

Licensing Sub-Committee

Thursday 2 May 2019

10.00 am

Room G06 - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Kath Whittam
Councillor Ian Wingfield

Reserves

Councillor Sunil Chopra

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: 23 April 2019



Licensing Sub-Committee

Thursday 2 May 2019
10.00 am
Room G06 - 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: LATIN HOUSE, 4 COLDHARBOUR LANE, LONDON SE5 9PR	1 - 70
6.	LICENSING ACT 2003: ORGANICA PIZZA, 5 CAMBERWELL CHURCH STREET, LONDON SE5 8TR	71 - 102
	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: 23 April 2019

Item No. 5.	Classification: Open	Date: 2 May 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Latin House, 4 Coldharbour Lane, London SE5 9PR	
Ward(s) or groups affected:		Camberwell Green	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Latin House Ltd to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Latin House Ltd, 4 Coldharbour Lane, London SE5 9PR.
2. Notes:
 - The application seeks to vary the premises licence held under current legislation in respect of the premises known as Latin House Ltd, 4 Coldharbour Lane, London SE5 9PR under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting.
 - Paragraph 9 of this report provides a summary of the existing premises licence. A copy of the existing premises licence is attached at Appendix A.
 - Paragraphs 10 to 13 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 B. A map showing the location of the premises is attached as Appendix G.
 - Paragraphs 15 to 18 of this report deal with the representations submitted in respect of the application by the responsible authorities and local resident and are attached in Appendices C and D.

BACKGROUND INFORMATION

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

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

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

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

KEY ISSUES FOR CONSIDERATION

8. The current premises licence was issued on 16 January 2006 to Van Son Luong and Mrs Thi Sen Luong which traded as Ginseng Noodle Bar, 4 Coldharbour Lane, London SE5 9PR.

9. This licence was subsequently transferred on the 26 September 2018 specifying Latin House Ltd as the premises licence holder and Cristian Amaru Cortes Valenzuela as the designated premises supervisor. The licence permits the following:
 - The sale by retail of alcohol to be consumed On the premises:
 - Monday to Saturday: 11:00 to 00:00
 - Sunday: 12:00 to 23:30

 - The provision of late night refreshment (indoors):
 - Monday to Saturday: 23:00 to 00:30
 - Sunday: 23:30 to 00:00

 - A copy of the existing premises licence is attached as Appendix A.

The variation application

10. On 6 March 2019 Latin House Ltd applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises trading as Latin House, 4 Coldharbour Lane, London SE5 9PR.
11. The application for variation is described as:
 - A full variation of the premises licence to remove embedded conditions 110, 111, 127 & 134 on the current premises licence.
 - To add regulated entertainment (live & recorded music)
 - To add off sales of alcohol for the purpose of outside catering and to increase the hours of the sale of alcohol, late night refreshment and opening.
 - The applicant also seeks to change the layout of the premises.
12. On 3 April 2019 the applicant amended the hours sought for the sale by retail of alcohol following conciliation discussions with the environmental protection team. This amendment to hours for the variation licensing application by the applicant is detailed in Appendix E.
13. The variation licensing application following amendment by the applicant now seeks to vary the following hours on the current premises licence:
 - The sale by retail of alcohol to be consumed on and off the premises:
 - Friday to Saturday: 11:00 to 00:30.
 - Sunday: 11:00 to 00:00
 - To add the non standard terminal hour for the sale of alcohol to 00:30 for each Sunday that precedes a Bank Holiday Monday and each Christmas Eve
 - New Years Eve: 11:00 to 03:00.
 - The provision of late night refreshment (indoors):
 - Friday to Saturday: 23:00 to 01:00
 - To add the non standard terminal hour for late night refreshment to 01:00 for each Sunday that precedes a Bank Holiday Monday and each Christmas Eve
 - New Years Eve: 23:00 to 03:00.
 - Regulated entertainment (live and recorded music):
 - To add live and recorded music 23:00 to 01:00 for each Friday and Saturday and each Sunday that precedes a Bank Holiday Monday and each Christmas Eve
 - New Years Eve: 23:00 to 03:00.

- Opening hours:
 - Monday to Thursday: 08:00 to 00:30
 - Friday to Saturday: 08:00 to 01:30
 - Sunday: 08:00 to 00:30
 - 11:00 to 01:30 each Sunday that precedes a Bank Holiday Monday and each Christmas Eve
 - New Years Eve: 11:00 to 03:30.
- A copy of the application is attached to this report as Appendix B.

Designated Premises Supervisor

14. The designated premises supervisor (DPS) under the existing premises licence is Cristian Amaru Cortes Valenzuela holding a personal licence with the London Borough of Sutton.

Representations from responsible authorities

15. Licensing as a responsible authority has made representation to this application detailed at Appendix C. Representation is submitted in relation to concerns for the prevention of public nuisance and the prevention of crime and disorder and asks the applicant to provide an accommodation limit and dispersal policy; additional conditions are also sought.
16. Planning and the environmental protection team made representations but have conciliated with the applicant.

Representations from other persons

17. A representation was received from a local resident which is detailed at Appendix D. The resident states that the business has been a continuous nuisance and noise nuisance generated by the business already prevents the local resident from sleeping.
18. The resident states the premises has two extractors running constantly from 08:00 to 23:00. By extending their hours to 01:00 will materially change the nature of their clientele to a bar rather than a restaurant, which they have already begun with Karaoke nights offering free beer.
19. The resident states they will have to face the public nuisance of patrons smoking outside and returning to parked cars beyond 01:00 and that this change will inflict a distinct level of anti-social behaviour.

Conciliation

20. All representations were sent to the applicant on 2 April 2019, with contact details for the responsible authorities.

21. Following conciliation discussion between the applicant, planning and the environmental protection team, a conciliation agreement was reached and both responsible authorities have now withdrawn their representations to this application.
22. Details of the conciliation discussions and agreements between all parties are detailed in Appendix E
23. As part of the conciliation discussions with the responsible authorities the applicant has provided a dispersal policy and fire risk assessment which is detailed in Appendix F

Operating history

24. The current premises licence was issued on 16 January 2006 to Van Son Luong and Mrs Thi Sen Luong which traded as Ginseng Noodle Bar, 4 Coldharbour Lane, London SE5 9PR
25. This licence was subsequently transferred on 26 September 2018 specifying Latin House Ltd as the premises licence holder and Cristian Amaru Cortes Valenzuela as the designated Premises Supervisor. The licence permits the following:

Temporary event notices

26. The premises has been granted a number of temporary events notices in the last year, namely:

Applicant	Activities	Dates	Counter Notice
Latin House Limited	Sale by retail of alcohol to be consumed on/off the premises Provision of Regulated Entertainment Late Night Refreshment	22/ 3/2019 to 24/ 3/2019 11:00 – 01:00	No
Latin House Limited	Sale by retail of alcohol to be consumed on/off the premises Provision of Regulated Entertainment Late Night Refreshment	29/ 3/2019 to 31/ 3/2019 11:00 – 01:00	No
Latin House Limited	Sale by retail of alcohol to be consumed on/off the premises Provision of Regulated Entertainment	15/03/2019 to 17/03/2019 11:00 – 01:00	No

	Late Night Refreshment		
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Complaints

27. The licensing department has one complaint registered against the premises in the last year:

Date	Complainant	Complaint	Action
13/3/2019	Local Resident	Noise from music	Complainant written to, visits carried out by night time economy team on 15/03/2019 and 16/03/2019 when a temporary event notice was in place and the premises was found to be compliant.

Map

28. A map of the area is attached to this report as **Appendix D**. There are a number of licensed premises in the immediate vicinity:

Art Deli Ltd, 16a Coldharbour Lane, London SE5 9PR:

- Sale of alcohol on/off Premises:
 - Monday to Saturday: 10:00 to 23:00
 - Sunday: 12:00 to 22:30.
- Late night refreshment indoors
 - Monday to Saturday: 23:00 to 23:30.

Indiaah Restaurant, 59 Denmark Hill, London SE5 8RS:

- Sale of alcohol on the premises:
 - Monday to Saturday: 11:00 to 00:00
 - Sunday: 12:00 to 23:30
- Late night refreshment indoors:
 - Monday to Saturday: 23:00 to 00:30
 - Sunday: 23:00 to 00:00

Pizza Hut, 57 Denmark Hill, London SE5 8RS:

- **Late Night Refreshment Outdoors:**
 - Monday to Sunday: 23:00 to 00:30.

Chicken Express, 53 Denmark Hill, London SE5 8RS:

- **Late night refreshment outdoors:**
 - Monday to Sunday: 23:00 to 01:00.

Adam News, 6 Coldharbour Lane, London SE5 9PR:

- **Sale of alcohol off the premises:**
 - Monday to Sunday: 06:00 to 00:00.

Lamoon Restaurant, 39 Denmark Hill, London SE5 8RS:

- Recorded Music - indoors
 - Monday to Saturday: 18:00 to 00:00
 - Sunday: 18:00 to 23:00.
- Facilities for making music – indoors:
 - Monday to Saturday: 23:00 to 00:00
 - Sunday: 23:00 to 23:30
- Late night refreshment – indoors
 - Monday to Saturday: 12:00 to 00:00
 - Sunday: 12:00 to 23:30
- Sale by retail of alcohol to be consumed on and off the premises:
 - Monday to Saturday: 12:00 to 00:00
 - Sunday: 12:00 to 23:30.

Joiners Arms, 35 Denmark Hill, London SE5 8RS

- Live music – indoors:
 - Friday to Saturday: 20:00 to 01:00

- Recorded music indoors:
 - Monday to Thursday: 10:00 to 00:00
 - Friday to Saturday: 10:00 to 01:00
 - Sunday: 12:00 to 00:00
- Facilities for dancing indoors:
 - Monday to Thursday: 10:00 to 00:00
 - Friday to Saturday: 10:00 to 01:00
 - Sunday: 12:00 to 00:00
- **Sale of alcohol on/off the premises**
 - Monday to Thursday: 10:00 to 00:00
 - Friday to Saturday: 10:00 to 01:00
 - Sunday: 12:00 to 00:00.

Pesh Flowers, 31 Denmark Hill, London SE5 8RS:

- Sale of alcohol off the premises:
 - Monday to Saturday: 08:00 to 23:00
 - Sunday: 10:00 to 23:30.

Southwark council statement of licensing policy

29. Council assembly approved Southwark's statement of licensing policy 2016 - 2020 on 25 November 2015. The policy came into effect on 1 January 2016. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 – Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
 - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this authority's approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.

- Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
30. The purpose of Southwark’s statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Cumulative impact policy (CIP)

31. Within Southwark’s statement of licensing policy, the premises are identified as being within the Camberwell CIP area. The boundary of the area is defined as follows – From Camberwell New Road at the junction with Wyndham Road progressing via Camberwell Road / Bowyer Place / Edmund Street / Benhill Road / Wilson Road / Graces Road / Graces Mews / Camberwell Grove (via alley) / Grove Lane / De Crespigny Park / Denmark Hill following the Lambeth boundary to Coldharbour Lane / Denmark Road / Flodden Road and Camberwell New Road returning to the start.
32. The classes of premises to which the policy applies is defined as follows: night clubs, pubs and bars, off-licences, grocers, supermarkets, convenience stores and similar premises. The relevant closing times recommended in the statement of licensing policy for licensed premises in this area are as follows:
- Restaurants and cafes:
 - Sunday to Thursday 00:00
 - Friday and Saturday 01:00.
 - Take-away establishments:
 - Sunday to Thursday 00:00
 - Friday and Saturday 01:00.

Resource implications

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

Consultation

34. 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

35. 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

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

Principles for making the determination

38. 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.
39. 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.
40. 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.
41. 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

42. 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.
43. The four licensing objectives are
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
44. 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.
45. 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.
46. 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.
47. Members are also referred to the Home Office guidance on conditions.

Reasons

48. 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

49. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
 - The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations

- Members of the authority are free to ask any question of any party or other person appearing at the hearing
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
50. This matter relates to the determination of an application 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

51. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
52. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
53. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence

of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.

54. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
55. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The Code applies to Members when considering licensing applications. In addition, as a quasi-judicial body, Members are required to avoid both actual bias, and the appearance of bias.
56. 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.
57. 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

58. 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

59. 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	Copy of the existing premises licence
Appendix B	Copy of the application
Appendix C	Copy of representation from Licensing
Appendix D	Representation from other person (Local Resident)
Appendix E	Environmental protection team and planning conciliation agreement
Appendix F	Applicant dispersal policy and fire risk assessment
Appendix G	Map of the local area

AUDIT TRAIL

Lead Officer	Strategic Director of Environment and Leisure	
Report Author	Richard Kalu, Principal Licensing Officer	
Version	Final	
Dated	16 April 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		17 April 2019

Licensing Act 2003 Premises Licence



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

Premises licence number

865072

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Latin House 4 Coldharbour Lane London SE5 9PR	
Ordnance survey map reference (if applicable), 176509532511	
Post town London	Post code SE5 9PR
Telephone number 020 7733-4006	

Where the licence is time limited the dates
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Licensable activities authorised by the licence
Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2

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

The times the licence authorises the carrying out of licensable activities

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

Late Night Refreshment - Indoors

Monday, 23:00 - 00:30

Tuesday, 23:00 - 00:30

Wednesday, 23:00 - 00:30

Thursday, 23:00 - 00:30

Friday, 23:00 - 00:30

Saturday, 23:00 - 00:30

Sunday, 23:00 - 00:00

Sale by retail of alcohol to be consumed on premises

Monday, 11:00 - 00:00

Tuesday, 11:00 - 00:00

Wednesday, 11:00 - 00:00

Thursday, 11:00 - 00:00

Friday, 11:00 - 00:00

Saturday, 11:00 - 00:00

Sunday, 12:00 - 23:30

Part 2

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

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

Registered number of holder, for example company number, charity number (where applicable)
11305611

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

[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. [REDACTED]
Authority [REDACTED]

Licence Issue date 26/09/2018

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

Annex 1 - Mandatory conditions

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

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

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

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.

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

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

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

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

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

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

(a) a holographic mark; or

(b) an ultraviolet feature.

489 The responsible person shall ensure that -

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

(i) Beer or cider: 1/2 pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml;

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

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

Annex 2 - Conditions consistent with the operating Schedule

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

111 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;

c. To a canteen or mess.

134 Alcohol may be sold or supplied:

a. On weekdays, other than Christmas day, Good Friday or New Year's Eve from 11.00.a.m. to 12.00.p.m.

b. On Sundays, other than Christmas Day or New Year's eve, and on Good Friday: 12 noon to 11.30.p.m.

c. On Christmas day: 12 noon to 11.30.p.m.

d. On New Year's eve, except on a Sunday, 11.00.a.m. to midnight

e. On New Year's Eve on a Sunday, 12 noon to 11.30.p.m.

f. On New Year's eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

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

136 Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals supplied in the premises.

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

Annex 4 - Plans - Attached

Licence No. 865072

Plan No. N/A

Plan Date N/A

Business - Application to vary a premises licence under the Licensing Act 2003

06/03/2019

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 1193035

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

	Latin House Ltd
Premises licence number	865072

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

£	14000
---	-------

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

Address Line 1	4 COLDHARBOUR LANE
Address Line 2	
Town	LONDON
County	
Post code	SE5 9PR
Ordnance survey map reference	
Description of the location	Licensed Restaurant in Coldharbour Lane
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	<input checked="" type="checkbox"/> Yes
-------------	---

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

Business - Application to vary a premises licence under the Licensing Act 2003

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

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

	<ul style="list-style-type: none"> • 'Latin House' occupies the ground floor & basement of 4 Coldharbour Lane. • The premises operate as a licensed restaurant (premises licence number 865072 - Southwark) focussing on Latin American cuisine with the sale of alcohol being ancillary to the provision of food. • This application is for FULL variation of the premises licence to remove embedded conditions, add regulated entertainment (live & recorded music), add OFF sales of alcohol for the purpose of outside catering and to increase the hours of the sale of alcohol, late night refreshment and opening, in line with Southwark Council's Statement of Licensing Policy. <p>There shall also be a change of layout (see plans enclosed)</p> <p>FULL DETAILS:</p> <ul style="list-style-type: none"> • REMOVE CONDITIONS 110, 111, 127 & 134 which are all outdated embedded conditions • AMEND the terminal hour for the sale by retail of alcohol from midnight to 0100hrs for each and every FRIDAY & SATURDAY • AMEND the terminal hour for the sale by retail of alcohol each Sunday from 2330hrs to midnight • ADD Non-Standard terminal hours for the sale by retail of alcohol of 0100hrs for each Sunday that precedes a Bank Holiday Monday and each Christmas Eve • AMEND the terminal hours for Late Night Refreshment from 0030hrs to 0100hrs for each and every FRIDAY & SATURDAY • ADD Non-Standard terminal hours for Late Night Refreshment of 0100hrs for each Sunday that precedes a Bank Holiday Monday and each Christmas Eve • ADD Regulated Entertainment (Live & Recorded Music) 2300hrs to 0100hrs for each Friday & Saturday, each Sunday that precedes a Bank Holiday Monday and each Christmas Eve. • AMEND the sale by retail of alcohol from ON sales only to ON & OFF sales, to enable outside catering services associated with food provision • REDUCE the hours of licensable activity at New Year (Eve/Day) from all night to a terminal hour of 3am, closing at 3.30am
--	---

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

	e) Live music (If ticking, fill in box E)
	f) Recorded music (If ticking, fill in box F)

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

Business - Application to vary a premises licence under the Licensing Act 2003

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

Supply of alcohol (if ticking fill in box J)

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

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

	live music and karaoke, regulated from 2300hrs
--	--

Standard days and timings for Live Music (Please read guidance note 8)

Day	Start	Finish
Mon		
Tues		
Wed		
Thur		
Fri	23:00	01:00
Sat	23:00	01:00
Sun		

State any seasonal variations for the performance of live music (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed. (Please read guidance note 7)

	2300hrs to 0100hrs each Sunday that precedes a Bank Holiday Monday 2300hrs to 0100hrs each Christmas Eve (night) 2300hrs to 0300hrs each New Year's Eve (night)
--	---

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

Business - Application to vary a premises licence under the Licensing Act 2003

	recorded music and karaoke
--	----------------------------

Standard days and timings for Recorded Music (Please read guidance note 8)

Day	Start	Finish
Mon		
Tues		
Wed		
Thur		
Fri	23:00	01:00
Sat	23:00	01:00
Sun		

State any seasonal variations for playing recorded music (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 7)

	2300hrs to 0100hrs each Sunday that precedes a Bank Holiday Monday 2300hrs to 0100hrs each Christmas Eve (night) 2300hrs to 0300hrs each New Year's Eve (night)
--	---

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 4)

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

Please give further details here (Please read guidance note 5)

	the provision of hot food and hot drinks to the public in this restaurant
--	---

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 8)

Day	Start	Finish
Mon	23:00	00:30
Tues	23:00	00:30
Wed	23:00	00:30
Thur	23:00	00:30
Fri	23:00	01:00
Sat	23:00	01:00
Sun	23:00	00:00

Business - Application to vary a premises licence under the Licensing Act 2003

State any seasonal variations for the provision of late night refreshment (Please read guidance note 6)

--	--

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 7)

	2300hrs to 0100hrs each Sunday that precedes a Bank Holiday Monday 2300hrs to 0100hrs each Christmas Eve (night) 2300hrs to 0300hrs each New Year's Eve (night)
--	---

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

	Both
--	------

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

Day	Start	Finish
Mon	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	01:00
Sat	11:00	01:00
Sun	11:00	00:00

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

	1100hrs to 0100hrs each Sunday that precedes a Bank Holiday Monday 1100hrs to 0100hrs each Christmas Eve (night) 1100hrs to 0300hrs each New Year's Eve (night)
--	---

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)

Business - Application to vary a premises licence under the Licensing Act 2003

Day	Start	Finish
Mon	08:00	00:30
Tues	08:00	00:30
Wed	08:00	00:30
Thur	08:00	00:30
Fri	08:00	01:30
Sat	08:00	01:30
Sun	08:00	00:30

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)

	1100hrs to 0130hrs each Sunday that precedes a Bank Holiday Monday 1100hrs to 0130hrs each Christmas Eve (night) 1100hrs to 0330hrs each New Year's Eve (night)
--	---

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.

	<ul style="list-style-type: none"> REMOVE CONDITIONS 110, 111, 127 & 134 which are all outdated embedded conditions
--	--

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

	Latin-House-PL-summary.pdf
	<u>Please tick otherwise state reason for not uploading</u>

Reason for not uploading the premises licence

	The full premises licence shall be returned separately to the Authority
--	---

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

	<p>The premises licence holder and DPS acknowledge the Cumulative Impact concerns over this part of the Borough (albeit that they do not apply to restaurants) and will constantly assess any risks to the licensing objectives. They will work in partnership with the authorities and local people alike in this respect. The staff will be properly authorised, equipped, trained and motivated in this task. There will be:</p> <ul style="list-style-type: none"> A written notice of 'authority' record for all staff who sell alcohol Adequate training for staff and records kept for inspection Contact details of the Designated Premises Supervisor available to staff and to the authorities The premises shall operate as a bona-fide
--	--

Business - Application to vary a premises licence under the Licensing Act 2003

	restaurant • The supply of alcohol shall be by waiter/waitress service
--	---

b) the prevention of crime and disorder

	<ul style="list-style-type: none"> • The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period. • A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
--	--

c) public safety

	<ul style="list-style-type: none"> • The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order. • The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided
--	--

d) the prevention of public nuisance

	<ul style="list-style-type: none"> • No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. • Loudspeakers shall not be located in the entrance lobby or outside the premises building. • Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. • Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly. • Satisfactory arrangements will be put in place to supervise an orderly dispersal of visitors when leaving the property to ensure the minimum of noise and disturbance to local residents. • All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times. • No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day • No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day • No deliveries to the premises shall take place between (23.00) and (08.00) on the following day. • The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway • Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
--	---

e) the protection of children from harm

Business - Application to vary a premises licence under the Licensing Act 2003

	<ul style="list-style-type: none"> • The premises will be promoted as family friendly and suitable for all ages. There will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk. There will be an effective age verification policy in accordance with the mandatory code. This policy will be one of Challenge 25 for age-restricted products and include: • The display of notices relating to the policy within the premises. • These notices will indicate that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol. • Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities. • Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy. • Staff training will occur before a staff member is authorised to sell alcohol within the premises. • Staff training records will be available for inspection by the police or other responsible authority upon request.
--	---

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

Upload proposed plans	<u>Latin-House-plans.PDF</u>
Upload existing plans	

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	██████████
AuthCode	██████
LicenceReference	██████████
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state in what capacity.

Full name	██████████
Date (DD/MM/YYYY)	06/03/2019
Capacity	Authorised Agent for Applicant

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 14). If completing on behalf of the applicant state in what capacity

Business - Application to vary a premises licence under the Licensing Act 2003

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

Please tick to indicate agreement

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

I agree to the above statement

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

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.

MEMO: Licensing Unit

To	Licensing Unit	Date	3 April 2019
From	Jayne Tear	Telephone	Fax
Email	jayne.tear@southwark.gov.uk		

Subject Re: Latin House, 4 Coldharbour Lane, London SE5 9PR
 – Application to vary a premises licence

I write with regards to the above application to vary a premises licence submitted by Latin House Limited under the Licensing Act 2003 which seeks to add/extend the following licensable activities:

- **To add** live music and recorded music on Friday and Saturday from 23:00 to 01:00 the following day
- To extend late night refreshment (indoors) on Friday and Saturday from 00:00 to 01:00 the following day
- **To add** the supply of alcohol (off the premises) on Sunday to Thursday from 11:00 to 00:00 and on Friday and Saturday from 11:00 to 01:00 the following day
- To extend the supply of alcohol (on the premises) on Friday and Saturday from 00:00 to 01:00 the following day and on Sunday to start and hour earlier at 11:00 and to extend from 23:30 to 00:00
- Overall opening times shall be on Sunday to Thursday from 08:00 to 00:30 the following day and on Friday and Saturday from 08:00 to 01:30 the following day.

NON STANDARD TIMINGS

- **Live music and recorded music**
 23:00hrs to 01:00hrs each Sunday that precedes a Bank Holiday Monday
 23:00hrs to 01:00hrs each Christmas Eve (night)
 2300hrs to 0300hrs each New Year's Eve (night)
- **Late night refreshment**
 23:00hrs to 01:00hrs each Sunday that precedes a Bank Holiday Monday
 23:00hrs to 01:00hrs each Christmas Eve (night)
 23:00hrs to 03:00hrs each New Year's Eve (night)
- **Supply of alcohol (on and off the premises)**
 11:00hrs to 01:00hrs each Sunday that precedes a Bank Holiday Monday
 11:00hrs to 01:00hrs each Christmas Eve (night)
 11:00hrs to 03:00hrs each New Year's Eve (night)
- **Opening times**
 11:00hrs to 01:30hrs each Sunday that precedes a Bank Holiday Monday
 11:00hrs to 01:30hrs each Christmas Eve (night)
 11:00hrs to 03:30hrs each New Year's Eve (night)

The application also seeks to remove some embedded conditions numbers 110, 111, 127 & 134 on the current premises licence

The variation is described as follows within the application:

'Latin House' occupies the ground floor & basement of 4 Coldharbour Lane.

- *The premises operate as a licensed restaurant (premises licence number 865072 Southwark) focussing on Latin American cuisine with the sale of alcohol being ancillary to the provision of food.*
- *This application is for FULL variation of the premises licence to remove embedded conditions, add regulated entertainment (live & recorded music), add OFF sales of alcohol for the purpose of outside catering and to increase the hours of the sale of alcohol, late night refreshment and opening, in line with Southwark Council's Statement of Licensing Policy. There shall also be a change of layout (see plans enclosed)*

FULL DETAILS:

- *REMOVE CONDITIONS 110, 111, 127 & 134 which are all outdated embedded conditions*
- *AMEND the terminal hour for the sale by retail of alcohol from midnight to 0100hrs for each and every FRIDAY & SATURDAY*
- *AMEND the terminal hour for the sale by retail of alcohol each Sunday from 23:30hrs to midnight*
- *ADD Non-Standard terminal hours for the sale by retail of alcohol of 0100hrs for each Sunday that precedes a Bank Holiday Monday and each Christmas Eve*
- *AMEND the terminal hours for Late Night Refreshment from 0030hrs to 0100hrs for each and every FRIDAY & SATURDAY*
- *ADD Non-Standard terminal hours for Late Night Refreshment of 0100hrs for each Sunday that precedes a Bank Holiday Monday and each Christmas Eve*
- *ADD Regulated Entertainment (Live & Recorded Music) 2300hrs to 0100hrs for each Friday & Saturday, each Sunday that precedes a Bank Holiday Monday and each Christmas Eve.*
- *AMEND the sale by retail of alcohol from ON sales only to ON & OFF sales, to enable outside catering services associated with food provision*
- *REDUCE the hours of licensable activity at New Year (Eve/Day) from all night to a terminal hour of 3am, closing at 3.30am*

This premises is situated within the saturation area for Camberwell however as a restaurant this premises does not fall into the category of premises defined in the policy to which the CIP would apply.

My representation is submitted with concerns for the prevention of public nuisance and the prevention of crime and disorder.

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

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

And to add the further following conditions:

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

I welcome any discussion with the applicant to consider the above representation.

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

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

Jayne Tear

Principal Licensing officer

In the capacity of Licensing Authority as a Responsible Authority

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

From: www.southwark.gov.uk Website [mailto:noreply@southwark.gov.uk]
Sent: Friday, March 22, 2019 2:05 PM
To: Regen, Licensing
Subject: Contact form for: Licensing Team

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

Contact Name: Licensing Team

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

Link:

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

Senders Email Address:

Message:

LATIN HOUSE 4 COLDHARBOUR LANE SE5 9PR

I am writing to strongly object to the amendment of the licencing hours for the above property. This business has been a continuous nuisance to us, as I live on [REDACTED]. The noise nuisance generated by the business already prevents me from sleeping, when they have the ir 2 extractors running constantly from 8am to 11pm. By extending their hours to 1am will materially change the nature of their clientele to a bar rather than a restaurant, which they have already begun with Karaoke nights offering free beer. We will have to face the public nuisance of patrons smoking outside and returning to parked cars directly outside my home beyond 1am in the morning. Our area has been a quiet residential road, but this change will inflict a distinct level of anti-social behaviour, preventing me and my neighbours enjoying peaceful enjoyment of our homes. My family have been living at this address for [REDACTED] and have contributed to Southwark Council both financially and culturally. I would like to think our lives will be respected more than a new business who have been in the community for less than 6 months and have already inflicted significant damage on our way of life. Their cavalier attitude to respecting their neighbours will only be encouraged by providing them with further hours of operation with alcohol.

Kalu, Richard

From: Williams, David
Sent: 08 April 2019 11:03
To: Kalu, Richard
Cc: Blackburn, Gavin; Brittain, Alison
Subject: RE: Latin House - Representation

Good Morning Richard,

I can confirm that the Planning Department does not have any objections to the amended hours.

Regards

David Williams

Senior Enforcement Officer

From: Kalu, Richard
Sent: Monday, April 08, 2019 8:32 AM
To: Williams, David
Subject: FW: Latin House - Representation

David

Please can you confirm in light of the applicant amending his application to reflect hours as per suggested hours in respect of the statement of Licensing Policy if you still intend to maintain your Objection.

I think your objection is borderline and if you maintain your objection you will have to elaborate and expand on your objection at a licensing sub – committee. The applicant has however amended his hours in line with Policy and if the application Granted more onerous and robust conditions would be placed on the licence which could be enforced.

Your call on this one happy to take your steer on this.

Regards

Richard Kalu – Principal Licensing Officer
Southwark Council | Licensing Unit
160 Tooley Street | London | SE1 2QH
Direct line 020 7525 4642 | Fax 020 7525 5735 | Call Centre 020 7525 2000
Visit our web pages <http://www.southwark.gov.uk/licensing>



Womens Safety Charter

<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

From: Mike Nickson [<mailto:mike.nickson@innconfidence.co.uk>]
Sent: Friday, April 05, 2019 2:28 PM

To: Kalu, Richard
Subject: FW: Latin House - Representation

Dear Richard

The planning representation does not appear to have any validity with regard to relevance to the Licensing Objectives.

Regards, Mike

From: Mike Nickson [mailto: [REDACTED]]
Sent: 05 April 2019 10:44
To: 'Williams, David'
Cc: 'Kalu, Richard'
Subject: RE: Latin House - Representation

Dear David

The premises are and have always been a restaurant. The premises licence, even as varied will still subject the licence holder to sell alcohol only as ancillary to a substantial table meal. Any entertainment will be for the benefit of diners.

The Southwark Statement of Licensing Policy recognises that restaurants are likely to, and are entitled to operate until a closing time of 1am at weekends.

Can I assume that there are no specific planning restrictions on these premises with regard to karaoke?

Regards, Mike

Mike Nickson
 DIRECTOR, Inn Confidence

Inn Confidence Ltd
 4th Floor
 Merchants Court
 2 - 12 Lord Street
 Liverpool
 L2 1TS

E | [REDACTED]
 W | [REDACTED]
 T | [REDACTED]



Mike Nickson is the 2011 winner of the national BII NITA training award in respect of 'Social Responsibilities in Licensed Retailing'

From: Williams, David [mailto:David.Williams@SOUTHWARK.GOV.UK]
Sent: 05 April 2019 09:47
To: Mike Nickson

Cc: Kalu, Richard
Subject: Re: Latin House - Representation

Dear Mr Nicholson,

I have objected on planning grounds. Quite simply, your client operates a restaurant, and not a Drinking Establishment (Bar). The current operational hours as a restaurant and its closing times above those closing times of restaurants.

Regards

David Williams

Senior Enforcement Officer

Sent from my iPhone

On 4 Apr 2019, at 16:47, Mike Nickson <[REDACTED]> wrote:

Good afternoon David

I represent the applicants for the full variation of the premises licence for Latin House in Coldharbour Lane in Camberwell.

We note your letter of representation but I am interested to know on what grounds, in terms of the Licensing Objectives, you have based your opposition to the increase in hours.

I should point out that the application has very recently been amended (following a representation from environmental protection) so that the 'opening' hours are completely in line with those recommended in the Southwark Statement of Licensing policy for a restaurant in a district town centre. The last sales of alcohol will now end at 0030hrs, although late night refreshment and regulated entertainment may end at closing time (0100hrs) on Fridays and Saturdays.

The application in effect is only adding 30 minutes to the hours that have existed up to now. A new licence will however carry a raft of meaningful conditions that have not existed up to now.

You have mentioned that under planning there is a restriction that Karaoke must end at 11.30pm on a Friday. Can you please provide confirmation that this is the case.

Thanks, Kind Regards, Mike

Mike Nickson
DIRECTOR, Inn Confidence

Inn Confidence Ltd
4th Floor
Merchants Court
2 - 12 Lord Street
Liverpool
L2 1TS

E | [REDACTED]
W | [REDACTED]
T | [REDACTED]

<image003.jpg>

Mike Nickson is the 2011 winner of the national BII NITA training award in respect of 'Social Responsibilities in Licensed Retailing'

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Kalu, Richard

From: Legassick, Bill
Sent: 09 April 2019 19:00
To: Kalu, Richard; 'Mike Nickson'
Cc: 'Admin Latin House'
Subject: RE: Full variation - 4 Coldharbour Lane

Richard and Michael

I am writing to confirm that EPT have withdrawn their representation and condition 127 can be removed, as condition 135 deals with my representation.

Bill Legassick
 Principal Environmental Health Officer
 Postal address: Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX. Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH
 Tel: 020 7525 4253 | Fax: 020 7525 5705 | e mail: Bill.Legassick@southwark.gov.uk
 visit: <http://www.southwark.gov.uk/air-quality>

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

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

From: Kalu, Richard
Sent: Tuesday, April 09, 2019 4:48 PM
To: 'Mike Nickson'; Legassick, Bill
Cc: 'Admin Latin House'
Subject: RE: Full variation - 4 Coldharbour Lane
Importance: High

Dear all

Would it be possible to have an update in relation to this matter.

Has a satisfactory conciliation agreement been reached in relation to condition 127. Or will EPT as a Responsible Authority be maintaining their Objection to this application ?

Many thanks

Richard Kalu – Principal Licensing Officer Southwark Council | Licensing Unit
 160 Tooley Street | London | SE1 2QH
 Direct line 020 7525 4642 | Fax 020 7525 5735 | Call Centre 020 7525 2000 Visit our web pages
<http://www.southwark.gov.uk/licensing>

Womens Safety Charter
<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

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

From: Kalu, Richard
Sent: Tuesday, April 09, 2019 1:37 PM
To: 'Mike Nickson'; Legassick, Bill

Cc: 'Admin Latin House'
 Subject: RE: Full variation - 4 Coldharbour Lane

Bill

Would it be possible to confirm your position in relation to condition 127 and if you wish it to be retained.

It would then be helpful if Mike you could provide update in response to email from Bill.

At present we have nearly reached agreement however it appears there still issue in respect of condition 127.

Regards

Richard Kalu – Principal Licensing Officer Southwark Council | Licensing Unit
 160 Tooley Street | London | SE1 2QH
 Direct line 020 7525 4642 | Fax 020 7525 5735 | Call Centre 020 7525 2000 Visit our web pages
<http://www.southwark.gov.uk/licensing>

Womens Safety Charter
<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

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

From: Mike Nickson [REDACTED]
 Sent: Tuesday, April 09, 2019 1:27 PM
 To: Legassick, Bill
 Cc: Kalu, Richard; 'Admin Latin House'
 Subject: RE: Full variation - 4 Coldharbour Lane

Dear Bill

Not wishing to be pedantic, but we wish to tidy up this licence to rid the operator of meaningless and out of date conditions, such as 127.

Condition 127 was carried over from the 1964 Licensing Act which prohibited pubs from selling alcohol 'on tick' to people who could not afford it and would run up debts on credit. The reference to restaurants was the exception. That a diner could be supplied with alcohol but pay at the end of the meal, rather than at the time of the supply.

By asking for condition 127 to be removed, we are not trying to suggest that the premises will not operate as a restaurant.

Indeed, we have retained condition 135 which states 'Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to his meal'

Furthermore, we have reinforced that by adding (in our variation application): ' The premises shall operate as a bona-fide restaurant & The supply of alcohol shall be by waiter/waitress service'

I would respectfully suggest therefore that 127 can safely and sensibly be removed, because it deals with credit and nothing else.

My client is perfectly happy to monitor and manage any risks of noise transmission through occupancy and/or regulated entertainment and they know of the consequences for failing to do so effectively.

I understand that the planning Officer has withdrawn his representation and accepted that there is no planning restrictions dictating the times of karaoke.

Kind Regards, Mike

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

From: Legassick, Bill [mailto:Bill.Legassick@SOUTHWARK.GOV.UK]
Sent: 09 April 2019 13:07
To: 'Mike Nickson'
Cc: Kalu, Richard
Subject: RE: Full variation - 4 Coldharbour Lane

Dear Mike

Thank you for reply, I apologise for the delay in responding to you.

1. In respect of the timing of the Karaoke, there was an email conversation between Ms Morro Beltran and Mr David Williams (Planning Enforcement Officer) on 29th March 2019 - " You are reminded to adhere to the ceasing of all karaoke activity at no later than 11.30pm, on Friday's."
2. Noted.
3. The regulated entertainment will need to be controlled by applicant, as there is provision within the Licensing Act for the responsibility authorities or the residents to review the licence, if the entertainment is causing a problem.
4. This type of condition in common with restaurant's in Southwark, therefore I strongly request that this condition is not removed from the licence.
5. Noted

Can you please indicate that you are willing to withdraw the applicants request to withdrawn condition 127.

Bill Legassick

Principal Environmental Health Officer

Postal address: Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | PO Box 64529 | London | SE1P 5LX. Office address (By appointment only) : Southwark Council | Environmental Protection Team | Regulatory Services | 3rd Floor Hub 1 | 160 Tooley Street | London | SE1 2QH

Tel: 020 7525 4253 | Fax: 020 7525 5705 | e mail:

Bill.Legassick@southwark.gov.uk

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

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

From: Mike Nickson [REDACTED]
Sent: Wednesday, April 03, 2019 11:32 AM
To: Legassick, Bill; Regen, Licensing
Cc: admin@latinhouse.co.uk
Subject: RE: Full variation - 4 Coldharbour Lane

Dear Bill

Thanks for your email of representation. I have a few comments.

- 1 Karaoke, indeed any regulated entertainment, will be conducted in

the area on the plans shown as 'Restaurant Salon 1' which is towards the front of the restaurant. We are unaware of any planning restriction over the times of karaoke so would be grateful if you could provide us with evidence that such a planning restriction exists.

2 The upper floor of the property belongs to the applicant. If anyone is resident there, they are staff members. The applicant monitors the level of airborne and structural noise and has not received any complaint in this regard while they have operated to later hours under temporary event notices.

3 My client is happy to amend the application so that the 'closing' time falls in line with Southwark's Licensing Policy. We propose therefore to amend the terminal hours for the sale by retail of alcohol to 0030hrs (closing at 0100hrs), but late night refreshment and regulated entertainment shall remain as 0100hrs.

4 Condition 127 is embedded from the 1964 Licensing Act relating to the former restrictions over pubs not providing credit for alcoholic drinks. I do not see how this is at all relevant to be retained on the licence. Please advise.

5 My client is happy to accept and adopt this condition.

The premises licence that would result from allowing this full variation will include a range of relevant, measurable and enforceable conditions that do not exist currently. If you feel that any other conditions should be added, please advise accordingly.

Kind Regards, Mike

Mike Nickson
DIRECTOR, Inn Confidence
Inn Confidence Ltd
4th Floor
Merchants Court
2 - 12 Lord Street
Liverpool
L2 1TS
E | 
W | 
T | 

Mike Nickson is the 2011 winner of the national BII NITA training award in respect of 'Social Responsibilities in Licensed Retailing'

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

From: Legassick, Bill [mailto:Bill.Legassick@SOUTHWARK.GOV.UK]
Sent: 01 April 2019 11:59
To: Regen, Licensing
Cc: 'r 
Subject: FW: Full variation - 4 Coldharbour Lane

Licensing

I refer to the application for the variation of the licence for the above - mentioned premises dated 6th March 2019 . The Environmental Protection Team would like to make a representation on the grounds of the Prevention of Nuisance objective.

1. There is no indication on the plans where the karaoke will be performed from? There is currently a planning requirement that the all Karaoke activity cease no later than 23:30 hours only on Fridays.
2. There is no indication how the operator will control the noise (Airborne and Structural) levels to the residential properties above.
3. In section L the hours of opening to the public is outside the Licencing policy hours for the a "District Town Centre Area" of 01:00 hours on Fri - Sat and 00:00 hours Sun - Thursday .
4. I strongly recommend that condition 127 is not removed from the licence, however I would not object to be amended to include a provision to allow the outside catering.
5. I suggest that there is a limit of 10 smokers allowed to be outside, with no drinks allowed to be taken outside.

Bill Legassick

Principal Environmental Health Officer

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

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

Tel: 020 7525 4253 | Fax: 020 7525 5705 | e mail:

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WEST ONE

FIRE PROTECTION

Fire Extinguishers, Fire Alarms, Emergency Lighting, Risk Assessments

FIRE RISK ASSESSMENT

THE LATIN HOUSE
4 COLDHARBOUR LANE
CAMBERWELL
LONDON
SE5 9PR

Written by David Newcombe 15th October 2018

Accompanied on site by Management

**ALL POINTS COVERED ARE THE CONSIDERED AND
QUALIFIED OPINION OF WEST ONE FIRE PROTECTION AND
ARE BASED UPON THE BUILDING AT THE TIME OF
INSPECTION TOGETHER WITH INFORMATION PROVIDED BY
YOURSELVES.**

DAVID NEWCOMBE
FIRE SAFETY ADVISER

This Fire Risk Assessment is made under the requirements of the Fire Precautions (Workplace) Regulations 1997 as amended and Management of Health and Safety at Work Regulations 1999.

It is also compliant with the Regulatory Reform Order 2006 which became enforceable on 1st October 2006.

The assessment should be made available for inspection by any authorized person and should be reviewed;

**Following any changes in work practices
Any structural or material changes
Following any fire incident or near miss
At intervals not exceeding 12 months**

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

The RRO is the primary piece of legislation applicable to fire safety at premises to which this Fire Risk Assessment relates. It places a number of important responsibilities upon the 'Responsible Person' as regards the safety from fire for all persons in and around the building.

The main areas of consideration covered by the Order in its' application to the premises are summarised below;

Carrying out a suitable and sufficient Fire Risk Assessment

Means for detecting and raising an alarm of fire, where relevant

Ensuring there are adequate emergency routes, exits and signs

Providing fire fighting equipment, where relevant

Implementation of appropriate procedures to follow in the event of emergency

Suitable training and instruction for any employee within the premises

The provision of appropriate and relevant information on hazards

The appointment of competent persons to assist with the fire safety measures

Liaison with any other responsible persons within the same building

Liaison with the emergency services

Maintenance of the fire safety measures in place

Having in. place a sound fire management strategy

Carrying out a review of the Fire Risk Assessment at appropriate intervals

DESCRIPTION OF THE BUILDING

The property assessed is a newly refurbished restaurant in a busy urban location serving Latino food.

It is in the middle of a brick built terrace with the entrance on Coldharbour Lane.

The entire property is leased by the current occupiers with a mix of residential and office use to the upper two floors including the alcohol store next to the office on the first floor.

The ground floor consists of a main public area and bar to the front whilst to the rear there is further customer seating, the toilet block and the kitchen. There is a fire exit to the rear which goes out onto a passage at the rear of the shops before final egress onto the street.

The basement has been newly opened up and offers a private dining / buffet area for 12 /16 persons

The restaurant is open 7 days a week 12 noon – midnight.

EXTENT OF SURVEY

The FRA is based on a walk through inspection of all accessible areas of the property, undertaking an assessment of the materials and fabric of the building; the contents; people using the premises; the processes taking place in house; an inspection of fire detection and fire fighting equipment where present; any relevant paperwork pertaining to the risks of fire.

ACCESSIBILITY

The assessment was not restricted to the common areas of the building and involved entering the offices, plant room etc.

We do not enter flues, lift shafts, ducts, lofts or voids or other similarly enclosed spaces where access would require the use of specialist equipment or tools.

We do not carry out any specialist tests of gas, electric, water and drainage installations. The report is based on a visual inspection only but we have advised upon the need for any specialist tests if deemed necessary within the body of this report.

HOW TO USE THIS FIRE RISK ASSESSMENT

The provision of a Fire Risk Assessment is a legal obligation under the Regulatory Reform Order (Fire Safety) 2006. Whilst any recommendations contained within are not legally enforceable, any liability for non-fulfillment would rest entirely with the decision maker.

This could obviously compromise your insurance and Health and Safety obligations.

It is our recommendation that you are seen to be pro-active with this assessment and keep it with all related paperwork and certification for inspection as required.

It is the responsibility of the owners / managers / responsible persons for the building to ensure that;

...Layouts and facilities meet minimum standards

...The property is maintained in a safe and habitable condition

...Stairways, passageways, and fire escapes are cleaned and kept free of obstructions

...Fire extinguishers, fire alarms and emergency lighting are tested and maintained regularly

...Services – gas, electric etc.- are tested and certificated in accordance with British Standard requirements

IDENTIFYING THE FIRE HAZARDS

For fire to occur there must be a source of ignition, fuel and oxygen. If all three are present and in close proximity then the fire could take hold and increase as a result. In the average workplace / public building, fire hazards will fall into the first two categories (fuel and ignition) with oxygen anticipated to be present in the air in the surrounding space.

Occasionally oxygen can be found in chemical form (oxidising agents) or as a gas in cylinders or piped systems.

Potential sources of ignition could include;

- ... naked flames, smokers materials, matches, pilot flames, gas / oil heaters, gas welding, cookers, arson etc.
- ... hot surfaces, heaters, engines, boilers, machinery, lighting, electrical equipment etc.
- ... hot work; welding, grinding, flame cutting
- ... friction; drive belts, worn bearings etc.
- ... sparks, static electricity, metal impact, grinding, electrical contacts / switches

Potential sources of fuel – anything that burns is a potential fuel – include;

- ... solids; textiles, wood, paper, card, plastics, rubber, PU foam, furniture, furniture, fixtures and fittings, packaging, waste materials etc.
- ... liquids; solvents, petrol, white spirits, meths, paraffin, thinners, paint, varnish, adhesives etc
- ... gases including LPG and acetylene
- ... cooking oils and fats

Is there a system for controlling the amounts of combustible materials and flammable liquids and gases that are stored in the building?

There were very few combustible materials on site with the exception of packaging for the food and drinks, which , once opened, are put outside for the Council's regular collections

There is no cellar so no gas for dispensing alcohol.

The kitchen uses oil and fats in the cooking process but only those oils currently in use are stored there. The rest of the oils are kept in the store rooms away from possible sources of heat or ignition.

Cleaning materials are not of a flammable nature.

The alcohol store is in the room next to the office on the first floor and is away from any source of heat or ignition.

List the materials on site that could be a fire risk or accelerant;

Cooking oils and fats
Candles
Alcohol
Extraction system
Naked flame from the kitchen

What are the principal ignition sources on site?

Electrics both fixed and portable
Heat and naked flame from the kitchen
Arson

Where gas is kept on the premises, is it checked annually?

There are gas cookers in the kitchen that have been routinely serviced and certificated by a Gas Safe engineer with a programme for future annual checks in place.

Are all items of portable electrical equipment inspected regularly and fitted with the correct rated fuses?

Under the Electricity at Work Regulations 1989 it is a requirement that all items of portable electrical equipment (basically anything with a plug) are periodically tested and certificated for fuse continuity, earth bonding and insulation.

Any equipment that is new should be covered by the manufacturers 12 month warranty.

I was informed that most of the equipment on site is new with the recommendation of this assessment being that any items over 12 months old are PAT tested and certificated as soon as possible.

Are any heaters fitted with suitable guards and kept away from combustibile materials?

The only heating on site is via air conditioning units fitted on the ceiling and are considered safe.

Have measures been taken to ensure that smoke and flames cannot spread from one compartment to another?

The building is mainly open plan by necessity and design with no fire doors in place. With only one route of egress from the upper floors it is recommended that as a bare minimum the door at the bottom of the stairs that leads into the restaurant is a minimum FD30 standard fire door.

This should receive your urgent attention.

The lack of other fire doors has been managed by the fire protection measures in place.

IDENTIFYING THE PEOPLE WHO MAY BE AT RISK

If there is a fire, the greatest danger is the spread of fire, heat and smoke through the building. If it happens, the main risk to people is from the smoke and products of combustion which can very quickly incapacitate those escaping.

If the building does not have adequate means of escape or if a fire can grow to an appreciable size before it is noticed, then people may become trapped or overcome by heat or smoke before they can evacuate.

The Means of Escape are covered by the Building Regulations part B and British Standard 5588 part 0,4,5,6,7,8 and 11.

Is there a suitable number of exits – and routes of egress – of suitable width for the people present?

As previously detailed, there are two single width exit routes from the ground floor, at opposite ends of the space.

The main route of egress for the customers would be the main door out onto Coldharbour Road whilst the rear fire exit out onto the passageway at the back would be the preferred exit route for those using the rear of the restaurant and the kitchen staff.

With maximum numbers in the building at any one time being under 90 (staff and customers) then these exits are considered adequate.

Do the exits lead to a place of safety?

Both fire exits lead directly outside into a safe place.

Are the escape routes free from trip hazards?

Yes.

Are steps and stairs in good condition?

Yes

Are final exits always unlocked when the building is in use?

Yes. This must include the gate at the end of the rear passageway.

If there are extraction systems on site are they run on a safe route and are they regularly cleaned?

The extractor system exits the kitchen from the rear at first floor level.

The system was installed by previous leaseholders but appears to follow a safe route and has been cleaned prior to the opening of the new restaurant.

There is a contract in place for it to be cleaned every 3 months which is adequate considering the hours of operation. The base of the system will be cleaned along with all kitchen equipment on a routine daily basis with a deep clean every Friday.

Is the wiring of the electrical installation inspected periodically by a competent person?

Under the Electricity at Work Regulations 12989 together with the requirements of BS:7671;IEI Wiring Regulations, there should be a routine of regular inspection and testing of the fixed electrics, the timeframe being set by the previously accredited electrician at their previous inspection and dependent upon the condition of the electrics at that time but never more than every 5 years – commercial – or 10 years – domestic.

It is recommended that the testing engineer is NICEIC or NAPIT accredited.

The electrics have been completely renewed as part of the refurbishment with certification supplied by the contractor. The first inspection of the systems will therefore be in 2023.

Is the use of extension leads and multi-point adaptors kept at acceptable levels?

Generally, yes.

Are flexes run in safe places where they will not be damaged?

Yes

Are employees / premises hirers permitted to take personal electrical equipment into the workplace?

No.

Are the electrical appliances that are beneath desks and similar areas kept free of storage that may prevent ventilation and overheating?

Yes

Are the electrical riser ducts and electrical intake rooms kept clear from storage and waste?

Yes.

Are all lightning conductors subject to a periodic loop impedance test?

N/a

Is the upholstery and furniture in good condition and conforming to British Standards for Fire Retardancy?

Yes, it is all new to the restaurant areas and fully compliant to the upper floors.

Is the general workplace free from rubbish and combustible waste materials?

Yes. What little waste is created is bagged up and put outside at the rear awaiting the Council's regular collections.

Is the building and immediate environs made "no smoking" and is this clearly signed?

From July 1st 2007 it became illegal to smoke in any area of the building or its' immediate environs.

Supporting signage is installed.

Have suitable measures been taken to protect against arson?

CCTV? Yes, there is an extensive system in place both internal and external

Intruder alarm? Yes

Intumescent letter box? N/a

Is a Fire Safety perimeter check undertaken daily?

Yes, with particular attention paid to the rear fire exit. It is essential for the safe egress of evacuees that there are no possible obstructions anywhere in the passageway that could impede persons.

Are the devices securing final exits capable of being opened immediately and easily without the use of a key?

Yes

Are all fire doors on self closers, signed correctly and normally kept closed?

N/a

Do the doors on escape routes open in the direction of travel?

Yes

Are all flooring slabs imperforate and of a one hour fire resistant construction?

Untested

Are the electrical riser ducts enclosed in a minimum half hour fire resisting construction with access panels in place and doors kept locked shut?

Yes

Are escape routes clearly and correctly signed?

Under the current Fire Legislation and British Standards all fire exits and routes must carry a compliant fire exit sign either illuminated (on an emergency light fitting) or self illuminating i.e. photoluminescent (glow in the dark).

The current legislation focuses strongly on both safe evacuation and the ensuing safety of those attending the scene to tackle a fire following evacuation.

All signage must comply with the Health and Safety (Safety Signs and Signals) Regulations 1996 and contain both text, the running man symbol and, where appropriate, directional signage.

The fire exit signage is fully adequate.

Are escape routes adequately lit?

There is a brand new system of emergency lighting in place that is fully adequate in its' scope in illuminating the fire exits and fire exit routes and is compliant with BS;5266.

Have plans been made and rehearsed regarding assisting disabled staff and visitors to evacuate the premises?

The ground floor is accessible to the severely disabled including wheelchair users. Given the size of the ground floor and immediate proximity of the fire exits there is no need to make any provision in this regard.

Without a lift, the basement and upper floors are not accessible to the severely disabled.

Consideration must also be given to hearing or sight deficient persons who obviously can access all areas.

Safe egress for disabled persons must be included in all staff fire training.

Are the devices securing final exits capable of being opened immediately and easily without the use of a key?

Yes

Are all fire doors on self closers, signed correctly and normally kept closed?

N/a

Do the doors on escape routes open in the direction of travel?

Yes

Are all flooring slabs imperforate and of a one hour fire resistant construction?

Untested

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All signage must comply with the Health and Safety (Safety Signs and Signals) Regulations 1996 and contain both text, the running man symbol and, where appropriate, directional signage.

The fire exit signage is fully adequate.

ELIMINATE, CONTROL OR AVOID FIRE HAZARD

Do the procedures and practices avoid the use of combustible materials and or procedures using heat or naked flame?

There is the obvious fire risk from the kitchen but the risk is managed by;

Provision of fire extinguishers

Automatic fire alarm and detection system

Emergency lighting

Staff training

Have staff been trained in how to call the Fire Brigade, the use of fire extinguishers, the cause and nature of fire, site specific evacuation policy and basic fire prevention?

Yes, the management team have all received basic fire training in the past at other sites with the remainder of the staff trained in house. High staff turnover in the industry make full training for all impractical.

Has your insurance company made any special comments regarding fire safety?

No

Any Contractors that attend your workplace must be given fire safety advice with particular emphasis on;

The action to be taken on discovering a fire and how to raise the alarm

The importance of fire resisting doors and the need for them to be kept shut

The escape routes from the building

The Assembly Point

CONSIDER WHETHER THE EXISTING FIRE SAFETY PROVISIONS ARE ADEQUATE OR REQUIRE IMPROVEMENT

Where escape lighting is installed, is it in working order and maintained regularly?

The emergency lighting maintenance is incorporated into the half yearly fire alarm maintenance to be carried out by West One Fire Protection. It is a new and fully working system.

Is there a fire alarm system of sufficient scope for the risk in the property?

Yes. There is a new automatic fire alarm and detection system that includes smoke and heat detectors as appropriate, sounders and manual break glass call points controlled from a panel located in the ground by the bar.

The system will be serviced and certificated twice yearly by West One fire protection.

Is the fire alarm system in working order and maintained twice yearly under contract to BS:5839?

Yes, it is maintained in conjunction with the emergency lighting by West One.

Is the fire alarm system provided with;

Back up battery supply in the event of mains power failure? Yes

Mains fuse spur? Yes

Shutdown controls of gas / other? No

Is smoke detection installed in all plant rooms?

Yes

Is the alarm audible throughout the workplace?

Yes.

Is the fire alarm tested weekly?

The management have been shown how to test the system weekly and record the results in a Fire Log Book (provided).

Can the fire alarm be raised without placing anyone in danger?

Yes.

Are fire alarm manual call points visible, signed and unobstructed?

Yes

Is a digital communicator installed for auto call to the Fire Brigade via a monitoring station?

No. Unless requested to do so by your insurers I do not consider this is necessary.

Are plant rooms free from combustible, flammable and general storage?

Yes

Are an adequate number and type of fire extinguishers provided to cover the inherent fire risks?

Yes, there are a combination of foam and CO2 extinguishers suitable for the inherent fire risks.

Are fire extinguishers and blankets suitably located and unobstructed?

Yes.

Are the extinguishers serviced annually by a competent person or company?

Yes, they are contracted to be serviced annually to BS;5306 by West One Fire.

Are fire action notices displayed prominently throughout the premises and give clear, concise instructions on how to react in a fire?

Yes

Is there a designated fire Assembly Point?

The Assembly Point is on the corner of Coldharbour Lane and Denmark Hill outside Paddy Power.

Does the signage in the building conform with the Health and Safety (Safety Signs and Signals) Regulations 1996?

Yes.

Was there a Fire Log Book on the premises and is it kept current?

Record keeping has always been an essential part of fire safety management. Whilst current legislation contains no explicit requirement to keep a log book, it does require that fire safety arrangements must be recorded.

Good practice therefore would be to maintain clear, consolidated records that demonstrate compliance with requirements for testing, maintenance, training, drills etc. The most appropriate form of such records is a Fire Safety Log Book, enabling fire or insurance inspectors to find the relevant information clearly set out in a single document.

A fire log book has been provided with this assessment.

Who is the designated Responsible Person and deputies where appropriate?

It is assumed that the responsible person would be the duty manager at all times.

RECORDING OF THE FINDINGS

Under the current Fire Regulations, the findings of the FRA must be recorded. The staff (responsible persons) should be informed of your findings and a formal report prepared for them.

If any risks are identified that affect others using the building then this must be divulged to them.

Latin House - DISPERSAL POLICY

1. The PURPOSE this policy is:

To designed and provide guidance for Latin House management and employees and set out the terms for the dispersal of customers from the premises.

To set out the reasonable steps that Latin House will undertake to prevent unnecessary avoidable disturbance to residents, services and other businesses operating in the vicinity of the premises.

To operate in a manner which causes the minimum impact from noise nuisance and anti-social behaviour from our customers to neighbours and other members of the public.

That all relevant staff will be trained in this policy and other appropriate skills to achieve an orderly and safe dispersal of patrons from the premises.

All staff are compelled by their "Employee Handbook" to comply with and actively implement this Dispersal Policy; where their job role includes these responsibilities.

It is the responsibility of the Designated Premises Supervisor (Cristian A. Cortes Valenzuela) to ensure that this policy is enforced at Latin House and to regularly update this policy to meet the requirements of the business.

2. DISPERSAL shall take place through the front/exit/smoking area door of the Latin House in Coldharbour Lane.

All conditions relating to dispersal included in the Premises licence will be enforced and relevant waiting staff will be trained in these conditions, as well as the terminal and operating hours outlined on the premises licence.

On Friday nights (karaoke night):

45 minutes before closing time an announcement will be made requesting the last songs and drinks,

30 minutes before closing all the bills will be given to the patrons, the music will be turned off and the staff will start the collection of glasses and the clearing of other waste will be prioritised; this will provide a message our customers that the premises is in the process of closing and will encourage them to finish their drinks and prepare for departure.

A suitable staff member will regularly be visible at the entrance / exit/ smoking area to control the dispersal, collection of rubbish or other drinks left from other premises and to remind people to leave quietly and to prevent patrons from re-entering the premises. A big clear sign will be placed at the entrance/exit asking people to leave quietly and not to congregate outside or in the local area.

5 minutes before closing time a designated staff member will sweep the road.

All waiting staff are trained under the Restaurant Policies to ask for ID where appropriated and relevant signs are displayed the door.

This Policy is applicable to any other evening at Latin House with late closure.

Local Transport information:

Mini Cabs:

www.camberwelltaxi.co.uk Tel: 0203 5824 654

Kempton

207 Camberwell New Rd, London

SE5 0TJ

T 020 7587 1777

Lomond Cars

280 Camberwell Rd, London

SE5 0DL

T 020 7703 0000

Bus information from Camberwell:

Where a taxi has been called for a Patron, those persons will be asked to wait inside for their taxi to arrive. For organised events, guests will be advised to pre-book taxis and advise the taxi company of the correct pick-up location along with instructions on how to minimise disturbance to local residents.

- Local & Night Bus Services – **ROUTES PASSING THROUGH:**

12, 35, 36, 40, 42, 45, 68, 171, 176, 185, 345, 436, 468, N68, N89, N136, N171

- Underground:

Brixton Station, 10 min by bus, 35, 345,45

- Main Line Trains:

Denmark Hill Station, Windsor Walk, Denmark Hill, SDE9 8BB. 5 minutes' walk from Latin House

- Local Parking Pay & Display:

Crawford Rd SE5 @£2.80 per hour until 6.30pm Monday to Friday

Crawford Rd and Valmar Road free after 6.30pm Monday to Sunday

Pay & Display at Morrison's Butterfly Walk, Camberwell, SE5 8RR

- We will offer patrons the chance to Latin House ordering their taxi-cab or to make a phone call to be picked up.
- Anyone who becomes too intoxicated will not be served any further drinks, shall be Politely removed from the premises by the manager on duty.
- One hour before closing time no one will be allowed in.
- Patrons will be encouraged to leave gradually at the end of the night.
- NO drinks will be allowed at any point outside of the restaurant or when leaving the premises at the end of the night or when going to smoke.
 - A maximum of 10 people will be allowed smoking outside of the premises with a clear sign reminding them to be quiet and respect the neighbours, in case of not complying they will not be allowed back in the restaurant.

3. SIGNAGE & LIGHTING The following signs will be displayed at the premises:

- Signs highlighting the Entry Requirement of the Premises (alcohol must be accompanied by food)
- Signs requesting patrons to Leave Quietly and Respect the Neighbours at night
- Signs to inform patrons that drinks may not leave the premises at any time
- Signs to remind the patrons that a maximum of 10 people is allowed outside the restaurant at only one time and to re-enter the premises immediately once they have finished smoking except for 1 hour before closing time.

Lighting (Internal) – The premises will turn on the House Lights 30 minutes prior to closing time; the time by which every patron must get ready to leave the premises.

Lighting (External) – External lighting will be left on until final closing time to make sure that patrons leave the premises safely.

External lighting will be regularly reviewed to ensure it is not a cause of nuisance to neighbours.

Latin House has a CCTV camera inside and outside the premises.

Both internal and external lighting will be regularly reviewed to ensure it does not impede the effectiveness of CCTV.

4. SMOKING AREAS The Premises operates a controlled smoking area at a maximum of 10 people outside the entrance/exit and this will be controlled by the manager on duty and all patrons will be encouraged to re-enter the premises as soon as they finish their cigarette.

5. BOTTLES, GLASSES & LITTER The premises will maintain the area immediately to the front of the premises clear of bottles, glasses and litter by regularly sending a member of staff to the area to clear these items.

The manager on duty will appoint a staff member to make sure that the entrance/exit/smoking area is clear at all times and will take regular visits outside to check and dispose if necessary glass bottles and glasses that are brought to the entrance/exit/smoking area from other premises and left in the vicinity or at the front of the premises.

Despite these items not originating from the premises, it is the responsibility of staff to clear them on a regular basis throughout a session and to check at the end of the night that no such items remain to the front of the premises.

The manager will appoint a staff member to sweep outside the premises at the end of the session to clear smaller rubbish, but may assist in getting patrons to move away from the premises in an orderly manner.

6. LOST PROPERTY

Any possessions that are found left behind at the end of the evening will be held for a period of three months unless claimed by their owner. At this time, they will be donated to local charities and no claim can be made against the company. Notices to this effect will be displayed at the premises.

7. SOF CLOSURE & MUSIC ENTERTAINMENT

Patrons will be notified by announcement:

- of 'Last Orders' giving the 15 minutes to purchase a last drink if they wish to do so.
- 'Time' will then be announced when the bar closes as well as turning off the music.
- The patrons will be given their bills to pay.
- Once 'Time' has been announced the smoking area will be closed, people still smoking should be allowed to finish their cigarette, but no further people should be admitted to the area.
- 10 Minutes after 'time' has been called, staff cleaning and collecting glasses will start politely asking people to finish their drinks. Doing this in a polite individual manner, rather than shouting at the whole bar, is likely to have a more positive effect.
- 20 Minutes after 'Time' has been called people should be asked to leave in the same manner as that indicated above.
- 30 Minutes after 'Time' has been called, everyone should have left and dispersal as described earlier in this policy should be underway. A staff member will be at the door to say goodbye.
- A staff member will regularly visit the smoking area/entrance/exit to clean any rubbish or drinks (brought from other premises) and 5 minutes before closing time the staff member will sweep the payment and keep an eye on the Patrons leaving in an orderly and quiet manner.

- The music will not be turned back on by staff for their own entertainment while cleaning the premises, once customers have left the premises.

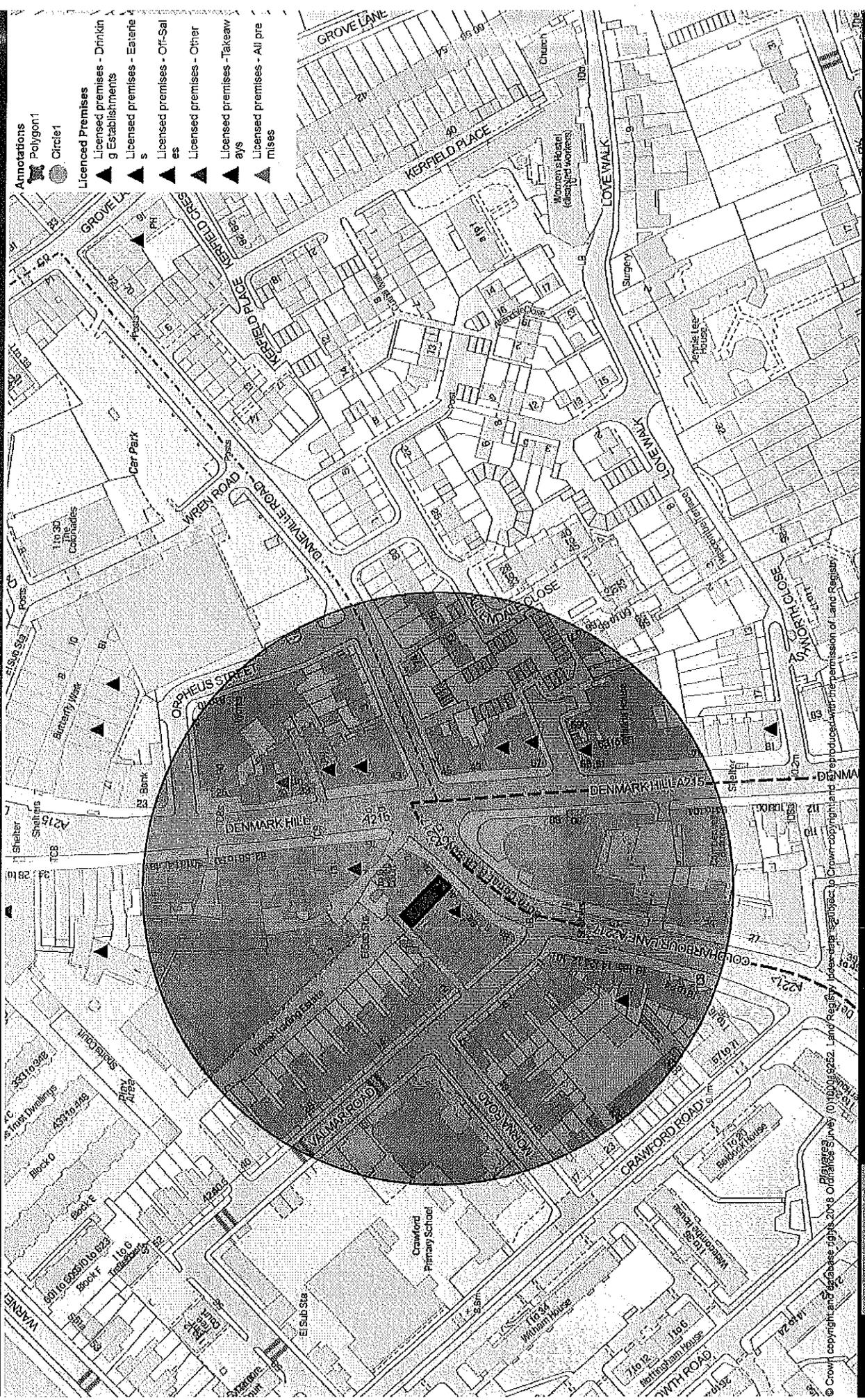
8. CONTROLLING CUSTOMERS & PREVENTING LOITERING There are a number of solutions already described earlier in this policy on strategies which will help move people away from the premises and disperse them.

Appendix G

LATIN HOUSE, 4 COLDHARBOUR LANE, LONDON, SE5 9PR



- Annotations
- ▲ Polygon 1
 - Circle 1
 - ▲ Licensed Premises
 - ▲ Licensed premises - Drinking Establishments
 - ▲ Licensed premises - Eating
 - ▲ Licensed premises - Off-Sales
 - ▲ Licensed premises - Other
 - ▲ Licensed premises - Takeaways
 - ▲ Licensed premises - All premises



2-Apr-2019



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Item No. 6.	Classification: Open	Date: 2 May 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Organica Pizza, 5 Camberwell Church Street, London SE5 8TR	
Ward(s) or groups affected:		St Giles	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Azmat Ali to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: Organica Pizza, 5 Camberwell Church Street, London, SE5 8TR.
2. Notes:
 - The application seeks to vary the premises licence held under current legislation in respect of the premises known as: Organica Pizza, 5 Camberwell Church Street, London SE5 8TR, under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to outstanding representations submitted by local residents and is therefore referred to the sub-committee for determination.
 - Paragraph 8 of this report provides a summary of the existing premises licence. A copy of the existing premises licence is attached at Appendix A.
 - Paragraphs 9 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 B. A map showing the location of the premises is attached as Appendix D.
 - Paragraphs 12 to 17 of this report deal with the representations submitted in respect of the application. Copies of the representations for the responsible authorities are attached in Appendix C.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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 interested parties 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 current premises licence issued in respect of the premises known as Organica Pizza – 5 Camberwell Church Street, London, SE5 8TR was issued on 5 April 2018 and allows the following licensable activities:
 - The provision of late night refreshment (indoors):
 - Sunday to Thursday: 23:00 to 01:30
 - Friday and Saturday: 23:00 to 02:30
 - Opening hours:
 - Sunday to Thursday: 11:00 to 02:00
 - Friday and Saturday: 11:00 to 03:00.

A copy of the existing premises licence is attached as **Appendix A**.

The variation application

9. On 14 February 2019 Azmat Ali applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises known as Organica Pizza, 5 Camberwell Church Street, London SE5 8TR.

10. The application for variation is described as follows:
 - '...to change the business opening and closing time as follows, Monday to Sunday from 11:00 to 04:00'

- The application is to extend the hours of the operation for sale of late night refreshment all week:
 - The provision of late night refreshment (indoors):
 - Monday to Sunday: 23:00 to 04:00
 - The opening hours:
 - Monday to Sunday: 23:00 to 04:00.

11. A copy of the application is attached to this report as Appendix B.

Representations from responsible authorities

12. The Metropolitan Police have made a representation with concerns that the hours sought are a substantial increase and lie outside of the Southwark licensing policy hours. The premises already has hours in excess of the policy.
13. The Southwark environmental protection team (EPT) have also made a representation. The concerns are raised in relation to the extended hours and the use of the premises. The hours of opening to the public are outside the licencing policy hours for a district town centre area. There are no details how the operation of the premises will prevent causing a nuisance to neighbouring properties. Further details are requested in respect of the operation of the restaurant and the delivery service.
14. The council's licensing authority in their role as responsible authority has made a representation with concerns regarding the hours being outside of the Southwark licensing policy. In addition, additional conditions are sought.
15. Copies of all the representations made by responsible authorities are available in Appendix C.

Representations from other persons

16. No representations have been received from other persons.

Conciliation

17. Copies of representations were provided to the applicant via the email contact provided with the application. At the point of publication of this report, the applicant had not responded the concerns of the responsible authorities.

Operating history

18. The premises licence was first issued on 27 September 2010. Transfers were affected on 12 December 2012, 15 December 2014 and 5 April 2018 to the current licence holder, Azmat Ali. The content of the licence has however remained unchanged since its inception.

Temporary events notices

19. There is no history of temporary events notices.

Complaints

20. The following complaint has been received regarding the premises:

Date	Complainant	Complaint	Action
21/03/2018	Local Resident	Unlicensed late-night activity – premises trading beyond permitted hours until 05:00	Visit by NTE Team – inspection carried out 23/03/2018. Warning letter sent.
12/09/2018	Local Resident	Unlicensed late-night activity – premises trading beyond permitted hours until 05:00 or 06:00	Premises closed at 02:30 on 13/10/18. Second visit carried out during hours on 19/01/2019 and 09/03/2019

21. Visits to the premises have produced the following results:

Date	Time	Visit
23/03/2018	21:50	Further to complaint inspection carried out. Met Manager -. Advised had received a complaint that they are trading beyond hours. Could not find premises licence, no summary. C.311 - no notices. C288/289 No CCTV (says not working for 4 days).
13/10/2018	02:30	Premises closed
26/10/2018	23:55	Full licence inspection as failed earlier in year, then had a transfer. PLH not present; met the manager. The summary was not on display, only Page 1 of full licence. CCTV is installed, but he cannot work it very well, took some time to operate it. The CCTV is recording only one week, up to 20th October - advised that this is not long enough. Breaches: Conditions 289 / 311. Warning letter sent.
04/01/2019	23:30	Re-inspection. Licence and summary now sorted; notices now up. Met 'supervisor' Only recording to 28th December and could not playback at all – will get engineer out. Warning letter sent.
19/01/2019	22:35 – 23:10	Met 'owner', believes that he can open until 04:00, advised that this is not possible, will need to apply for a variation. CCTV is working, but only went back to 15/01/2019.
09/03/2019	01:30	Met 'manager'. CCTV now recording for full 31 days, but times are out by 50 minutes. Blue notice for variation not on display, he states that they are waiting for the notice to be sent to them. After explaining to him that the Authority will now start the consultation period again from the day he displays the poster, he went on to change the reason why the poster wasn't displayed; that it had been removed by the cleaner. Consultation to be restarted.

Map

22. A map of the area is attached to this report as **Appendix D**. There are a number of licensed premises in the immediate vicinity:

London Food and Wine, 12 Camberwell Church Street, London SE5 8QU

- The sale of alcohol to be consumed both off the premises:
 - Monday to Sunday: 08:00 to 03:00 (the following day).

The Tiger , 18 Camberwell Green, London SE5 7AA

- The sale of alcohol to be consumed on and off the premises:
 - Sunday to Thursday: 09:00 to 01:30 (the following day)
 - Friday and Saturday: 09:00 to 03:30 (the following day)
- The provision of late night refreshment (indoors):
 - Sunday to Thursday: 23:00 to 01:30 (the following day)
 - Friday and Saturday: 23:00 to 02:30 (the following day)
- The provision of regulated entertainment in the form of recorded music, live music, and performance of dance (indoors):
 - Monday to Thursday: 09:00 to 02:00 (the following day)
 - Friday and Saturday: 09:00 to 04:00 (the following day)
 - Sunday: 09:00 to 01:00 (the following day).

Golden Grill, 20 Camberwell Green. London SE5 7AA

- The sale of alcohol to be consumed on the premises:
 - Monday to Saturday: 11:00 to 02:00 (the following day)
 - Sunday: 13:00 to 22:30
- The provision of late night refreshment (indoors):
 - Sunday to Thursday: 23:00 to 02:00 (the following day)
 - Friday and Saturday: 23:00 to 04:00 (the following day).

Hermits Cave, 28 Camberwell Church Street, London SE5 8QU

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Thursday: 10:00 to 00:00 (midnight)
 - Friday and Saturday: 10:00 to 02:00 (the following day)
 - Sunday: 10:00 to 01:00 (the following day)
- The provision of late night refreshment (indoors):
 - Monday to Thursday: 23:00 to 00:00 (midnight)
 - Friday and Saturday: 23:00 to 02:00 (the following day)
 - Sunday: 23:00 to 01:00 (the following day)

- The provision of regulated entertainment in the form of recorded music, live music, films, and performance of dance (indoors):
 - Monday to Thursday: 10:00 to 00:00 (midnight)
 - Friday and Saturday: 10:00 to 02:00 (the following day)
 - Sunday: 10:00 to 01:00 (the following day).

Bolu Kebab Restaurant, 7 Camberwell Church Street, London SE5 8TR

- The sale of alcohol to be consumed on the premises:
 - Monday to Thursday: 09:00 to 03:00 (the following day)
 - Friday and Saturday: 09:00 to 04:00 (the following day)
 - Sunday: 12:00 to 03:00 (the following day)
- The provision of late night refreshment (indoors):
 - Monday to Sunday 23:00 to 05:00 (the following day).

Wuli Wuli, 15 Camberwell Church Street, London SE5 8TR

- The sale of alcohol to be consumed on and off the premises:
 - Sunday to Thursday: 12:00 to 23:00
 - Friday and Saturday: 12:00 to 01:00 (the following day).
- The provision of late night refreshment (indoors):
 - Sunday to Thursday: 23:00 to 23:30
 - Friday and Saturday: 23:00 to 01:00 (the following day).

Cannon and Cannon Fine Foods, 17-21 Camberwell Church Street, London SE5 8TR

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Sunday: 11:00 to 23:00.

Stormbird, 25 Camberwell Church Street, London SE5 8TR

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Wednesday: 10:00 to 00:00 (midnight)
 - Thursday: 10:00 to 02:00
 - Friday and Saturday: 10:00 to 03:00 (the following day)
 - Sunday: 10:00 to 00:00 (midnight)
- The provision of late night refreshment (indoors):
 - Monday to Wednesday; 23:00 to 00:00 (midnight)
 - Thursday: 23:00 to 02:00
 - Friday and Saturday; 23:00 to 03:00 (the following day)
 - Sunday: 23:00 to 00:00 (midnight)

- The provision of regulated entertainment in the form of recorded music, live music, films, and performance of dance (indoors):
 - Monday to Wednesday: 10:00 to 00:00 (midnight)
 - Thursday: 10:00 to 02:00
 - Friday and Saturday: 10:00 to 03:00 (the following day)
 - Sunday: 10:00 to 00:00 (midnight).

Southwark council statement of licensing policy

23. 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.
24. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Cumulative impact policy (CIP)

25. Within Southwark's statement of licensing policy, the premises are identified as being within the Camberwell CIP area. The boundary of the area is defined as follows – From Camberwell New Road at the junction with Wyndham Road progressing via Camberwell Road / Bowyer Place / Edmund Street / Benhill Road / Wilson Road / Graces Road / Graces Mews / Camberwell Grove (via alley) / Grove Lane / De Crespigny Park / Denmark Hill following the Lambeth boundary to Coldharbour Lane / Denmark Road / Flodden Road and Camberwell New Road returning to the start.
26. The classes of premises to which the policy applies is defined as follows: night clubs, pubs and bars, off-licences, grocers, supermarkets, convenience stores and similar premises. The relevant closing times recommended in the statement of licensing policy for licensed premises in this area are as follows:
 - Restaurants and cafes:
 - Sunday to Thursday 00:00
 - Friday and Saturday 01:00.
 - Take-away establishments:
 - Sunday to Thursday 00:00
 - Friday and Saturday 01:00.

Resource implications

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

Consultation

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

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

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

Principles for making the determination

32. 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.
33. 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.
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 other 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:
 - Add to, omit, and/or alter the conditions of the licence, or
 - Reject the whole or part of the application for variation.

Conditions

36. 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.
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 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.
40. 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.

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

Reasons

42. 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

43. 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.

44. 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

45. 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.

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

APPENDICES

Name	Title
Appendix A	Copy of the existing premises licence
Appendix B	Copy of the application
Appendix C	Copies of representations from responsible authorities:
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Strategic Director of Environment and Leisure	
Report Author	Andrew, Principal Licensing Officer	
Version	Final	
Dated	10 April 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	17 April 2019	

Licensing Act 2003 Premises Licence



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

Premises licence number

862903

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Chicks Peri Peri Chicken Basement And Ground Floor 5 Camberwell Church Street London SE5 8TR Ordnance survey map reference (if applicable), 176756532653	
Post town London	Post code SE5 8TR
Telephone number	

Where the licence is time limited the dates

Licensable activities authorised by the licence
Late Night Refreshment - Indoors

The opening hours of the premises	
For any non standard timings see Annex 2	
Monday	11:00 - 02:00
Tuesday	11:00 - 02:00
Wednesday	11:00 - 02:00
Thursday	11:00 - 02:00
Friday	11:00 - 03:00
Saturday	11:00 - 03:00
Sunday	11:00 - 02:00

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

The times the licence authorises the carrying out of licensable activities

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

Late Night Refreshment - Indoors

Monday	23:00 - 01:30
Tuesday	23:00 - 01:30
Wednesday	23:00 - 01:30
Thursday	23:00 - 01:30
Friday	23:00 - 02:30
Saturday	23:00 - 02:30
Sunday	23:00 - 01:30

Part 2

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

Azmat Ali



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

N/A

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. N/A

Authority

Licence Issue date 05/04/2018



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

Annex 1 - Mandatory conditions

Annex 2 - Conditions consistent with the operating Schedule

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.

311 That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.

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

Annex 4 - Plans - Attached

Licence No. 862903
Plan No. N/05
N/06
N/06A
Plan Date Aug 2010



Application to vary a premises licence under the Licensing Act 2003

APPENDIX B

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 AZMAT ALI

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 862903
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
5 Camberwell church street Camberwell London SE5 8TR			
Post town	London	Postcode	SE5 8TR

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

Part 2 – Applicant details

Daytime contact telephone number	██████████		
E-mail address (optional)	████████████████████		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Business - Application to vary a premises licence under the Licensing Act 2003

14/02/2019

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 1181406

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

	ORGANICA
Premises licence number	082826

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

£	23500
---	-------

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

Address Line 1	BASEMENT AND GROUND FLOOR
Address Line 2	5 CAMBERWELL CHURCH STREET
Town	LONDON
County	
Post code	SE5 8TR
Ordnance survey map reference	
Description of the location	
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	<input checked="" type="checkbox"/> Yes
-------------	---

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

Business - Application to vary a premises licence under the Licensing Act 2003

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

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

	<p>I WOULD LIKE TO CHANGE OUR BUSINESS OPENING AND CLOSING TIME AS FOLLOWS</p> <p>MONDAY TO SUNDAY</p> <p>FROM 11.00 AM TO 04.00 AM</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)

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

Supply of alcohol (if ticking fill in box J)

--	--

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 4)

	Both
--	------

Please give further details here (Please read guidance note 5)

	WE ARE LOOKING FORWARD TO ENHANCE OUR BUSINESS TO PROVIDE THE OUR FOOD SERVICE TO OUR CUSTOMERS
--	---

Business - Application to vary a premises licence under the Licensing Act 2003

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 8)

Day	Start	Finish
Mon	11:00	23:00
	23:00	04:00
Tues	11:00	23:00
	23:00	04:00
Wed	11:00	23:00
	23:00	04:00
Thur	11:00	23:00
	23:00	04:00
Fri	11:00	23:00
	23:00	05:00
Sat	11:00	23:00
	23:00	05:00
Sun	11:00	23:00
	23:00	04:00

State any seasonal variations for the provision of late night refreshment (Please read guidance note 6)

--	--

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

	OUR BUSINESS NATURE IS MOSTLY PROVIDE SERVICES TO OUR CUSTOMERS TO DELIVER THE FOOD AT THEIR DOORS
--	--

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

Day	Start	Finish
Mon	11:00	23:00
	23:00	04:00
Tues	11:00	23:00
	23:00	04:00
Wed	11:00	23:00
	23:00	04:00
Thur	11:00	23:00
	23:00	04:00

Business - Application to vary a premises licence under the Licensing Act 2003

Fri	11:00	23:00
	23:00	05:00
Sat	11:00	23:00
	23:00	05:00
Sun	11:00	23:00
	23:00	04:00

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.

	PLEASE WE ARE REQUESTING TO CHANGE THE TIME OF OUR BUSINESS OPENING AND CLOSING SCHEDULE ACCORDINGLY
--	--

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

	Please tick otherwise state reason for not uploading

Reason for not uploading the premises licence

	I DO NOT HAVE FACILITY TO UPLOAD THE DOCUMENT
--	---

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

	We will promote all four licensing objectives together
--	--

b) the prevention of crime and disorder

	We will promote all four licensing objectives together
--	--

c) public safety

	We will promote all four licensing objectives together
--	--

Business - Application to vary a premises licence under the Licensing Act 2003

d) the prevention of public nuisance

	We will promote all four licensing objectives together
--	--

e) the protection of children from harm

	We will promote all four licensing objectives together
--	--

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

Upload proposed plans	
Upload existing plans	

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	██████████
AuthCode	0██████
LicenceReference	██████████
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state in what capacity.

Full name	AZMAT ALI
Date (DD/MM/YYYY)	██████████
Capacity	DIRECTOR

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)	

Business - Application to vary a premises licence under the Licensing Act 2003

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	AZMAT ALI ORGANICA 5 CAMBERWELL CHURCH STREET LONDON SE5 8TR
Telephone No.	
If you prefer us to correspond with you by e-mail, your email address (optional)	

Please tick to indicate agreement

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

I agree to the above statement

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

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



APPENDIX C

POLICE

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/21/30/19

Date: 20TH FEB 2019

Re:- Organica Pizza 5 Camberwell Church Street SE5 8TR

Dear Sir/Madam

Police are in receipt of an application from the above premises which describes itself as a Restaurant/Take Away. The application is for a full variation to their licence for late night refreshment. The operating schedule asks for the following hours

Opening hours

Sun-Thurs-1100hrs-0400hrs

Fri—Sat---1100hrs-0500hrs

Late Night Refreshment

Sun-Thurs-1100hrs-0400hrs

Fri—Sat---1100hrs-0500hrs

The venue is situated in a district town centre as stipulated within the Southwark statement of licensing policy which is in place to assist in addressing the licensing objectives. The policy states that such a venue as not suitable for these requested hours in this area and the recommend closure hours are as follows

Sun-Thurs—0000hrs

Fri---Sat----- 0100hrs

The venues current licence already has the following hours which are outside the current policy

Opening Hours

Sun—Mon--1100hrs—0200hrs

Fri----Sat----1100hrs---0300hrs

Late Night Refreshment

Sun---Thurs—1100hrs-0130hrs

Fri----Sat-----1100hrs-0230hrs

The current hours are already very generous and I cannot see any reason to deviate from policy, the applicant have also failed to offer any further information in regards to addressing the licensing objectives.

The police object to the granting of the licence in its current format

Yours Sincerely

PC Mark Lynch 2246AS
Licensing Officer
Southwark Police Licensing Unit

Heron, Andrew

From: Beswick, Claire
Sent: 13 March 2019 09:15
To: Heron, Andrew
Subject: FW: Full Variation - 5 Camberwell Church Street

From: Beswick, Claire **On Behalf Of** Regen, Licensing
Sent: Tuesday, March 12, 2019 2:28 PM
To: Enebeli, Emma
Subject: FW: Full Variation - 5 Camberwell Church Street

From: Legassick, Bill
Sent: Tuesday, March 12, 2019 1:57 PM
To: Regen, Licensing
Cc: 'chickstooting786@gmail.com'
Subject: FW: Full Variation - 5 Camberwell Church Street

Licensing

Thank you for the opportunity to comment on the above – mentioned application. The Environmental Protection Team would like to make a representation on the grounds of the Prevention of Nuisance objective.

1. The hours of opening to the public is outside the Licencing policy hours for the a “District Town Centre Area” of 01:00 hours on Fri – Sat and 00:00 hours Sun – Thursday
2. There is no details how the operation of the premises will prevent causing a nuisance to neighbouring properties. The application only states that the applicant will “*promote all four licensing objectives together*”.
3. Further details are required in respect of the operation of the restaurant and the delivery service.

Bill Legassick
Principal Environmental Health Officer

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

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

Tel: 020 7525 4253 | Fax: 020 7525 5705 | e mail: Bill.Legassick@southwark.gov.uk

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



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

MEMO: Licensing Unit

To Licensing Unit Date 14 March 2019

Copies

From Jayne Tear Telephone

Email jayne.tear@southwark.gov.uk

Subject Re: Organica Pizza, Basement and Ground Floor, 5 Camberwell Church Street,
London, SE5 8TR – Application to vary a premises licence

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

- To add late night refreshment (outdoors) on Monday to Sunday from 23:00 to 04:00 the following day
- To extend late night refreshment (indoors) on Sunday to Thursday from 01:30 to 04:00 and on Friday and Saturday from 02:30 to 04:00
- Overall opening times shall be on Monday to Sunday from 11:00 to 04:00 the following day

In the general description of the proposed variation it is stated *'I would like to change our business opening and closing hours as follows: Monday to Sunday From 11.00am to 04.00am'*.

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

This premise is situated within the Camberwell District Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing time for restaurants, cafes and take-away establishments on Sunday to Thursday is 00:00 hours and on Friday and Saturday is 01:00 hours.

This premises already has hours in excess of that which is deemed appropriate for this area and the operating schedule does not offer any further control measures to address the licensing objectives should it be allowed to operate later.

On the original application for this premises licence submitted on 5 August 2010 the premises is described as a *'chicken shop eat in and out, mainly takeaway'*. The plans submitted with the original application include the basement and ground floor and show no outdoor area. This the application asks to add late night refreshment *'outdoors'* but has not provided a plan to show any outdoor area to be added and the original plan for the existing licence does not have an outdoor area. I seek further clarification as to whether it is intended

that the premises has an outdoor area and if so why an amendment to the plans has not been included with this application.

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

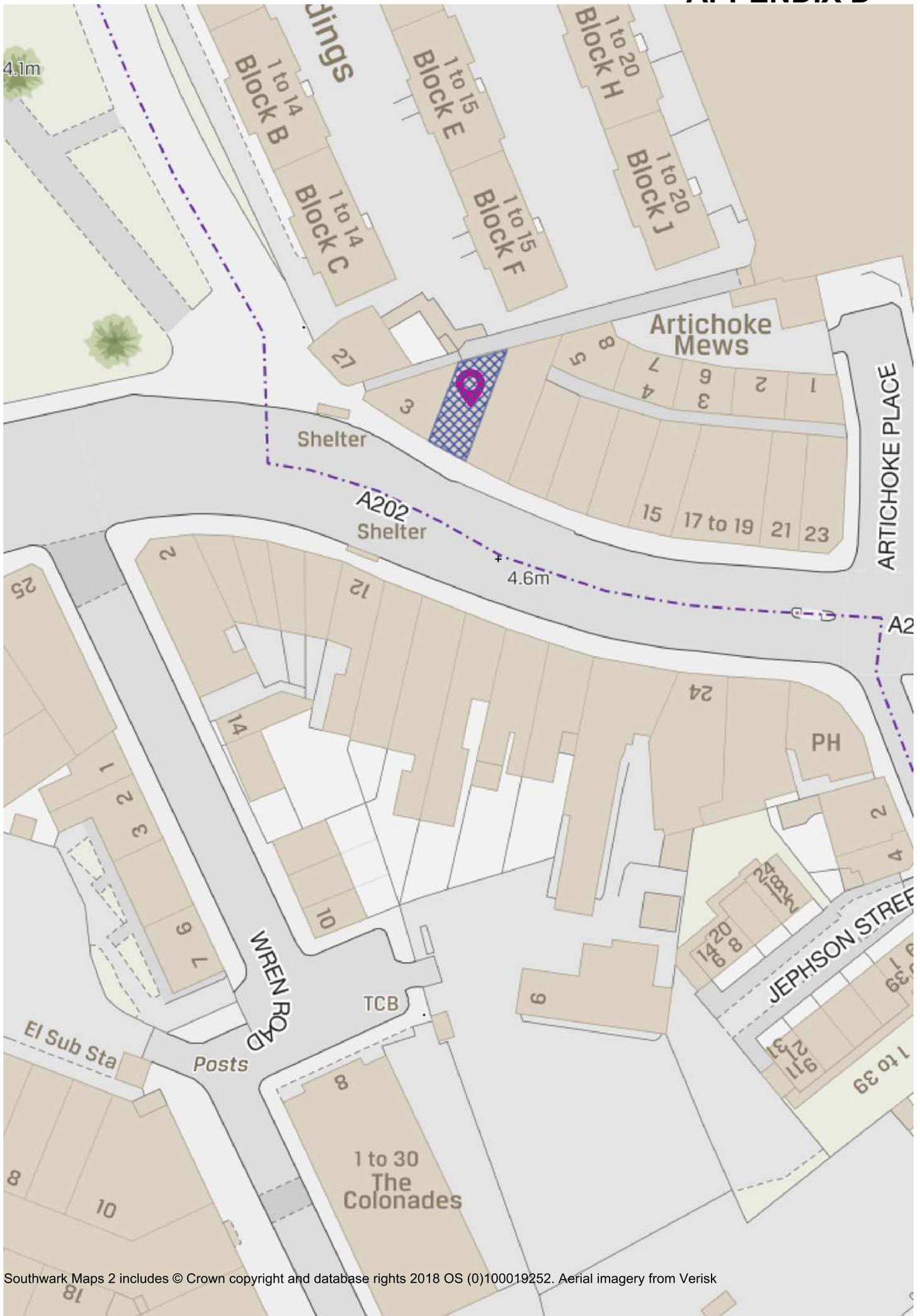
- A written dispersal policy for the premises (to be conditioned)
- To confirm the accommodation limit for the premises (to be conditioned)

I reserve the right to comment further once all of the information has been provided.

I welcome any discussion with the applicant to consider the above representation.

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

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



LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2018-19

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

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Councillor Ian Wingfield	1	Andrew Heron, licensing team	1
Councillor Kath Whittam	1	Richard Kalu, licensing team	1
Councillor (reserve)	By email	Jayne Tear, licensing team	1
		Bill Legassick, environmental protection team	1
		P.C. Ian Clements	By email
		P.C. Mark Lynch	By email
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