

Licensing Sub-Committee

Friday 15 February 2019

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Dora Dixon-Fyle MBE
Councillor Charlie Smith

Reserves

Councillor Kath Whittam

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 5 February 2019



Licensing Sub-Committee

Friday 15 February 2019
10.00 am

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

Order of Business

Item No.	Title	Page No.
PART A - OPEN BUSINESS		
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: PANHEAD CUSTOMS ALES, 96 DRUID STREET LONDON SE1 2HQ	1 - 32
6.	LICENSING ACT 2003: KAYCEES, 92 TOWER BRIDGE ROAD, LONDON SE1 4TP	33 - 64

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: 5 February 2019

Item No. 5.	Classification: Open	Date: 15 February 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Panhead Customs Ales, 96 Druid Street London SE1 2HQ	
Ward(s) or groups affected:		London Bridge and West Bermondsey	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Fourpure Limited for a premises licence to be granted under the Licensing Act 2003 in respect of Panhead Customs Ales, 96 Druid Street, London SE1 2HQ.
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 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 21 of this report deals with the representations received to the premises licence application and conciliations progress made. Copies of the relevant representations from responsible authorities and correspondence from conciliation process are attached as Appendices B & C.
 - d) Paragraph 22 deals with licensed premises within a 100m 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 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 18 December 2018, Fourpure Limited applied to this council for the grant of a premises licence for in respect of Panhead Custom Ales, 96 Druid Street, London SE1 2HQ. The premises is described as a railway archway which will be used as a head quarters for a New Zealand Brewery importing beer into the UK. The intention is to offer customers the ability to sample and purchase the products on site.

9. The application is summarised as follows:
 - Recorded music (indoors)
Thursday - Sunday from 12:00 to 21:00

 - Supply of alcohol (on and off the premises)
Thursday - Sunday from 12:00 to 21:00

 - Operating hours of premises
Thursday - Sunday from 12:00 to 21:00.

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

Designated premises supervisor

11. The proposed designated premises supervisor is Christopher Bown who has a personal licence issued by Lewisham Council.

Representations from responsible authorities

12. Representations were submitted by the Metropolitan Police Service and licensing as a responsible authority.
13. The Metropolitan Police Service concerns are that the premises are located in a railway arch in a mainly residential street and there are large residential blocks opposite. The premises does not benefit from an outside area on Druid Street and opens directly onto the pavement/loading bay which is a public highway with no border to the road. The area the premises is located is becoming saturated with licensed premises and the use of outside areas is having a cumulative impact on the area causing public nuisance to local residents including public urination and obstructions to passing traffic putting people in danger. As part of their representation they have attached two images taken from street view indicating the outside area and the close proximity to residential premises.
14. Any use of outside area as shown on plans will only cause further public nuisance to the resident opposite and possible obstruct the highway and possibly be hazardous to traffic and customers due to passing traffic.
15. They have offered conditions to be agreed by the applicant to mitigate any impact on the crime and disorder licensing objective.
16. The licensing representation highlights that the premises is situated in the residential area. The 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.
17. Due to the limited information on the application form and to promote the licensing objectives the applicant has been requested clarification on some matters, to submit further information and also to agree to a number of proposed conditions.
18. Copies of the representations are attached as Appendix B.

Representation from other persons

19. There is one representation from an other person (a local resident). They object on the grounds that the area is already saturated with such businesses.
20. A copy of the representation is attached as Appendix C.

Conciliation

21. The representations received were forwarded to the applicant but as yet have not received any responses. The licensing sub-committee will be updated on 15 February 2019.

The local area

22. 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 licensed premises terminal hours are also shown on the map:

Public houses/restaurant/brewery

Marquis of Wellington PH, 21 Druid Street, SE1

- Monday to Wednesday until 23.00, Thursday until 00.00, Friday and Saturday until 01.00 and Sunday until 00.00 - granted 1 October 2005

Elmadero, Railway Arch 840, 30 Druid Street, London SE1

- Monday to Sunday until 23.00 - granted 18 October 2011

Southwark Brewing Company Limited, 46 Druid Street, London SE1

- Monday to Sunday until 23.00 - granted 29 July 2014

Doodle Bar, 60 Druid Street, London SE1

- Sunday to Thurs until 00:00 and Friday and Saturday until 01:00 - granted 29 September 2016

St John Bakery Company Ltd, 72 Druid Street, London SE1

- Monday to Sunday until 23.00 - granted 9 August 2011

Bea's of Bloomsbury Railway Arch, 76 Druid Street, London SE1

- Monday to Sunday until 22.00 - granted 9 June 2012

Speckmobile Railway Arch, 76 Druid Street, London SE1

Monday to Saturday until 23:00 and Sunday until 22:30 - granted 31 October 2017

Hawkes, 92 Druid Street, London SE1

- Monday to Sunday until 23:00 - granted 23 February 2017

Anspach & Hobday, 116 - 118 Druid Street, London SE1

- Monday to Sunday until 23:00 - granted 17 January 2014

Bottles, 128 Druid Street, London SE1

- Monday to Sunday until 23.00 granted 16 April 2014

Lemporio, 134 Druid Street, London SE1

- Sunday to Wed until 22.00 and Thursday to Saturday until 23:00 - granted 15 September 2016

Thames Takeaway, 140 Tanner Street, London SE1

- Sunday to Thursday until 00:00 and Sunday until 00:30 - granted 17 January 2006

Ronnies Supermarket, 116-118 Tanners Street, London SE1

- Monday to Saturday from 23:00 and Sunday until 22:30 - granted 5/8/2005

Maltby Restaurant, 40 Maltby Street, London SE1

- Monday and Tuesday until 23:30, Wednesday to Saturday until 01:00 and Sunday until 17:30 - granted 12 June 2012

Lassco, Ropewalk and Arches 46 and 48 to 53, London SE1

- Wednesday to Sunday until 17:30 - granted 24 May 2012

Lassco, 37 Maltby Street, London SE1

- Monday to Sunday until 23:00 - granted 17 August 2017

Hawkes, 92 Druid Street, London SE1

- Monday to Sunday until 23:00 - granted 23 February 2017

Comptoir Gourmand, 98 Druid Street, SE1

- Monday to Sunday until 23:00 granted 1 January 2016.

Deregulation of entertainment

23. 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 is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.

24. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

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 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:
- Cafés, Public Houses Wine bars or other drinking establishments: 23:00 daily.

Resource implications

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

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.

49. 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.
50. 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.
51. 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

52. 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

53. 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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Application premises licence
Appendix B	Representations from responsible authorities
Appendix C	Representation from other person
Appendix D	Map of local area

AUDIT TRAIL

Lead Officer	Ian Smith, Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	31 January 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		31 January 2019

**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 Fourpure 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 96 Druid Street			
Post town	London	Postcode	SE1 2HQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£20500

Part 2 - Applicant details

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

- | | | |
|--|-------------------------------------|--|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | 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)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

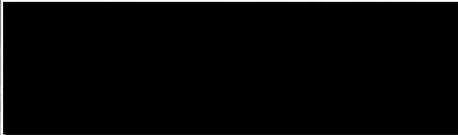
SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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 Fourpure Limited
Address 
Registered number (where applicable) 07777184
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
0 2 0 1 2 0 1 9

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 is a railway archway. We are planning to use the arch as an UK HQ for a New Zealand Brewery importing our beers into the UK. The arch will be primarily for offices, storage and logistics. It is our intention to offer our customers the ability to sample and purchase our beers on site.

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4) It is our intention to play background recorder music to enhance the atmosphere while our patrons sample our product.		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	12:00	21:00			
Fri	12:00	21:00	<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> (please read guidance note 6)		
Sat	12:00	21:00			
Sun	12:00	21:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption</u> – <u>please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)	Both	<input checked="" type="checkbox"/>
Tue					
Wed					
Thur	12:00	21:00		<u>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</u> (please read guidance note 6)	
Fri	12:00	21:00			
Sat	12:00	21:00			
Sun	12:00	21:00			

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 Christopher Bown
Date of birth [REDACTED]
Address [REDACTED]
Postcode [REDACTED]
Personal licence number (if known) LEW [REDACTED]
Issuing licensing authority (if known) London Borough of Lewisham

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 the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			<p><u>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</u> (please read guidance note 6)</p>
Tue			
Wed			
Thur	12:00	21:00	
Fri	12:00	21:00	
Sat	12:00	21:00	
Sun	12:00	21:00	

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)

A DPS will be appointed and will authorise the supply of alcohol. When the DPS is not on site a designated license holder will oversee all alcohol purchases.
The four licensing objectives will be promoted through staff induction and regular training.

b) The prevention of crime and disorder

Persons leaving the premises will be reminded through appropriate signage and the staff to leave quickly, quietly and orderly.
Regular glass and bottle collections.
A zero tolerance drugs policy will be in place and advertised by appropriate signage.
Premises opening and closing times will be publicised within and without the premises.
Patrons who are deemed under the influence of alcohol will not be served and a register of refusals kept.

c) Public safety

Access provided for emergency vehicles.
All areas will be risk assessed and compliant with H+S Legislation (including fire fighting equipment and appropriate signage)
All areas to be maintained in good order.
Toilets will be available for public use (patron)
Cold drinking water will be available freely

d) The prevention of public nuisance

Signage to ensure patrons disperse quickly and quietly and respect local residents
Litter patrols during and after public opening hours.
Volume of any amplified music to be controlled by management and not audible outside the premises.
Regular waste collections, deliveries and the cleaning of external areas will only occur between the hours of 09.00 and 20.00.

e) The protection of children from harm

Think 25 Scheme to be supported and staff to be inducted and regularly trained in this.
 A refusals log to be maintained.
 Signage to be visible from entrance and by the bar informing patrons that alcohol will not be served to under 18s at all or under 25s without valid ID.

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.

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.**

Declaration	<ul style="list-style-type: none"> [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). 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)
Signature	Christopher Bown 
Date	18/12/2018
Capacity	General Manager

For joint applications, signature of 2nd applicant or 2nd 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) Christopher Bown Fourpure Unit 22, Bermondsey Trading Estate Rotherhithe New Road			
Post town	London	Postcode	SE16 3LL
Telephone number (if any)	07747024154		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) chrisb@fourpure.com			

Notes for Guidance

By using these plans, the licensee, Administrator, Approver or DPA, is deemed to have accepted the information provided and to be responsible for the accuracy of the information provided. The licensee and Administrator are responsible for the accuracy of the information provided.

KEY:  FIRE EXTINGUISHER

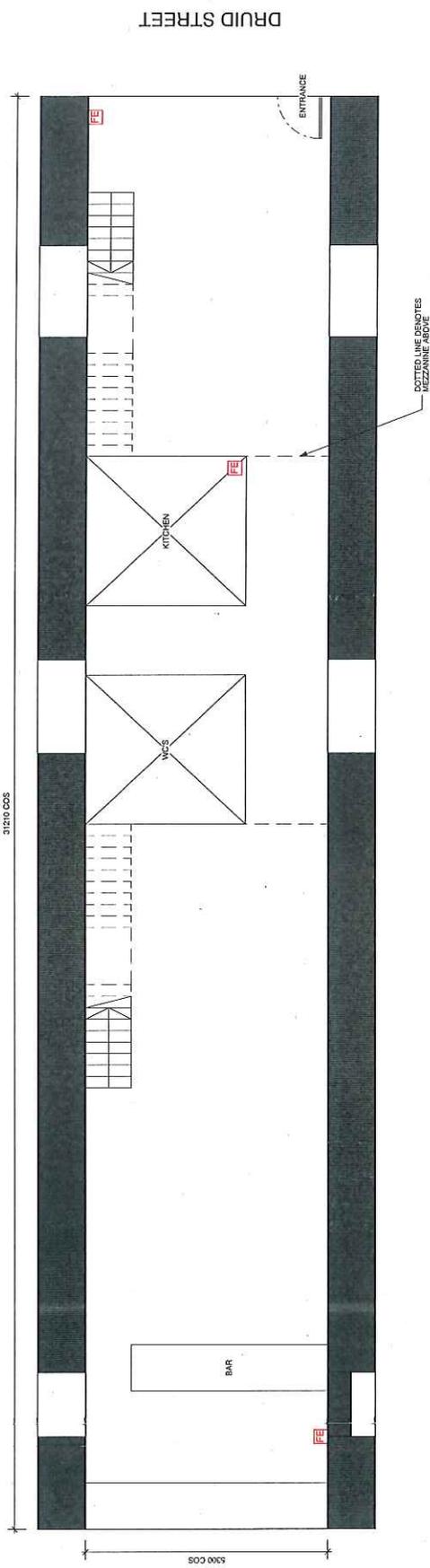
PLEASE NOTE:
PLANS FOR LICENSING APPROVAL ONLY. ALL DIMENSIONS TO BE CONFIRMED ON SITE.

ISSUE 

DESIGNER: ISABEL WOODROFFE
T: 07728 721 288
E: ISABEL.WOODROFFE@MALCOLM.COM

CLIENT: FOURPURE BREWING CO.
PROJECT: BARROOM
ARCH: 701 DRUID STREET
LONDON BRIDGE
DRAWING TITLE: LICENSING PLAN

DATE	ISSUED	BY
14/7/2018	FOR APPROVAL	ISABEL WOODROFFE
14/7/2018	FOR APPROVAL	ISABEL WOODROFFE
14/7/2018	FOR APPROVAL	ISABEL WOODROFFE



6. PROPOSED PLAN - GROUND FLOOR
1:50 @ A1: 1100 @ 1/4"



We will make sure that external waste handling, collections, deliveries and the cleaning of external areas will only occur between the hours of 09.00 and 20.00

We will have clearly legible signs, that are prominently displayed at all exits where it can easily be seen and read, requesting that customers leave the premises in a quiet and orderly manner that is respectful to neighbours.

We will ensure that the accommodation limit for the premises shall not exceed 150 persons (excluding staff).

We will ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy will require individuals who appear to the responsible person to be under 25 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either (a) a holographic mark; or (b) an ultraviolet feature.

We shall ensure that - (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures - (i) Beer or cider: 1/3 pint; (ii) Gin, rum, vodka or whisky: 25 ml ; and (iii) Still wine in a glass: 125 ml; (b) these measures will be displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

We shall maintain a challenge 25 scheme at the premises, that requires that, staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.

All staff involved in the sale of alcohol will be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training will be kept and be accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.

We will prominently display clearly legible signage, where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are.

We will ensure that there is clear and legible signage prominently displayed, where it can be easily seen and read, requesting that alcohol sold as off sales should not be opened and consumed in the vicinity of the premises.

We will ensure that all signage is kept free from obstructions at all times.

We will maintain a register of refused sales of alcohol to demonstrate effective operation of the challenge 25 policy. This register will be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register will be kept and be accessible at the premises at all times. On a monthly basis, the Designated Premises Supervisor (DPS) will check the register to ensure it is being properly completed. The DPS will sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. We will make the register immediately available for inspection at the premises to council or police officers on request.

We will ensure that no more than 15 customers are permitted within the designated outside smoking area at any one time (as hatched on the attached plan).

For consideration

We shall submit to the licensing authority, and operate in accordance with, an outside management policy that deals with patrons that consume alcohol in the designated outside smoking area and is designed to minimise the risk of public nuisance to residents and other persons in the vicinity: The plan may be updated from time to time.

We shall provide and display a dedicated and manned telephone number of the management of the premises to local residents.

We will not permit children in the premises unless accompanied by an adult.

We will not permit children in the outside area smoking area at any time.

On Saturdays, from noon until the premises closes to the public, we will ensure that a minimum of one SIA door supervisor must be employed at the premises to effectively control outside smoking area, to ensure the conditions on the premises licence are complied with and to promote the licensing objectives.



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/21/006/19

Date: 15th January 2019

Dear Sir/Madam

Re:- Panhead Custom Ales, 96 Druid Street, London SE1 2HQ

Police are in receipt of an application from the above for a new premises licence.

The premises are located in a railway arch in a mainly residential street and there are large residential blocks opposite. The premises does not benefit from an outside area on Druid Street and opens directly onto the pavement/loading bay which is a public highway with no border to the road. The area the premises is located is becoming saturated with licensed premises and the use of outside areas is having a cumulative impact on the area causing public nuisance to local residents including public urination and obstructions to passing traffic putting people in danger.

I have attached two images taken from street view indicating the outside area and the close proximity to residential premises.

Any use of outside area as shown on plans will only cause further public nuisance to the resident opposite and possible obstruct the highway and possibly be hazardous to traffic and customers due to passing traffic.

The application described the operation as follows:-The UK HQ for New Zealand Brewery Imports used primarily as offices and storage but with the ability to offer customers samples and to purchase the beers.

The area has a considerable amount of brewery, food and alcohol lead type venues with groups of people moving between the different licensed premises having consumed alcohol leading to a high possibility of intoxication within the area.

We object to the granting of the licence in the current format. The applicant has offered a number of conditions as part of the operating schedule. The conditions set out in the operating schedule should be precise and enforceable, as stated in the Section 182 Guidance of the Licensing Act 2003 issued by the Home Office. We would like to see the following conditions added to the licence to mitigate any impact on the 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 and all areas the public have access including outside areas.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.
3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
5. No customers should be allowed to take drinks from the licensed area other than to take away and they must be in a sealed container.
6. Customers shall use no outside area other than those who temporarily leave the premises to smoke a cigarette and No more than 5 people at one any time.

We would welcome the opportunity to conciliate with the applicant. If they wish to contact me on the above email.

Kind Regards

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



MEMO: Licensing Unit

To	Licensing Unit	Date	14 January 2019	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Panhead Custom Ales, 96 Druid Street, London, SE1 2HQ
 – Application for a premises licence

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

- Recorded music (indoors) on Thursday to Sunday 12:00 to 21:00
- Supply of alcohol (on and off the premises) on Thursday to Sunday 12:00 to 21:00
- Overall opening times shall be on Thursday to Sunday 12:00 to 21:00

The premises is described as *'The premises is a railway archway. We are planning to use the arch as an UK HQ for a New Zealand Brewery importing our beers into the UK. The arch will be primarily for offices, storage and logistics. It is our intention to offer our customers the ability to sample and purchase our beers on site'*

This premises is in a residential area and my representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy.

It should be noted that the applicant has not indicated on the application tick box whether the supply of alcohol shall be on/off the premises or both. There is no indication as to this in part M of the application. However I assume from the description above and the extra sheet of information added at the end of this application that the application is for supply of alcohol both on and off the premises.

- I ask the applicant to clarify that the extra sheet of information provided with this application forms part of the operating schedule and that the points on it are to form conditions to be added to the licence.
- On the sheet of information provided it is stated: *'We will ensure that no more than 15 customers are permitted within the designated outside smoking area at any one time (as hatched on the attached plan)'*. Yet there is no hatched area on the plans attached with the application.

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

Therefore I ask the applicant to consider:

- Amending the licensable activities so that the 'on sales' of alcohol shall cease at least half hour before the closing time of the premises.(20:30)

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

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

And to further promote the licensing objectives add the following conditions to the operating schedule as follows:

- The accomodation limit for the premises shall not exceed 150 persons (excluding staff)
- Any off sales of alcohol shall be provided in sealed containers and tasken away from the premises.
- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as off sales should not be opened and consumed in the vicinity of the premises
- That no drinks in opened containers shall be allowed outside the premises, which includes the area directly outside the front exit door
- The management shall provide information on the premises of local taxi companies

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

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

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

From: [REDACTED]
Sent: Friday, January 11, 2019 11:43 AM
To: Regen, Licensing; Ali, Humaira
Subject: License 96 Druid st London se1

Above

I wish to oppose license for above premises.

Druid st is saturated with noise drunk s and their anti social behaviour.

Now alcohol license automatically allows entertainment also thus is going to be horrific.

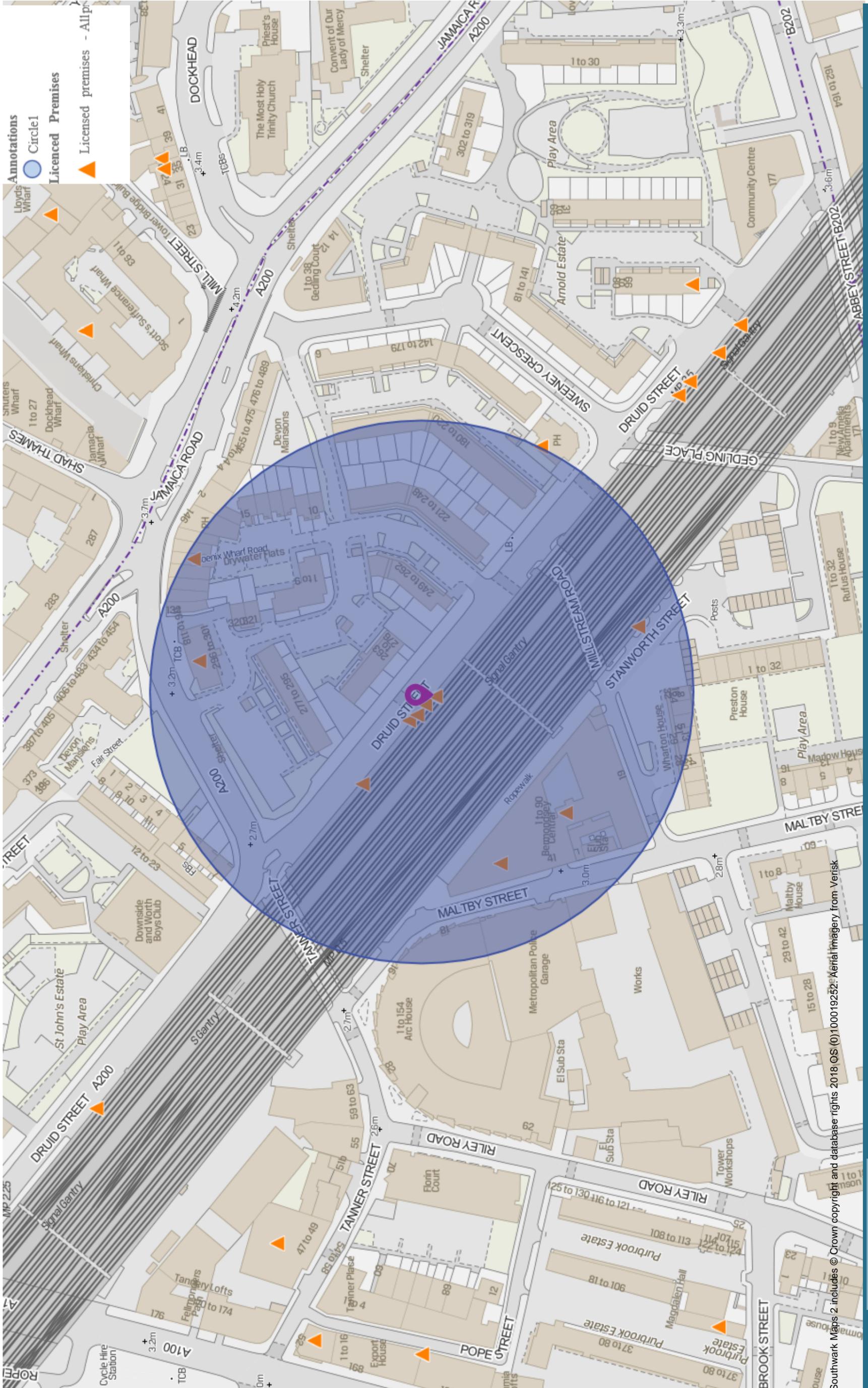
Why are licenses still being issued when many agree already saturated Druid st

Regards

[REDACTED]

[Sent from Yahoo Mail for iPhone](#)

PANHEAD CUSTOMS ALES, 96 DRUID ST. SE1 2HQ



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

50 m

30-Jan-2019



Item No. 6.	Classification: Open	Date: 15 February 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Kaycees, 92 Tower Bridge Road, London SE1 4TP	
Ward(s) or groups affected:		London Bridge and West Bermondsey	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Sasikumar Manokarasa to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Kaycees, 92 Tower Bridge Road, London SE1 4TP.
2. Notes:
 - a) This application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Kaycees, 92 Tower Bridge Road, London SE1 4TP under Section 34 of the Licensing Act 2003. Existing permitted licensable activities are not the subject of representations and are not under consideration at this meeting. The variation application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 10 to 13 of this report provide a summary of the application under consideration by the sub-committee. Copies of the existing premises licence and of the full application is attached as Appendices A and B.
 - c) Paragraphs 14 to 21 of this report deals with the representations received to the premises licence application and any conciliation progress made. Copies of the relevant representations from responsible authorities are attached as Appendix C.
 - d) Paragraph 28 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 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 current premises licence

8. The premises licence allows for the following activities:
 - Sale of alcohol for consumption off premises:
 - Sunday to Wednesday from 06:00 to 23:00
 - Thursday to Saturday from 06:00 to 02:00.
 - Operating hours:
 - Sunday to Wednesday from 06:00 to 23:00
 - Thursday to Saturday from 06:00 to 02:00.
9. A copy of the premises licence is provided as Appendix B.

The variation application

10. On 27 December 2018, Sasikumar Manokarasa applied to this council to vary the premises licence issued in respect of the premises known as Kaycees, 92 Tower Bridge Road, London SE1 4TP. The premises is a convenience store.
11. The variation application is summarised as follows:

- Sale of alcohol for consumption off premises:
 - Monday to Sunday 24 hours
 - Operating hours:
 - Monday to Sunday 24 hours.
12. The variation to the premises application form provides the applicant operating schedule. Parts J, K, L, M, N and O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part P of the operating schedule will form the basis of conditions that will be attached to the licence. A copy of the application is attached to this report as Appendix B.

Designated premises supervisor

13. The designated premises supervisor (DPS) is Sasikumar Manokarasa who has a personal licence issued by Greenwich Council.

Representations from responsible authorities

14. There are representations submitted by the Metropolitan Police Service, licensing (as a responsible authority) and trading standards.
15. The police highlight that the current hours are already in excess of those recommended for off licence premises in this area as per Southwark's statement of licensing policy. The policy states that the terminal hour for the supply of alcohol will be no later than 23:00. They also cite that following a trading standards and Licensing inspection on 18 and 22 January 2019 respectively, the premises was found to be in breach of a number of licence condition which also led the seizure of goods.
16. The licensing representation is submitted under the prevention of crime and disorder and public nuisance, they state that the current licence already has generous hours outside of the policy hours and the applicant does not add any further control measures to the operating schedule to promote the licensing objectives. They also refer to both licensing and trading standards inspections where breaches of the licence conditions were found and goods seized. They currently have no faith in the applicant to promote the licensing objectives and recommend that the application is refused.
17. The trading standards representation makes references to both inspections mentioned by both police and licensing and to the breaches of licensing conditions and the seizure of goods. They object to this major variation which does not comply with the principles set out in the statement of licensing policy.
18. Trading standards have submitted a review of the premises licence in respect of the test purchases, breaches of licence conditions and seizure of goods.
19. The representations are attached as Appendix C.

Representation from other persons

20. There are no representations from other persons.

Conciliation

21. The representations were forwarded to the applicant. The licensing sub-committee will be updated of any developments on 15 February 2019.

Premises history

22. The premises licence was initially granted on 5 Feb 2013. The licence was transferred to the current owner/DPS on 7 April 2015.
23. A minor variation was submitted on 25 Jan 2019 in an attempt to reword condition 340 to include certain brands of beer. A representation was made by trading Standard as a result of the visit made on 22 January 2019 that these were the very products that were seized in contravention of condition 340. There were a number of issues with other licensing conditions relating to preventing the sale of alcohol to minors. The minor variation was refused.
24. An inspection of the premises took place on 22 January 2019 when the following breaches were found:
- Condition **4AA** - That the premises shall operate an 'Challenge 25' policy whereby customers purchasing alcohol who appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a Proof of Age Standards Scheme (PASS) approved proof of age card.
 - Condition **4AB** - That all staff involved in the sale of alcohol shall attend a training course which will include training in the 'Challenge 25' policy, age recognition, the law relating to the sale of alcohol and how to prevent and/or deal with conflict. A record of their training, including the dates that each member of staff is trained and an accurate summary of the training material/content, shall be available for inspection at the premises on request by the council's authorised officers or the police.
 - Condition **4AC** - That 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that a 'Challenge 25' policy applies and proof of age may be required.
 - Condition **293** - That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every six months.
 - Condition **340** - No beers/ciders in single cans, bottles or multi-packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

25. Regarding condition **340** the following items were seized by the trading standards officer:

- 12 x 600ml bottles of Guinness Foreign Extra 7.5% alc
- 14 x 375ml bottles of Guinness Foreign Extra 7.5% alc
- 11 x 284ml Dragon Stout 7.5% alc
- 1 x 500ml can of Scrumpy Jack 6% alc 6 x 650ml bottles Desperado Beer 5.9% alc
- 11 x 350ml Desperado Beer 5.9% alc.
- 12 x 500ml cans of Desperado Beer 5.9% alc.

Temporary event notices (TENs)

26. Below is the recent history of TENs applied for in respect of the premises.

No.	Date of event	Time of event and activities
1	16 to 19 Dec 2018	23:00 to 02:00 - Alcohol
2	22 to 28 Dec 2018	24 hours - Alcohol
3	30 Dec 2018 to 5 Jan 2019	24 hours - Alcohol
4	22 -27 Jan 2019	24 hours Alcohol

27. There were no counter notices served to these TENs.

The local area

28. A map of the area is attached to this report as Appendix F. The premises is identified by a triangle at the centre of the map. For purposes of scale-only the circle on the map has a 100 metre radius:

Public houses/restaurants/off licences:

Jad Grill Lebanese Cuisine, 88 Tower Bridge Road, London SE1

- Monday to Sunday until 02:00

Crystal China, 78-80 Tower Bridge Road, London SE1

- Monday to Sunday until 00:30

Tower Tandoori, 74-76 Tower Bridge Road, London SE1

- Monday to Sunday until 00:30

Tower Express, 72 Tower Bridge Road, London SE1

- Monday to Saturday until 23:00 and Sunday until 22:30

Bermondsey Arts Club, 102A Tower Bridge Road, London SE1

- Monday to Sunday until 02:30

Bottle 85 Ltd, 85 Tower Bridge Road, London SE1

- Sunday to Thursday until 23:00 and Friday and Saturday until 00:00

Basillico Ltd, 103 Tower Bridge Road, London SE1

- Sunday to Thursday until 00:00 and Friday and Saturday until 00:30.

Deregulation of entertainment

29. 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 is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.

30. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

Southwark statement of licensing policy

31. 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.
32. 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.
33. 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:
- Restaurant, Cafés, Public Houses Wine bars or other drinking establishments:
23:00 daily

Resource implications

34. A fee of £190 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 B.

Consultations

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

Community impact statement

36. 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

37. The sub-committee is asked to determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.
38. The principles which sub-committee members must apply are set out below.

Principles for making the determination

39. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
40. The general principle is that applications for variation 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.
41. 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 other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
42. 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
 - Add to, omit, and/or alter the conditions of the licence or,
 - Reject the whole or part of the application for variation.

Conditions

43. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, 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.
44. The four licensing objectives are
 - a. The prevention of crime and disorder
 - b. Public safety
 - c. The prevention of nuisance
 - d. The protection of children from harm.
45. 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.
46. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence 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.
47. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced three new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap

water. In October 2010 an additional two conditions came into force – age verification policy and smaller measures for alcoholic drinks.

48. Members are also referred to the Home Office guidance on conditions.

Reasons

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

Hearing procedures

50. 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.

51. This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

The council's multiple roles and the role of the licensing sub-committee

52. 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.

53. 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.
54. 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.
55. 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.
56. 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.
57. Under the Human Rights Act 1998 the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Borough.
58. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

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

Strategic Director of Finance and Governance

60. The head of 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	Current licence
Appendix B	Variation application
Appendix C	Representations from responsible authorities
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Ian Smith Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	31 January 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	31 January 2019	

Licensing Act 2003 Premises Licence

44



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

Premises licence number

847998

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
KAYCEES 92 Tower Bridge Road London SE1 4TP Ordnance survey map reference (if applicable), 179233533234	
Post town London	Post code SE1 4TP
Telephone number 020 7237 6339	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Sale by retail of alcohol to be consumed off premises

The opening hours of the premises	
For any non standard timings see Annex 2	
Monday	06:00 - 23:00
Tuesday	06:00 - 23:00
Wednesday	06:00 - 23:00
Thursday	06:00 - 02:00
Friday	06:00 - 02:00
Saturday	06:00 - 02:00
Sunday	06:00 - 23:00

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

The times the licence authorises the carrying out of licensable activities

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

Sale by retail of alcohol to be consumed off premises

Monday	07:00 - 23:00
Tuesday	07:00 - 23:00
Wednesday	07:00 - 23:00
Thursday	07:00 - 02:00
Friday	07:00 - 02:00
Saturday	07:00 - 02:00
Sunday	07:00 - 23:00

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licenceSasikumar Manokarasa
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]**Registered number of holder, for example company number, charity number (where applicable)****Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**Sasikumar Manokarasa
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. LN000007472

Authority L.B Greenwich

Licence Issue date 07/04/2015

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

Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

given by that sub-paragraph rounded up to the nearest penny.

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

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

Annex 2 - Conditions consistent with the operating Schedule

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

4AB That all staff involved in the sale of alcohol shall attend a training course which will include training in the 'Challenge 25' policy, age recognition, the law relating to the sale of alcohol and how to prevent and/or deal with conflict. A record of their training, including the dates that each member of staff is trained and an accurate summary of the training material/content, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

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

4AI A register of refused sales of alcohol and if applicable, cigarette sales which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

288 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 an image of every person who enters the premises.

289 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.

293 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months.

340 No beers/ciders in single cans, bottles or multi-packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

336 A personal licence holder will be on the premises at all times after 23:00 and intoxicating liquor is being offered for sale.

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

Annex 4 - Plans - Attached

Licence No. 847998
Plan No. N/A
Plan Date 20/12/2012

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

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	SASIKUMAR MANOKARASA
Premises licence number	847998

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

£	12250
---	-------

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

Address Line 1	92 TOWER BRIDGE ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE1 4TP
Ordnance survey map reference	179233533234
Description of the location	COMMERCIAL BUILDING AREA ON HIGH STREET
Telephone number	██████████

Part 2 - Applicant details

Daytime contact telephone number	██████████
Email address	████████████████████
Postal Address if different from premises address	
Town / City	
Postcode	

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

If not from what date do you want the variation to take effect?

(DD/MM/YYYY)	
--------------	--

Please describe briefly the nature of the proposed variation (see guidance note 2)

	<p>THIS PREMISES HAS BEEN OPERATING FOR LONG TIME UNDER CURRENT OWNERSHIP, AND IT HAS A LICENCE TO OPERATE UNTIL 2AM FOR A FEW DAYS WEEK, IT HAS BEEN SERVING LOCAL CUSTOMERS WITH THEIR LATE NIGHT ESSENTIAL SHOPPING.</p> <p>THERE ARE FEW OTHER SHOPS OPEN 24 HOURS AND ONE OF THEM NEARBY CLOSED RECENTLY, AND CUSTOMERS APPROACH THIS SHOP NOW. WE WOULD LIKE TO CONTINUE SUPPORT THOSE CUSTOMERS WHO WORK 24 HOUR BASIS. WE WOULD LIKE TO MAKE ALL PRODUCTS AVAILABLE.</p> <p>THUS THIS APPLICATION IS TO HAVE THIS PREMISES OPEN 24 HOURS. IT CURRENTLY OPEN UNTIL 2AM THURSDAY TO SATURDAY, 11PM ON OTHER DAYS.</p>
--	---

If your proposed variation would mean that 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

Please select number from range	Less than 5000
---------------------------------	----------------

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

--	--

Supply of alcohol (if ticking fill in box J)

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

Will the supply of alcohol be for consumption (Please read guidance note 9)

	Off the premises
--	------------------

Standard days and timings for Supply of alcohol (Please read guidance note 8)

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 for the supply of alcohol (Please read guidance 6)

--	--

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 7)

--	--

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 10)

	NONE
--	------

Hours premises are open to the public (standard timings Please read guidance note 8)

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 6)

--	--

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 7)

--	--

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

--	--

I have uploaded relevant part of the previous premises licence (Please send a hard copy in the post)

Reason for not uploading the premises licence

--	--

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 11)

	THE PREMISES RUN BY RESPONSIBLE RETAILER OVER LONG TIME. IT IS IN A 24 HOUR BUSY ROAD. IT HAS BEEN OPERATING UNTIL 2AM WITH NO IMPACT ON LICENSING OBJECTIVES.
--	--

b) the prevention of crime and disorder

	CURRENT CONDITIONS ARE MORE THAN ENOUGH TO PROMOTE THE LICENSING OBJECTIVES FOR 24 HOUR OPENING. THE CONDITIONS HAVE BEEN ALREADY INCORPORATED TO MANAGE THE PREMISES EFFECTIVELY.
--	--

c) public safety

	CURRENT CONDITIONS ARE MORE THAN ENOUGH TO PROMOTE THE LICENSING OBJECTIVES FOR 24 HOUR OPENING. THE CONDITIONS HAVE BEEN ALREADY INCORPORATED TO MANAGE THE PREMISES EFFECTIVELY.
--	--

d) the prevention of public nuisance

	CURRENT CONDITIONS ARE MORE THAN ENOUGH TO PROMOTE THE LICENSING OBJECTIVES FOR 24 HOUR OPENING. THE CONDITIONS HAVE BEEN ALREADY INCORPORATED TO MANAGE THE PREMISES EFFECTIVELY.
--	--

e) the protection of children from harm

	CURRENT CONDITIONS ARE MORE THAN ENOUGH TO PROMOTE THE LICENSING OBJECTIVES FOR 24 HOUR OPENING. THE CONDITIONS HAVE BEEN ALREADY INCORPORATED TO MANAGE THE PREMISES EFFECTIVELY.
--	--

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	[REDACTED]
Upload existing plans	[REDACTED]

Checklist

	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.
--	---

I agree to the above statement

	I agree
PaymentDescription	[REDACTED]
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 13). If completing on behalf of the applicant, please state in what capacity.

Full name	Suresh Kanapathi
Date (DD/MM/YYYY)	24/12/2018
Capacity	LONDON

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 14). 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 15)

Contact name and address for correspondence	ARKA LICENSING CONSULTANTS [REDACTED]
Telephone No.	0 [REDACTED]

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

Please tick to indicate agreement

<input type="checkbox"/>	
--------------------------	--

Please upload proof of entitlement to work in the UK

<input type="checkbox"/>	
--------------------------	--

I agree to the above statement

<input type="checkbox"/>	
--------------------------	--

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.



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/21/012/19
Date: 24th January 2019

Dear Sir/Madam

Re:- Kaycee 92 Tower Bridge Road SE1 4TP

Police are in receipt of an application from the above for a variation to premises licence 866374 to be granted under the licensing act 2003.

The premises is an off licence and currently has a licence to supply alcohol until 0200hrs Thursday to Saturday and 2300hrs on all other days.

The current hours are already in excess of those recommended for off licence premises in this area as per Southwark's Statement of licensing policy. The Policy states that the terminal hour for the supply of alcohol will be no later than 2300hrs.

The applicant Mr Sasikumar MANOKARASA has requested a variation to extend the hours to 24hrs each day of the week.

One of the conditions on the current premises licence 340 states that "No beers/ciders in single cans, bottles or multi packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

On Friday the 18th January 2019 Ray Moore from trading standards conducted a test purchase at the premises and purchased a can of Scumpy Jack cider with an ABV of 6%. A breach of condition 340.

On the 22nd January 2019 Ray Moore, Charlie Jerrome and Police officers from the Night Time Economy team returned to the premises and seized a total of 78 items that were on display and being offered for sale which had an ABV of above 6.5% in breach of condition 340 of the premises licence.

A number of further breaches of the premises licence were noted. The conditions on the premises licence are designed to promote the licensing objectives. The applicant for this variation is failing to promote the licensing objectives. It is for these reasons that I object to this major variation.

The Following is submitted for your consideration.

Yours Sincerely

PC Ian Clements 362MD

Southwark Police Licensing Unit

Tel: 0207 232 6756

MEMO: Licensing Unit

To	Licensing Unit	Date	24 January 2019	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Kaycee, 92 Tower Bridge Road, London, SE1 4TP
 – Application to vary a premises licence

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

- To extend supply of alcohol (off the premises) on Sunday to Wednesday from 23:00 to 06:00 and on Thursday to Saturday from 02:00 to 06:00 (making the sales of alcohol off the premises 24 hours daily)
- To extend the opening hours will be on Sunday to Wednesday from 23:00 to 06:00 and on Thursday to Saturday from 02:00 to 06:00 (the premises opening times will be 24 hours daily)

The nature of the variation is described as '*This premises has been operating for long time under current ownership, and it has a licence to operate until 2am for a few days a week, it has been serving local customers with their late night essential shopping. There are few other shops open 24 hours and one of them nearby closed recently, and customers approach this shop now. We would like to continue support those customers who work 24 hour basis. We would like to make all products available. Thus this application is to have this premises open 24 hours. It currently open until 2am Thursday to Saturday, 11pm on other days*'.

This premise is situated within a residential area and under the Southwark Statement of Licensing policy 2016 – 2020 the appropriate closing times for Off-Licences and alcohol sales in grocers and supermarkets is **23:00 hours daily**

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 current licence already has generous hours outside of the policy hours and the applicant does not add any further control measures to the operating schedule to promote the licensing objectives.

Further to this a licensing inspection was carried out on 22 January 2019, during the inspection the following breaches of the premises licence conditions were found:

4AA - That the premises shall operate an 'Challenge 25' policy whereby customers purchasing alcohol who appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a Proof of Age Standards Scheme (PASS) approved proof of age card.

4AB - That all staff involved in the sale of alcohol shall attend a training course which will include training in the 'Challenge 25' policy, age recognition, the law relating to the sale of alcohol and how to prevent and/or deal with conflict. A record of their training, including the dates that each member of staff is trained and an accurate summary of the training material/content, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

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

293 - That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months.

340 - No beers/ciders in single cans, bottles or multi-packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

Regarding condition **340** the following items were seized by the Trading Standards Officer:

12 x 600ml bottles of Guinness Foreign Extra 7.5% alc
14 x 375ml bottles of Guinness Foreign Extra 7.5% alc
11 x 284ml Dragon Stout 7.5% alc
1 x 500ml can of Scrumpy Jack 6% alc
6 x 650ml bottles Desperado Beer 5.9% alc
11 x 350ml Desperado Beer 5.9% alc
12 x 500ml cans of Desperado Beer 5.9% alc
11 x 500ml cans of Perla Lager 6% alc

Further investigations are taking place regarding the above breaches.

I currently have no faith in the applicant to promote the licensing objectives and recommend that the application is refused.

I may provide further information to support this representation at the Licensing Sub Committee Hearing

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:

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

From: Moore, Ray

Sent: Tuesday, January 22, 2019 6:00 PM

To: Regen, Licensing

Cc: Gander, Paul; Miller, Justin; [REDACTED]; Alcohol@homeoffice.gsi.gov.uk; Children's Social Care; Costin, Holly; DIP Team; FireSafetyRegulationSE@london-fire.gov.uk (FSR-AdminSupport@london-fire.gov.uk); Graham White; Highwayslicensing; Moore, Ray; Planning.Enquiries; publichealth; Reg Env Protection; Reg Health and Safety; southwark.repro@pbms.co.uk; Taylor, Dan; Tear, Jayne; West Team diary

Subject: Application for a Major Variation for premises license number 847998 - "Kaycees, 92 Tower bridge Road, SE1 4TP

As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from Mr Sasikumar MANOKARASA for a major variation to the premises license in respect of the above address and respond accordingly with representations made under the Licensing Objectives.

Trading Standards are objecting to this new application on the basis of the licensing objectives "the protection of children from harm" and "the prevention of crime and disorder"..

In the section "Please describe briefly the nature of the proposed variation" he states...

"This premises has been operating for long time under current ownership, and it has a license to operate until 2am for a few days a week, it has a license to operate until 2am for a few days week, it has been serving local customers with their late night essential shopping. There are few other shops open 24 hours and one of them nearby closed recently, and customers approach this shop now. We would like to continue support those customers who work 24 hour basis. We would like to make all product available. Thus this application is to have this premises open 24 hours. It currently open until 2am Thursday to Saturday, 11pm on other days."

Firstly, in the statement of licensing policy such premises are expected to stop selling alcohol no later than 23:00 hours. Already this premises license exceeds this stipulation.

Secondly, Ray MOORE from trading standards made a test purchase of a can of "Scrumpy Jack" cider (ABV 6% alcohol) on Friday 18th January 2019. Condition 340 on the premises license states that "No beers/ciders in single cans, bottles or multi packs with an ABV of above 5.5% will be displayed/sold or offered for sale from the premises.

Mr MOORE returned on Tuesday 22nd January 2019 with Mr Charlie JERROME from the Licensing Team and 2 police officers from the Police Night Time Economy Team – PC Tim ANDREWS and PC Maria O'MAHONEY. The following 78 items were seized from the shop in contravention of conditions 340:-

- 12 x 600ml bottles of Guinness Foreign Extra 7.5% alc
- 14 x 375ml bottles of Guinness Foreign Extra 7.5% alc
- 11 x 284ml Dragon Stout 7.5% alc
- 1 x 500ml can of Scrumpy Jack 6%
- 6 x 650ml bottles desperado Beer 5.9%
- 11 x 350ml desperado beer 5.9%
- 12 x 500ml cans of desperado beer 5.9%
- 11 x 500ml cans of Perla lager 6%

There were further cases of dragon stout and Guinness foreign extra in the store room but these were left due to the wording on the condition. Mr MANOKARASA was simply directed not to sell them.

After careful examination further breaches of license conditions were discovered as follows:-

Condition 4AA "That the premises shall operate a Challenge 25 policy whereby customers purchasing alcohol who appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving license passport or a Proof of Age Standards Scheme (PASS) approved proof of age card."

The sole person working in the shop was Mr Ribikaran Navarathan. He did not know what "Challenge 25" was and he did not know what a PASS approved card was.

Condition 4AB "That all staff involved in the sale of alcohol shall attend a training course which will include the Challenge 25 policy, age recognition, the law relating to the sale of alcohol and how to prevent and/or deal with conflict. A record of their training, including the dates that each member of staff is trained and an accurate summary of the training material/content shall be available for inspection at the premises on request by the Council's authorised officers or the police." There were some very incomplete training records that did not include the person in the shop at the time, Mr Ribikaran Navarathan.

Condition 4AC " That Challenge 25 signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that a Challenge 25 policy applies and proof of age may be required." No such signage was displayed and the member of staff did not know what Challenge 25 was.

Condition 293 " That all staff are trained in their responsibilities under the licensing act 2003 and training records top be kept and updated every 6 months." As previously discussed.

As such Trading Standards, as a responsible authority object to this major variation which does not comply with the principles set out in the statement of licensing policy.

Ray MOORE

Principal Trading Standards Enforcement Officer

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www.southwark.gov.uk/TradingStandards

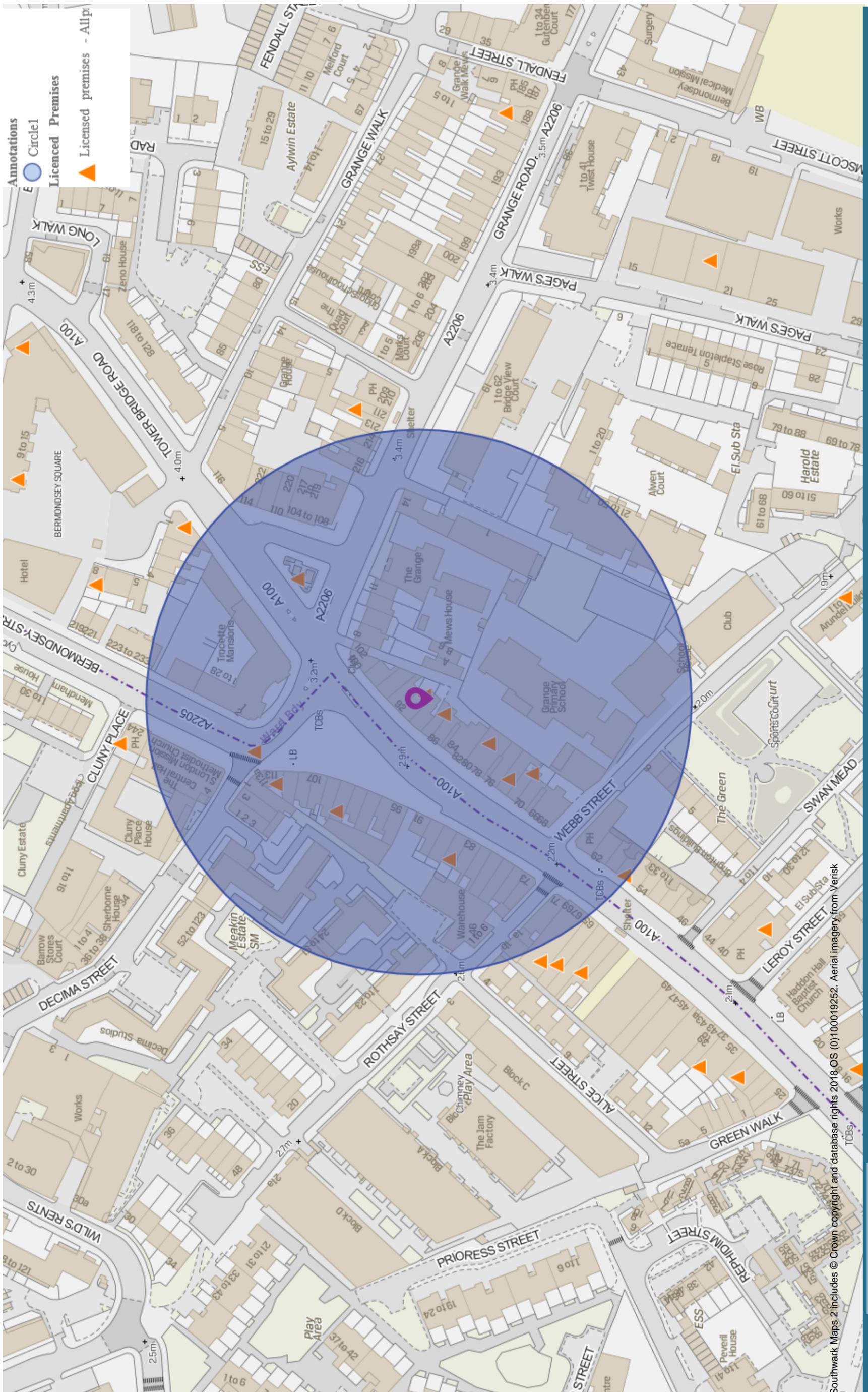
Need proof of age? Visit www.southwark.gov.uk/pal

Need advice on consumer issues? Visit Citizens Advice via www.direct.gov.uk/consumer



<http://www.southwark.gov.uk/business/trading-standards-and-food-safety/illegal-tobacco-e-cigarettes-and-shisha>

KAYCEES, 92 TOWER BRIDGE ROAD, SE1 4TP



- Annotations**
- Circle 1
 - ▲ Licensed Premises
 - ▲ Licensed premises - Allp

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30-Jan-2019



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