On Behalf Of** Public Health Licensing  
**Sent:** Thursday, July 12, 2018 11:22 AM  
**To:** Regen, Licensing  
**Cc:** Public Health Licensing  
**Subject:** RE: Consultation - New Premises licence, Unit 272, London Bridge Station

To whom it may concern:

**Re: ETM Group Limited, Unit 272 London Bridge Station, London, SE1 9SP**

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 license for the sale of alcohol on the premises between the hours:

Monday – Saturday: 06:00 – 00:30  
 Sunday: 07:00 – 00:30

The applicant also requests a new license for late night refreshment indoors and outdoors between the hours:

Monday – Sunday: 23:00 – 00:30

The proposed premises is located in the Borough and Bankside Cumulative Impact Policy area; a geographical zone within which the current saturation of licensed premises is having a negative impact on the local area. These negative impacts include crime, anti-social behaviour (see attached report) and alcohol-related health harms. In my opinion the applicant has not adequately rebutted the presumption that this premises will add to the cumulative impact of alcohol-related harms in the local area.

Alcohol-related health harms are a key area of concern for this location. The number of hospital admissions for alcohol-related harm is statistically higher in Grange ward (in which this premises is located) compared to the national average. Additionally, Grange ward had the 3<sup>th</sup> highest number of alcohol-related ambulance call outs between 2016-2018, accounting for 9% of the total.

Table.1 – Alcohol related ambulance call-outs in Southwark, by ward, 2016 – 2018.

WARD	Ambulance Call- Outs	Percentage
Cathedrals	473	19%
Chaucer	241	10%
Grange	224	9%
Riverside	217	9%
The Lane	183	7%
Camberwell Green	178	7%
Newington	153	6%
East Walworth	138	5%
Rotherhithe	103	4%
Peckham	78	3%
South Bermondsey	71	3%
Brunswick Park	68	3%
Livesey	65	3%
Faraday	61	2%
Nunhead	44	2%
South Camberwell	42	2%
Village	42	2%
East Dulwich	38	1%
College	34	1%
Peckham Rye	34	1%
Surrey Docks	29	1%
<b>TOTAL</b>	<b>2510</b>	<b>100%</b>

I also have concerns regarding the early morning alcohol sales requested and the potential impact on anti-social behaviour in the local area.

### Recommendations

I recommend the start time for alcohol sales is amended to 11am daily  
I recommend alcohol is only sold ancillary to a table meal

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

Yours sincerely,

Carolyn Sharpe

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

Carolyn Sharpe | [carolyn.sharpe@southwark.gov.uk](mailto:carolyn.sharpe@southwark.gov.uk) | 02075250025 [REDACTED]

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

**Please note that I will be leaving the organisation soon. My last day will be 13<sup>th</sup> July 2018. For all licensing related queries after this date, please contact my colleague Leidon Shapo [Leidon.Shapo@southwark.gov.uk](mailto:Leidon.Shapo@southwark.gov.uk)**

Alcohol-related violence and disorder in Southwark's Cumulative Impact Policy<sup>1</sup> (CIP) areas



Content	❖ Introduction	page 1	
	❖ Summary of Southwark's CIP areas	page 1	
	❖ Violence and disorder hotspot maps	page 2	
	❖ Alcohol-related hotspot locations	pages 3 & 4	
	❖ Temporal summary	page 5	❖ Please see page 5 for the Glossary of terms

Metadata

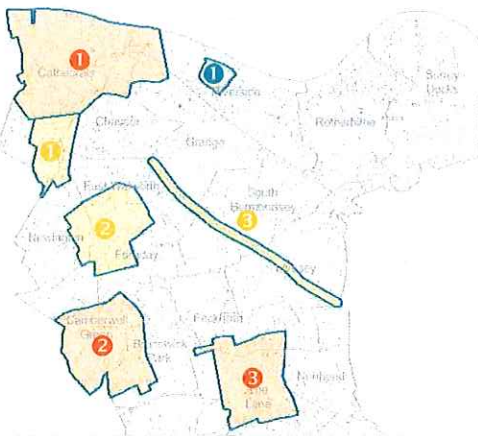
- ❶ Metropolitan Police Service CRIS<sup>2</sup> for Violence Against the Person<sup>3</sup> crime reports (Includes reports with a drink-related feature code [GA, MF, MV]<sup>4</sup>, excludes reports with a domestic abuse flag [DI, DV, DX]<sup>5</sup>)
- ❷ Metropolitan Police Service CAD<sup>6</sup> for reports of anti-social behaviour (Only reports of rowdy behaviour [code 202] and street drinking [code 209] have been included. Code 202 and 209 reports with an alcohol qualifier [code 600] are included by default)
- ❸ SafeStats<sup>7</sup> for London Ambulance Service alcohol-related call-out records
- ❹ Please note that due to limitations with the datasets, A&E and British Transport Police data were not included in this report

Introduction

The purpose of this document is to provide the reader with an overview of recorded alcohol-related violence and disorder in Southwark and its Cumulative Impact Policy (CIP) areas, and to help inform decision on proposed changes to CIP conditions set out in Southwark's Licensing Policy<sup>8</sup>.

Summary

As shown by the map below, Southwark has three ● CIP areas and three ● monitoring areas<sup>9</sup>. As requested by Southwark's Licensing Committee, ● Shad Thames has been included in this report.



The table below shows the proportion each area accounts for of the borough total. It shows that in most instances, the proportions do not change much from one financial year to the next. One exception worth mentioning is the 6.4 percentage point increase from FY15/16 to FY16/17 in non-domestic, alcohol-related Violence. The figures behind this change show a 12.8% increase in the CIP areas total against a borough-wide decrease of 7.2%.

Of the six CIP and monitoring areas, Borough and Bankside accounts for the largest proportion of alcohol-related reports.

For the 2016/17 financial year, Southwark's CIP areas accounted for the following % of reports in the borough:

- ❖ 36% of alcohol-related rowdy behaviour and street drinking;
- ❖ 24% of non-alcohol related rowdy behaviour;
- ❖ 33% of alcohol-related ambulance call-outs;
- ❖ 36% of alcohol-related violence;
- ❖ 24 % of non-alcohol related violence.

For the same period, Southwark's monitoring areas accounted for the following % of reports in the borough:

- ❖ 14% of alcohol-related rowdy behaviour and street drinking;
- ❖ 12% of non-alcohol related rowdy behaviour;
- ❖ 14% of alcohol-related ambulance call-outs;
- ❖ 19% of alcohol-related violence;
- ❖ 13 % of non-alcohol related violence.

In comparison to the CIP and monitoring areas, Shad Thames accounted for a very, very small % of reports in the borough:

- ❖ 0.7% of alcohol-related rowdy behaviour and street drinking;
- ❖ 0.4% of non-alcohol related rowdy behaviour;
- ❖ 0.4% of alcohol-related ambulance call-outs;
- ❖ 0% of alcohol-related violence;
- ❖ 0.3 % of non-alcohol related violence.

Even per square meter, report numbers were very low for Shad Thames.

Map key

- ❶ Borough and Bankside CIP area
- ❷ Camberwell CIP area
- ❸ Peckham CIP area
- ❹ Elephant and Castle monitoring area
- ❺ Walworth Road and East Street monitoring area
- ❻ Shad Thames area
- Southwark's wards

Alcohol-related reports by area and year as a percentage of the borough total

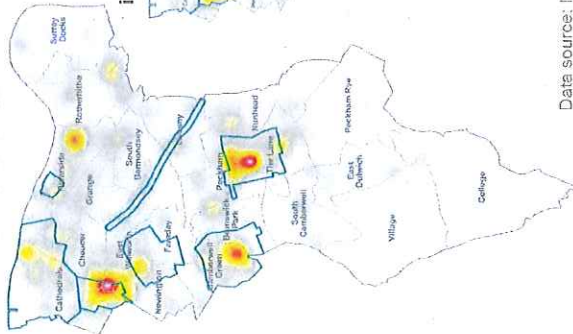
	FY12/13	FY13/14	FY14/15	FY15/16	FY16/17	FYTD17/18	change FY16/17 cf. FY15/16
<b>CIP areas</b>							
❖ Rowdy behaviour and street drinking	33.0%	35.3%	36.2%	36.7%	36.0%	33.8%	-0.7 pp
❖ Ambulance call-outs	31.3%	32.2%	31.7%	31.0%	32.9%	33.4%	+1.9 pp
❖ non-domestic Violence	34.6%	31.9%	34.9%	29.5%	35.9%	37.7%	+6.4 pp
<b>monitoring areas</b>							
❖ Rowdy behaviour and street drinking	16.5%	16.3%	16.3%	11.8%	13.1%	9.5%	+1.3 pp
❖ Ambulance call-outs	13.1%	15.6%	14.7%	14.7%	13.7%	13.6%	-1.0 pp
❖ non-domestic Violence	18.6%	24.5%	19.3%	19.6%	18.9%	17.5%	-0.6 pp
<b>Rowdy behaviour and street drinking</b>							
❶ Borough and Bankside CIP area	15.5%	20.2%	21.3%	21.8%	18.7%	13.5%	-3.1 pp
❷ Camberwell CIP area	6.3%	8.4%	7.8%	7.0%	9.6%	9.5%	+2.5 pp
❸ Elephant and Castle monitoring area	6.1%	4.8%	5.8%	4.5%	6.4%	6.1%	+1.9 pp
❹ Old Kent Road monitoring area	5.6%	4.3%	4.0%	2.3%	2.7%	1.4%	+0.4 pp
❺ Peckham CIP area	11.2%	6.6%	7.0%	7.9%	7.8%	10.8%	-0.2 pp
❻ Shad Thames area	0.8%	0.3%	0.2%	0.5%	0.7%	0.0%	+0.2 pp
❼ Walworth Road and East Street monitoring area	4.8%	7.2%	6.5%	5.0%	4.0%	2.0%	-1.0 pp
<b>Ambulance call-outs</b>							
❶ Borough and Bankside CIP area	17.6%	19.7%	19.2%	17.7%	21.4%	20.5%	+3.6 pp
❷ Camberwell CIP area	6.3%	5.9%	6.9%	7.7%	6.1%	6.9%	-1.7 pp
❸ Elephant and Castle monitoring area	7.3%	7.0%	6.3%	7.3%	6.6%	5.8%	-0.7 pp
❹ Old Kent Road monitoring area	2.5%	3.1%	2.9%	2.4%	2.5%	2.5%	+0.0 pp
❺ Peckham CIP area	7.4%	6.5%	5.7%	5.5%	5.4%	6.1%	-0.0 pp
❻ Shad Thames area	0.3%	0.4%	0.5%	0.3%	0.4%	0.4%	+0.1 pp
❼ Walworth Road and East Street monitoring area	3.3%	5.5%	5.4%	5.0%	4.6%	5.3%	-0.3 pp
<b>non-domestic Violence</b>							
❶ Borough and Bankside CIP area	16.5%	19.1%	21.4%	17.2%	19.8%	18.8%	+2.6 pp
❷ Camberwell CIP area	9.6%	5.4%	7.5%	5.4%	6.0%	8.4%	+0.6 pp
❸ Elephant and Castle monitoring area	11.2%	11.0%	9.5%	8.2%	8.8%	8.4%	+0.6 pp
❹ Old Kent Road monitoring area	2.7%	6.0%	4.0%	3.0%	3.7%	3.2%	+0.7 pp
❺ Peckham CIP area	8.5%	7.5%	6.0%	7.0%	10.1%	10.4%	+3.1 pp
❻ Shad Thames area	0.0%	0.6%	0.3%	0.6%	0.0%	0.0%	-0.6 pp
❼ Walworth Road and East Street monitoring area	4.8%	7.5%	5.8%	8.4%	6.5%	5.8%	-1.9 pp

Data sources: Metropolitan Police Service CAD for ASB and CRIS for crime; SafeStats for London Ambulance Service call-outs

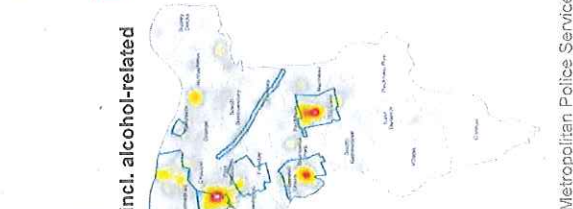


**Hotspot maps** Based on data covering the 12-month period 1<sup>st</sup> August 2016 to 31<sup>st</sup> July 2017

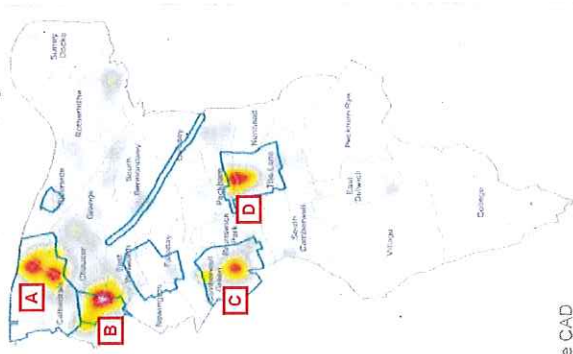
**excl. alcohol-related**



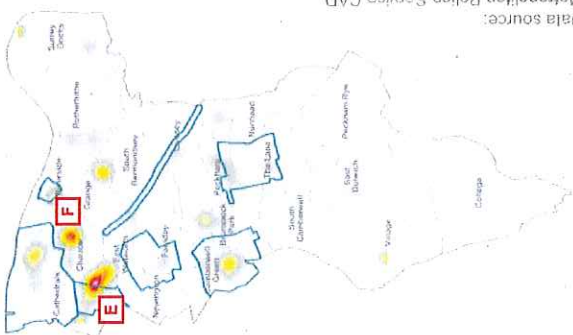
**Rowdy behaviour**



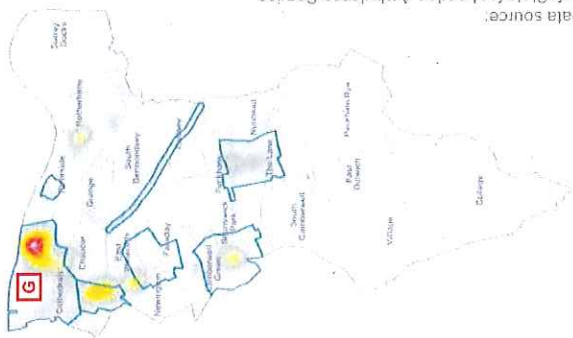
**alcohol-related only**



**Street drinking**



**Alcohol-related ambulance call-outs**



The maps on this page show the proximity of incident locations to one another, and affirm that Southwark's CIP areas are still relevant.

Please see page 3 for a closer look at each alcohol-related hotspot location, **A** to **L**.

**Key**  
 proximity based on 200m bandwidth and 40m cell size  
 closest proximity  
 decrease

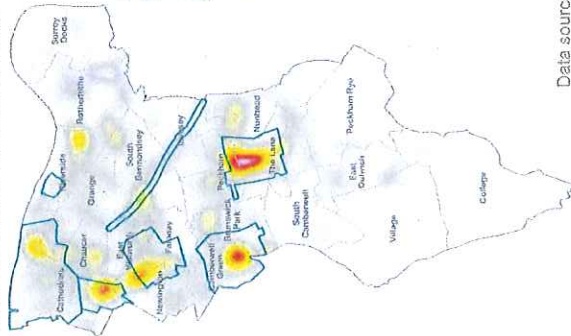
Please be aware that the data have some geographical limitations:  
 (i) Ambulance call-outs are mapped to Census output area level  
 (ii) 5% of violence records for the period 1<sup>st</sup> Aug-16 to 31<sup>st</sup> Jul-17 did not contain co-ordinate data

Data source: Metropolitan Police Service CAD  
 Safelists for London Ambulance Service

Data source: Metropolitan Police Service CAD

**non-domestic Violence (excluding alcohol-related)**

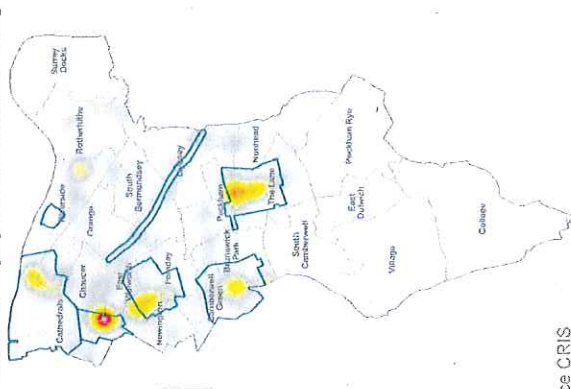
**Harassment and Common Assault**



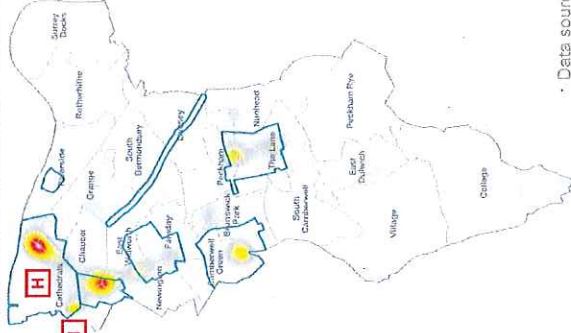
**with and without injury**



**Assault with Injury and Serious Wounding**



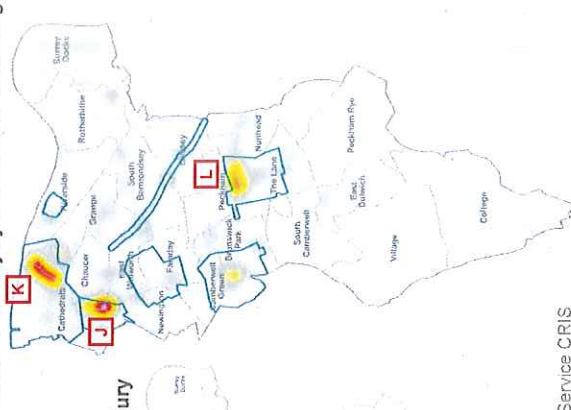
**non-domestic Violence (alcohol-related only)**



**with and without injury**



**Assault with Injury and Serious Wounding**



Data source: Metropolitan Police Service CRIS

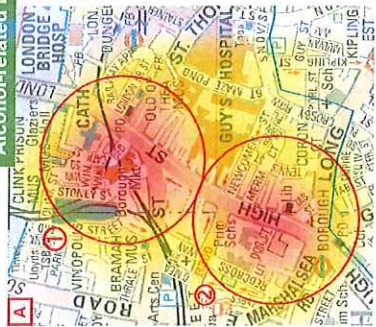
Data source: Metropolitan Police Service CRIS



**Hotspot locations** Based on data covering the 12-month period 1<sup>st</sup> August 2016 to 31<sup>st</sup> July 2017

Best viewed in conjunction with maps on page 2

**Alcohol-related rowdy behaviour**



**1) 22x alcohol-related rowdy behaviour reports.** 2x repeat locations:  
 • 7x incidents at London Bridge bus station, mainly between the hours of 14:15 and 15:40, and 22:40 and 22:50;  
 • 7x incidents in / directly around Borough Market, mainly between the hours of 14:30 and 19:30.

In comparison, 92x non-alcohol related rowdy behaviour reports. 2x top repeat locations:  
 • 47x incidents at London Bridge bus station, mainly Sun-Thur, peak times of 01:00-02:59, 04:00-04:59, and 06:00-06:59.  
 • 6x incidents at St Christophers Inn [Borough High Street], Fri-Sun between 23:00 and 01:59.

**2) 13x alcohol-related rowdy behaviour reports.** No repeat locations. Peak day Tue, reports made between 12:00 and 16:00. Weekend (Sat-Sun) peak time of 22:00-23:59.

In comparison, 49x non-alcohol related rowdy behaviour reports. Peak days Mon, Wed, Fri, Mon-Thu peak time of 18:00-19:59, and Fri-Sun peak time of 00:00-00:59.  
 1x repeat location:  
 • 4x incidents at Pret A Manger [no. 11 Borough High Street] (3x incidents on Mon, 08:40-08:50).

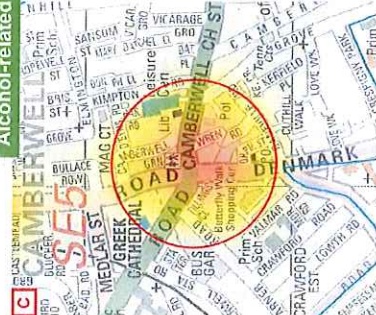
**Alcohol-related rowdy behaviour**



**26x alcohol-related rowdy behaviour reports.** 2x repeat locations:  
 • 4x incidents in / outside The Coronet (3x incidents between 23:15 and 02:25).  
 • 2x incidents at The Elephant and Castle public house (1x incident just after 18:00 and 1x incident just before 23:00).

In comparison, 161x non-alcohol related rowdy behaviour reports. 2x top repeat locations:  
 • 28x incidents at the Elephant and Castle shopping centre. Peak days Mon, Tue, Thu, Mon-Thu peak time of 16:00-17:59.  
 • 4x incidents at The Rockingham Arms. No peak days or peak times.

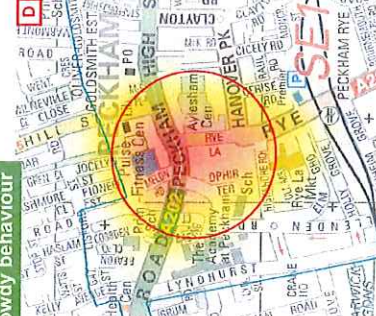
**Alcohol-related rowdy behaviour**



**19x alcohol-related rowdy behaviour reports.** 1x repeat location:  
 • 5x incidents at McDonalds [Butterfly Walk], mainly Thu-Sat, peak time of 23:50-01:30.

In comparison, 135x non-alcohol related rowdy behaviour reports. 3x top repeat locations:  
 • 25x incidents at McDonalds [Butterfly Walk], peak days Wed-Fri. Peak time of 15:00-18:59.  
 • 6x incidents at William Hill [Camberwell Church Street] (5x incidents on Sat, 14:00-22:59).  
 • 5x incidents at Camberwell Library. No peak days, incidents happened between 12:00 and 17:59.

**Alcohol-related rowdy behaviour**



**17x alcohol-related rowdy behaviour reports.** 1x repeat location:  
 • 8x incidents at Peckham bus station [Peckham High Street], mainly Sun, Mon, Tue, between 03:00 and 05:59.

In comparison, 97x non-alcohol related rowdy behaviour reports. 2x top repeat locations:  
 • 14x incidents at Peckham bus station [Peckham High Street], peak day Sat. Peak time of 00:00-05:59.  
 • 11x incidents at The Kentish Drovers public house [Peckham High Street], peak days Wed, Sat. Peak times of 19:00-19:59 and 23:00-23:59.

**Alcohol-related ambulance call-outs**



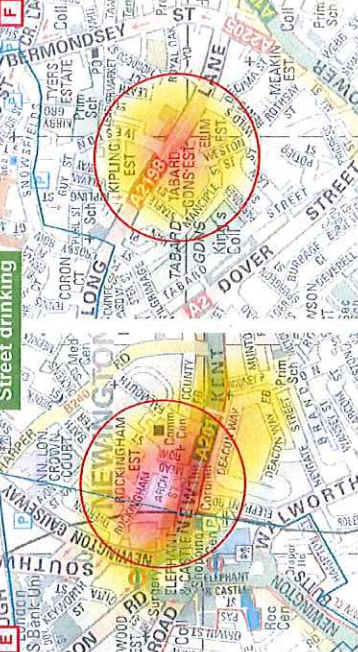
**195x alcohol-related ambulance call-outs.** Peak days Fri-Sun, followed by Wed. Just over half of calls received between 21:00 and 01:59, with peak time of 23:00-00:59.

The ambulance service data published on SafeStats do not hold address information (e.g. street names, building names, property numbers); records are mapped to Census output area level, which is based on postcode areas.

For the purpose of this document, postcode-level records were counted by road. Not being an exact science, the results from this process should be viewed accordingly.

**Call-outs by road** (count of postcode level data):  
 1) Montague Close x12; peak day Sat, peak time of 21:00-22:59.  
 2) Duke Hill Street x61; peak days Fri-Sun, followed by Wed. Just over half of calls received between 21:00 and 02:59, with a peak time of 00:00-02:59.  
 3) London Bridge Station x39; peak days Fri-Sun, followed by Wed. Just over half of calls received between 21:00 and 02:59, with a peak time of 00:00-02:59.  
 4) London Bridge Street x20; peak day Sun. Calls received between 00:00 and 02:59, with a peak time of 00:00-00:59.  
 5) St Thomas Street x18; peak day Sat, peak times of 19:00-19:59 and 00:00-01:59.  
 6) Borough High Street x33; (stretch between no's 19 and 81) Peak days Mon, Tue, Sat. Peak times of 18:00-18:59, 20:00-20:59, 23:00-23:59, and 01:00-01:59.

**Street drinking**

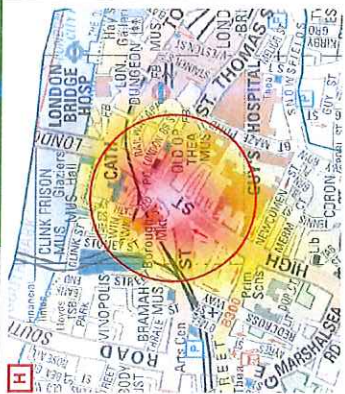


**5x street drinking reports.** No repeat locations. Peak day Thu. No peak times.  
**7x street drinking reports.** 1x repeat location:  
 • 5x incidents on Arch Street. Various days and various times.

Data source: SafeStats for London Ambulance Service



**Alcohol-related Harassment and Common Assault**



**17x alcohol-related harassment and common assault reports.** 3x repeat locations:

- 3x offences at The Coronet [New Kent Road] (2x offences on Sat, at 02:00 and 07:30, and 1x offence on Sun at 03:45).
- 2x offences at The Rockingham Arms [Newington Causeway] (1x offence just after 19:30 and 1x offence at 22:00).
- 2x offences at Pret A Manger [no.51 Borough High Street] (1x offence just after 13:30 and 1x offence at 08:30).

In comparison, 54x non-alcohol related harassment and common assault reports. 2x top repeat locations:

- 4x offences at Borough Market. Mainly weekdays, between 12:00 and 18:15.
- 4x offences at St Christophers Inn [Borough High Street]. (3x offences on Sat between 00:30 and 02:30).



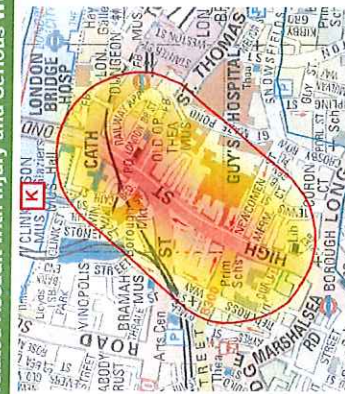
**15x alcohol-related harassment and common assault reports.** 3x repeat locations:

- 3x offences at The Coronet [New Kent Road] (2x offences on Sat, at 02:00 and 07:30, and 1x offence on Sun at 03:45).
- 2x offences at The Rockingham Arms [Newington Causeway] (1x offence just after 19:30 and 1x offence at 22:00).
- 2x offences at Island [Elephant and Castle shopping centre] (1x offence just after 14:00 and 1x offence at 19:30).

In comparison, 77x non-alcohol related harassment and common assault reports. 4x top repeat locations:

- 6x offences at The Rockingham Arms [Newington Causeway]. All offences Thu-Mon. Various times between 10:00 and 00:45).
- 5x offences directly outside Elephant & Castle underground station. (2x offences on Tue and 2x offences on Sun. Various times between 16:15 and 04:15).
- 5x offences at The Coronet [New Kent Road] (2x offences on Sat between 01:00 and 03:00 and 2x offences on Sun between 03:30 and 05:30).
- 4x offences at Tesco [Elephant and Castle shopping centre] (3x offences on Sat between 14:30 and 21:00).

**Alcohol-related Assault with Injury and Serious Wounding**



**28x alcohol-related assault with injury and serious wounding reports.** 5x repeat locations:

- 4x offences at Number 1 Bar [Duke Street Hill] (1x offence on Fri at 02:00, 2x offences on Sat, at 00:00 and 01:20, 1x offence on Sun at 05:55)
- 3x offences at Belushi's [Borough High Street] (1x offence on Thu just after 02:00 and 2x offences on Sat, at 01:30 and 02:30).

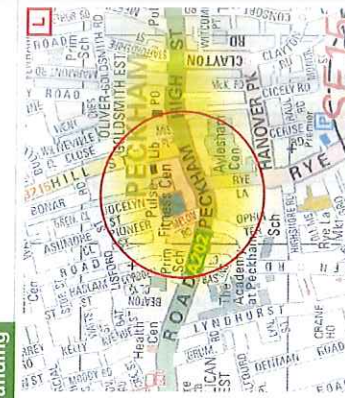
• 2x offences at St Christophers Inn [Borough High Street] (1x offence on Wed at 01:25 and 1x offence on Fri at 01:00).

• 2x offences outside Giuseppe's [Borough High Street] (Both offences on Sat, at 02:30 and 02:50).

• 2x offences Sainsbury's [Borough High Street] (1x offence on Wed just after 02:00 and 1x offence on Sun at 05:00).

In comparison, 63x non-alcohol related assault with injury and serious wounding reports. 2x top repeat locations:

- 8x offences at Number 1 Bar [Duke Street Hill] (1x offence on Thu at 20:15, 1x offence on Fri just after 01:00, 4x offences on Sat, between 01:50 and 06:00, 1x offence on Sun at 06:00).
- 4x offences at Belushi's [Borough High Street] (1x offence on Thu at 20:45, 2x offences on Sat between 00:50 and 01:20, 1x offence on Sun at 01:15).

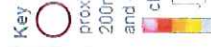


**14x alcohol-related assault with injury and serious wounding reports.** 2x repeat locations:

- 4x offences at O'Bar [Peckham High Street] (All offences on Sun, between 01:20 and 06:00)
- 3x offences outside the post office [no.121-125 Peckham High Street] (1x offence on Mon at 01:00, 1x offence Wed at 07:20, 1x offence on Sun at 01:30).

In comparison, 57x non-alcohol related assault with injury and serious wounding reports. Top repeat locations:

- 3x offences at Morrisons [The Avisham Centre] (2x offences on Wed, just after 10:00 and just after 11:00, and 1x offences on Sat just after 12:00).



Data source: Metropolitan Police Service CRIS



## Temporal

The table below shows that for

- Sundays to Thursdays, peak times in the CIP and monitoring areas are 22:00-01:59 and in the rest of the borough 18:00-02:59.
- Fridays to Saturdays, peak times in the CIP and monitoring areas are 20:00-02:59 and in the rest of the borough 22:00-01:59

Alcohol-related reports for FY2016/17 by area and hour (combines rowdy behaviour and street drinking, ambulance call-outs, and non-domestic violence)	06:00 - 06:59	07:00 - 07:59	08:00 - 08:59	09:00 - 09:59	10:00 - 10:59	11:00 - 11:59	12:00 - 12:59	13:00 - 13:59	14:00 - 14:59	15:00 - 15:59	16:00 - 16:59	17:00 - 17:59	18:00 - 18:59	19:00 - 19:59	20:00 - 20:59	21:00 - 21:59	22:00 - 22:59	23:00 - 23:59	00:00 - 00:59	01:00 - 01:59	02:00 - 02:59	03:00 - 03:59	04:00 - 04:59	05:00 - 05:59	Total
<b>❖ Sunday to Thursday</b>																									
• Southwark	45	60	48	56	57	72	72	81	89	108	106	89	140	137	146	126	174	164	201	174	132	104	72	57	2,510
• CIP and monitoring areas total	26	28	19	22	30	30	37	40	52	49	53	32	55	56	63	53	90	87	104	99	63	51	40	38	1,217
• rest of the borough	19	32	29	34	27	42	35	41	37	59	53	57	85	81	83	73	84	77	97	75	69	53	32	19	1,293
① Borough and Bankside CIP area	10	8	10	5	7	10	18	14	15	15	21	11	26	27	27	30	54	42	44	33	37	16	15	6	501
② Camberwell CIP area	2	6	4	3	7	7	8	6	5	8	4	8	8	5	6	12	11	6	12	13	4	7	4	9	165
③ Elephant and Castle monitoring area	5	2	4	5	6	4	2	4	5	6	6	5	4	13	7	1	10	13	20	20	4	7	11	8	172
④ Old Kent Road monitoring area	1	3	0	3	2	1	1	6	5	4	0	0	2	1	0	3	3	6	4	10	3	7	2	4	71
⑤ Peckham CIP area	4	4	0	3	4	3	5	5	15	10	14	7	8	6	11	4	6	10	15	14	10	9	3	7	177
⑥ Shad Thames area	0	1	0	0	0	0	0	0	1	1	0	0	0	0	0	0	2	0	0	1	0	0	0	0	6
⑦ Walworth Road and East Street monitoring area	4	4	1	3	4	5	3	5	7	5	7	1	7	4	12	3	4	10	9	8	5	5	5	4	125
<b>❖ Friday to Saturday</b>																									
• Southwark	17	17	21	22	29	28	48	35	45	63	52	72	51	56	88	73	118	127	111	94	81	58	45	30	1,381
• CIP and monitoring areas total	6	6	7	11	13	12	22	11	20	30	27	33	24	22	43	40	58	59	58	48	44	23	26	19	662
• rest of the borough	11	11	14	11	16	16	26	24	25	33	25	39	27	34	45	33	60	68	53	46	37	35	19	11	719
① Borough and Bankside CIP area	2	2	4	2	5	2	14	5	9	7	9	8	8	9	23	19	31	30	37	27	22	13	17	6	311
② Camberwell CIP area	0	2	0	2	3	4	1	6	4	6	4	5	3	7	3	5	5	4	6	4	3	4	2	2	67
③ Elephant and Castle monitoring area	2	1	0	1	0	3	3	1	2	6	2	8	3	2	5	4	11	11	9	10	3	1	3	4	95
④ Old Kent Road monitoring area	1	0	1	2	0	1	0	1	0	2	1	1	0	0	1	1	4	3	1	0	5	3	2	2	32
⑤ Peckham CIP area	1	1	0	2	2	0	0	1	3	7	3	5	3	3	8	3	7	3	3	5	2	0	2	2	67
⑥ Shad Thames area	0	0	0	0	1	0	0	1	0	0	0	1	0	0	0	2	1	2	1	0	1	0	0	0	10
⑦ Walworth Road and East Street monitoring area	0	0	2	2	2	2	1	1	0	4	6	6	5	5	4	3	3	1	3	2	4	1	0	3	60

Data source: Metropolitan Police Service CAD for ASB and CRIS for crime; SafeStats for London Ambulance Service call-outs

## Glossary of terms

- <sup>1</sup> Cumulative Impact Policy (CIP) - The government introduced cumulative impact policies as a tool for licensing authorities to limit the growth of licensed premises in problem areas<sup>1</sup>
- <sup>2</sup> CRIS - acronym for Crime Reporting Information System
- <sup>3</sup> Violence Against the Person (VAP) is an offence group as defined by the Home Office, and consists of three sub-groups: Homicide, Violence with Injury, and Violence without injury. A full list of VAP offences is available from:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/627449/count-violence-jul-2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/627449/count-violence-jul-2017.pdf)
- <sup>4</sup> Alcohol-related feature codes used by the Metropolitan Police Service -
  - GA - alcohol consumed at scene by suspect / accused
  - MF - suspect / accused had been drinking prior to committing offence
  - MV - victim had been drinking prior to offence
- <sup>5</sup> The Association of Chief Police Officers (ACPO) defines domestic abuse as any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 16 and over, who are or have been intimate partners or family members, regardless of gender and sexuality. The Metropolitan Police Service adds the following flags to crime reports that meet the ACPO criteria -
  - DV - domestic incident
  - DI - domestic in LGBT relationship
  - DX - domestic incident resolved
- <sup>6</sup> CAD - acronym for Computer Aided Dispatch. Used by Metcall, the Metropolitan Police Service's Central Communications Command responsible for receiving emergency and non-emergency calls from the public
- <sup>7</sup> SafeStats is a data portal provided by the Greater London Authority (GLA) through which datasets from the following agencies can be obtained:
  - Metropolitan Police Service
  - British Transport Police
  - London Ambulance Service
  - Transport for London
  - London Fire Brigade
- <sup>8</sup> Southwark's Licensing Policy can be found at:  
[http://www.2.southwark.gov.uk/downloads/download/2385/southwark\\_statement\\_of\\_licensing\\_policy\\_2016-2020](http://www.2.southwark.gov.uk/downloads/download/2385/southwark_statement_of_licensing_policy_2016-2020)
- <sup>9</sup> Monitoring areas have similar characteristics to CIP areas, but are not governed by CIP conditions

**From:****Sent:** Thursday, July 26, 2018 12:40 PM**To:** Mills, Dorcas**Cc:** Franklin, David; Shapo, Leidon**Subject:** RE: Premises Licence Application - Unit 272 London Bridge Station London SE1 9SP**Importance:** High

Dear Dorcas

Please find herewith our reply to those issues raised by the Jayne and the public health official. We have copied in David and Leidon.

We have carefully noted the points raised by Jayne Tear, Principal Licensing Officer with Southwark and those of the Public health official and would comment as follows.

The unit for which a premises licence is sought sits at the end of a spine of units at the base of the Shard and on the concourse of the new London Bridge mainline railway station owned by Network Rail. This is part of a substantial new development and the building works have been taking place for some time. The project is now approaching fruition and it is anticipated that if granted a premises licence this unit will open early in 2019.

The overall project was placed before the Planning Committee at Southwark. The first main planning permission was granted to Network Rail on 16 June 2015 and allowed for the erection of a two-storey restaurant (use class A3) at the upper concourse level as an external continuation of the station service/retail spine. The planning officer and the Planning Committee in reaching its decision would have been aware of the existing special policies with regard to the Borough and Bankside area. Nevertheless, the members of the Planning Committee determined that there should be a restaurant at this site and they did not seek to limit the hours of operation. Further, in 2016 Network Rail again applied for a variation to the planning permission granted in 2015 and such permission was granted by the Committee on 27 September 2016. This further planning permission allowed for the variation to the use of the unit as a restaurant (use class A3) to add an additional use - class A4, drinking establishment. Accordingly, the planning officer and Committee were again aware in reaching their decision at the end of 2016 of the special policy area in Borough and Bankside and determined that Network Rail should be permitted to allow restaurant and bar use in this unit.

Clearly, without a premises licence the planning permissions granted by Southwark in respect of this unit, and indeed of others, cannot be implemented and the substantial renewal project on the concourse of London Bridge Station would be deleteriously affected. The premises sit on the concourse of the new station and are a vital part of providing an offer to both the substantial number of commuters coming in to and leaving London every day and for the substantial tourist population in the area.

The ETM Group run by Tom and Ed Martin are experienced operators over many years in running high-end restaurants and bars. All the premises which they run are mixed-use restaurant with bar facilities. We attach, herewith, the web link to the ETM website which details all of the existing restaurants and bars within the group. It is envisaged that this premises will run in exactly the same way with a substantial food offering throughout, running over two floors, but with the ability also to allow customers to purchase alcohol without a meal.

<http://www.etmgroup.co.uk/>

Ms Tear's comments in the representation quite properly allude to the Council's licensing policy statement and the cumulative impact policy area. It is clear that an applicant should have regard to both policies and it is submitted that this has been considered during the course of the application, firstly the planning officers and Committee have now determined on two occasions to grant planning permission for the use of the unit on the concourse as both a restaurant and a bar, clearly indicating the use to which the premises should be put going forward. The officers and Committee carefully considered the issue of amenity and determined that the bar use should be limited to those hours between 6:00 am and 00:30 am, Mondays to Saturdays, with a slightly later opening hour of 7:00 am on Sundays. This licence application seeks to mirror those hours granted on the planning permission.

Licensing is also a separate regime and regard has been given to the four licensing objectives and a detailed set of proposed conditions has been submitted along with the application. As the premises will primarily be operated as a high-end restaurant, it is not expected that its activities will cause antisocial behaviour or crime and disorder and therefore contribute to cumulative impact within the area. It is submitted that there will be no impact upon crime or disorder or public nuisance in this respect because neither the Metropolitan Police nor the British Transport Police (the latter vested with supervision on all Network Rail's system) have made any submission in terms of crime or disorder. The applicant has benefited from meeting with a large number of stakeholders including the Network Rail officers as well as British Transport Police and the Metropolitan Police through the Southwark licensing Police officer. No representations have been made in respect of crime and disorder and it is submitted that if there is no such concern from the two Police forces then the application will not contribute to cumulative impact in the area.

The environmental health officer has also made submissions and suggested conditions, the vast majority of which are agreed. However, even he does not suggest that there be no grant of a premises licence but rather that the grant should be subject to conditions. Mr Richard Earis, who is the Principal Environmental Protection Officer, also attended a meeting with all the stakeholders during this application and did not suggest that it should not be granted on the basis of public nuisance. Mr Earis has suggested conditions, the majority of which are accepted but our client is unable to agree on the proposed hours of operation given that the planning permission runs to later hours, having had regard to all these matters, and it would severely impact the operation of our client's premises at the station.

Jayne Tear has suggested that details of the capacity limit be provided as well as a written dispersal policy. These are sensible recommendations. The first, it is submitted, is subject to a fire risk assessment being conducted which will then provide an idea of capacity at the premises and we will provide this figure shortly. Secondly, our client is responsible for running many similar establishments throughout Central London and has a dispersal policy in place, a copy of which we will also provide shortly.

Ms Tear's further request for a condition limiting the operation to the sale of alcohol ancillary to table meals only cannot be accepted. The nature of the operation in this case is that there will be a substantial restaurant at the premises and eating will be a primary part of the operation. However, as is seen in the revised planning permission, there is a requirement to allow customers to be able to either sit at the bar inside or stand at the tables outside in order to consume alcohol without the necessity of a full table meal. Again, our client's premises operating in Central London in the main have a substantial food offering with a high-end menu and also the ability to consume alcohol without the necessity for food. None of these premises has caused any trouble to local residents, Police or environmental health officers of any of the boroughs in which they are located.

We would maintain the request for hours as sought on the application form but agree with Jayne Tear's suggestion of a 30-minute drinking-up time and would suggest, therefore, that this be added as a condition to the licence and that sales will cease 30 minutes before the terminal hour for opening.

We trust that this addresses the issues raised by Jayne Tear but will be happy to answer any further questions that she may have.

The Public Health Authority has raised objections and makes the point that current premises within the cumulative impact area are having a negative impact on the crime and disorder and public nuisance licensing objectives and also contributes to alcohol-related health harms. However, we would again make the point as we have done above that the Police, who must be regarded as the experts on crime and disorder, raise no issues with this application and, indeed, make no representations. We have had the opportunity to speak with both Police forces, namely British Transport Police and the Metropolitan Police licensing officer, with regard to this application and neither raised any concerns. Further, the environmental health officer has also now attended at meetings with all the relevant stakeholders and suggests the policy core hours should be attached to the grant of any licence. For the reasons indicated above, this is not acceptable to Network Rail or the applicant operator, ETM.

Insofar as alcohol-related health harms is concerned, we would only make the point that there is no evidence to suggest that restaurants such as the one proposed here with a bar element attached lead in any way to alcoholism or serious illness. Having acted for our client for many years in relation to all their operations, we are not aware of any individuals being taken from the restaurants or the bars to hospitals via accident and emergency.

We take issue with the public health official suggesting that the start time for the sale of alcohol be put back to 11:00 am each day. Whilst significant numbers of people may not wish to take alcohol during the hours between 7:00 am and 11:00 am, there will always be customers who require a glass of champagne or wine with their breakfasts or brunch. There will also be many tourists passing through London Bridge Station who would also wish to have breakfast and brunch and have a glass of beer, wine or cider with those meals. We are not aware of any instances where those consuming alcohol with their breakfast or brunch have gone on to commit antisocial behaviour outside our client's restaurants.

For the same reasons as set out above, our client is unable to accept a condition which requires a table meal to be sold to a customer when they are purchasing a pint of beer or a glass of cider or wine. There will be many customers who wish, merely, to have a drink without taking a meal and our client seeks the ability to be able to satisfy this customer requirement.

We hope these comments address matters laid out by the officers but we remain happy to discuss any of these matters further should it assist.

## Redwood Dispersal Policy

### Introduction

Swift and quiet dispersal of our patrons throughout the night at Redwood is very important. All staff and patrons must respect our local residents. **Any disturbance or nuisance is not tolerated.**

Particular attention should be paid to avoid our customers who have been consuming alcohol entering London Bridge Station. Our Security Staff will encourage these individuals to use Taxi services for their own Safety.

Security will undertake the street dispersal to achieve a number of key aims:

- To ensure patrons of Redwood's leave the premises quietly
- To ensure patrons of Redwood's leave the premises trouble free and without incident
- To ensure that all patrons are walked without duress away from the entrance of the venue in either direction so they can make their journey home quickly
- To ensure patrons of Redwood's feel safe when leaving or outside the premises
- To aid patrons who may require a taxi
- To ensure a minimum of nuisance is caused by patrons leaving the premises
- To ensure patrons do not leave Redwood's with bottles, drinks or any other litter
- To operate hi-visibility patrols outside the vicinity of Redwood's to ensure patrons do not loiter around the immediate area

### Patron Dispersal

#### Duke Street Hill

The smoking area will be closed a minimum of 15 minutes before the venue closes.

When the lights are up and the music has been turned off, the security and management will facilitate the exit only strategy by instructing patrons to collect their belongings from the cloakroom. Patrons should then be guided to the front door exit.

Two hi-visibility members of security will remain in position at the Duke Street Hill smoking area to facilitate the exit only strategy and help patrons continue their journey home as quickly and as quietly as possible.

Any Male patrons requiring assistance will be given by a Male member of security.

Any Female patrons requiring assistance will be given by a Female member of security

### Security Role

There should be a minimum of one member of security on the front door, another member should position themselves halfway through the queue management or close to the edge of the pavement and Duke Street Hill.

- All door supervisors will be clearly identifiable by wearing a black high visibility jacket with silver reflective strips on it

TP(Permit)

**SOUTHWARK COUNCIL**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

**PLANNING PERMISSION****Applicant** Network Rail**LBS Registered Number** 15/AP/0576**Date of Issue of this decision** 16/06/2015**Planning Permission was GRANTED for the following development:**

Erection of 2-storey restaurant (Use Class A3) at upper concourse level as external continuation of station service/retail spine.

**At:** LONDON BRIDGE STATION, SITE BOUNDED BY TOOLEY STREET (INCLUDING 64-84) JOINER STREET ST THOMAS STREET AND BERMONDSEY STREET LONDON SE1

**In accordance with application received on 19/02/2015 Your Ref. No.:**

**and Applicant's Drawing Nos.** N420-COT-DRG-AR-506084 Rev B01; N420-COT-DRG-AR-506085 Rev B01; N420-COT-DRG-AR-506086 Rev B01; N420-COT-DRG-AR-506087 Rev B01; N420-COT-DRG-AR-506088 Rev B01; N420-COT-DRG-AR-506800 Rev B01; N420-COT-DRG-AR-506801 Rev B01; N420-COT-DRG-AR-506802 Rev B01; N420-COT-DRG-AR-506803 Rev B01; N420-COT-DRG-AR-506804 Rev B01; Design and access statement; Building Services Provision; Flood Risk Assessment.

**Subject to the following three conditions:****Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:  
N420-COT-DRG-AR-506086 Rev B01; N420-COT-DRG-AR-506087 Rev B01; N420-COT-DRG-AR-506088 Rev B01; N420-COT-DRG-AR-506800 Rev B01; N420-COT-DRG-AR-506801 Rev B01; N420-COT-DRG-AR-506802 Rev B01; N420-COT-DRG-AR-506803 Rev B01.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.  
  
Reason  
As required by Section 91 of the Town and Country Planning Act 1990 as amended.

**Continued overleaf...**



TP(Permit)

**SOUTHWARK COUNCIL**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

**PLANNING PERMISSION****LBS Reg. No.** 15/AP/0576**Date of Issue of this decision** 16/06/2015

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 3 The rating noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises.

**Reason**

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

**Statement of positive and proactive action in dealing with the application**

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended accordingly.

Signed *Gary Rice*

Head of Development Management

**Your attention is drawn to the notes accompanying this document**

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Head of Development Management, Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX, or by email to [planning.applications@southwark.gov.uk](mailto:planning.applications@southwark.gov.uk)

UPRN: 10009797364

TP/151-D



**PLANNING PERMISSION**

LBS Registered Number: 15/AP/0576

Date of issue of this decision: 16/06/2015



www.southwark.gov.uk

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**IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION**


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- [1] **APEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within 12 weeks of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk). The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
  - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
  - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DFEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a

neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

**IMPORTANT:** This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

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# Community Infrastructure Levy (CIL) Liability Notice



## Regulation 65, Community Infrastructure Levy Regulations (2010) Southwark Council CIL

Date of Liability Notice: 16/06/2015

Issued by: Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX

To: Network Rail  
c/o Agent

SE1 3QU

Liability Notice Reference: SCIL/15/AP/0576

For other recipients, see end of notice

### • CIL Liability

This notifies you that you will be liable to pay £50,000.00 of Community Infrastructure Levy to The London Borough of Southwark as CIL collecting authority on commencement of development on planning permission:

Reference: 15/AP/0576

Site: LONDON BRIDGE STATION, SITE BOUNDED BY TOOLEY STREET (INCLUDING 64-84) JOINER STREET ST THOMAS STREET AND BERMONDSEY STREET LONDON SE1

Development: Erection of 2-storey restaurant (Use Class A3) at upper concourse level as external continuation of station service/retail spine.

This charge has been levied under Southwark Council CIL charging schedule and s211 of the Planning Act 2008. Further details on payment procedure can be found overleaf.

### • How we calculated this figure

We calculated this figure from the following information:

Rate per square metre for Southwark CIL	Charge type	£ per m2
Indexation applicable: Zero		
Gross floor space of the development:	400	
Existing floor space:	0	
Chargeable area:	400	

### Are you eligible for relief from CIL?

If you are a charity or intend to use the development for social housing you may be eligible for a reduction (partial or entire) in this CIL liability. Please see the document published by the Department for Communities and Local Government, "Information to assist collecting authorities in making arrangements for the collection and enforcement of the Community Infrastructure Levy" for more information.

### When will this CIL amount be due for payment?

If the payment procedure is followed correctly, this CIL amount will be payable

There is currently no installment policy in place, however this may alter but we will contact you if this occurs.

Some, or the entire amount, may also be paid by transferring land to the CIL charging authority or another beneficiary agreed with the charging authority. See the accompanying note "Paying CIL in the Form of Land" for more information.

This payment procedure is to notify the CIL collecting authority before development commences of:

- Who will pay the amount, by assuming liability using CIL Form 1 "Assumption of Liability";
- The date on which you intend to commence development, by submitting a valid commencement notice.

A blank commencement notice for you to complete is enclosed with this notice.

Precise details of your payment arrangements and options will be contained in the demand notice that will be sent following submission of a valid commencement notice.

If this procedure is not followed, payment of the CIL amount will be due in full on the day that development commences. If a valid commencement notice has not been submitted before development commences, payment of the CIL amount will be due in full on the day that the collecting authority believes the development to have commenced.

### **Consequences of non payment**

If you fail to follow the payment procedure described above, the collecting authority may impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the collecting authority imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. Please see the document published by the Department for Communities and Local Government, "Consequences of failing to following the CIL Payment procedure" for more information.

### **The amount of CIL liability in this notice is a local land charge**

This CIL liability has been registered as a local land charge against the land affected by the planning permission in this notice. This charge will be cancelled on full payment of this liability.

### **New liability notices may be issued**

Any change in the details contained in this notice (including calculation of the chargeable amount or amount of relief granted) will lead to the collecting authority issuing a new liability notice.

### **Do you think we have made a mistake in our calculations?**

You can ask us to review them. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. Please see enclosed note on "Appeals Procedure".

## Community Infrastructure Levy (CIL) Liability Notice



### Regulation 65, Community Infrastructure Levy Regulations (2010), as amended

Date of Liability Notice: 16/06/2015

Issued by: Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX

To: Network Rail  
c/o Agent

SE1 3QU

Liability Notice Reference: MCIL/15/AP/0576

For other recipients, see end of notice

#### • CIL Liability

This notifies you that you will be liable to pay £16,008.00 of Community Infrastructure Levy to The London Borough of Southwark as CIL collecting authority on commencement of development on planning permission:

Reference: 15/AP/0576

Site: LONDON BRIDGE STATION, SITE BOUNDED BY TOOLEY STREET (INCLUDING 64-84) JOINER STREET ST THOMAS STREET AND BERMONDSEY STREET LONDON SE1

Development: Erection of 2-storey restaurant (Use Class A3) at upper concourse level as external continuation of station service/retail spine.

This charge has been levied under Mayor of London CIL charging schedule and s211 of the Planning Act 2008. Further details on payment procedure can be found overleaf.

#### • How we calculated this figure

We calculated this figure from the following information:

Rate: £35 per square metre

Indexation applicable: Yes, 223 November 2011: 255 November 2014

Gross floor space of the development: 400

Existing floor space: 0

Chargeable area: 400

#### Are you eligible for relief from CIL?

If you are a charity or intend to use the development for social housing you may be eligible for a reduction (partial or entire) in this CIL liability. Please see the document published by the Department for Communities and Local Government, "Information to assist collecting authorities in making arrangements for the collection and enforcement of the Community Infrastructure Levy" for more information.

#### When will this CIL amount be due for payment?

If the payment procedure is followed correctly, this CIL amount will be payable

There is currently no installment policy in place, however this may alter but we will contact you if this occurs.

Some, or the entire amount, may also be paid by transferring land to the CIL charging authority or another beneficiary agreed with the charging authority. See the accompanying note "Paying CIL in the Form of Land" for more information.

This payment procedure is to notify the CIL collecting authority before development commences of:

- a. Who will pay the amount, by assuming liability using CIL Form 1 "Assumption of Liability";
- b. The date on which you intend to commence development, by submitting a valid commencement notice.

A blank commencement notice for you to complete is enclosed with this notice.

Precise details of your payment arrangements and options will be contained in the demand notice that will be sent following submission of a valid commencement notice.

If this procedure is not followed, payment of the CIL amount will be due in full on the day that development commences. If a valid commencement notice has not been submitted before development commences, payment of the CIL amount will be due in full on the day that the collecting authority believes the development to have commenced.

### **Consequences of non payment**

If you fail to follow the payment procedure described above, the collecting authority may impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the collecting authority imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. Please see the document published by the Department for Communities and Local Government, "Consequences of failing to following the CIL Payment procedure" for more information.

### **The amount of CIL liability in this notice is a local land charge**

This CIL liability has been registered as a local land charge against the land affected by the planning permission in this notice. This charge will be cancelled on full payment of this liability.

### **New liability notices may be issued**

Any change in the details contained in this notice (including calculation of the chargeable amount or amount of relief granted) will lead to the collecting authority issuing a new liability notice.

### **Do you think we have made a mistake in our calculations?**

You can ask us to review them. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. Please see enclosed note on "Appeals Procedure".



## **Appeal procedure**

### **Introduction**

Appeals can be made against all aspects of the CIL collection and enforcement system, from the CIL collection authority's calculation of the amount due to any enforcement actions it may take. This note sets out the procedure for making such appeals: how to make an appeal, when to make an appeal by, and who to make the appeal to.

### **Community Infrastructure Levy Appeals**

Appeals can be made against all aspects of the Community Infrastructure Levy collection and enforcement system, from the levy collection authority's calculation of the amount due to any enforcement actions it may take. There are two exceptions where an appeal system does not exist, social housing relief and exceptional circumstances relief.

### **Appealing to the Valuation Office Agency (VOA) against a levy collecting authority's calculation of the levy chargeable amount in a liability notice**

#### **Seeking a review of this amount**

If you feel that the amount of Community Infrastructure Levy set out in your liability notice has been calculated incorrectly, you can ask the levy collecting authority to review the calculation. Such a request must be made in writing and within 28 days of the date on which the liability notice was issued.

You may also submit whatever evidence in writing you may feel is appropriate to support your request to the levy collecting authority.

#### **How the levy collecting authority will conduct the review and notify you of the outcome**

When the levy collecting authority receives your request to review the amount, it must ensure that the person conducting the review is senior to the one who carried out the original calculation. The collecting authority must then notify you of the decision of the review within 14 days of receiving your request, including the reasons for the decision. However, where development is commenced before you receive notification of this decision, the review will lapse and the original amount will become due for payment in the manner set out in the demand notice.

#### **Right of appeal against decision made by the collecting authority following a review of the chargeable amount:**

If you are dissatisfied with the decision of the collecting authority's review or have not been notified within 14 days, you may appeal to the Valuations Office Agency (VOA). This appeal must be made no later than 60 days beginning with the day on which the liability notice was issued. However, you may not appeal to the VOA on how the Community Infrastructure Levy amount due was calculated if development has commenced. This appeal will also lapse if development commences before you have been told of the outcome of the appeal.

#### **Appeals against the apportionment of liability for the levy**

You may appeal to the VOA against any apportionment of liability carried out by the levy collecting authority. Any such appeal must be made within 28 days of receiving notice of such a decision by the levy collecting authority. Where an appeal is allowed, any demand notices (including surcharges) relating to the development in question will be suspended pending the outcome of the appeal.

## **Appeals to the Planning Inspectorate concerning enforcement actions regarding the levy**

### **First steps – contact the collecting authority**

If you feel that a levy enforcement action is unwarranted or has been taken in error, you are encouraged in the first instance to contact the levy collecting authority. This is because it may be a lot quicker and easier to resolve the issue by contacting the levy collecting authority first before taking more formal action. However, you should be aware that a formal appeal can be lodged no later than 28 days after the date of your notification by the collecting authority.

### **Formally appealing against a surcharge**

#### **Grounds for appeal:**

You may appeal against a surcharge imposed by the Community Infrastructure Levy collecting authority on the following grounds to the Planning Inspectorate within 28 days of the surcharge being imposed:

- the claimed breach which led to the imposition of the surcharge did not occur;
- the collecting authority did not serve a liability notice in respect of the chargeable development to which the surcharge relates; or
- that the surcharge has been calculated incorrectly.

Appealing against a surcharge will suspend its effect until the Planning Inspectorate has decided the appeal in question.

### **Appeals against decisions by collecting authorities to deem that development has commenced**

You may appeal to the Planning Inspectorate against any decision by the levy collecting authority to deem that development has commenced. This appeal must be made within 28 days of receiving notice of such a decision by the levy collecting authority. Where an appeal is allowed, any enforcement decisions relating to the deemed date of commencement, including the imposition of any surcharges, will be suspended pending the outcome of the appeal.

Community Infrastructure Levy (CIL)  
Form 6: Commencement Notice



Please complete using block capitals and black ink.

Details of Development	
A: Planning Application reference / Notice of Chargeable Development:	15/AP/0576
B: Development Commencement Date:	
C: Liability Notice reference:	MCIL/15/AP/0576
Development permitted by A will commence on B. This will trigger the levy liability described in C.	
Site address: LONDON BRIDGE STATION, SITE BOUNDED BY TOOLEY STREET (INCLUDING 64-84) JOINER STREET ST THOMAS STREET AND BERMONDSEY STREET LONDON SE1	
Description of development: Erection of 2-storey restaurant (Use Class A3) at upper concourse level as external continuation of station service/retail spine.	

Details of person sending this notice	
Title:	<input type="text"/>
First name:	<input type="text"/>
Last name:	<input type="text"/>
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Address 6:	<input type="text"/>
Postcode:	<input type="text"/>
Telephone:	<input type="text"/>
Email address:	<input type="text"/>
Please state your interest in the site:	
<input type="checkbox"/> Liable Party	<input type="checkbox"/> Landowner
<input type="checkbox"/> Applicant	<input type="checkbox"/> Agent
Other (please give details)	<input type="text"/>

Details of collecting authority to whom the notice is being sent	
Title:	<input type="text"/>
First name:	<input type="text"/>
Last name:	<input type="text"/>
Address 1:	Southwark Council
Address 2:	Chief executive's department
Address 3:	Planning division
Address 4:	Development management (5th floor - hub 2)
Address 5:	PO Box 64529
Address 6:	LONDON
Postcode:	SE1P 5LX
Telephone:	<input type="text"/>
Email address:	planning.cil@southwark.gov.uk

**Declaration**

By signing this I acknowledge that if the intended date of commencement changes, failure to notify the CIL collecting authority before development commences of this date with a new commencement notice will result in the CIL amount being due for payment in full on the date of commencement. I also acknowledge that failure to notify the CIL collecting authority of the intended date of commencement by submitting a commencement notice in advance of this date may result in the CIL collecting authority imposing a surcharge of 20% of the amount of CIL due for payment, up to a maximum of £2,500. I confirm that a copy of this notice has been served on all persons known to me as an owner of the land on which the chargeable development will be built.

For the purpose of CIL, an owner is an owner of a freehold interest in the relevant land or a leasehold interest in the relevant land of 7 years or more from the date planning permission first permits the chargeable development.

Signed:

Date (DD/MM/YYYY):

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a charging or collecting authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/ 948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

Community Infrastructure Levy (CIL)  
Form 1: Assumption of Liability



This form should be used to assume liability prior to commencement of development

Please complete using block capitals and black ink.

<b>Details of Development</b>	
Planning Application reference / Notice of Chargeable Development:	15/AP/0576
Site address:	LONDON BRIDGE STATION, SITE BOUNDED BY TOOLEY STREET (INCLUDING 64-84) JOINER STREET ST THOMAS STREET AND BERMONDSEY STREET LONDON SE1
Description of development:	Erection of 2-storey restaurant (Use Class A3) at upper concourse level as external continuation of station service/retail spine.

**Section A: Assumption of Liability**

<b>Party A Assuming Liability</b>		
Title:	<input type="text"/>	First name: <input type="text"/>
Last name:	<input type="text"/>	
Company: (optional)	<input type="text"/>	
Position:	<input type="text"/>	
Company registration no: (where applicable)	<input type="text"/>	
Unit:	<input type="text"/> House number:	<input type="text"/> House suffix: <input type="text"/>
House name	<input type="text"/>	
Address 1:	<input type="text"/>	
Address 2:	<input type="text"/>	
Address 3:	<input type="text"/>	
Town:	<input type="text"/>	
County:	<input type="text"/>	
Country:	<input type="text"/>	
Postcode:	<input type="text"/>	
Telephone number		
Country code:	National number:	Ext. number:
<input type="text"/>	<input type="text"/>	<input type="text"/>
Email address (optional):	<input type="text"/>	

<b>Party B Assuming Liability</b>		
Title:	<input type="text"/>	First name: <input type="text"/>
Last name:	<input type="text"/>	
Company: (optional)	<input type="text"/>	
Position:	<input type="text"/>	
Company registration no: (where applicable)	<input type="text"/>	
Unit:	<input type="text"/> House number:	<input type="text"/> House suffix: <input type="text"/>
House name	<input type="text"/>	
Address 1:	<input type="text"/>	
Address 2:	<input type="text"/>	
Address 3:	<input type="text"/>	
Town:	<input type="text"/>	
County:	<input type="text"/>	
Country:	<input type="text"/>	
Postcode:	<input type="text"/>	
Telephone number		
Country code:	National number:	Ext. number:
<input type="text"/>	<input type="text"/>	<input type="text"/>
Email address (optional):	<input type="text"/>	

**Party C Assuming Liability**

Title:  First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit:  House number:  House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code:	National number:	Ext. number:
<input type="text"/>	<input type="text"/>	<input type="text"/>

Email address (optional):

**Party D Assuming Liability**

Title:  First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit:  House number:  House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code:	National number:	Ext. number:
<input type="text"/>	<input type="text"/>	<input type="text"/>

Email address (optional):



**Party E Assuming Liability**

Title:  First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit:  House number:  House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code:  National number:  Ext. number:

Email address (optional):

**Party F Assuming Liability**

Title:  First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit:  House number:  House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code:  National number:  Ext. number:

Email address (optional):

**Agent Name and Address**

Title:  First name:

Last name:

Company: (optional)

Telephone number

Country code:  National number:  Ext. number:

Email address (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

**Declaration**

I/we hereby assume liability for the Community Infrastructure Levy Charge for the above development. I/we understand that I/we must submit a commencement notice in order to secure the 60 day payment window or such time as the charging authority has allowed in its current payment instalments policy, as per the requirements of the Community Infrastructure Levy Regulations (2010) as amended. I/we am/are aware of the surcharges I/we will incur if I/we do not follow the correct procedures for paying the CIL charge. I/we understand any communication and actions and actions by the collecting authority to pursue me/us for the assumed liability will be copied to the site land owners (as defined in CIL regulations)

Signed - A Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - D Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - B Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - E Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - C Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - F Party Assuming Liability:

Date (DD/MM/YYYY):

Or signed - Agent:

Date (DD/MM/YYYY):

Under regulation 37(2) of the Community Infrastructure Levy Regulations (2010) as amended, where two or more persons have assumed liability to pay CIL in respect of a chargeable development they shall each be jointly and severally liable to pay any CIL payable in respect of that chargeable development.

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a charging or collecting authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/ 948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

TP(VAR)(Permit)

**SOUTHWARK COUNCIL**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

**PLANNING PERMISSION**

**Applicant** - **LBS Registered Number** 16/AP/3211  
 Network Rail Infrastructure Limited  
 Mr Samuel Drown  
 Costain Limited  
 Network Rail

**Date of Issue of this decision** 27/09/2016**Planning Permission was GRANTED for the following development:**

Variation of Condition 1 Approved Plans pursuant to planning permission 15/AP/0576 for: [Erection of 2-storey restaurant (Use Class A3) at upper concourse level as external continuation of station service/retail spine.] and to use the unit as a restaurant (Use Class A3) and/or drinking establishment (Use Class A4).

**At:** LONDON BRIDGE STATION, SITE BOUNDED BY TOOLEY STREET (INCLUDING 64-84) JOINER STREET ST THOMAS STREET AND BERMONDSEY STREET LONDON SE1

**In accordance with application received on** 04/08/2016 16:01:40 **Your Ref. No.:** Your Ref. No.:

**and Applicant's Drawing Nos.** N420-COT-DRG-AR-506086 Rev B02;

N420-COT-DRG-AR-506087 Rev B02;

N420-COT-DRG-AR-506088 Rev B02;

N420-COT-DRG-AR-506800 Rev B02;

N420-COT-DRG-AR-506801 Re B02;

N420-COT-DRG-AR-506802 Rev B02;

N420-COT-DRG-AR-506803 Rev B02.

**Subject to the following four conditions:****Time limit for implementing this permission and the approved plans**

1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

N420-COT-DRG-AR-506086 Rev B02;

N420-COT-DRG-AR-506087 Rev B02;

N420-COT-DRG-AR-506088 Rev B02;

N420-COT-DRG-AR-506800 Rev B02;

N420-COT-DRG-AR-506801 Re B02;

N420-COT-DRG-AR-506802 Rev B02;

N420-COT-DRG-AR-506803 Rev B02.

Reason:

For the avoidance of doubt and in the interests of proper planning.

**Continued overleaf...**

TP(VAR)(Permit)

**SOUTHWARK COUNCIL**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

**PLANNING PERMISSION****LBS Reg. No.** 16/AP/3211**Date of Issue of this decision** 27/09/2016

- 2 The development hereby permitted shall be begun before 16 June 2018.

**Reason**

As allowed and required under Section 91 of the Town and Country Planning Act 1990, the standard 3 year period being inappropriate in this case because planning application 15AP0576 was granted planning permission on 16 June 2015 subject to condition 2 which is the standard 3 year time limit condition.

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 3 The rating noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises.

**Reason**

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 4 Hours of Use - A4 Use

The A4 use hereby permitted shall not be carried on outside of the hours of 06.00am to 00.30am Monday to Saturday, and 07.00am to 00.30am on Sundays.

**Reason:**

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

**Statement of positive and proactive action in dealing with the application**

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

**Continued overleaf...**

TP(VAR)(Permit)

**SOUTHWARK COUNCIL**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

[www.southwark.gov.uk](http://www.southwark.gov.uk)**PLANNING PERMISSION****LBS Reg. No.** 16/AP/3211**Date of Issue of this decision** 27/09/2016Signed *Simon Bevan*

Director of Planning

**Your attention is drawn to the notes accompanying this document**

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Director of Planning, Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX, or by email to [planning.applications@southwark.gov.uk](mailto:planning.applications@southwark.gov.uk)

UPRN: 200003359806

TP/ADV/2016/BT/GEN

**PLANNING PERMISSION**

LBS Registered Number: 16/AP/3211

Date of issue of this decision: 27/09/2016



www.southwark.gov.uk

**IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION**

- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within 12 weeks of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk). The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
  - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
  - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or



floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

**IMPORTANT:** This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

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**To Whom It May Concern**

Dorcas Mills, Principal Licensing Officer

Gareth Hughes, Barrister and Consultant, Applicant's representative

Cc: David Franklin, Licensing Team Leader

Dear All,

We have reviewed the Applicant's representative response to our original representation. In principle, Public health has raised some similar and key comments as Licensing team (referring to CIP impact, opening hrs and license objectives. Please see below a list of comments we have as part of our representation:

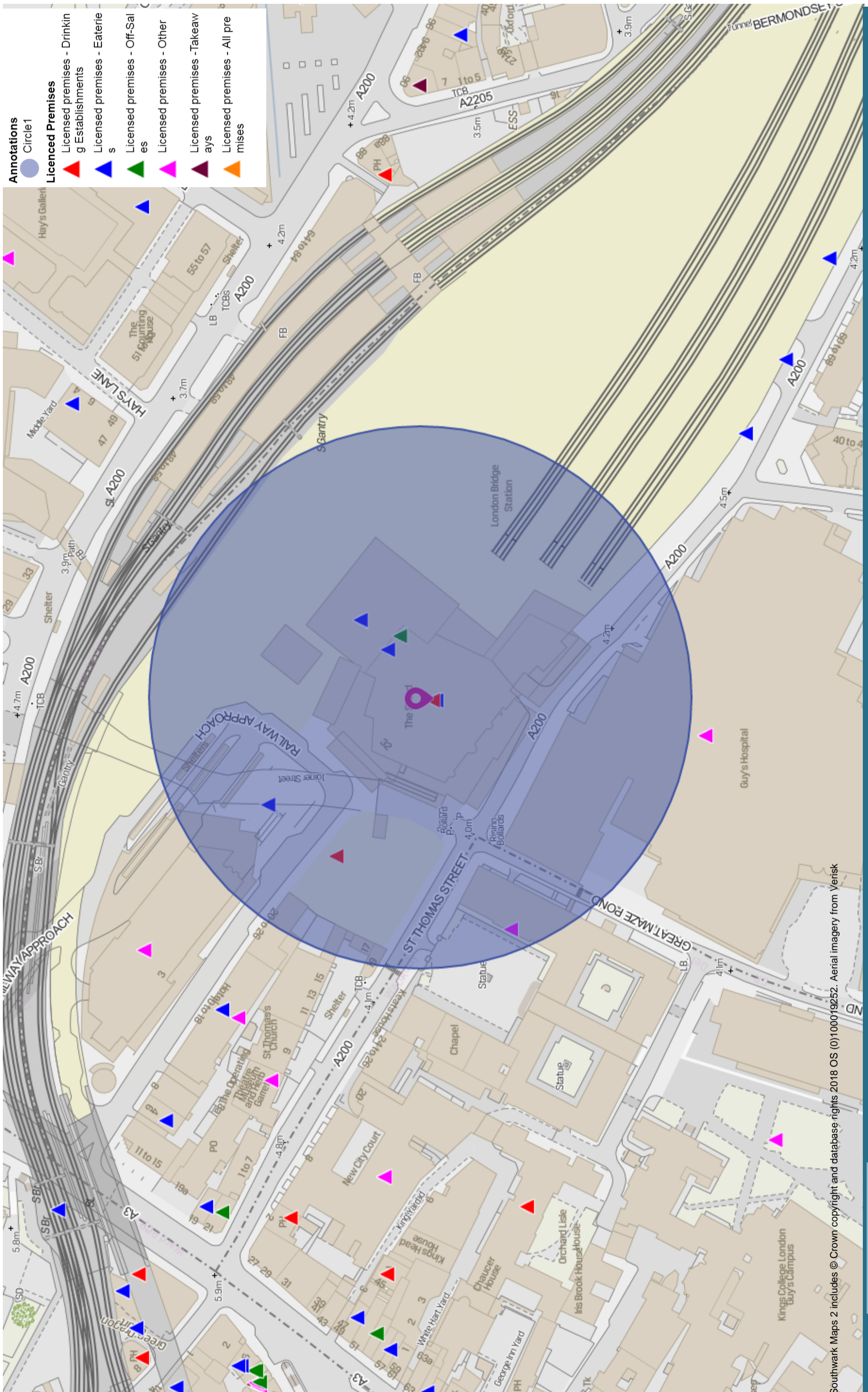
- Whilst we understand that the Applicant has already been granted planning permission for both A3 (restaurant) and A4 (drinking establishment) uses, for all intents and purposes this new licensing application is to be considered on its own merit, regardless of the decision reached by the Planning Committee in September 2016;
- The Applicant's Representative states that their license application "seeks to mirror the opening hours granted on the original the planning permission dated September 2016". However, the Southwark's Statement of Licensing Policy has since introduced new recommended opening hours. The Applicant's proposal does not comply with these;
- That Applicant's Representative claims that:
  - "there is no evidence to suggest that restaurants with a bar element attached lead in any way to alcoholism or serious illness" and,
  - They are "not aware of any instances where those consuming alcohol with their breakfast or brunch have gone on to commit antisocial behaviour outside their other restaurants".

These claims are of an anecdotal nature and in contrast with recent scientific evidence showing that each additional 1-hour extension to the opening times of premises selling alcohol was associated with a 16% increase in violent crime (Rossow & Norstrom 2012) and a 34% increase in alcohol-related injuries (de Goeij, Veldhuizen, Buster & Kunst, 2015);

- As a Responsible Authority, Public Health has a statutory duty to independently submit representations relevant to all licensing objectives, where justified by adequate evidence. This includes the *Prevention of crime and disorder*, which is not exclusive to the Police. We feel the fact that neither the Metropolitan Police nor British Transport Police have made any representations so far needs to be looked jointly with the scientific evidence considered for this case based on national and local data;
- Finally, a point of conciliation could be restricting the sales of alcohol before 11am to be ancillary to a meal.

Dr Leidon Shapo | Head of Programmes for Health & Social Care (including mental health and substance misuse)

Unit 272 London Bridge Station, SE1 9SP



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21-Aug-2018



<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 7 September 2018	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: The Pie Cart, Unit 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London SE16 4AW	
<b>Ward(s) of group(s) affected</b>		North Bermondsey	
<b>From</b>		Strategic Director of Environment and Social Regeneration	

## RECOMMENDATION

1. That the licensing sub-committee considers whether an application made by The Pie Cart Limited for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as The Pie Cart, Unit 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London SE16 4AW.
2. Notes:
  - a) This is an application for a premises licence submitted under Section 17 of the Licensing Act 2003. The application is subject to representations and is therefore referred to the licensing sub-committee for determination.
  - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 13 to 19 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report as Appendices B & 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 4 July 2018 The Pie Cart Limited applied to this council for the grant of a premises licence in respect of The Pie Cart, Unit 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London, SE16 4AW.
9. The application states that:
- “The premises currently operates as a bakery and coffee shop delivering its customers the finest homemade pies. A premises licence is being sought to make more use of the facilities they have available, operate longer hours and to offer events into the evening. Events would include films, dinner club, private and corporate events and supporting local events. Opening in the evenings would be in in conjunction with either a private or local event. The premises would remain primarily as a bakery business with 50% of the space continuing to be used for this purpose.”
10. The application and is summarised as follows:
- **The provision of films:**
    - Monday to Saturday from 16:00 to 23:00
    - Sunday from 16:00 to 22:30.
  - **The sale of alcohol for consumption on and off the premises:**
    - Monday to Thursday from 11:30 to 23:00
    - Friday and Saturday from 11:30 to 23:30
    - Sunday from 11:30 to 22:30.

- **Proposed opening hours of the premises:**

- Monday to Thursday from 08:00 to 23:30
- Friday and Saturday from 08:00 to 00:00
- Sunday from 08:00 to 23:00.

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

### **Designated premises supervisor**

12. The proposed designated premises supervisor (DPS) is Michael Meehan.

### **Representations from responsible authorities**

13. Representations have been submitted by this council's environmental protection team, this council's licensing responsible authority and also the Metropolitan Police Service.
14. The environmental protection team's representation has been submitted in respect of the prevention of public nuisance licensing objective. The representation suggests various control measures that it is recommended should become conditions of any licence issued subsequent to the application. The representation also recommends that the closing time of the premises be changed to 23:00 daily.
15. 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 recommends that the closing times proposed in respect of the premises be amended to reflect Southwark's statement of licensing policy and that closing time be 23:00 daily. The representation also suggests various control measures that it is recommended should become conditions of any licence issued subsequent to the application.
16. The representation from the Metropolitan Police Service suggests various control measures that should become conditions of any licence issued subsequent to the application. The representation also recommends that the closing time of the premises be changed to 23:00 daily.
17. The representations submitted by responsible authorities are attached as Appendix B.

### **Representations from other persons**

18. Seven representations have been submitted by 'other persons'. In summary the representations are concerned that the proposed operation will lead to considerable noise nuisance and that the proposed operation of the premises is likely to give rise to anti social behaviour and crime and disorder in the locale. Some of the representations also refer to extremely noisy events that have recently taken place at the premises.



19. The representations submitted by 'other persons' are attached as appendix C.

### **Conciliation**

20. The applicant was sent copies of all the representations and invited to respond to them. At the time of the writing of this report all of the representations remain outstanding and must be considered by the licensing sub-committee. At the hearing to consider the application the licensing sub-committee will be apprised as to the withdrawal of any of the representations or of any agreement reached in regards to any of the representations.

### **Premises history**

21. No other premises licence (or similar / equivalent authorisation) has been issued in respect of the premises under the Licensing Act 2003 or any previous legislation.
22. Details of temporary event notices served in regards to the premises are attached as Appendix D.
23. There have been no licensing visits to the premises.
24. On 4 July 2018 The Pie Cart Limited applied to this council for the grant of a premises licence in respect of The Pie Cart, Unit 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London SE16 4AW.

### **Deregulation of entertainment**

25. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
  - Live amplified music and recorded music are deregulated between 08:00 and 23:00 at on licensed premises for an audience of up to 500 people.
  - Plays and the performance of dance are deregulated between 08:00 and 23:00 for an audience of up to 500 people.
  - Indoor sporting events are deregulated between 08:00 and 23:00 for an audience of up to 1,000 people.
26. Live music and recorded music can become licensable in on-licensed premises if the licensing authority removes the effect of deregulation following a licence review ('licence review mechanism').
27. The showing of films has not been de-regulated.

### **Map**

28. 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:



**Grazing Corporate and Event Catering, Units 25 - 26, Old Jamaica Business Estate, 24 Old Jamaica Road, London 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, London 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, London 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, London 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, London 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, London 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, London 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, London SE16 4BA** licensed for:

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

**Ubrew, Unit 29 – 30 Old Jamaica Road Industrial Estate, 24 Old Jamaica Road, London, SE16 4AW** licensed for:

- 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.

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

29. Council Assembly approved Southwark's Statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this authority relies in determining licence applications.
- Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
- Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy

- Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
30. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
31. 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 restaurants, cafes, public houses, wine bars or other drinking establishments in residential areas is 23:00 daily.

### **Resource implications**

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

### **Consultation**

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

### **Community impact statement**

34. 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**

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

### Principles for making the determination

37. 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.
38. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
  - Are made by an interested party or responsible authority
  - Have not been withdrawn
  - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
39. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- 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

40. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
41. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
42. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
43. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night

time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

44. 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**

45. 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**

46. 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.
47. 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**

48. 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.

49. 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.
50. 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.
51. 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.
52. 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.
53. 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.
54. 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.
55. 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**

56. 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

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

### BACKGROUND DOCUMENTS

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

### APPENDICES

Name	Title
Appendix A	Copy of the application
Appendix B	Copies of representations submitted by responsible authorities
Appendix C	Copies of the representations submitted by 'other persons'
Appendix D	Details of temporary event notices served in respect of the premises
Appendix E	Map of the local area

### AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Social Regeneration	
<b>Report Author</b>	Wesley McArthur, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	23 August 2018	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	23 August 2018	



04/07/2018

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

Ref No. 1050262

## Name of Applicant

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

	The Pie Cart Limited
--	----------------------

## Premises Details

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

£	13500
	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

	The Pie Cart
--	--------------

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

Address Line 1	UNIT 19
Address Line 2	OLD JAMAICA BUSINESS ESTATE
Town	LONDON
County	
Post code	SE16 4AW
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

## Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

Personal Details - First Entry

Name	The Pie Cart Limited
------	----------------------

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 )	Private Limited Company

Contact Details - First Entry

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

Operating Schedule

When do you want the premises licence to start?

	02/08/2018
--	------------

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

--	--

General description of premises ( see guidance note 1 )

	<p>The Pie Cart currently operates as a Bakery and coffee shop delivering its customers the finest hand-made pie.</p> <p>A premises Licence is being sought to make more use of the facilities they have available, operate longer hours and to offer events into the evenings.</p> <p>Events will include films, dinner club, private &amp; corporate events and supporting local events. Opening in the evenings will usually be in conjunction with either a private or local event.</p> <p>The premises will remain primarily as a bakery business with over 50% of the space continuing to be used for this purpose.</p>
--	---

If 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number.

	Less than 5000
--	----------------

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 of the Licensing Act 2003)
--	---

Provision of regulated entertainment (Please read guidance note 2)

	b) films

Provision of late night refreshment

--	--

Supply of alcohol

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

B- Films

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

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

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

	Film screenings inside the property. See plans for details.
--	---

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

Day	Start	Finish
Mon	16:00	23:00
Tues	16:00	23:00
Wed	16:00	23:00
Thur	16:00	23:00
Fri	16:00	23:00
Sat	16:00	23:00
Sun	16:00	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 )

--	--

J - Supply of Alcohol

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

	Both
--	------

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

Day	Start	Finish
Mon	11:30	23:00
Tues	11:30	23:00
Wed	11:30	23:00
Thur	11:30	23:00
Fri	11:30	23:30
Sat	11:30	23:30
Sun	11:30	22:30

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

--	--

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

--	--

Please download and then upload the consent form completed by the designated proposed premises supervisor

--	--

Premises Supervisor

Full name of proposed designated premises supervisor

First names	
Surname	

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)

	N/A
--	-----

L - Hours premises are open to public

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

Day	Start	Finish
Mon	08:00	23:30
Tues	08:00	23:30
Wed	08:00	23:30
Thur	08:00	23:30
Fri	08:00	00:00
Sat	08:00	00:00
Sun	08:00	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 )

	<ol style="list-style-type: none"> <li>1. Staff Training – Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:             <ol style="list-style-type: none"> <li>a. The responsible sale of alcohol.</li> <li>b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking &amp; authenticating accepted forms of identification.</li> <li>c. The responsibility to refuse the sale of alcohol to any person who is drunk.</li> <li>d. Fire safety &amp; emergency evacuation procedures</li> </ol> </li> <li>2. Recording Practices – The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:             <ol style="list-style-type: none"> <li>a. Any complaint against the premises in respect of any of the licensing objectives</li> <li>b. Any crime reported at the premises</li> <li>c. Any illegal drug related incident</li> <li>d. A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.</li> <li>e. Any fault in the CCTV system</li> </ol> <p>All written reports and registers will be regularly checked by the DPS.</p> </li> <li>3. Business Plan - The primary purpose of the business will remain as a bakery.</li> <li>4. Off Sales – Only sealed unopened containers will be sold for</li> </ol>
--	--

	<p>off-sale. 5. Off Sales – Off Sales of Alcohol will only take place on Saturdays &amp; Sundays</p>
--	--

b) the prevention of crime and disorder

	<p>6. CCTV - The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time &amp; date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall:</p> <ol style="list-style-type: none"> <li>a. Cover all entry points used by the public.</li> <li>b. Enable frontal identification of persons entering in any light condition.</li> <li>c. Be maintained by a suitably qualified person.</li> </ol> <p>7. CCTV - Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV data (footage and / or images) in an appropriate recorded format (usually to a disc, memory stick or data file sent electronically) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.</p> <p>8. CCTV - Sufficient competent persons should be authorised by the premises licence holder to ensure that at all times the premises is open to the public, a member of staff is available to show the Police, when formally requested to do so, any images / footage from CCTV system with a minimum of delay.</p> <p>9. Drugs Zero Tolerance Policy – A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.</p> <p>10. Self-Service of Alcohol – No self-service of alcohol will be permitted at the premises.</p> <p>11. Externally Promoted Events – No externally promoted events will be permitted at the premises; 'externally promoted events' are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.</p>
--	--

c) public safety

	<p>12. Fire Safety – A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:</p> <ol style="list-style-type: none"> <li>a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.</li> <li>b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.</li> <li>c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.</li> <li>d. All emergency exits are marked on the premises plan.</li> </ol> <p>13. First Aid – Adequate &amp; suitable first aid boxes will be maintained.</p>
--	--

d) the prevention of public nuisance

	<p>14. Refuse Disposal - Regular waste disposal is undertaken in accordance with the council's requirements.</p> <p>15. Litter - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.</p> <p>16. Noise Escape - Where live or recorded music is played windows and doors will be kept shut to avoid a public nuisance being caused.</p> <p>17. Noise Escape - No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</p> <p>18. External Tables &amp; Chairs – All tables and chairs located in the external areas of the premises will be rendered unusable after 22.00 on each day.</p> <p>19. Exit Signage – A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.</p>
--	---

e) the protection of children from harm



	<p>20. Challenge 25 – A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.</p> <p>21. Recording Practices - A register of refusals will be maintained at the premises.</p>
--	--

Please upload a plan of the premises

	[REDACTED]
--	------------

Please upload any additional information i.e. risk assessments

--	--

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

I agree to the above statement

	Yes
PaymentDescription	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	

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

Full name	[REDACTED]
Date (DD/MM/YYYY)	04/07/2018

Capacity	Agent (Licensing Consultant)
----------	------------------------------

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

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

Contact name and address for correspondence	[REDACTED]
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[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.

**Appendix B – copies of representations submitted by responsible authorities**

**From:** Earis, Richard [Richard.Earis@southwark.gov.uk](mailto:Richard.Earis@southwark.gov.uk)

**Sent:** 30 July 2018 17:05

**To:** Regen, Licensing

**Cc:** [REDACTED]

**Subject:** The Pie Cart Unit 19, Old Jamaica Business Estate – Objections to new License application.

**RE: The Pie Cart Unit 19, Old Jamaica Business Estate – New License application.**

I have considered the above application on behalf of the Environmental Protection Team (prevention of public nuisance responsible authority). I would like to object on the grounds that the controls listed in the application are insufficient to ensure the licensing objective and that the opening hours of the premises are not in compliance with the Licensing Policy.

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

- Opening hours of the premises reduced to Southwark Licensing Policy hours for this area (closing at 23:00 daily)
- There shall be no use of any external area after 22:00 on any day, other than for access egress and smoking, and after 22:00 no more than 5 people shall be permitted to smoke in the external area at any one time.
- No drinks shall leave the licensable area of the premises at any time other than off sales. Alcohol for consumption off the premises shall not be sold for immediate consumption in the area around the premises and shall be supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.
- No more than 20 people shall be permitted to use any outdoor area at any one time
- Premises management shall regularly monitor outside the premises and take all necessary steps to ensure that noise from patrons does not cause disturbance or public nuisance
- Amplified music, song or speech shall not be broadcast in external areas at any time
- Any background music played on the premises shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most recent iteration of the policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request

Kind Regards,

Richard

**Richard Earis**

Principal Environmental Protection Officer  
**Environmental Protection Team**

**020 7525 2469**

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

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

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

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



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



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/3174/18

**Date:** 01/08/2018

**Re:-The Pie Cart Unit 19 Old Jamaica Business Estate 24 Old Jamaica Road**  
**SE16 4AW**

Dear Sir/Madam

Police are in possession of an application from the above for a new premises licence, the application is for the sale of alcohol on the premises as a Café/ Bar with the following opening hours

Mon-Thur-0800-2330hrs

Fri-Sat-0800-0000hrs

Sun-0800-2300hrs

The opening hours requested are outside of Southwark Councils Licensing Policy, the policy stating the closing time shall be 2300hours daily. At this stage Police object to this application and await further detail and clarification as to the trading hours. If committee is to grant the licence then Police would like the following control measures added and wording amended to avoid ambiguity.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises and all areas the public have access including outside areas.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.

3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.

4/ That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council

5/ Signage on entrance/exit requesting customers to respect neighbours and leave quietly.

6/All off sales shall be made in sealed containers for consumption away from the premises

7/The sale of alcohol shall cease 30minutes before the terminal hour.

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

Yours Sincerely

Pc Mark Lynch 246MD

Southwark Police Licensing Unit

Tel: 0207 232 6756

[mark.A.Lynch@met.pnn.police.uk](mailto:mark.A.Lynch@met.pnn.police.uk)

## MEMO: Licensing Unit

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To	Licensing Unit	Date	1 August 2018	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

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Subject Re: The Pie Cart, Unit 19 Old Jamaica Business Estate, 24 Old Jamaica Road, London, SE16 4AW – Application for a premises licence

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

- Films (indoors) on Monday to Saturday from 16:00 to 23:00 and on Sunday from 16:00 to 22:30
- Supply of alcohol (on and off the premises) on Monday to Thursday from 11:30 to 23:00, Friday and Saturday from 11:30 to 23:30 and on Sunday from 11:30 to 22:30
- Overall opening times shall be on Monday to Thursday from 08:00 to 23:30, Friday and Saturday from 08:00 to 00:00 and on Sunday from 08:00 to 23:00

The premises is described as

*'The Pie Cart currently operates as a bakery and coffee shop delivering its customers the finest hand made pie. A premises licence is being sought to make more use of the facilities they have available, operate longer hours and to offer events into the evenings. Events will include films, dinner club, private & corporate events and supporting local events. Opening in the evenings will usually be in conjunction with either a private or local event. The premises will remain primarily as a bakery with over 50% of the space continuing to be used for this purpose.'*

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

This premises is situated in a residential area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing time for restaurants; cafes, public houses, wine bars and other drinking establishments is 23:00 daily.

I therefore ask the applicant to consider amending the application closing times to be in line with the appropriate hours for a residential area as above and to bring the licensable activities in line with this allowing half an hour drinking up time for on sales of alcohol as follows:

- Overall opening times: Monday to Sunday to cease at 23:00
- Sales of alcohol 'on sales': Monday to Sunday to cease at 22:30
- Sales of alcohol 'off sales': Monday to Sunday to cease at 23:00

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



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

Add further conditions to the operating schedule as follows:

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

I 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://lbs-mapweb-01:9080/connect/Includes/APPIMA/SSOLP1620.pdf>

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

**Party 1****From:****Sent:** Friday, July 06, 2018 11:35 AM**To:** Regen, Licensing**Subject:** LICENSE NO: 863894 - OBJECTION TO THE GRANTING OF A LICENSE TO SERVE ALCOHOL TO 'THE PIE CAR LTD

Good morning

I wish to register my objection to the granting of a license to sell alcohol to 'The Pie Cart' in Arch 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London, SE16 4AW on the grounds of noise pollution, anti-social behaviour; general disturbance, crime and littering.

I live in a flat on the [REDACTED]. My living room and balcony, which has a door, faces direct on to the Business Estate and is approximately 200m away from Arch 19. This means that I will be directly affected by the noise created by people drinking outside Arch 19. It is not clear from the Application if music will be playing outside the Arch every day, but I have already experienced a couple of evenings this year when the 'Secret Goldmine Cafe', which is situated in Arch 19 and operated by 'The Pie Cart' has applied for and been granted a special license to hold music events at which alcohol was served. The last event took place on the Whitsun Bank Holiday weekend in May. That was a hot day and because of the loud music being played until nearly Midnight I was forced to close my outside facing doors and boil inside because of the level of noise from this event. However, by applying for a 24/7 drinks license the 'Secret Goldmine Cafe' will be able to hold these sorts of events every weekend and on week nights any time they want to and without applying to the Council. That means that during the warm months I, or my neighbours in [REDACTED], will not be able to sit out on our balconies in the afternoons and evenings and enjoy the peace and quiet we're entitled to; we won't be able to have our balcony doors open and watch TV; listen to music or generally relax in our living rooms; and we won't be able to have our bedroom windows open if we want to go to bed early without having the noise pollution from the crowd of drinkers outside Arch No19 pouring in to our homes. I am a shift-worker and often work nights. This will make my life unbearable as I will be woken up during the afternoon and early evenings by the noise made by large crowds of drinkers, and possibly the accompanying music, outside Arch 19.

If the Licence is granted, residents in [REDACTED] will be affected by the noise generated by outdoor drinking that will take place **every** Saturday and Sunday afternoon-evening in the Spring, Summer and Autumn and even Winter. Arch 19 obviously wants a slice of the action being made from people visiting the "Bermondsey Beer Mile". That's a good business idea for

them but not for myself or other people living in [REDACTED]. It will be us, the people who live at the Marine Street end of [REDACTED] who will have to live with the noise pollution in the afternoons and evenings and listen to and witness anti-social behaviour from drunks late at night. We'll also have to endure living with the increased litter pollution caused by drinkers who have walked down Old Jamaica Street and Marine Street and thrown away their plastic cups, bottles, cans and food wrappings and used doorways and other public areas along Old Jamaica Road and Marine Street as urinals. I am particularly concerned about the large stretch of grass in front of Bowley House along Old Jamaica Road and Marine Street being used as a public toilet. This area is used by local children every day to play on and could constitute a health hazard for these children.

As a sidebar: I have already seen that residents in Queens Court and Neckinger Mill on Abbey Street and Old Jamaica Road, SE16 have got so fed up with the noise pollution from 'Ubrew', which occupies Arches 39-30 on the same business estate that they filed a complaint with the Council in order to get their drinks license reviewed. So you can see that the noise generated by these bars is already having a detrimental effect on people who live in property adjacent to the Business Estate. The Council has a duty of care to us: the people who live in the Borough and pay Council Tax, to ensure that we are protected from instances of public nuisance, antisocial behaviour, crime and disorder. I hope the Council will refuse this Application.

Yours

**Party 2****From:****Sent:** Wednesday, July 18, 2018 10:03 PM**To:** Regen, Licensing**Subject:** Objection to licensing application

Dear Southwark Council

I wish to object to a licensing application [REDACTED]. License number 863894 for Arch 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London, SE16 4AW.

I'm a homeowner and my living room, bedroom and balcony overlook the premises. The daytime coffee shop currently in the premises is welcome in the neighbourhood but I object to the proposed alcohol license and extended opening times for the following reasons:

- A vast increase in noise would mean residents would be disturbed, especially in the evenings. We would be forced to keep windows and doors closed at all times to limit the noise (music, groups of people, taxis, yelling, singing etc.) It is not possible to stop noise when groups of alcohol-fuelled people are leaving a premises.
- Anti-social behaviour would become an issue in a road not set up for pubs and drinking establishments. Opposite the site is a well-used youth centre. I am a female and don't wish to walk past an outdoor bar metres from my door.
- The amount of street litter would dramatically increase. Plastic cups, glass bottles and food waste would increase. As well as being unpleasant and unsightly, we already have an issue with foxes and rodents.

I genuinely welcome the conversion of the railway arches in and around Bermondsey. Mostly they are thoughtfully converted and assets to the neighbourhood but we don't need more drinking places aimed at non-residents. I hope the proposal will be declined.

Please advise receipt of this objection.

Best wishes

**Party 3****From:****Sent:** 22 July 2018 19:09**To:** Regen, Licensing**Subject:** objection to new license for selling alcohol

Dear Sir / Madam,

I wish to register my objection to the granting of a license to sell alcohol to 'The Pie Cart' in Arch 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London, SE16 4AW on the grounds of noise pollution, anti-social behaviour; general disturbance, crime and littering.

I live in a flat on the [REDACTED]. My living room and balcony, which has a door, is close to the Business Estate and is approximately 300m away from Arch 19. This means that I will be directly affected by the noise created by people drinking outside Arch 19. It is not clear from the Application if music will be playing outside the Arch every day, but I have already experienced a couple of evenings this year when the 'Secret Goldmine Cafe', which is situated in Arch 19 and operated by 'The Pie Cart' has applied for and been granted a special license to hold music events at which alcohol was served. The last event took place on the Whitsun Bank Holiday weekend in May. That was a hot afternoon and evening and because of the loud music being played until nearly Midnight I was forced to close my outside facing doors and swelter inside because of the level of noise from this event. However, by applying for a [24/7](#) drinks license the 'Secret Goldmine Cafe' will be able to hold these sorts of events every weekend and on week nights any time they want to and without applying to the Council. That means that during the warm months I, or my neighbours in [REDACTED], will not be able to sit out on our balconies in the afternoons and evenings and enjoy the peace and quiet we're entitled to; we won't be able to have our balcony doors open and watch TV; listen to music or generally relax in our living rooms; and we won't be able to have our bedroom windows open if we want to go to bed early without having the noise pollution from the crowd of drinkers outside Arch No19 pouring in to our homes. My partner is a shift-worker and this will make his life unbearable.

You've only got to walk down Enid Street or Druid Street [on Saturday](#) afternoons to realise what kind of establishment Arch 19 will become if this licence is granted. They are very noisy and the crowds can often get raucous, especially at night after a day of consuming alcohol. Residents in [REDACTED] will have to listen to the noise made by crowds of loud, drunk people. If the Licence is granted, this will take place on **every Saturday** and [Sunday afternoon-evening](#) in the Spring, Summer and Autumn and even Winter. Arch 19 obviously wants a slice of the action being made from people visiting the "Bermondsey Beer Mile". That's a good business idea for them but not for myself, my partner or other people living in

██████████. It will be us, the people who live at the Marine Street end of Eyot House who will have to live with the noise pollution in the afternoons and evenings and listen to anti-social behaviour from drunks late at night. We'll also have to endure living with the litter pollution caused by drinkers who have walked down Old Jamaica Street and Marine Street and thrown away their plastic cups, bottles, cans and food wrappings and used doorways and other public areas along Old Jamaica Road and Marine Street as urinals. I am particularly concerned about the large stretch of grass in front of Bowley House along Old Jamaica Road and Marine Street being used as a public toilet. This area is used by local children every day to play on and could constitute a health hazard for these children. Believe me when I say that this already happens at the weekend. I walk around the Bermondsey Spa Estate (comprising Marine St; Old Jamaica Road; Sun Passage; Freaan Street and Ness Street) early each [Saturday](#) and [Sunday](#) picking up litter and the amount of rubbish I pick up already fills a large rubbish bag each day. This will get incrementally worse if yet another bar is allowed to open on Old Jamaica Road.

As a sidebar: I have already seen that residents in Queens Court and Neckinger Mill on Abbey Street and Old Jamaica Road, SE16 have got so fed up with the noise pollution from 'Ubrew', which occupies Arches 39-30 on the same business estate that they filed a complaint with the Council in order to get their drinks license reviewed. The Council has a duty of care to us, the people who live in the Borough and pay Council Tax, to ensure that we are protected from instances of public nuisance, antisocial behaviour, crime and disorder. I hope the council will refuse this Application.

Yours

**Party 4****From:****Sent:** Friday, July 06, 2018 11:16 AM**To:** Regen, Licensing**Subject:** REF: LICENSE NO: 863894 - OBJECTION TO THE GRANTING OF A LIQUOR LICENCE TO 'THE PIE CAR LTD**Good morning**

I wish to register my objection to the granting of a license to sell alcohol to 'The Pie Cart' in Arch 19, Old Jamaica Business Estate, 24 Old Jamaica Road, London, SE16 4AW on the grounds of noise pollution, anti-social behaviour; general disturbance, crime and littering.

I live in a flat on the [REDACTED]. My living room and balcony, which has a door, faces direct on to the Business Estate and is approximately 200m away from Arch 19. This means that I will be directly affected by the noise created by people drinking outside Arch 19. It is not clear from the Application if music will be playing outside the Arch every day, but I have already experienced a couple of evenings this year when the 'Secret Goldmine Cafe', which is situated in Arch 19 and operated by 'The Pie Cart' has applied for and been granted a special license to hold music events at which alcohol was served. The last event took place on the Whitsun Bank Holiday weekend in May. That was a hot afternoon and evening and because of the loud music being played until nearly Midnight I was forced to close my outside facing doors and swelter inside because of the level of noise from this event. However, by applying for a 24/7 drinks license the 'Secret Goldmine Cafe' will be able to hold these sorts of events every weekend and on week nights any time they want to and without applying to the Council. That means that during the warm months I, or my neighbours in [REDACTED] will not be able to sit out on our balconies in the afternoons and evenings and enjoy the peace and quiet we're entitled to; we won't be able to have our balcony doors open and watch TV; listen to music or generally relax in our living rooms; and we won't be able to have our bedroom windows open if we want to go to bed early without having the noise pollution from the crowd of drinkers outside Arch No19 pouring in to our homes. My partner is a shift-worker and this will make his life unbearable.

You've only got to walk down Enid Street or Druid Street on Saturday afternoons to realise what kind of establishment Arch 19 will become if this licence is granted. They are very noisy and the crowds can often get raucous, especially at night after a day of consuming alcohol. Residents in [REDACTED] will have to listen to the noise made by crowds of loud, drunk people. If the Licence is granted, this will take place on every Saturday and Sunday afternoon-evening in the Spring, Summer and Autumn and even Winter. Arch 19 obviously wants a slice of the action being made from people visiting the "Bermondsey Beer Mile". That's a good business idea for them but not for myself, my partner or other people living in [REDACTED]. It will be us, the people who live at the Marine Street end of Eyot House who will have to live with the noise pollution in the afternoons and evenings and listen to anti-social behaviour from drunks late at night. We'll also have to endure living with the litter pollution caused by drinkers who have walked down Old Jamaica Street and Marine Street and thrown away their plastic cups, bottles, cans and food wrappings and used doorways and other public areas along Old Jamaica Road and Marine Street as urinals. I am particularly concerned about the large stretch of grass in front of Bowley House along Old Jamaica Road and Marine Street being used as a public toilet. This area is used by local children every day to play on and could constitute a health hazard for these children. Believe me when I say that this already happens at the weekend. I walk around the Bermondsey Spa Estate (comprising Marine St; Old Jamaica Road; Sun Passage; Freat Street and Ness Street) early each Saturday and Sunday picking up litter and the amount of rubbish I pick up already fills a large rubbish bag each day. This will get incrementally worse if yet another bar is allowed to open on Old Jamaica Road.

As a sidebar: I have already seen that residents in Queens Court and Neckinger Mill on Abbey Street and Old Jamaica Road, SE16 have got so fed up with the noise pollution from 'Ubrew', which occupies Arches 39-30 on the same business estate that they filed a complaint with the Council in order to get their drinks license reviewed. The Council has a duty of care to us, the people who live in the Borough and pay Council Tax, to ensure that we are protected from instances of public nuisance, antisocial behaviour, crime and disorder. I hope the council will refuse this Application.

Yours



**Party 5****-----Original Message-----****From:****Sent:** 22 July 2018 19:03**To:** Regen, Licensing**Subject:** Opposition to License No. 863894

Dear Sir / Madam

I would like to formally object to the granting of a license numbered above to "The Pie Cart Limited".

I do so on the grounds of my concern regarding that a granting of a license would create the propensity for crime and disorder to increase alongside the fact that it would be a public nuisance and be detrimental to public safety. I base this on the following facts:

I live in . This flat with my balcony, which I regularly enjoy the use of, is situated approximately 200 metres from the proposed site. I am concerned that noise created from people, who will be under the influence of alcohol, will be intolerable and spoil the use of my balcony in addition to being detrimental to my health, safety and wellbeing.

In the last four years I have had significant physical and mental health illnesses. These prevented me from being able to work and I have only just become able to return to work under reduced hours. I, like many of my neighbours, work shifts. The extra noise from this venue would make it more difficult for me to sleep. This would be prejudicial to what fragile recovery I have. I am also concerned that because of the heavy duty medications I have to take, my sleep would be so disrupted that this would seriously impact on my existing health conditions and potentially make them worse requiring stronger medication. My health conditions are actually already known to the Council and I authorize you to contact the Benefits department for clarification. I am also happy to provide documented medical evidence of all my ill health conditions if necessary.

The granting of this license would, undoubtedly, be a risk to my safety, health and wellbeing on the grounds stated above and I oppose it in the strongest terms as I believe the Council has a duty of care towards me in this respect as a resident. It has a further duty of care to all local residents in this respect and I urge you to take all of this into full consideration.

Yours faithfully

Sent from my iPad

**Party 6****From:****Sent:** Monday, July 23, 2018 7:32 PM**To:** Regen, Licensing**Subject:** Objection to Licence number 863894: 23.07.2018

Dear Sir/Madam,

I am writing to lodge my objection to the application for Premises for films indoors and supply alcohol/ on/off premises - Licence Number: 863894. I , , live in , and will be directly negatively affected by the noise created by the drinkers.

First of all, the bar will be open seven days a week and will close between 22.30 pm and 23.30 pm. However, it is well known that drinkers, especially at the weekend, won't leave until midnight or even later. The main issue is drinking outside Arch 19th, which is only 200m away from our home. I have already experienced a couple of such noise nights when the bar sold alcohol and played loud music. The last event was the Whitsun bank holiday weekend in May where it wasn't possible to open the windows due to the noise caused by this event.

Additionally, I am concerned about the potential anti-social behaviour, litter pollution, and using doorways and other areas to urinate.

Could you please acknowledge the receipt of this email? Many thanks.

With kind regards,

London, July 23rd 2018

**Party 7****From:****Sent:** Monday, July 23, 2018 7:23 PM**To:** Regen, Licensing**Subject:** Objection to licensing application 863894

Dear sir / madam

I am writing to lodge an official objection to the above application for a 24 hour drinks license.

As a neighbour who overlooks the business park/ arches I am already subject to noise and occasional anti-social behaviour from the Salmon Youth Centre on weekday evenings and the additional noise, litter and drunken behaviour that will result from this license being granted, combined with the existing noise from trains and youth centre would make life very unpleasant for residents in Marine Street.

Currently the weekends are a relatively peaceful period during which us residents can enjoy our balconies and have windows open.

Having experienced the recent music events held by the applicant I can only assume that the noise would be of a similar volume. These resulted in us having to close windows due to the blocks creating a natural amphitheater which greatly amplifies any noise from the arches.

This is a residential area and for many residents a factor in their decision to move here will have been the fact that there are no such establishments in the immediate area.

I therefore strongly object to the drinks license being granted.

My name is

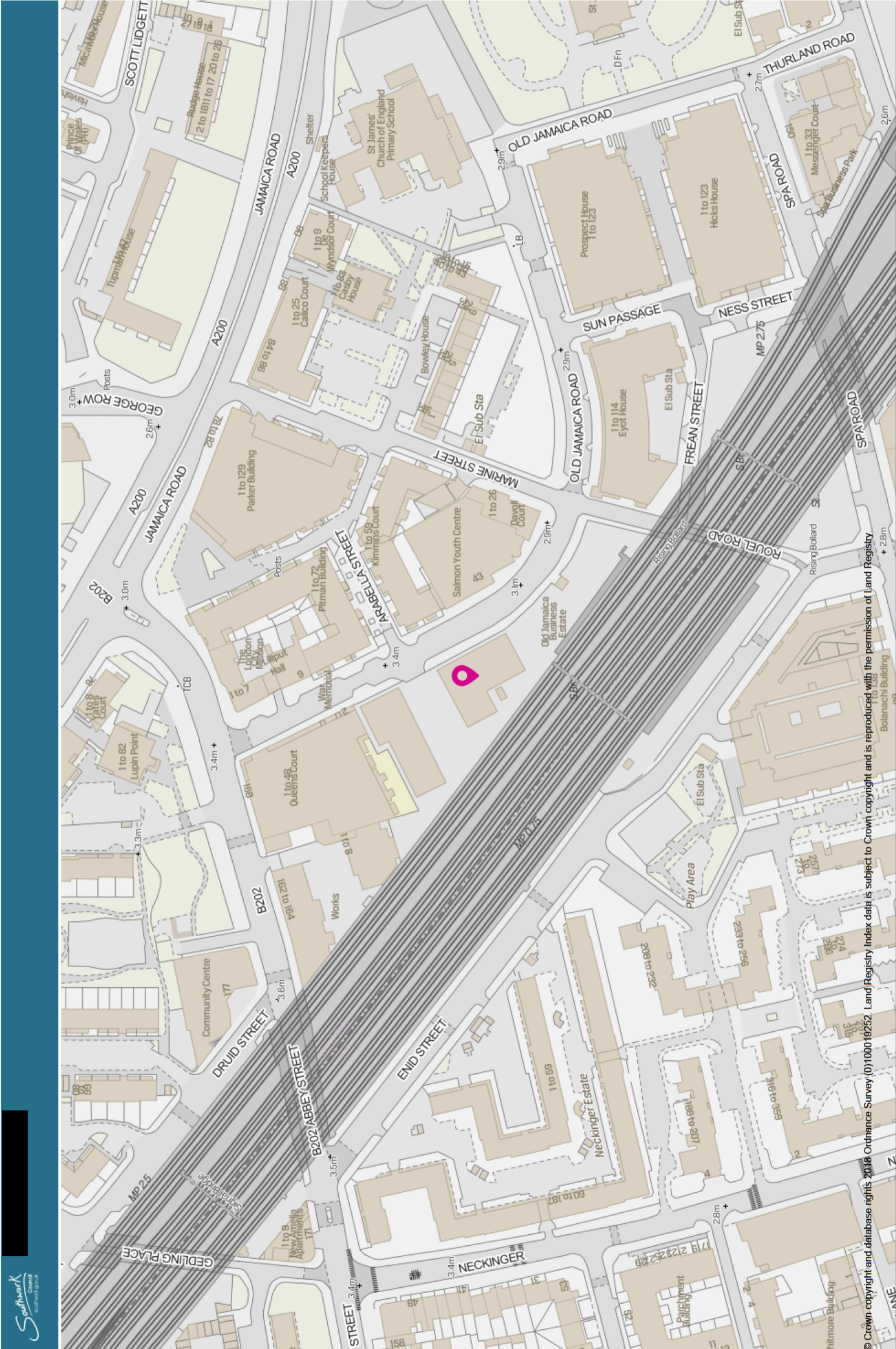
Address -

Date of email -

Application number - 863894

Yours sincerely

Start date	End date	Time	Max' attendees	Alcohol?	Entertainment?	LNR?	Police objection?	EPT objection?	Ref'
30/11/2017	30/11/2017	18:00 - 23:30	32	Yes	Yes	No	No	No	860965
21/04/2018	21/04/2018	12:00 - 00:00	80	Yes	Yes	No	No	No	862869
14/05/20 8	14/05/2018	18:00 - 11:00	30	Yes	No	No	No	No	863158
26/05/2018	26/05/2018	12:00 - 23:30	80	Yes	Yes	No	No	No	863283
15/07/2018	15/07/2018	12:00 - 22:00	40	Yes	No	No	No	No	863932



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