

## Licensing Sub-Committee

Monday 10 December 2018

10.00 am

Ground Floor Meeting Room G03 - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Renata Hamvas (Chair)  
Councillor Sandra Rhule  
Councillor Charlie Smith

### Reserves

Councillor Ian Wingfield

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

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

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 30 November 2018



## Licensing Sub-Committee

Monday 10 December 2018  
10.00 am

Ground Floor Meeting Room G03 - 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: VODAFONE SMALE HOUSE, 114 GREAT SUFFOLK STREET LONDON SE1 0SL</b>	1 - 26
6.	<b>LICENSING ACT 2003: MCDONALD'S, UNIT SU74 TOOLEY STREET WEST, LONDON BRIDGE STATION, LONDON SE1 2TF</b>	27 - 84

**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: 30 November 2018

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 10 December 2018	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		Licensing Act 2003: Vodafone Smale House, 114 Great Suffolk Street London SE1 0SL	
<b>Ward(s) of group(s) affected</b>		Borough and Bankside	
<b>From</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Vodafone Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Vodafone Smale House, 114 Great Suffolk Street, London SE1 0SL.
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 an other person and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 11 to 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 21 September 2018, Vodafone Ltd applied to this council for the grant of a premises licence in respect of Vodafone Smale House, 114 Great Suffolk Street, London SE1 0SL. The premises is described as an area comprising of office space, meeting rooms and breakout areas. The licence is to authorise the sale /supply of alcohol but limited to employees and officers of the organisation in occupation and clients, prospective clients and business contacts of either the organisation or its employees/officers. Alcohol will normally be supplied by way of hospitality. The application is summarised as follows:
  - **Supply of alcohol(on the premises):**
    - Monday to Sunday 11:00 to 23:00
  - **Operating hours:**
    - Monday to Sunday 24 hours
  
9. The premises licence application form provides the applicant's operating schedule. Parts J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in 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 is Gavin Jones who has a personal licence issued by the Royal Borough of Greenwich.

### **Representations from responsible authorities**

11. There is one representation from the Metropolitan Police Service.
12. The police representation state that this type of application is unlikely to have much of an impact on the licensing objectives, however a number of control measures would be required to limit this premises to the activities as described in the application and have therefore submitted a number of conditions to promote the prevention of crime and disorder objective. These conditions have since been agreed by the applicant and the police have withdrawn their representation.
13. The representation and withdrawal email are attached as Appendix B.

### **Representations from other persons**

14. There is one representation from other person who is a local ward councillor. The ward councillor objects on the grounds that the premises is in the Borough and Bankside cumulative impact policy area, which already has a substantial supply of premises where alcohol can be purchased. Increases in consumption across the population are associated with increase in alcohol related harm.
15. The representation is attached as Appendix C.

### **Conciliation**

16. The representation were forwarded to the applicant representative. The applicant has agreed to the police condition and as such the police have withdrawn. There is still an outstanding representation from the local ward councillor. The licensing sub-committee will be updated on 10 December 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 amplified music and recorded music are deregulated between 08:00 and 23:00 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 1000 people.
18. 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').

19. The showing of films has not been de-regulated.

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

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

#### **El Vergel Co-Operative LTD, 132 Webber Street, London SE1 0QL**

- The Provision Regulated entertainments (indoors):
  - Monday to Wednesday from 08:00 to 22:00
  - Thursday to Friday from 08:00 to 23:00
  - Saturday from 10:00 to 23:00
  - Sunday from 10:00 to 19:30.
- The sale by retail of alcohol (on sales):
  - Monday to Friday from 08:00 to 00:30
  - Saturday from 10:00 to 00:30
  - Sunday from 10:00 to 23:30.

#### **Terry's Café, 158 Great Suffolk Street, London SE1 1PE**

- The sale by retail of alcohol - both on and off sales:
  - Monday to Sunday from 12:00 to 23:00 .

#### **The Co-operative Food Group Ltd, 136 Southwark Bridge Road, London, SE1 0DG**

- The sale by retail of alcohol (off sales):
  - Monday to Sunday from 08:00 to 00:00.

### **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 licenses 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 committee's concerns around cumulative impact at the meeting.

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

25. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 – Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
  - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
  - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy
  - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
  - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
  - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
  - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
  - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
26. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
27. Within Southwark's statement of licensing policy, the premises are identified as being within a residential area. Relevant closing times recommended in the statement of licensing policy for licensed premises in residential areas are as follows:

- Restaurants and cafes:
  - Sunday to Thursday 00:00
  - Friday and Saturday is 01:00.
- Closing time for public houses, wine bars or other drinking establishments:
  - Sunday to Thursday is 23:00
  - Friday and Saturday 00:00.

### **Resource implications**

28. A fee of £635.00 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 E.

### **Consultation**

29. 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**

30. 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**

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

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

33. 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.
34. 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.

35. 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**

36. 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.
37. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
38. 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.
39. 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.
40. 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**

41. 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**

42. 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.
43. 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**

44. 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.
45. 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.

46. 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.
47. 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.
48. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.

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

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 regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

**BACKGROUND DOCUMENTS**

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

**APPENDICES**

<b>Name</b>	<b>Title</b>
Appendix A	Application for a premises licence
Appendix B	Representation submitted by the police and withdrawal
Appendix C	Representation by other person
Appendix D	Map of local area

**AUDIT TRAIL**

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	28 November 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>	28 November 2018	

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

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

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

	Vodafone Ltd
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Premises Details

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

£	£125,001+
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

Premises trading name

	Vodafone Smale House
--	----------------------

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

Address Line 1	Vodafone Smale House
Address Line 2	114 Great Suffolk Street
Town	Southwark
County	London
Post code	SE1 0SL
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)
--	--

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:-

	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	Vodafone
------	----------

Address - First Entry

Street number or building name	Vodafone HQ
Street Description	The Connection
Town	Newbury
County	Berkshire
Post code	RG14 2FN
Registered number ( where applicable )	01471587
Description of applicant ( for example, partnership, company, unincorporated association etc )	Company

Contact Details - First Entry

Telephone number	[REDACTED]
Email address	adam.morley@mitie.com

Operating Schedule

When do you want the premises licence to start?

	01/10/2018
--	------------

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 premises is occupied by Vodafone Ltd for communication infrastructure and office purposes.          Access to the premises is only permitted to employees and officers of the organization in occupation and their bona fide guests attending pre-planned private events at the premises.          The office is open to employees/officers and guests 24 hours per day. However, access to the premises is controlled by 24-hour manned security/reception. There is no access to the general public.          The areas to be licensed are shown on the plans lodged with this application and comprise office space, meeting rooms and breakout areas.          The licence is to authorise the sale/supply of alcohol but limited to employees and officers of the organisation in occupation and clients, prospective clients and business contacts of either the organisation or its employees/officers. Alcohol will normally be supplied by way of hospitality.          The application submitted is for authorisation to provide licensable activities during times specified. The actual times that licensable activities are provided will vary within the times specified from day to day, depending on the requirements of the business</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)


Provision of late night refreshment

--	--

Supply of alcohol

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

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

J - Supply of Alcohol

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

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

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

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

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

--	--

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	Gavin
Surname	Jones

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 )	LN/0000
Issuing authority ( if known )	Royal Borough of Greenwich

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	00:00
Tues	00:00	00:00
Wed	00:00	00:00
Thur	00:00	00:00
Fri	00:00	00:00
Sat	00:00	00:00
Sun	00:00	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 )

--	--

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

M - Steps to promote four licencing objectives

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

	The premises is already required to comply with existing and future legislation on health, safety and environmental issues, fire safety, planning, building regulations, disability discrimination, trading standards and weights and measures, crime disorder and security industry legislation. The premises are also required to comply with the provisions in the Licensing Act 2003.
--	--

b) the prevention of crime and disorder

	The premises is covered by 24-hour manned security. There is a good level of CCTV around the premises; coverage includes access points to the premises.
--	--

c) public safety

	A Fire Risk Assessment, Emergency Evacuation Policy and Health and Safety Risk Assessment is in place and shall be reviewed periodically.
--	---

d) the prevention of public nuisance

	The premises is covered by 24-hour manned security.
--	---

e) the protection of children from harm

	Alcohol will not be available to anyone under the age of 18. Anyone who appears under the age of 25 will be required to provide formal identification. All servers will be formally trained on the Challenge 25 Policy.
--	--

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	[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	Adam Morley
Date (DD/MM/YYYY)	20/08/2018
Capacity	Compliance Auditor (Contractor for Vodafone)

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	

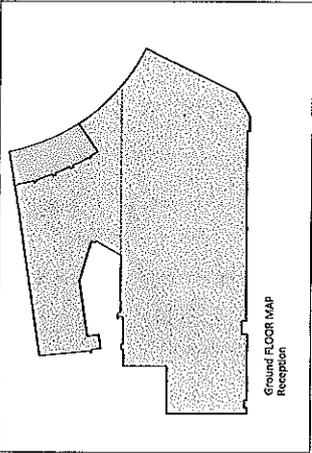
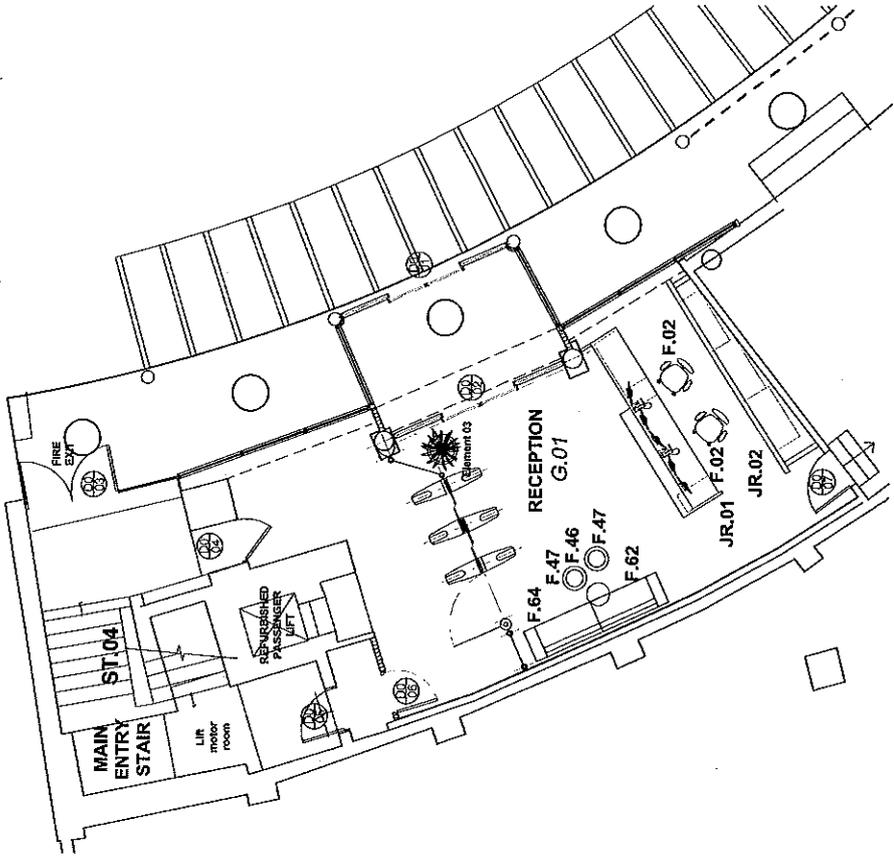
Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 14)

Contact name and address for correspondence	
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.

<p>Area Sq Ltd The UK's First Office Survey 1992/2015 E. 01234 274002 E. 01234 274002 www.area-sq.co.uk</p>		<p>DATE: 15/03/2015 REVISIONS:</p>	
<p>DRAWING TITLE: AS BUILT WITH SCOPE OF WORKS</p>		<p>PROJECT: 4815</p>	
<p>CEILING HEIGHT BEAM HEIGHT WINDOW HEIGHT SILL HEIGHT</p>		<p>AS BUILT VODAFONE</p>	
<p>NOTES: 1. This drawing is a site survey drawing. It is not a design drawing. 2. All dimensions are to the centre of the wall unless otherwise stated. 3. All dimensions are to the centre of the wall unless otherwise stated. 4. All dimensions are to the centre of the wall unless otherwise stated. 5. All dimensions are to the centre of the wall unless otherwise stated.</p>		<p>PROJECT: 4815 DATE: 15/03/2015 DRAWN: JMK CHECKED: JMK SCALE: 1:100</p>	

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THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 08/01/2018 BY 60322 (U)
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DRAWING NO. 20 WITH REFERENCE TO DRAWING NO. 19
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CEILING HEIGHT FLOOR TO FLOOR HEIGHT WINDOW HEIGHT WALL HEIGHT
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**NOTES:**  
 1. All work shall be in accordance with the latest editions of the British Standards Institution (BSI) standards.  
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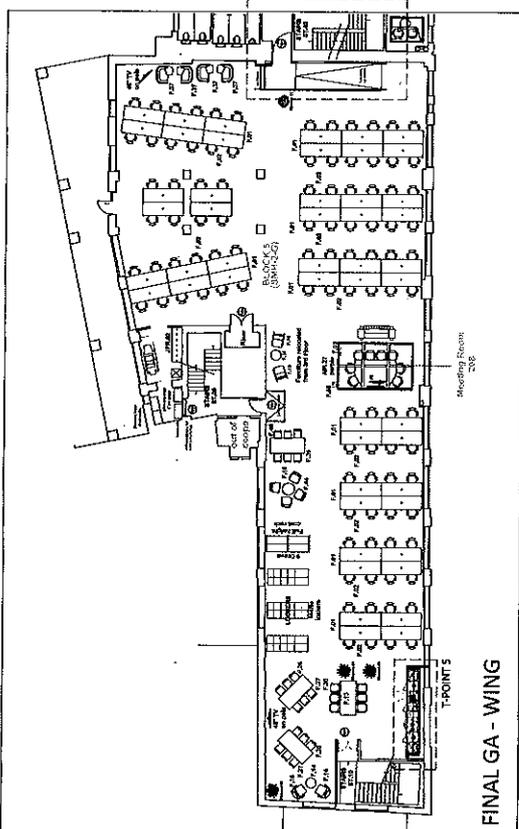
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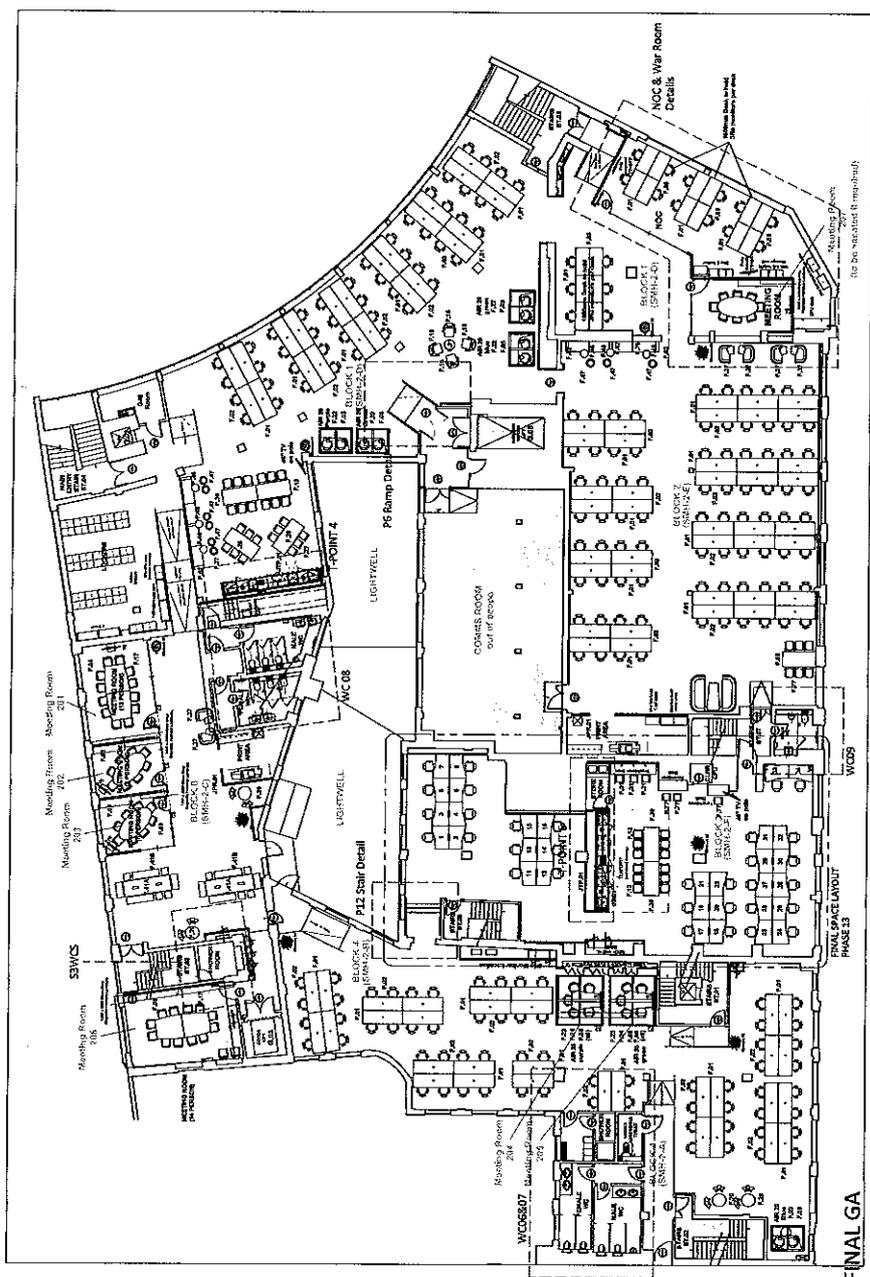
**Area Sq Ltd**  
 The Old Post Office  
 33 Abchurch Lane, London EC4A 3DF  
 T: 020 7427 1000  
 F: 020 7427 1001  
 www.area-sq.co.uk

**AS BUILT**  
 VODAFONE

PROJECT: 314 GLEBE ROAD, SUFFOLK STREET LONDON SET 02L TITLE: SECOND FLOOR DRAWN BY: DATE: CHECKED BY: APPROVED BY:
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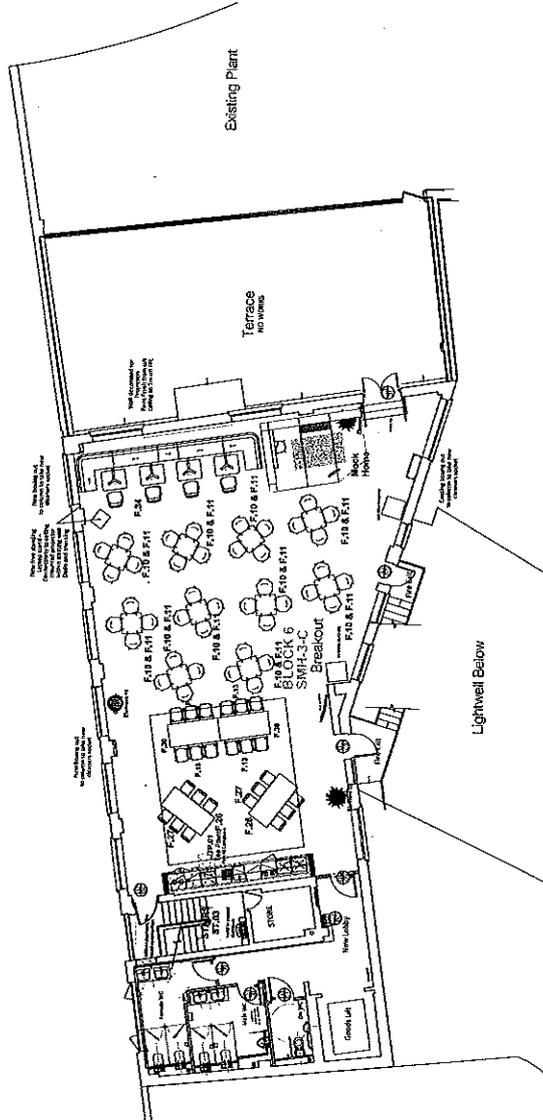


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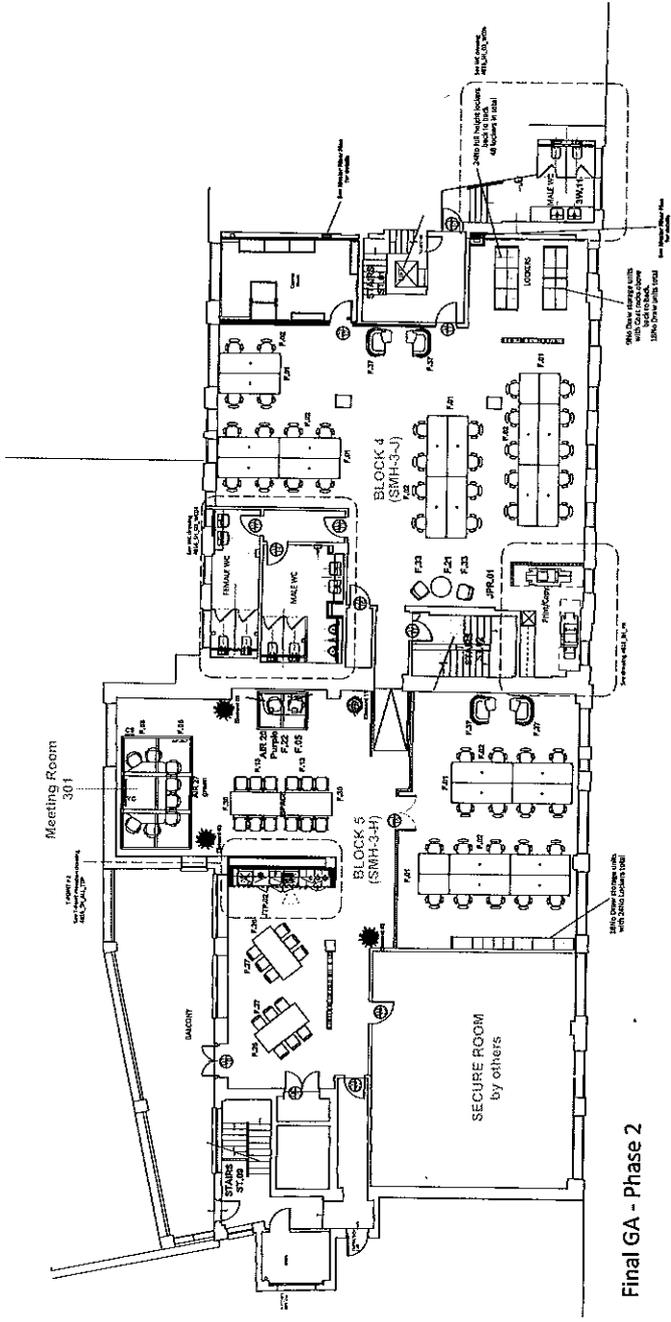
NOTE: All work shall be in accordance with the latest editions of the British Standards Institution (BSI) standards.

REVISIONS NO. DATE DESCRIPTION 1 21/03/2018 AS BUILT
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	DRAWING TO BE READ IN CONJUNCTION WITH THE FOLLOWING DOCUMENTS: 1. CONTRACT DOCUMENTS 2. SPECIFICATIONS 3. DRAWINGS 4. ADDENDUMS 5. VARIATIONS 6. CORRECTIONS 7. REVISIONS	REFERENCE: CEILING HEIGHT BEAM HEIGHT WINDOW HEIGHT SILL HEIGHT	NOTES: 1. All work shall be in accordance with the contract documents. 2. All work shall be in accordance with the specifications. 3. All work shall be in accordance with the drawings. 4. All work shall be in accordance with the addendums. 5. All work shall be in accordance with the variations. 6. All work shall be in accordance with the corrections. 7. All work shall be in accordance with the revisions.	<h1>03</h1>	DATE: 12/12/2013 REVISIONS:	Area Sq Ltd The Old Post Office 25 Station Road, Epsom Surrey, T11 2JF, UK T: 01753 214200 F: 01753 214201 info@areasq.co.uk www.areasq.co.uk	DRAWING STATE: AS BUILT	CLIENT: VODAFONE	PROJECT: 314 GERRARD STREET LONDON SE1 3EL, UK	TITLE: 3RD FLOOR GA	SCALE: 1:100	DATE: 12/12/2013	DRAWN BY: 444	CHECKED BY: 13	APPROVED BY: 12



Hatched area indicates zones Not Surveyed + Out Of Scope



SYMBOL	DESCRIPTION
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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/21/3343 /18

**Date:** 24<sup>th</sup> October 2018

Dear Sir/Madam

Re:- Vodafone Smale House 114 Great Suffolk Street London SE1 0SL

Police are in possession of an application from the above for a new premises licence 865020 refers. The application is for an office premises wishing to supply alcohol to employees and bona fide guests attending pre booked events.

This type of application is unlikely to have much of an impact on the licensing objectives, however a number of control measures would be required to limit this premises to the activities as described in the application.

The applicant has offered a number of control measures in the operating schedule, however the wording of each needs to be precise and enforceable.

The following would be required for the promotion of the prevention of crime and disorder licensing objective.

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. The sale and consumption of alcohol shall be restricted to employees and officers of the organisation in occupation and bona fide guests of the organisations or their employees/officers.

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

Police withdrawal email

**From:** Ian.Clements@met.pnn.police.uk [mailto:Ian.Clements@met.pnn.police.uk]

**Sent:** Wednesday, November 28, 2018 8:34 AM

**To:** Mills, Dorcas

**Subject:** RE: [EXTERNAL] FW: Premises Licence Application - Vodafone Smale House, 114 Gt Suffolk Street London, SE1

Hi Dorcas

From our side this matter has been conciliated, the applicant has agreed to all the conditions as per my original rep.

Kind Regards

Ian

**From:** Morris, Adele

**Sent:** Thursday, October 04, 2018 7:04 PM

**To:** Regen, Licensing

**Cc:** Mills, Dorcas; Noakes, David; Chamberlain, Victor; Public Health Licensing; Tear, Jayne

**Subject:** Re: New Premise - 114 Great Suffolk Street

Dear licensing

I object to the granting of a licence at this office premises in Southwark. It is in the Borough and Bankside Cumulative Impact Policy area, where we already have a substantial supply of premises where alcohol can be purchased. Alcohol consumption is a Public Health issue and Southwark Council's own licensing policy states that:

- Increases in consumption across the population are associated with increase in alcohol related harm, especially long term conditions and this is demonstrated in NHS statistics for alcohol related illness and deaths
- The estimated cost of alcohol harm to society is £21 billion per year.

Information on estimated cost to the NHS of alcohol misuse shows that it costs £3.5 billion every year, which is equal to £120 per taxpayer.

Best wishes

Cllr Adele Morris

Borough and Bankside Ward Liberal Democrat Councillor

Opposition Spokesperson for Regeneration

Vice Chair of Licensing Committee

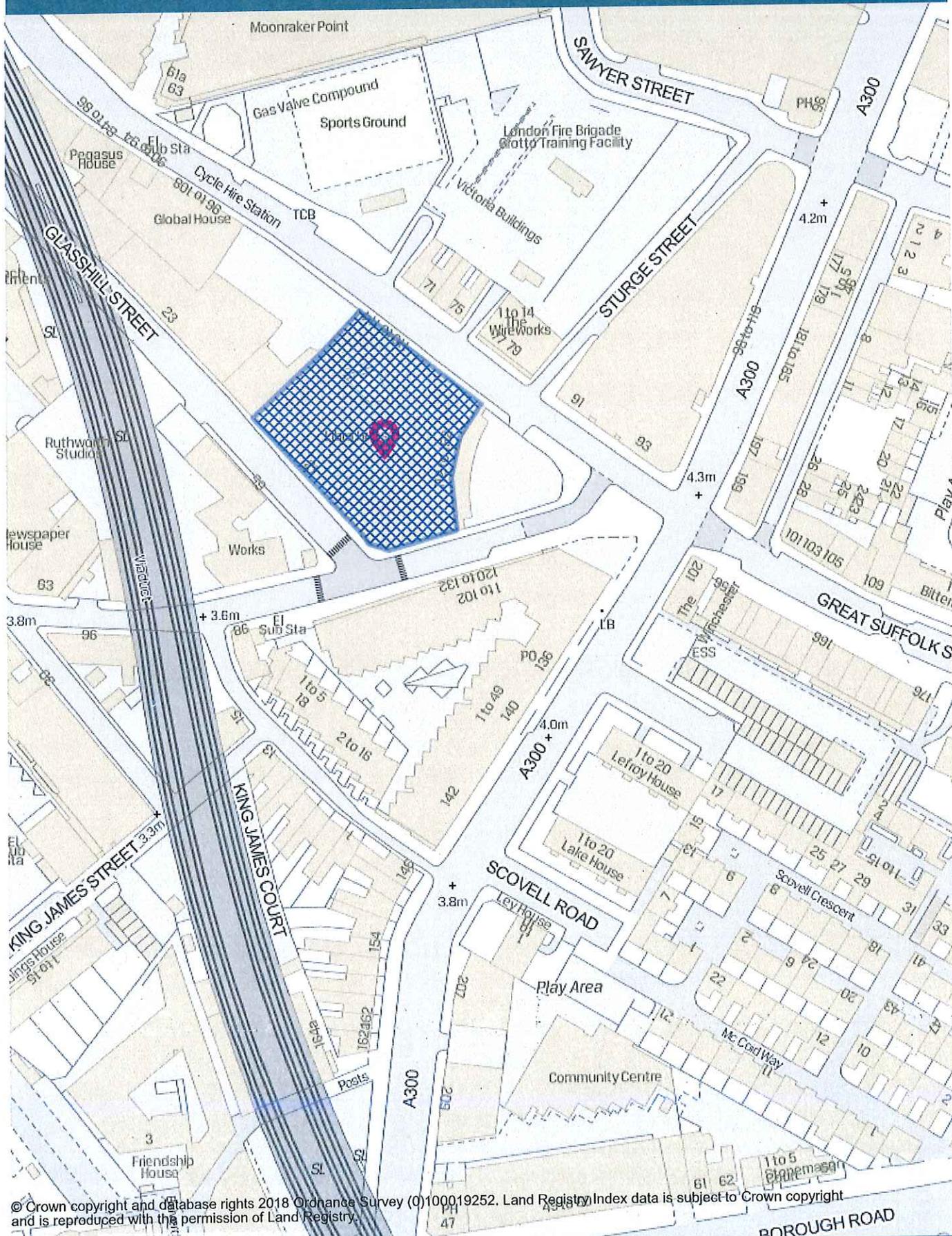
Deputy Chair, LGA Environment, Economy Housing and Transport Board

LGA Planning Advisory Service Board Member

[Tel:0207 525 4377](tel:02075254377)

Twitter: AdeleLibDem

Vodafone Smale House, 114 Great Suffolk Street, London, SE1 0BE



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Scale = 1:250,000,000

27-Nov-2018

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 10 December 2018	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report Title</b>		McDonald's, Unit SU74 Tooley Street West, London Bridge Station, London SE1 2TF	
<b>Ward(s) of group(s) affected</b>		London Bridge and West Bermondsey	
<b>From</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Capital Arches Group Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as McDonald's, Unit SU74 Tooley Street West, London Bridge Station, London SE1 2TF.
2. Notes:
  - a) This application forms a new application for a premises licence, submitted under Section 17 of the Licensing Act 2003. The application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
  - b) Paragraphs 8 to 9 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
  - c) Paragraphs 10 to 16 of this report deal with the representations submitted and any further correspondence in respect of the application. Copies of the representations are attached as Appendix B.
  - d) Paragraph 18 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix C.
  - e) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

## BACKGROUND INFORMATION

### The Licensing Act 2003

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

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

## KEY ISSUES FOR CONSIDERATION

### The premises licence application

8. On 16 October 2018, Capital Arches Group Limited applied to this council for the grant of a premises licence in respect of McDonald's, Unit 74 Tooley Street West, London Bridge Station, London SE1 2TF. The premises is described as a restaurant selling food and non-alcoholic drinks for consumption off the premises. The application is summarised as follows:
- **Latenight refreshment (to be consumed off the premises):**
    - Monday to Sunday from 23:00 to 05:00.
  - **Operating hours:**
    - Monday to Sunday 24 hours.
9. The premises licence application form provides the applicant's operating schedule. Parts J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in 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. Representations have been received from the Metropolitan Police Service, the environmental protection team (EPT) and licensing as a responsible authority.

11. The police representation has submitted with additional supportive information supplied by the British Transport Police. They police are concerned that the premises is situated in the Bankside, Borough, London Bridge strategic cultural area and the Bankside and Borough district town centre area and also falls within the Borough and Bankside cumulative impact policy (CIP) area.
12. The police welcome the control measures submitted but are worried with issues that have been raised with the McDonald's at Liverpool street station that has a 24 hour licence and the impact it is having. They are concerned that due to the lack of space at the premises people who have already consumed alcohol are likely to hang around the outside causing anti-social behaviour issues. They do not wish such a situation to occur at London Bridge Station. They object under the crime and disorder and public nuisance licensing objectives and state that the application does not address their concerns. The police have submitted additional information in support of their representation.
13. The EPT representation objects on the grounds that it is not sufficiently clear from the information contained within the application that the licensing objective will be met. In particular there is a lack of clarity around risks of public nuisance from litter and noise and want more clarification on certain issues raised.
14. The Licensing representation is based on the Southwark statement of licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance and the protection of children from harm.
15. The licensing representation goes on to advise that the premises is situated in the Bankside, Borough, London Bridge strategic cultural areal and the 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 and bars, restaurants and cafes, off-licences, supermarkets, convenience stores and similar premises and the appropriate closing times for restaurant and cafes in this area on Sunday to Thursday is 00:00 and for Friday and Saturday is 01:00. They recommend further conditions to the applicant to be added to the licence application and the hours sought be brought in line with those recommended by the Southwark statement of licensing policy.
16. The representations are attached as Appendix B.

### **Representations from other persons**

17. There are no representations from other persons.

### **Conciliation**

18. The representations were forwarded to the applicant representative. The licensing sub- committee will be updated on 10 December 2018 of any developments.

### **Deregulation of entertainment**

19. 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 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 1000 people.
20. 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').
21. The showing of films has not been de-regulated.

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

22. A map showing the location of the premises is attached to this report as Appendix C. London Bridge Station has experienced a high level of recent development and regeneration. There is a high concentration of licensed premises in the immediate vicinity both as part of the station complex and the wider locality. More premises are expected to open shortly. Examples of those in the vicinity are namely:

#### **Vivat Bacchus Restaurant, 4 Hays Lane, London SE1 2HB**

- The sale by retail of alcohol (both on and off sales):
  - Monday to Friday from 08:00 to 00:30
  - Saturday from 10:00 to 00:30
  - Sunday from 10:00 to 23:30.
- The provision of late night refreshment (both indoors and outdoors):
  - Monday to Friday from 23:00 to 00:30
  - Saturday from 23:00 to 00:30
  - Sunday from 23:00 to 23:30.
- The provision of regulated entertainment in the form of live music (indoors):
  - Monday to Friday from 20:00 to 00:00
  - Saturday from 12:00 to 00:00
  - Sunday from 12:00 to 23:30.
- The provision of regulated entertainment in the form of recorded music (indoors):
  - Monday to Friday from 07:00 to 00:30
  - Saturday from 10:00 to 00:30
  - Sunday from 10:00 to 23:30.

**Control Risks Group Ltd, 4<sup>th</sup> Floor, Cottons Centre, London SE1 2QG**

- The sale by retail of alcohol (both on and off sales):
  - Monday to Saturday from 10:00 to 23:00
  - Sunday from 12:00 to 22:30.
- The provision of late night refreshment (indoors):
  - Monday Saturday from 23:00 to 23:30.

**Price Waterhouse Coopers, 1 Hays Lane, London SE1 2RD**

- The sale by retail of alcohol (both on and off sales):
  - Monday to Sunday from 07:30 to 23:00.
- The provision of regulated entertainment in the form of recorded music (indoors):
  - Monday to Sunday from 07:30 to 23:00.

**London Bridge City, 1 Battle Bridge Lane, London SE1 2HP**

- The sale by retail of alcohol (both on and off sales):
  - Monday to Sunday from 10:00 to 22:00.
- The provision of regulated entertainment in the form of live and recorded music, performances of dance and anything similar (outdoors):
  - Monday to Sunday from 10:00 to 22:00.

**Upper Crust, Unit B, London Bridge Railway Station, London SE1 9SP**

- The provision of late night refreshment (indoors):
  - Monday Sunday from 23:00 to 05:00.

**Nero Express, Unit A, London Bridge Railway Station, London SE1 9SP**

- The provision of late night refreshment (indoors)
  - Monday Sunday from 23:00 to 05:00.

**Delice De France, London Bridge Kiosk, Railway Approach, London SE1 9SP**

- The provision of late night refreshment (indoors):
  - Monday Sunday from 23:00 to 05:00.

### **Leon, Unit 43 London Bridge Station, Railway Approach, London SE1**

- The provision of late night refreshment (indoors):
  - Sunday to Thursday from 23:00 to 00:30
  - Friday and Saturday from 23:00 to 01:00.
- The sale by retail of alcohol (both on and off sales):
  - Sunday to Thursday from 11:00 to 00:00
  - Friday & Saturday from 11:00 to 00:30.

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

23. 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.
24. 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.
25. The effect of this special policy is to create a presumption that applications for new premises licenses 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.
26. The applicant has been advised to address the committee's concerns around cumulative impact at the meeting.

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

27. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
  - Section 3 – Purpose and scope of the policy. 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.
28. The purpose of Southwark’s statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
29. 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: 00:00
    - Friday and Saturday is 01:00.
  - There are no restriction times for hotel bars and guest houses.

### **Resource implications**

30. 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**

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

### **Community impact statement**

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

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

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

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

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

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

#### **Conditions**

38. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within

the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.

39. The four licensing objectives are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of nuisance
  - The protection of children from harm.
40. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
41. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
42. Members are also referred to the Home Office revised guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

### **Reasons**

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

### **Hearing procedures**

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

so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.

- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
45. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

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

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

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

### Guidance

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

### Strategic Director of Finance and Governance

54. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

### BACKGROUND DOCUMENTS

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

### APPENDICES

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

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	Dorcas Mills, Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	28 November 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>		28 November 2018



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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We** Capital Arches Group Limited

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
McDonald's Restaurants Unit 74 Tooley Street West London Bridge Station			
<b>Post town</b>	London	<b>Postcode</b>	SE1 2TF
<b>Telephone number at premises (if any)</b>		Not yet known	
<b>Non-domestic rateable value of premises</b>		£ to be assessed	

**Part 2 - Applicant details**

- Please state whether you are applying for a premises licence as Please tick as appropriate
- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i as a limited company/limited liability partnership  please complete section (B)
- ii as a partnership (other than limited liability)  please complete section (B)
- iii as an unincorporated association or  please complete section (B)
- iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
<b>Nationality</b>					
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Capital Arches Group Limited
Address  5th Floor 112 High Holborn London WC1V 6JS
Registered number (where applicable) 10139149
Description of applicant (for example, partnership, company, unincorporated association etc.)  Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
14	11	2018

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption off the premises.

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

--

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

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

## B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			

D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

F

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

## G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	<b><u>Please give further details here</u></b> (please read guidance note 4)  The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption off the premises.		
Tue	23:00	05:00			
Wed	23:00	05:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

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

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing 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).**

The premises will operate as an outlet of food and non-alcoholic drink and does not provide any adult entertainment or service that gives rise to a concern in respect of children.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	05:00	05:00	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)
Tue	05:00	05:00	
Wed	05:00	05:00	
Thur	05:00	05:00	
Fri	05:00	05:00	
Sat	05:00	05:00	
Sun	05:00	05:00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

Please see attached operating schedule

**b) The prevention of crime and disorder**

Please see attached operating schedule

**c) Public safety**

Please see attached operating schedule

**d) The prevention of public nuisance**

Please see attached operating schedule

**e) The protection of children from harm**

Please see attached operating schedule

**Checklist:****Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- (Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships) I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

## **Operating Schedule**

### **Introduction**

Until approximately 2 years ago, there was a McDonald's restaurant situated nearby in St Thomas Street. The restaurant was closed and relocated in order to make way for the installation of a "Science Gallery", due to open in September 2018.

The relocated restaurant and the premises to which this application relates, is now situated in Tooley Street and is part of the current re-development of the London Bridge Train & Tube Stations.

The London Bridge Train Station is one of the busiest train stations in the Country. It is the primary station used by visitors to Guy's Hospital, The Shard, HMS Belfast, Tower of London, Borough Market. Golden Hind etc.

The Night Tube Service on the Jubilee Line stops at London Bridge Station.

There are 8 different bus services which stop at the nearby Bus Station throughout the night, located within the Train & Tube Stations on Tooley Street.

As a Franchisee responsible for this restaurant, Mr Claude Abi-Gerges organisation, Capital Arches Group Limited t/a McDonald's Restaurants Ltd (CAG) is currently responsible for 23 other McDonald's Restaurants located in central and west London, as well as the City of London. 20 of the restaurants operate Premises Licences for the provision of Late-Night Refreshment, of which 7 have a have permission to operate 24/7.

The Applicant has experience of operating the McDonald's Restaurant at Liverpool Street Station, within the City of London, as well as within the demise of Network Rail. This restaurant operates 24/7.

As a consequence of the extensive experience within CAG it means that there is a thorough understanding of the duties imposed by the Licensing Act 2003 and particularly the responsibility for staff, customers and the local communities within which they operate.

In applying for a further Premises Licence for Late Night Refreshment CAG understands its duty to the local community and area within which the restaurant is located, in particular to protect employees and customers from danger and harm. CAG believe that the systems that are in place throughout the organisation are robust and thorough and do, as far as reasonably practicable, promote the 4 licensing objectives.

We are eager to work in partnership with all responsible authorities to ensure the promotion of the 4 licensing objectives. We also seek to work with the local communities, whom we serve, to achieve a successful cohesion between our business operations and our neighbours, both residential and commercial, for the benefit of all.

CAG acknowledges and understands that this premises is situated within a Cumulative Impact Area. As such CAG acknowledges that whilst they cannot anticipate every possible risk, problem or circumstance that may arise from a licensed premise, they believe that the practice measures proposed within this Operating Schedule will assist them in promoting the 4 licensing objectives.

## **Prevention of Crime and Disorder**

CAG is keen to work in partnership with all local enforcement agencies to prevent crime and disorder.

### CCTV

McDonald's operates a robust CCTV Policy to ensure compliance with Data Protection Legislation, including assisting the Police with the prevention and detection of crime. All restaurants operating CCTV display appropriate signage in line with the expectation of Data Protection legislation.

McDonald's operate digital motion activated CCTV systems where images are retained on a hard drive system. All CCTV equipment is of a standard suitable to record images of a proper quality, it meets the industry standard and has LGC Forensics or Kalagate Certification. As part of the digital system an in-built alarm will activate if the equipment is faulty or not recording, so alerting the management team to act accordingly. The CCTV system is regularly serviced by qualified maintenance technicians.

Reasonable access to the CCTV system will be provided to Police Officers and Licensing Officers upon request.

### Staffsafe System

A Staffsafe™ system providing both remote audio and visual monitoring capability will be installed in the restaurant. The system can be activated by either fixed or mobile 'panic button'. Once activated the system links the restaurant to an external monitoring centre who are trained to be capable of intervening in situations to resolve crime and disorder, provide advice or instruction to support restaurant employee and customers, as well as if needs be contact the Police directly on the restaurant's behalf.

### Training

At this restaurant all Shift-running Managers will have formal McDonald's safety and security training, as well as SIA accredited Conflict Management Training provided by Maybo, an external provider.

### SIA Guarding

While it is not anticipated, if deemed necessary from time to time, and following suitable consultation and risk assessment, SIA Door Supervisors may be employed at the restaurant. This is consistent with every other restaurant that operates a Premises Licence within CAG.

It should also be noted that no McDonald's restaurant within the United Kingdom serves alcohol, and further none of the drinks or food are served to customers in glass receptacles. This restaurant will also operate a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol inside the restaurant.

CAG is also a member of the Safer Business Network, a Business Crime Reduction Partnership operating in Westminster, Lambeth and Southwark.

## **Public Safety**

CAG is keen to work in partnership with Network Rail, all relevant enforcement agencies and advisory services to ensure public safety.

This restaurant has safety systems in place to protect the safety of customers and staff at all times, e.g. CCTV, Staffsafe. The restaurant will also be suitably well lit. It should also be noted that the restaurant will only have one small customer area, with no seating.

CAG work with all local authority Environmental Health Teams and Fire Authorities to ensure compliance, so far as reasonably practicable, with relevant Health and Safety and Fire Safety Legislation. This restaurant will also be subject to relevant safety inspections and audits by both representatives of CAG and of McDonald's Restaurants Ltd, to ensure verifiable standards in this area of the business are being maintained.

All McDonald's Restaurant's employees receive commensurate and comprehensive training in health & safety and security to ensure that safe working methods are adopted and maintained. All employees are trained on the local emergency evacuation procedures in the event of a fire or other major incident.

### **Public Nuisance**

CAG is keen to work in partnership with Network Rail, all relevant enforcement agencies, advisory services and any local Business Improvement District to avoid public nuisance.

### Litter

In the early 1980s McDonald's were the first company in its sector to introduce proactive, routine litter patrols. CAG is committed to conducting litter patrols throughout each operating day; collecting both McDonald's packaging and any other litter that has been carelessly discarded. CAG are happy to act on recommendations from the Environmental Health Officer should they feel that we should extend our patrol to a nearby area, as far as this is reasonably practicable and safe to do so.

All of McDonald's packaging displays the "Bin It" symbol to encourage our customers to deal with their waste responsibly. Further details regarding McDonald's corporate commitment to reducing waste and litter nuisance can be found at the "Our World" section of the McDonald's website:  
<http://www.mcdonalds.co.uk/ourworld/environment/policy.shtml>

This restaurant is to provide a takeaway only service. It is therefore anticipated that the litter patrols will be more extensive and frequent than at restaurants where customers have a choice to remain inside the restaurant to consume their food and drink. The litter patrol arrangements will be created in consultation with Network Rail, and routinely reviewed and updated as necessary.

### Noise

Where it is practical to do so CAG is committed to putting measures in place to limit any negative impact of noise. Customers are also encouraged to be considerate to our neighbours by moderating behaviour and noise when entering and exiting the restaurant and leaving the local area.

Delivery of goods and stock will be co-ordinated carefully with Network Rail, within their strict guidance for such.

Route waste collections from the restaurant will be managed by Network Rail as part of the management service arrangements for all retail tenants on the Station.

### **The Protection of Children from Harm**

CAG do not anticipate that unaccompanied children will use the restaurant in the extended hour's period covered by this Premises Licence application.

Never the less CAG takes the safety of children extremely seriously. All restaurants within the organisation have been trained on Child Sexual Exploitation Awareness, by means of an authorised package of information developed between the McDonald's corporate Security Team, Metropolitan Police Service and National Police Chiefs Council. Access to further information, guidance and advice is readily available by similar means.

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• (Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership) I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	15th October 2018
Capacity	Solicitor / Authorised Agent for the Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

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

Elaine Rayner  
McDonald's Licensing Team at  
Shoosmiths LLP  
The Lakes

Post town | Northampton

Postcode | NN4 7SH

Telephone number (if any) | 

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)





NOTES

Fire Strategy

-  Fire exit door - Doors to include emergency release and 'fire exit' signage - 100mm white block letters on green background.
-  'Fire door keep shut' signage - 100mm white letters on green background.
-  'Push bar to open' signage - 100mm white letters on green background.
-  'Fire exit' signage - 100mm white letters on green background.
-  Fire instruction notice.
-  1.5KG CO2 Fire extinguisher with description signage to wall.
-  9 Litre water fire extinguisher with description signage to wall.
-  6 Litre aff foam spray fire extinguisher with description signage to wall.
-  Fire blanket with description signage to wall.
-  Ansul system.
-  Break glass alarm point.

Note:  
All fry stations have automatic fire suppression devices fitted.

Licensable activity:  
Sale of Hot food & Drink  
after 11pm.

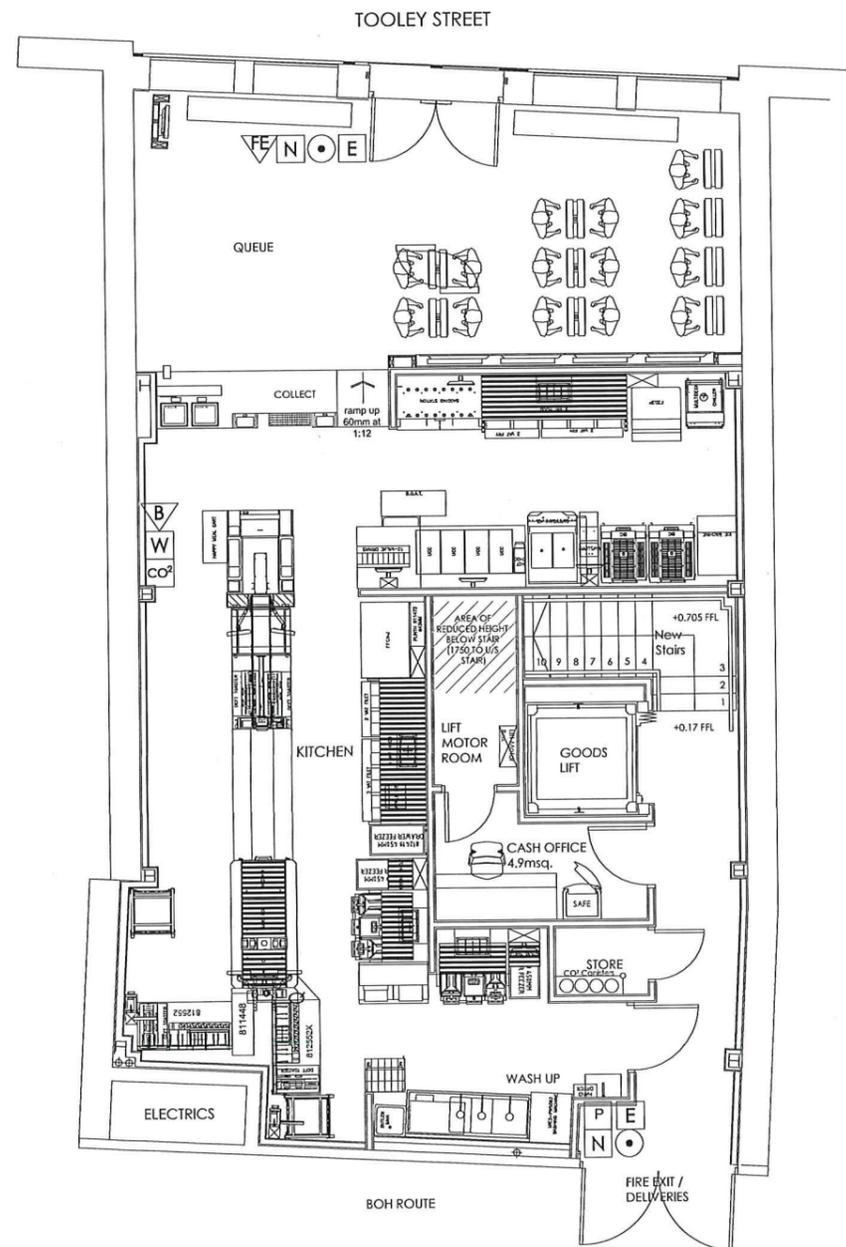
Rev.	Date.	Amendments

PROJECT

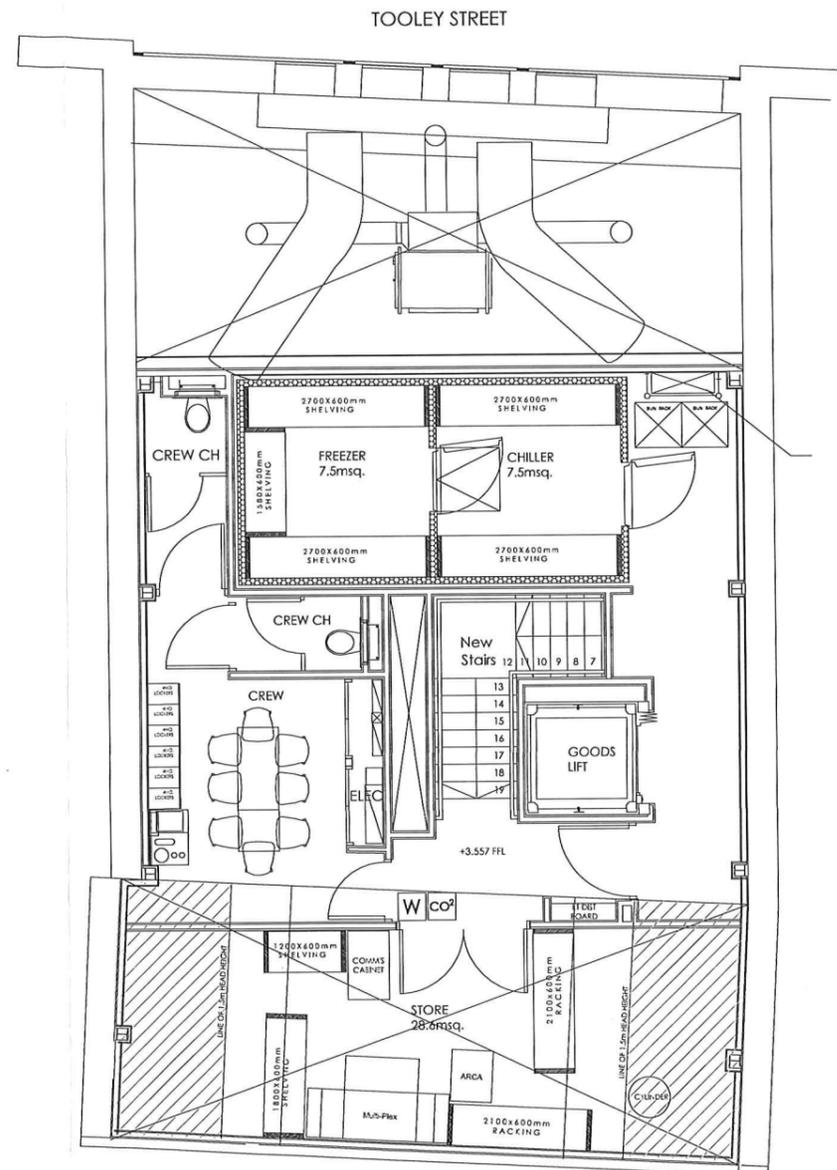
1542 London Bridge  
Unit SU74 Tooley Street West  
London Bridge Station  
London  
SE1 2TF

TITLE  
Ground & First floor plans  
(For Licencing)

Date:	Sept 2018	Drawn:	C.T.S.G.	Discipline:	Arch
Scale:	1:100@A3	Type:	DRG. No.	Issue:	001
			L/1542/001		



Ground Floor Plan



First Floor Plan



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/3354/18

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

**Re:- McDonald's, Unit SU74, London Bridge Station, London SE1 2TF**

Dear Sir/Madam

The Police are in receipt of an application from the above for a new premises licence. The applicant describes the premises as a restaurant selling food and non-alcoholic drinks.

The premises sits within the Borough and Bankside cumulative impact zone, the London Bridge Strategic cultural area and District town centre as defined by Southwark's statement of licensing policy 2016-2020. The cumulative impact policy for Borough and Bankside includes restaurants and takeaways as stated on page 35 point 130 of the policy. This changes the presumption to grant the application to that of refuse. This is tested in law in the case of Westminster City Council V Middlesex Crown Court in which the crown court judge summarised that "Notwithstanding the applicant was a fit and proper person a licence could be refused on the sole ground that the area was already saturated".

Home Office guidance issued under section 182 of the licensing act section 14.20 to 14.23 deals with Cumulative impact and it clearly mentions transport hubs and fast food outlets and the problems associated with them including queuing at fast food outlets and transport links.

The application is for late night refreshment between 23.00hrs and 05.00hrs with 24 hour opening. If the application is granted, the hours applied for are outside that recommended within the Southwark Statement of licensing policy for all types of premises within the designated area. The latest hours for restaurants recommended within the policy for this area is midnight Sunday to Thursday and 1am Friday and Saturday. Within the application the applicant indicates this is a replacement for the McDonald's that closed approximately two years ago in St Thomas Street near Guys hospital. This had a terminal hour of midnight seven days a week.

The police welcome a number of the control measures offered by the applicant within the operating schedule, however the application fails to give many enforceable control measures and the Home office guidance issued under Sec 182 of the licensing Act 2003 'General

principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

The applicant also points to the fact that they currently run a number of other McDonald's franchises including Liverpool Street station in the City of London. I have liaised with the British transport police who have confirmed that they support the Metropolitan police objection to the application and supplied evidence regarding the problems associated with Liverpool Street station McDonald's (See attached document) and suggest if that application was submitted now it would be refused due to the issues at that premises. As part of the information supplied indicated that Liverpool Street McDonald's, which is 24 hour opening had twice the amount of incidents than any other premises in the City of London including Pubs and nightclubs (Document attached). The management were initially not engaging with officers, and it had to be escalated to Network Rail and the City of London Corporation before an action plan was put in place.

The Metropolitan police do not wish for this situation to occur at London Bridge and take a preventative stance. Due to the size of the premises and lack of space inside, the area it is situated and the likelihood of customers having previously consumed alcohol coming to this premises and then hanging around outside and causing antisocial behaviour, crime and disorder in the area. The police object to the granting of the licence under the crime and disorder and public nuisance licensing objective. The application does not address the concerns of the police regarding crime and disorder and public nuisance or the cumulative impact it will have on the area.

A brief search of the police crime recording system on Southwark Borough for Crimes related to McDonalds show two hundred and twenty two offences for the last twelve months. Analysis regarding type of crime and the time offences were committed is unavailable at time of writing but this data been requested.

If the Licensing Sub Committee grant the licence in part, the police would suggest a midnight terminal hour in line with the previous premises that closed on St Thomas Street. This would be prior to the station closing at 01.00hrs and allow customers to disperse via train service from the station and other public transport.

Submitted for your consideration.

Yours Sincerely

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



OFFICIAL



**Katie Downs 8575**  
**Designing out Crime Unit Supervisor**  
Designing out Crime Unit (DOCU)

British Transport Police  
Force Headquarters  
Camden Road  
London, NW1 9LN.

Telephone: 020 7830 6718  
Email: [Katie.downs@btp.pnn.police.uk](mailto:Katie.downs@btp.pnn.police.uk)  
General email: [Design-OutCrime@btp.pnn.police.uk](mailto:Design-OutCrime@btp.pnn.police.uk)

## **McDonalds, London Bridge Station – 24 hour Licence Application**

The BTP Designing out Crime Unit (DOCU) has been notified of the application for a 24hour licence at the new McDonalds outlet within London Bridge station. This document aims to set out a number of concerns regarding this application and to draw comparisons with a similar outlet within a major hub station in order to reinforce these concerns. The document also includes a number of recommendations that should be considered.

The analysis of crime occurring in and around locations is important as it gives an indication on what types and level of criminal behaviour needs to be considered. As there is currently not a McDonalds outlet within London Bridge Station, crime incidents have been analysed at Liverpool Street Station where an outlet is located on the station forecourt area. Liverpool Street Station has been chosen as this is another major hub station with similar surrounding demographics and footfall. Both stations are busy commuter stations with a surrounding business district and a tourist destination. Both also have a busy night time economy.

After conducting a crime analysis I can confirm the Liverpool Street McDonalds is a high crime location mostly affected by public order offences including affray and violence offences against both the public and staff. Most offences are occurring between the hours of 22:00hrs and 03:30hrs. Many offences are recorded as being drink related where the perpetrator has been described as appearing to have consumed alcohol, with drunk and disorderly offences also being recorded. Analysis of crime recorded at London Bridge currently during the night time hours reveal the station is susceptible to public order offences and violence related offences.

Liverpool Street Station McDonalds has a long-standing licence, however considering the crime issues within the outlet there it would almost be certain if an application for a 24 hour licence was to be submitted now then this would be opposed. This establishment attracts more crime compared to any other establishment in the surrounding area (including bars and nightclubs).

Another concerning aspect currently being encountered at the McDonalds outlet within Waterloo Station is incidents related to gang activity. This includes robbery related theft targeting customers and reports of the outlet being used by potential gang members for



loitering and meeting. Waterloo Station is situated within Lambeth Borough which is currently experiencing similar gang related tensions and violence as neighbouring Southwark where London Bridge Station is situated. This type of activity is furthered during night time hours.

Following on from the crime risk analysis there are a number of areas of concern and considerations that have been identified within the proposal for a 24hr licence of the outlet:

- Careful consideration needs to be given to the positioning of the outlet within the station and how access to the outlet will be provided during the overnight hours. Liverpool Street Station somewhat benefits from the fact that the McDonalds outlet is located in the forecourt area (so not inside the main station building concourse). The access routes in and out of the station to and from the outlet and the possible extra pressure on railway staff / security staff is a serious concern.
- Crime generated within the outlet has the potential to be 'pushed out' into the station itself where an unsafe environment could be created. The outlet will also attract 'non-passengers' within the station which may be tempted to loiter within other areas of the station. This can greatly affect the overall safety and security of the station and public perception of safety.
- Taking a look at the immediate surrounding area to the station (i.e. Tooley Street and Borough High Street) there are no other similar fast food outlets available. There is a vast array of restaurants and food outlets (i.e. Borough market stools, Pure, Pret a manger, etc.) but none deemed as 'fast food' available late at night or through the night which appeal to night time economy drinkers. It is therefore a concern the 24hr outlet within the station will attract large numbers of people into the station (when services are not available) particularly those described as 'in drink'. Alcohol plays a major trigger factor in night time recorded offences of violence and public order. This can be seen in the offences recorded at Liverpool Street McDonalds where large numbers of people are attracted to the offering of fast food where there is a lack elsewhere in the surrounding area.
- There is a worry that much like the outlet at Liverpool Street; it will become resource intensive in terms of policing. This ultimately takes away policing resources away from other parts of the station. Consideration needs to be given to the size of London Bridge Station and its overall footprint requiring a policing presence to ensure safety and security of passengers and staff.
- Close consideration will need to be given to designing out crime within the outlet during the design and fit stages in order to reduce the opportunities for crime and disorder.
  - Fixtures and fittings will need to be secured and consideration will need to be given to securing tables and chairs (if planned) so they cannot be used as weapons or thrown about.
  - If a public toilet is to be made available, the fixtures and fitting will need to be secure and consideration should be given to restricting access to customers only and at certain times (i.e. placing a coded access lock on the door).



- There should be full CCTV coverage throughout the public areas of the outlet with dedicated CCTV at the entrance / exit points and counter / till points to ensure facial images to an identify quality is captured.
- There will be a need for security guards to be present within the outlet – Advice from the McDonalds outlet at Liverpool Street station is 4 during Thursday, Friday and Saturday night with a dedicated guard positioned at all entrance points.
- There needs to be a clear capacity restriction to prevent crowding within the outlet and a strict queuing system both internally and externally once the capacity has been reached. McDonalds should take responsibility for monitoring and controlling these both internally and externally. There is a concern that as the outlet will attract people into the station during the overnight hours, particularly at the weekend, it may present issues associated with large accumulations of people.
- It is important the business owner seeks designing out crime advice for the store to ensure the opportunities for crime and disorder are reduced. (Even if the 24hr licence is not granted). All relevant crime types should be considered with measures and practices put in place to mitigate against them – This includes: Violence and public order, theft of personal property, robbery and theft from the store, and general ASB, loitering and drug taking.

Taking into account all of the above concerns and points to consider, and on the basis of the analysis of crime occurring at the Liverpool Street Station outlet and the high probability of the same level and nature of crime occurring at London Bridge, I would oppose the application of a 24 hour licence.

Further designing out crime advice and guidance on the prevention of crime if a licence is to be granted can be obtained from the British Transport Police Designing out Crime Unit (DOCU) [Design-OutCrime@btp.pnn.police.uk](mailto:Design-OutCrime@btp.pnn.police.uk)

I can be contacted to discuss the content of the document and any other issues further if required.

Kate Downs  
Designing out Crime Unit Supervisor  
British Transport Police

09/11/2018



## Inter-agency working to resolve Anti -Social Behaviour and Violence: Good Practice Guidance

### What was the situation?

The McDonald's branch at Liverpool Street Station is the most profitable of their premises in Europe and operates a 24 hour basis. In 2017 the branch was redesigned to include the removal of seating areas and the implementation of ordering screens. This combined with McDonalds' new policy of making food to order; resulted in large numbers of people congregating whilst waiting for their food late at night or in the early hours of the morning.

Between March 2017 and May 2018 36 offences were recorded at McDonald's Liverpool Street including Actual Bodily Harm, Assault Police, Public Order, Common Assault and Affray, mainly occurring on Thursday, Friday and Saturday nights.

### What was the result?

As the management of the branch were not engaging with officers regarding the incidents; the Station Commander decided to escalate the issue to Network Rail and the City of London Corporation as it was felt that whilst so much time was being devoted to the issues at McDonald's, not enough resources were being provided to the rest of the station.

The corporation were not aware of any issues surrounding this McDonald's branch and through liaising with City of London Police it was established that the premises had twice the number of offences for the same period as any establishment in the City, including bars and nightclubs. As a result the decision was made by the corporation to send a warning letter to McDonald's regarding the possibility of their late license to serve food after 11pm being revoked if they did not make attempts to sufficiently reduce crime to a 'suitable level' as per the license conditions.

A meeting was arranged with representatives from BTP, Area and Security Managers from McDonald's, Network Rail, the City of London Corporation's Licensing Team and McDonald's agreed to the creation and implementation of an action plan.

The action plan included:

- The need for four security guards (as opposed to two) on duty on Thursday, Friday and Saturday nights
- The need for a capacity restriction of 70 customers inside the restaurant after 01.00h to prevent large crowds forming whilst waiting for their food
- The need for a queueing system to be created for customers wishing to enter the premises once the threshold of 70 customers is reached, overseen by guards
- The need for two guards to be positioned next to the main doors to avoid members of the public entering that are displaying inappropriate behaviours

### What was the result?

The action plan was implemented on 12<sup>th</sup> June 2018 and in the two months since only one offence has taken place compared to eleven offences in May 2018 alone. McDonald's have been pleased with the positive impact the restrictions have had on their business in terms of customer behaviour.

BTP continued to hold meetings with McDonald's on a fortnightly basis to monitor progress and have since reduced these meetings to a monthly basis, due to the drastic reduction in offences.

### Top Tips

- ✓ Liaise with the local authorities and Home Office Force to establish if they are aware of any issues with the retailer and the conditions of their license and include them in any future engagement
- ✓ If engagement with the retailer fails; include Network Rail in further communications
- ✓ Hold regular meetings with all involved parties to create, implement and track action plans
- ✓ Ensure action plans are specific, achievable and can be implemented by the retailer without dependency on the support of other agencies

### Where can you find more information?

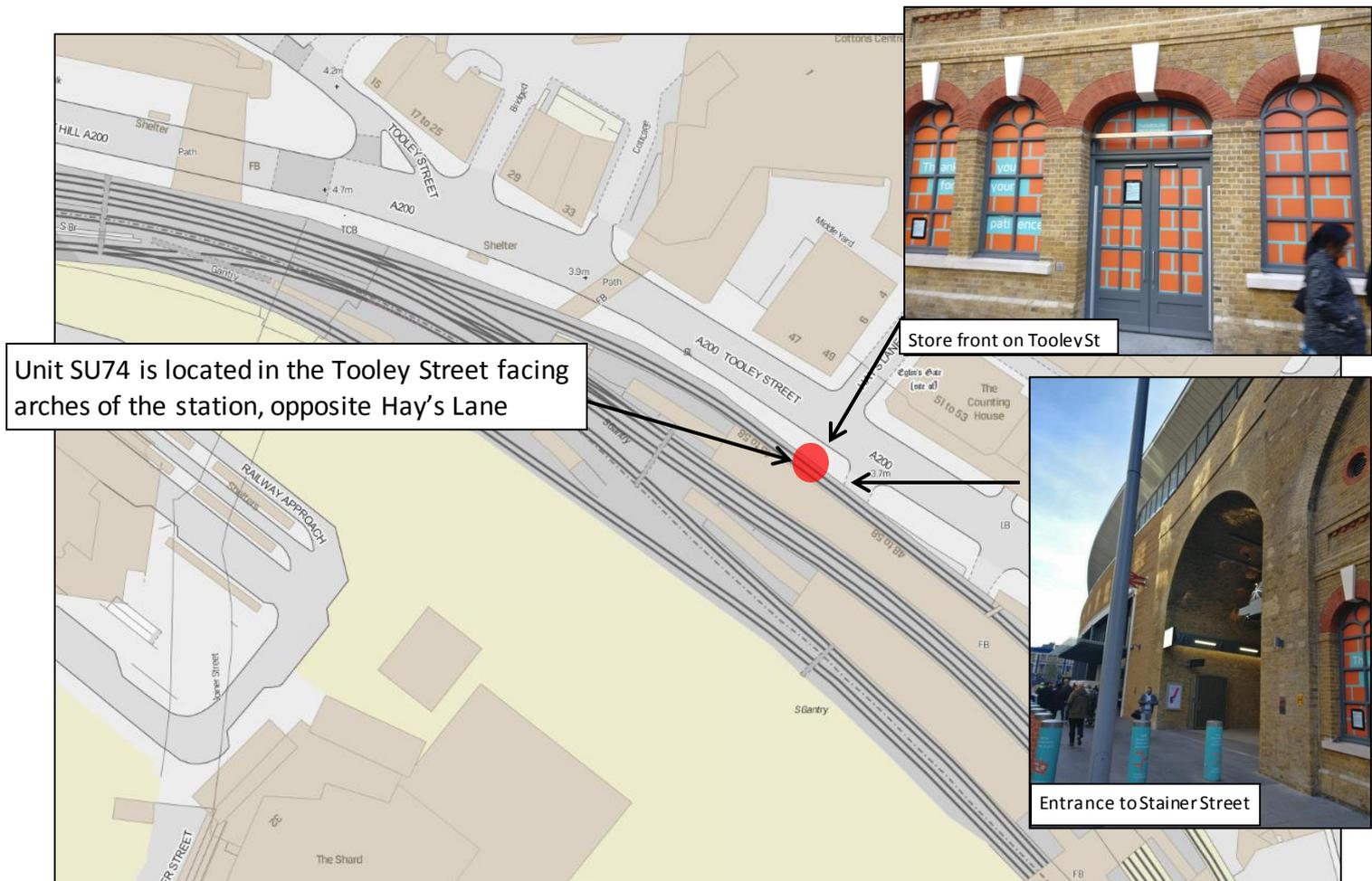
Contact T/PI Ben Ebbs or PS Mark Walden at Liverpool Street Station 0207 752 4688

The Designing Out Crime Unit 0207 521 6389

<b>Request:</b>	Review of Crime and ASB in the London Bridge area and in relation to the other McDonalds restaurants in the Southwark borough.
<b>Requested by:</b>	Sgt Keith Dempster, Night Time Economy & Licensing team, MPS
<b>Data Sources:</b>	Metropolitan Police Service – CRIS reports – using Home Office Major and Minor Crime classifications, where the Venue Address contains “McDonalds”. Metropolitan Police Service CAD - ASB incidents, where the location contains “McDonalds” Southwark Council APP – ASB and noise complaints Southwark Council Weapon Sweep log Southwark Council Wardens reporting Southwark Council CCTV
<b>Caveats:</b>	The figures contained in this document are not the official statistics. Local data extraction procedures may vary from those used by the MPS.
<b>Author:</b>	Jenny Wood, Partnership Analysts, Regulatory Services, Southwark Council
<b>Date &amp; Version:</b>	23/11/2018
<b>Classification:</b>	Official

**Location**

McDonalds are opening a restaurant at Unit SU74, London Bridge Station and the franchisee has applied for a late night refreshment license which would permit 24/7 trading.



## Background

McDonalds have previously had a restaurant at Guy's Hospital / St Thomas Street, which closed in 2016 to make way for the Science Gallery London.

The new location, unit SU74, was previously the Cooperage public house prior to closure for the station redevelopment. The unit has a customer entrance on Tooley Street. There is no access from within the station or from Stainer Street, which is now a pedestrian route from Tooley Street to St Thomas Street, which is closed (gated) between 01:30 and 04:30 hours for security reasons and to allow cleaning. There is service / delivery access to the rear of the units, under the railway lines which is not accessible to the public.

Honest Burgers, an 'up market' burger chain with a restaurant on Southwark Street, are to open a restaurant in the station although the location, opening date and hours are currently unknown. The trading hours of the other premises are 11:00 – 23:00 Sun – Thurs and 11:00-00:00 Fri - Sat.

The station is a transport hub which naturally attracts people to the area:

**Mainline** – the station is open between 04:00 (06:00 hrs on Sunday) to 01:00 hours.

### **Underground:**

- The Jubilee line runs through London Bridge operating a 24 hour service on Friday and Saturday, closing at 01:00 on other nights.
- The Northern Line operates on the Bank branch between 05:45 and 00:40 hrs Monday – Saturday, and 07:24 – 23:49 on Sunday.

**Buses** – Tooley Street is served by 3 buses through the night:

- 12 Dulwich – Oxford Circus which runs 24/7, between 01:00 - 05:00 hrs is every 30 minutes
  - N199 St Mary Cray – Trafalgar Square, runs every 30 minutes between 01:05 - 04:35 hrs
  - N381 Peckham – Whitehall, which runs every 30 minutes between 00:25 - 04:25 hrs
- A further 3 night buses and 2 24/7 services stop at Station Approach or on London Bridge itself.

This product will analyse the following crime and ASB:

- In the London Bridge Station area, to provide a baseline
- At other McDonalds restaurants in Southwark
- At McDonalds in similar locations in London

**Please Note:** These crime data relates only to crime reported to the Metropolitan Police Service. BTP crime data for the whole period is currently unavailable.

## London Bridge Area

There are a number of bars open until 01:00 hrs in the area, especially on a Friday and Saturday night. Venues which are open beyond 01:00 hrs include:

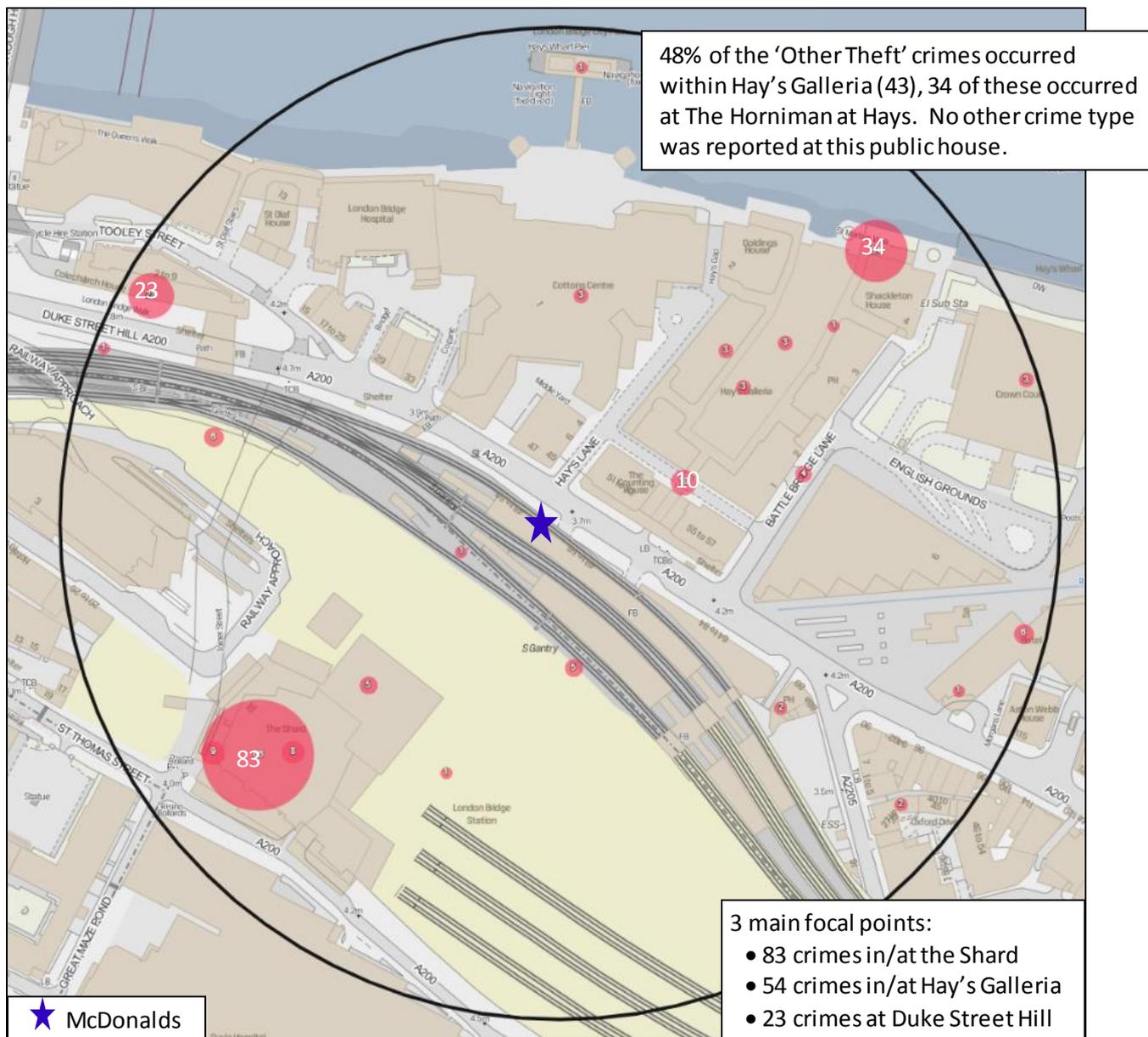
- Belushi's on Borough High Street opens from 08:00 – 02:00 daily.
- Aqua, Shard is open until 01:00 Sunday to Thursday and until 03:00 hrs Friday & Saturday
- Number 1 bar on Duke Street Hill, opens 14:00 – 03:00 hrs Sunday – Wednesday, and 14:00 – 06:00 hrs Thursday to Saturday.

**CCTV**

There is no council CCTV coverage of Tooley Street. There is a TFL camera located on the corner of Bermondsey Street; however it is unknown whether this would cover as far as McDonalds due to the curve of the building.

**Crime:**

Looking at the crime within a 200m radius of the new McDonald's restaurant, there were 145 recorded crimes between 01/10/2017 and 31/10/2018.



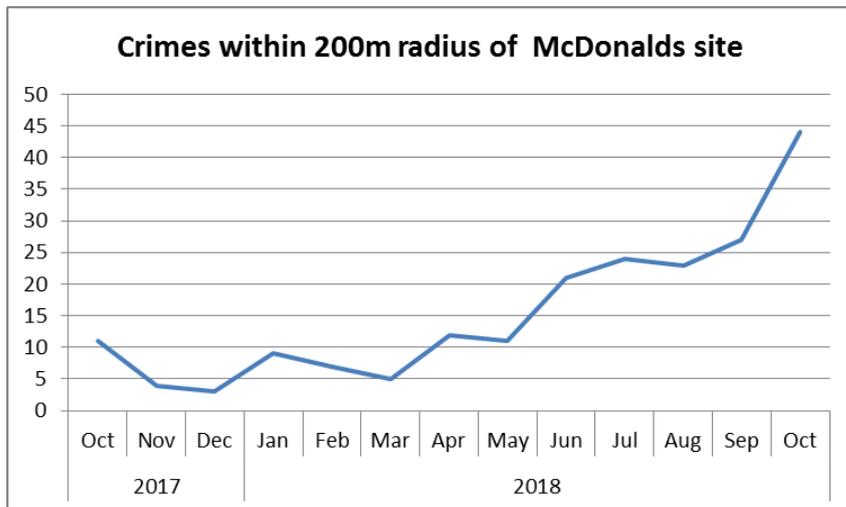
Crime Type	Crimes
<b>Theft and Handling</b>	<b>147</b>
Other Theft	90
Other Theft Person	26
Theft From Motor Vehicle	2
Theft From Shops	7
Theft/Taking of Motor Vehicle	1
Theft/Taking of Pedal Cycles	21
<b>Violence Against the Person</b>	<b>29</b>
Assault with Injury	9
Common Assault	7
Harassment	8
Offensive Weapon	5

Crime Type	Crimes
<b>Other Crime</b>	<b>7</b>
<b>Robbery</b>	<b>6</b>
Personal Property	5
Business Property	1
<b>Sexual Offences</b>	<b>5</b>
Other Sexual	4
Rape	1
<b>Burglary</b>	<b>5</b>
Burglary in Other Buildings	5
<b>Drugs</b>	<b>2</b>
Possession Of Drugs	2
<b>Grand Total</b>	<b>201</b>

The locations of the 83 recorded crimes linked to the Shard are a mix of the shops, bars and restaurants and the hotel within the complex. 4 of the Offensive Weapon offences occurred at the Shard, where tourists visiting the viewing platform have been found with penknives or similar by security.

Between August 2016 and January 2018 train services to and through London Bridge were reduced due to the station redevelopment. This will have impacted on the footfall in the area.

Crime levels during the winter months were low, however over the summer and autumn months, crime has continued to increase.



Crime recorded in October 2018 is 4 times that recorded in October 2017, most of this (32) are thefts, which may have been facilitated by the warmer than usual autumn weather.

Time Band	MON	TUE	WED	THU	FRI	SAT	SUN	Total
00:00-00:59	3	1		3	2	1	1	11
01:00-01:59				3	1	1	2	7
02:00-02:59	1					2		3
03:00-03:59				1			1	2
04:00-04:59						1	4	5
05:00-05:59						2		2
06:00-06:59			1		1			2
07:00-07:59	1	1	1					3
08:00-08:59	1	1	1	1	1			5
09:00-09:59			1	1	1	1		4
10:00-10:59		3			2			5
11:00-11:59				1	2			3
12:00-12:59	1		2	1	3	3		10
13:00-13:59	3	1	1		2		2	9
14:00-14:59		1	1			1	1	4
15:00-15:59	1	1		2	1	1		6
16:00-16:59	3	2		1	1		2	9
17:00-17:59	1	2		2	1		3	9
18:00-18:59	2	4	1	1	2		1	11
19:00-19:59	3	6	2	4	4	4		23
20:00-20:59	1	5		5	4	1	1	17
21:00-21:59	2	2	1	2	5			12
22:00-22:59	2	2	8	4	5	1	2	24
23:00-23:59				2	9	3	1	15
<b>Total</b>	<b>25</b>	<b>32</b>	<b>20</b>	<b>34</b>	<b>47</b>	<b>22</b>	<b>21</b>	<b>201</b>

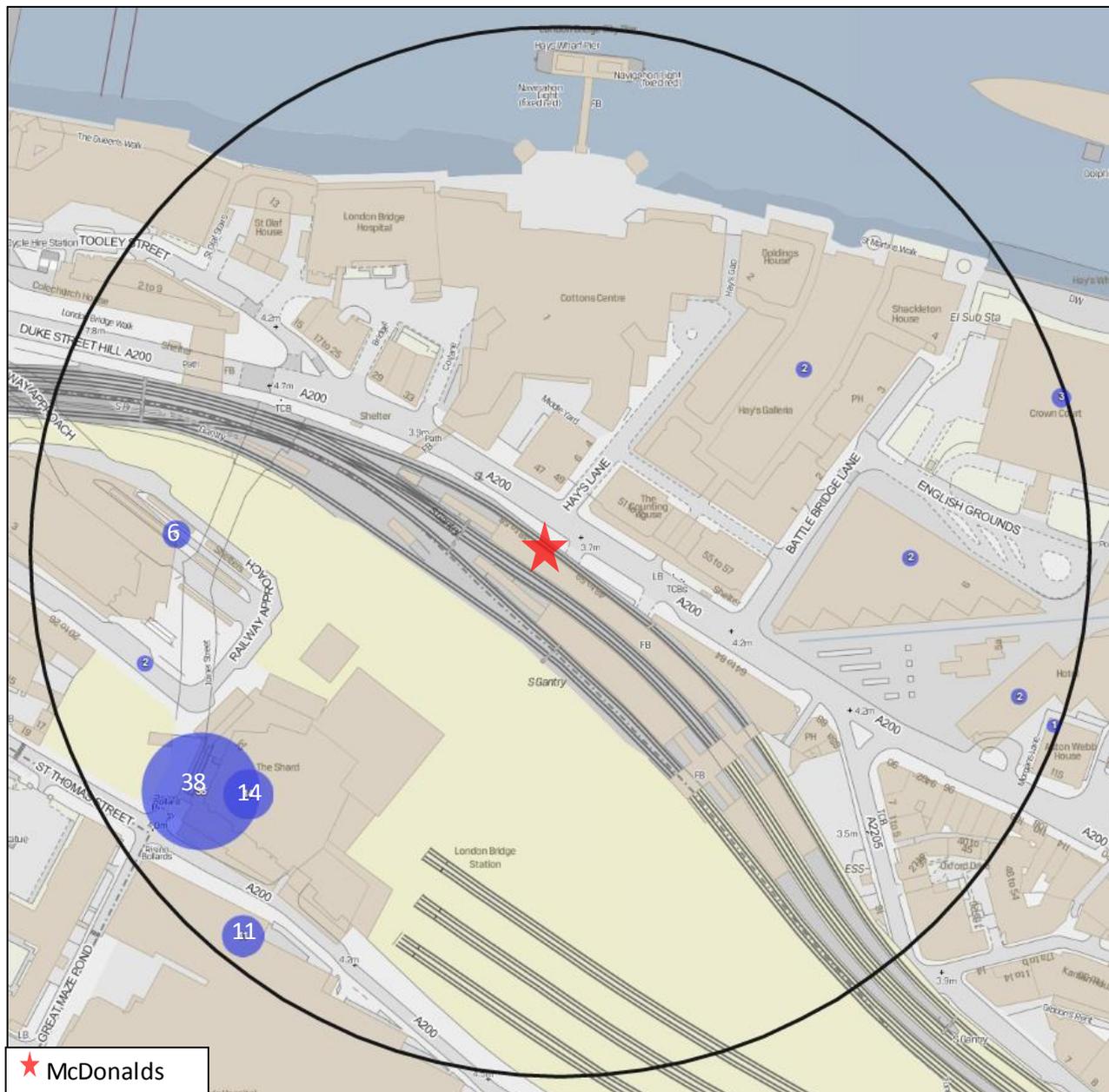
Temporal analysis suggests that the peak times for crime in this area are between 19:00-19:59 and 22:00-22:59, with Friday being the busiest day.

This is likely to be driven by the night-time economy, and the warmer than usual autumn months have extended the summer trend.

After 02:00 the number of crimes reported drops until around midday.

### Anti-Social Behaviour:

As the map below shows, the ASB reported to police within a 200m radius of the new McDonalds restaurant is centred on The Shard/ London Bridge Station, where 64% of the reports refer. The cluster of 38 incidents, includes many at the station entrance on Railway Approach, most of which were reported by BTP or TFL.

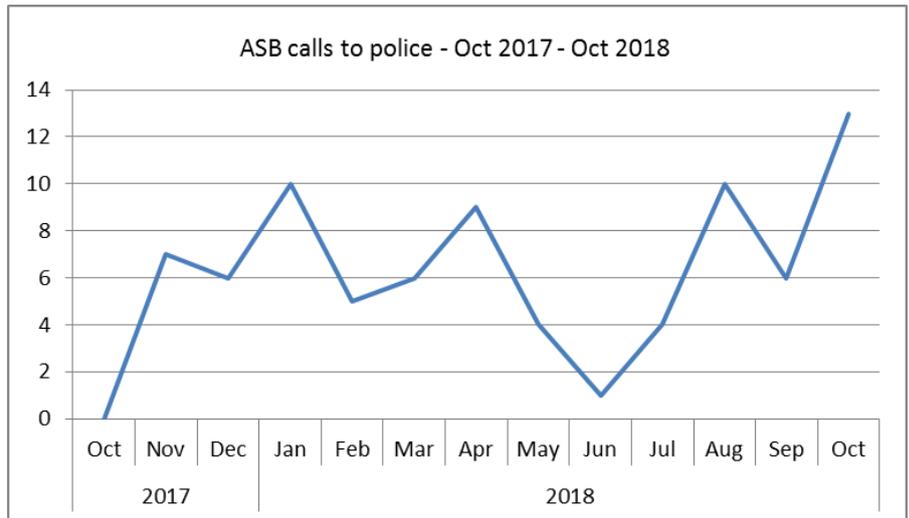


A quarter of the ASB calls relate to begging, and half relate to Rowdy or Inconsiderate Behaviour, of which 6 were marked as alcohol related.

ASB Type	Incidents
ASB - Nuisance	19
Begging / Vagrancy	20
Fireworks	1
Rowdy Or Inconsiderate Behaviour	40
Rowdy / Nuisance Neighbours	1
<b>Grand Total</b>	<b>81</b>

ASB calls to police have fluctuated over the year, and do not follow the same pattern as the reported crime.

There were no more than 2 calls to police on any one day.



Time Band	MON	TUE	WED	THU	FRI	SAT	SUN	Total
00:00-00:59			1		3	1	1	6
01:00-01:59			1		1		3	5
02:00-02:59		1	1		2			4
05:00-05:59							1	1
06:00-06:59			1					1
07:00-07:59			1	1	1			3
08:00-08:59	1			1	1	1	1	5
09:00-09:59		1	2	1	1		1	6
10:00-10:59		1						1
11:00-11:59			1	1		1	1	4
12:00-12:59					1			1
13:00-13:59	2	1			3			6
14:00-14:59			1	1		1		3
15:00-15:59	2	1		1	1			5
16:00-16:59			1	3		1		5
17:00-17:59	1		1	1	1		1	5
18:00-18:59	2			1	1		1	5
19:00-19:59			1		1	1		3
20:00-20:59	3	2		1			1	7
21:00-21:59					1	1	1	3
23:00-23:59	1						1	2
<b>Total</b>	<b>12</b>	<b>7</b>	<b>12</b>	<b>12</b>	<b>18</b>	<b>7</b>	<b>13</b>	<b>81</b>

Temporal analysis shows that Friday saw they highest number of calls relating to ASB.

Incidents occurred throughout the day, with the highest concentration, approximately 9% of calls, between 20:00-20:59.

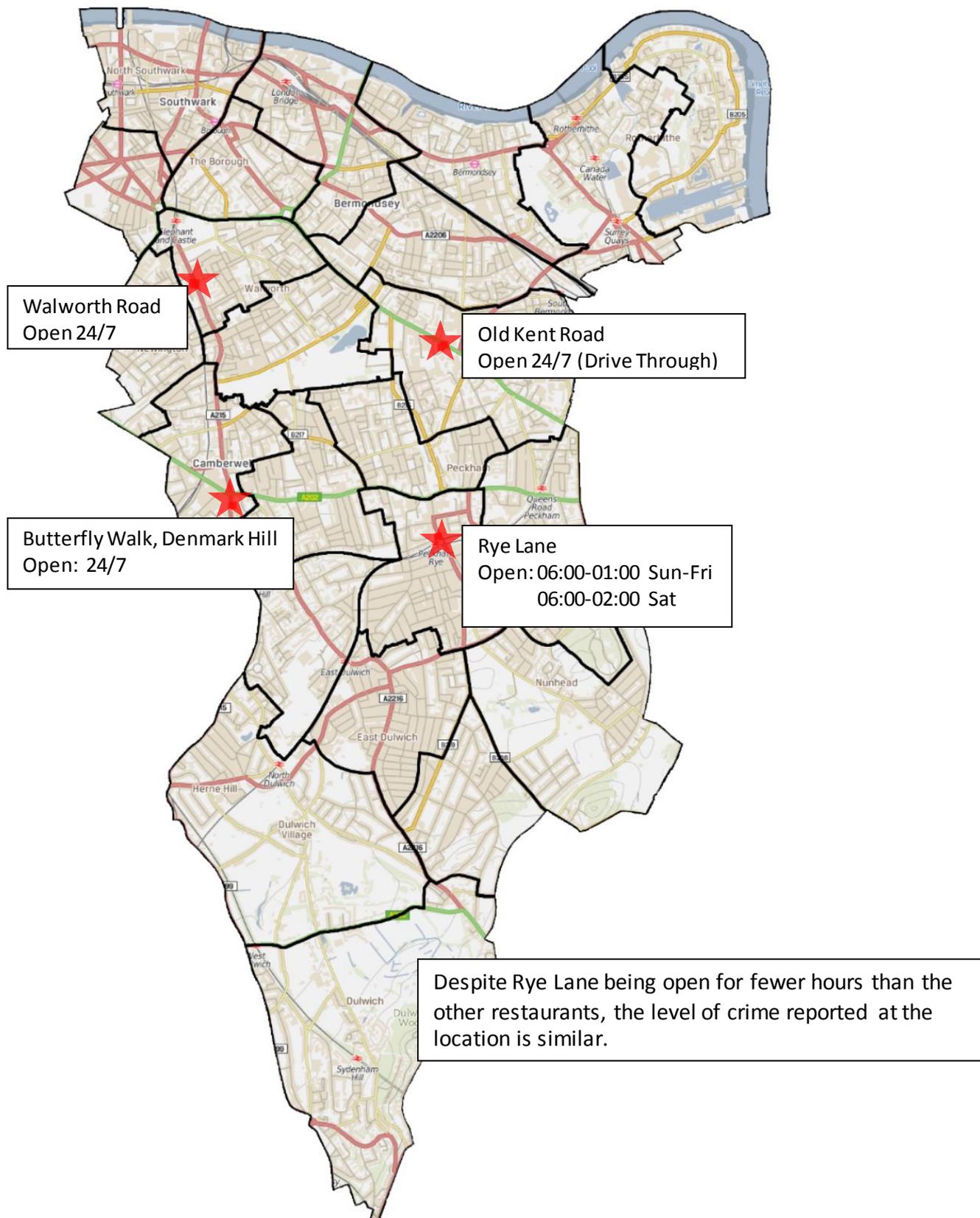
There are smaller increases in activity between:  
 00:00-01:59 – ‘night time economy’ times  
 08:00-09:59 – businesses opening  
 13:00-13:59 - lunchtime

There have been no calls to the council regarding ASB within 200m of the new restaurant, and only 4 calls regarding noise nuisance. 2 related to loud music, 1 to construction noise and 1 to people noise.

Council Warden reporting in this area relates only to engaging with beggars and rough sleepers, generally on Tooley Street outside Tesco, St Thomas Street, or Great Maze Pond.

## McDonalds within Southwark

There are 4 McDonald's restaurants within Southwark currently, as shown on the following map. 3 of these operate on a 24/7 basis.



**Crime:**

Between 01/10/2017 and 31/10/2018 there have been 226 crimes recorded where the "Address Business Name" contains McDonalds.

By crime type and location these break down as follows:

Crime Type	Old Kent Road	Butterfly Walk	Walworth Road	Rye Lane*	Total
<b>Burglary</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>
Burglary in Other Buildings	1	0	1	0	2
<b>Criminal Damage</b>	<b>2</b>	<b>6</b>	<b>1</b>	<b>10</b>	<b>19</b>
Criminal Damage To Motor Vehicle	1	1	0	2	4
Criminal Damage To Other Building	0	2	0	0	2
Other Criminal Damage	1	3	1	8	13
<b>Drugs</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>8</b>
Possession Of Drugs	3	1	0	4	8
<b>Other Crime</b>	<b>8</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>17</b>
<b>Robbery</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>6</b>
Personal Property	2	0	2	2	6
<b>Sexual Offences</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>9</b>
Other Sexual	4	1	2	2	9
<b>Theft and Handling</b>	<b>9</b>	<b>29</b>	<b>17</b>	<b>20</b>	<b>75</b>
Handling Stolen Goods	0	0	0	1	1
Other Theft	3	21	8	7	39
Other Theft Person	5	6	7	9	27
Theft From Motor Vehicle	0	0	1	0	1
Theft/Taking of Motor Vehicle	1	1	0	1	3
Theft/Taking of Pedal Cycles	0	1	1	2	4
<b>Violence Against the Person</b>	<b>17</b>	<b>24</b>	<b>25</b>	<b>21</b>	<b>87</b>
Assault with Injury	7	4	5	3	19
Common Assault	4	13	12	11	40
Harassment	2	6	6	2	16
Offensive Weapon	1	1	1	2	5
Other Violence	1	0	0	0	1
Serious Wounding	2	0	1	3	6
<b>Grand Total</b>	<b>46</b>	<b>68</b>	<b>49</b>	<b>60</b>	<b>223</b>

\*Not open 24/7

The sexual offences vary in type from inappropriate touching (5), being photographed or filmed in the toilet (2), and peeping over a toilet cubicle (1). One incident was more aggressive with the victim being shoved against a wall and groped, however it is believed the victim knows the suspect and is unwilling to co-operate.

The serious wounding crimes involve the victim being bottled (2), stabbed (3), or beaten/kicked unconscious (1). In 4 incidents the victims were customers, one was a security guard who had ejected the suspect earlier in the day, and one was stabbed when he got into a taxi outside McDonalds but it is unclear if he had been a customer prior to this.

Temporal analysis shows that while the overall busiest days are at the weekend, the peak days and times for crime at each restaurant varies:

Restaurant	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Old Kent Road	7	3	2	7	5	12	10	46
Butterfly Walk	9	11	3	10	14	15	6	68
Walworth	7	4	14	2	10	7	5	49
Rye Lane	5	14	7	9	7	5	13	60
<b>Total</b>	<b>28</b>	<b>32</b>	<b>26</b>	<b>28</b>	<b>36</b>	<b>39</b>	<b>34</b>	<b>223</b>

Time Bands	Old Kent Road	Butterfly Walk	Walworth Road	Rye Lane	Total
00:00-00:59	0	1	4	6	11
01:00-01:59	0	3	5	4	12
02:00-02:59	4	6	3	2	15
03:00-03:59	3	3	4	1	11
04:00-04:59	7	2	1	0	10
05:00-05:59	2	5	2	1	10
06:00-06:59	2	0	1	0	3
07:00-07:59	0	2	2	0	4
08:00-08:59	0	2	0	0	2
09:00-09:59	1	2	0	1	4
10:00-10:59	0	3	0	1	4
11:00-11:59	1	1	0	3	5
12:00-12:59	1	4	3	1	9
13:00-13:59	0	1	1	2	4
14:00-14:59	2	1	4	0	7
15:00-15:59	3	2	1	5	11
16:00-16:59	4	2	1	4	11
17:00-17:59	3	7	4	6	20
18:00-18:59	4	3	4	4	15
19:00-19:59	3	7	2	7	19
20:00-20:59	2	4	2	6	14
21:00-21:59	2	3	1	3	9
22:00-22:59	1	2	2	2	7
23:00-23:59	1	2	2	1	6
<b>Total</b>	<b>46</b>	<b>68</b>	<b>49</b>	<b>60</b>	<b>223</b>

As would be expected, all premises show 'hotspots' in the early evening during the post school/work period, and in the early hours. Lunchtimes cause less problems at most restaurants.

Peak times for the Old Kent Road restaurant is 04:00-4:59 hrs, these crimes occurred at weekends.

The peaks in activity at Butterfly Walk are caused mostly by crimes committed on a Friday and Saturday.

Peak times for Walworth Road are between 00:00 and 04:00 hrs, with smaller numbers spread across the day/week.

For Rye Lane, the crimes reported between 01:00 -02:59 all occur on a Sunday morning when the restaurant closes at 02:00

### **Anti-Social Behaviour:**

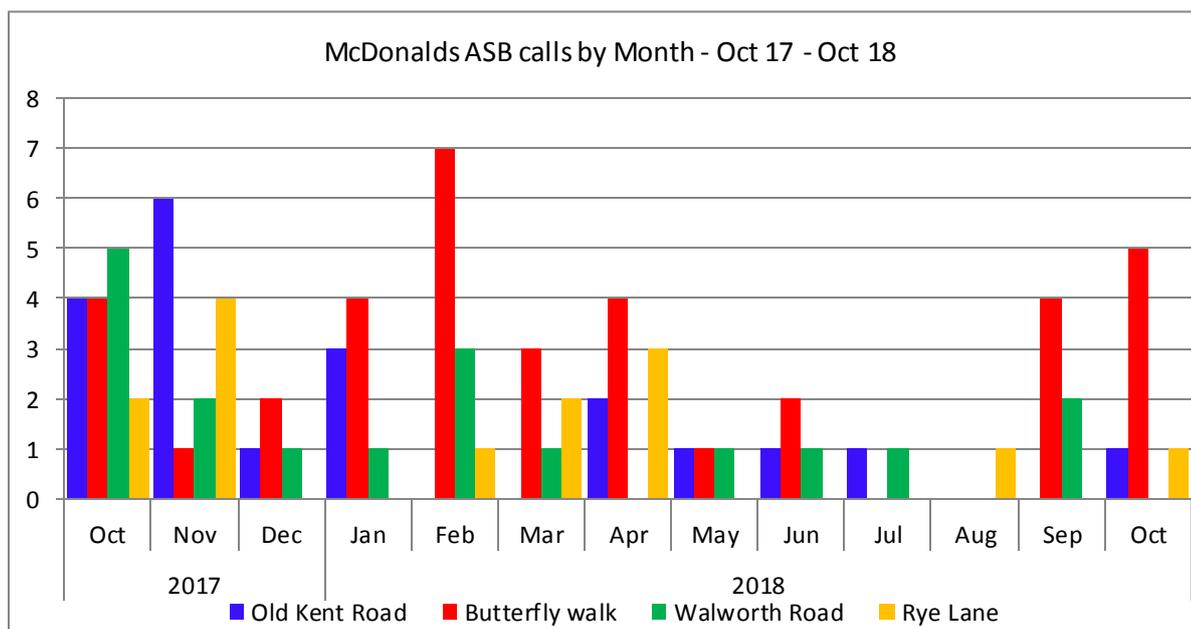
The number of calls to the police regarding ASB at McDonald's restaurants between 01/10/2017 and 31/10/2018 are relatively low

While Rye Lane was the location for 27% of the crime associated with McDonalds in the borough, it represents only 16% of the ASB calls.

Due to the low numbers of calls associated with the individual McDonalds restaurants, temporal analysis of these incidents reveals little. Overall ASB associated with McDonalds peaks between 16:00-17:59, with Tuesday being the busiest day.

Restaurant	ASB Calls
Old Kent Road	20
Butterfly Walk	37
Walworth Road	18
Rye Lane	14
<b>Total</b>	<b>89</b>

As the following chart shows, the pattern of calls to the police regarding ASB varies by location, but all premises see a drop in activity during the school summer holiday.



Calls to the Council regarding ASB and noise nuisance directly linked to McDonalds are low, and only one has been recorded in the 13 month period of this report. This incident related to noise caused by a broken fan on the restaurants extraction system in October 2018.

The Council Wardens have reported 6 incidents at or outside a McDonald's restaurant during the period of this report. All involve begging and all appear to be different individuals.

- Butterfly Walk - 03/04/2018 & 30/05/2018
- Rye Lane – 13/12/2017, 29/03/2018. 02/07/2018 & 03/07/2018

## Comparable McDonald's restaurants elsewhere in London

There are a number of McDonald's restaurants at mainline stations in London. For comparison purposes, Liverpool Street would be the obvious choice as it is run by the same franchisee that will be operating the London Bridge restaurant; however as this sits within the City of London Police area, crime data is not readily available.

Other McDonalds located at mainline stations include the following, none of which are open 24 hours a day:

Location	Opening Hours	MPS Recorded Crimes
Paddington	05:00 – 01:00	1 x Other Theft
Victoria	05:00 – 00:30	3 x Other Theft
Waterloo	05:00 - 01:00	2 x Other Theft

As these restaurants are within the station, much of the crime will be reported to / dealt with by BTP. Published BTP crime data by month simply states "on/near xxx station" for the location which does not allow any analysis of incidents relating specifically to the McDonalds.

A look at crime related to other McDonalds restaurants located close to mainline train and underground transport hubs that are open 24 hours a day provides a view of the types of crime to be expected:

Crime Type	155 Victoria Street	34-35 Strand	13-15 Euston Road	302-304 Pentonville Road	518-522 Brixton Road
Opening Hours	05:00-23:45 Su-W 05:00-01:45 Th-Sa	24/7	24/7	24/7	24/7
Station Mainline	Victoria	Charing Cross	Kings Cross / St Pancras / Euston	Kings Cross / St Pancras	Brixton
Underground lines served	Victoria / District / Circle	Northern / Bakerloo	Northern / Victoria	Northern / Victoria	Victoria
<b>Crime Type</b>					
<b>Criminal Damage</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>3</b>
Criminal Damage To Other Building	0	0	0	0	2
Other Criminal Damage	4	1	3	0	1
<b>Drugs</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>3</b>
Drug Trafficking	0	1	0	0	1
Possession Of Drugs	1	2	1	1	2
<b>Fraud or Forgery</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>
Other Fraud & Forgery	2	0	2	0	0
<b>Other Crime</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>4</b>
<b>Robbery</b>	<b>3</b>	<b>7</b>	<b>1</b>	<b>3</b>	<b>11</b>
Personal Property	3	7	1	3	11
<b>Sexual Offences</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>2</b>
Other Sexual	0	1	2	0	2
<b>Theft and Handling</b>	<b>18</b>	<b>49</b>	<b>27</b>	<b>8</b>	<b>75</b>
Handling Stolen Goods	0	0	0	0	1
Other Theft	8	22	16	5	32
Other Theft Person	8	26	8	3	39
Theft From Shops	1	0	0	0	0
Theft from Motor Vehicle	0	0	1	0	0
Theft/Taking of Motor Vehicle	1	0	0	0	0
Theft/Taking of Pedal Cycles	0	1	2	0	3
<b>Violence Against the Person</b>	<b>35</b>	<b>41</b>	<b>21</b>	<b>5</b>	<b>36</b>
Assault with Injury	2	8	4	0	9
Common Assault	17	21	11	4	17
Harassment	13	5	6	4	7
Offensive Weapon	2	1	0	0	2
Other Violence	1	3	0	0	0
Serious Wounding	3	3	0	0	1
<b>Total</b>	<b>64</b>	<b>105</b>	<b>59</b>	<b>17</b>	<b>134</b>
<b>Temporal Analysis</b>					
Peak Times	00:00-01:00 & 15:00-16:59	03:00-05:59	00:00-01:59	01:00-01:59	02:00-02:59
Peak Days	Wed & Sat	Sun	Fri & Sat	Thu	Sat & Sun

Theft accounts for between 46% - 56% of reported crime at most restaurants, only Victoria differs, where Theft counts for only 28% of crime. Victoria sees a much higher rate of violent crime (55%) compared with the other restaurants (27%-39%).

Most, if not all 24 hour McDonalds have private security to assist with maintaining public order.

Anecdotal evidence from a McDonald's restaurant in Shepherd's Bush suggests that by making changes such as turning off free wifi, playing classical music and reducing the available seating between certain hours, has reduced crime and anti-social behaviour at the restaurant.<sup>1</sup> McDonalds in Welwyn Garden City, Hertfordshire has also introduced similar measures in the 'after school' period to deter anti-social behaviour.<sup>2</sup>

## **Assessment**

As the restaurant is accessed from Tooley Street, it is not limited by the openings times of the station.

The main crime types associated with McDonalds restaurants are Other Theft/Theft Person and Common Assault. 73% of reported crime in the 200m area between Oct 2017 & Oct 2018 were theft crimes, it is likely that the opening of this restaurant may attract additional criminal activity, and extend the hours of this activity if open throughout the night.

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<sup>1</sup> <https://www.standard.co.uk/news/london/mcdonalds-restaurant-cuts-antisocial-behaviour-by-playing-classical-music-and-cutting-off-the-wifi-a3790176.html>

<sup>2</sup> <https://www.bbc.co.uk/news/uk-england-beds-bucks-herts-43513271>

**From:** Earis, Richard  
**Sent:** Monday, November 12, 2018 5:13 PM  
**To:** Regen, Licensing  
**Cc:** 'elaine.rayner@shoosmiths.co.uk'  
**Subject:** Objection to License application: McDonalds, Unit SU74, Tooley Street West, London Bridge Station

**RE: New License application McDonalds, Unit SU74, Tooley Street West, London Bridge Station**

I have considered the above on behalf of the Prevention of Public Nuisance Responsible Authority.

I would like to object on the grounds that it is not sufficiently clear from the information contained within the application that the licensing objective will be met. In particular there is a lack of clarity around risks of public nuisance from litter and noise.

I would request that the applicant clarifies:

- Exactly what are the proposed 'litter patrol' arrangements?
- How will noise from patrons consuming food in the public area outside the premises during the night be managed? This is likely to be a destination for people leaving late night drinking venues.
- Will the premises be accepting delivery orders (e.g. via uber eats or similar) after 23.00 and if so what is the expected volume of orders and how will noise from delivery drivers be managed at night?

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

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## MEMO: Licensing Unit

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

---

Subject Re: McDonald's Restaurants, Unit SU74, Tooley Street West, London Bridge Station, London, SE1 2TF – Application for a premises licence

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

- Late night refreshment (outdoors) on Monday to Sunday from 23:00 to 05:00 the following day
- Overall opening times shall be on Monday to Sunday from 05:00 to 05:00 the following day

The premises is described as '*The premises will operate as a restaurant selling food and non-alcoholic drinks for consumption off the premises*'.

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

The 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.

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/takeaway 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.

The following conditions and amendments to the hours applied for would address my concerns and could assist the applicant in this rebuttal.

Examples of factors that this Authority may consider as demonstrating that there will be no impact may include: (para.140 of the licensing policy)

- Small premises intended to cease operation before midnight
- Premises which are not alcohol led and only operate during the day time economy
- Where a suite of conditions is proposed that will ensure that the premises operates in a specified manner.

Therefore I ask the applicant to consider amending the times applied for as follows:

- Late night refreshment (outdoors) on Monday to Sunday from 05:00 to 00:00
- Overall opening times shall be on Monday to Sunday from 05:00 to 00:00

Furthermore, due to the limited information provided with the application and to promote the licensing objectives I ask the applicant to provide the following information:

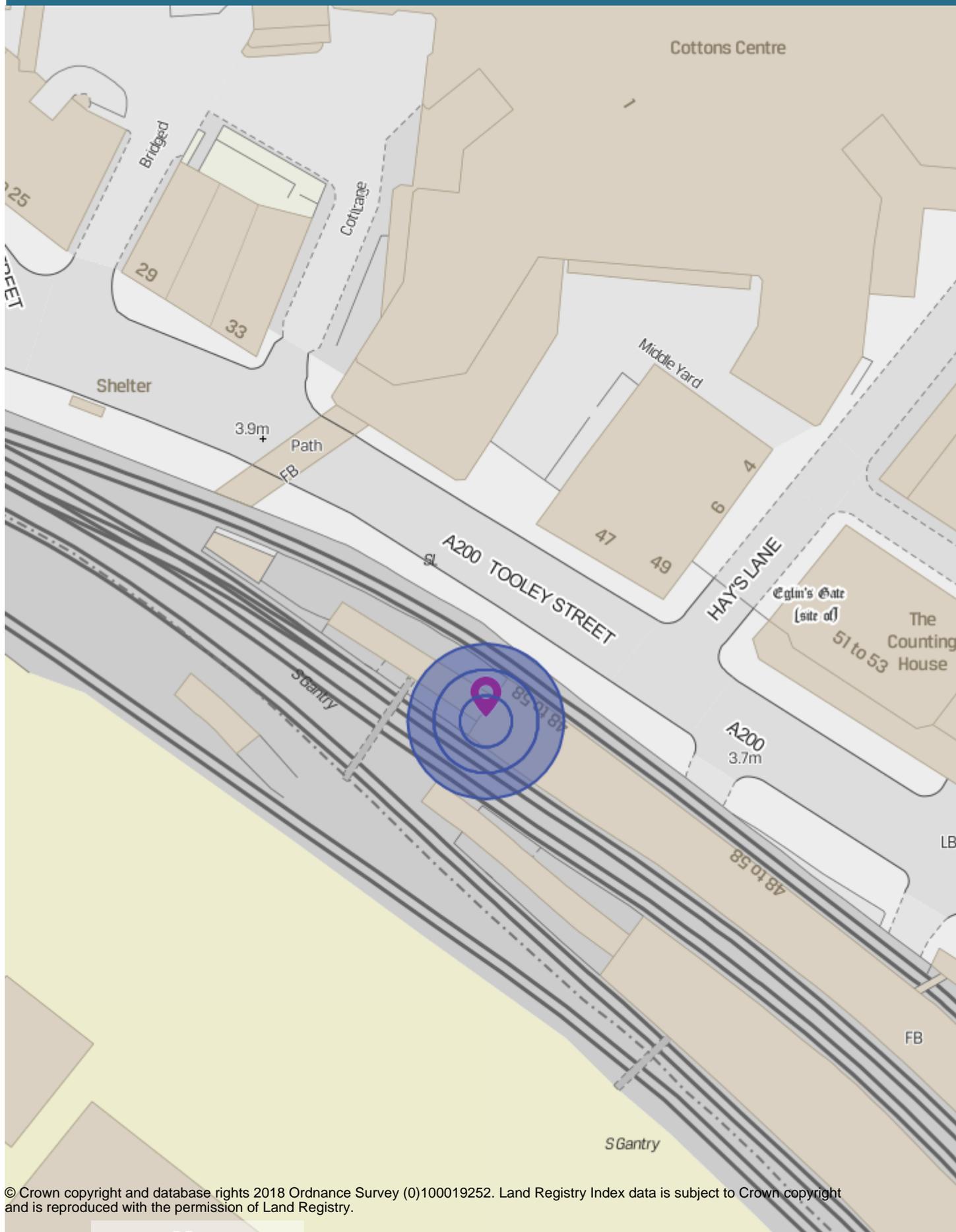
- An accommodation limit for the premises (to be conditioned)
- A written dispersal policy for the premises (to be conditioned)

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

Unit SU74 Tooley Street West, London Bridge Station, SE1 2TF



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