

Licensing Sub-Committee

Monday 8 July 2019

10.00 am

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

Membership

Councillor Renata Hamvas (Chair)
Councillor Sunny Lambe
Councillor Margy Newens

Reserves

Councillor Lorraine Lauder MBE

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: 28 June 2019



Licensing Sub-Committee

Monday 8 July 2019
10.00 am

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

Order of Business

Item No.	Title	Page No.
PART A - OPEN BUSINESS		
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: MARKET, UNIT 2, BASEMENT AREA, 133 RYE LANE, LONDON SE15 4ST	1 - 74
6.	LICENSING ACT 2003: SPIEDIE SHACK, EXTERNAL TRADING AREA, SURREY QUAYS SHOPPING CENTRE, REDRIFF ROAD, LONDON SE16 7LL	75 - 115

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT

Date: 28 June 2019

Item No. 5.	Classification: Open	Date: 8 July 2019	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Market, Unit 2, Basement Area, 133 Rye Lane, London SE15 4ST	
Ward(s) of group(s) affected		Rye Lane	
From		Director of Environment	

RECOMMENDATION

1. That the licensing sub-committee considers whether an application submitted by FQBSC Limited for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as Market, Unit 2, Basement Area, 133 Rye Lane, London SE15 4ST.
2. Notes:
 - a) The application is for a premises licence and was submitted under Section 17 of the Licensing Act 2003. The application is subject to representations and is therefore referred to the licensing sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 20 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report in Appendices B and C. A map showing the location of the premises is attached to this report as Appendix D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to applications made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 14 May 2019 FQBSC Limited applied to this council for the grant of a premises licence in respect of Market, Unit 2, Basement Area, 133 Rye Lane, London SE15 4ST.
9. The application is summarised as follows:
- **Films**
 - Monday to Wednesday from 12:00 to 00:00 (midnight)
 - Thursday from 12:00 to 01:00
 - Friday and Saturday from 12:00 to 04:00
 - Sunday from 12:00 to 00:30
 - Non standard timings:
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
 - An additional hour to the terminal hour on the commencement of British Summer Time.
 - An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00.
 - **Indoor sporting events and performances of dance**
 - Monday to Sunday from 12:00 to 00:00
 - Non standard timings:
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

- An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00.
- **Live music and recorded music**
 - Monday to Wednesday from 12:00 to 00:00 (midnight)
 - Thursday from 12:00 to 00:30
 - Friday and Saturday from 12:00 to 03:30
 - Sunday from 12:00 to 00:00
 - Non standard timings:
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
 - An additional hour to the terminal hour on the commencement of British Summer Time.
 - An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00.
- **Anything similar to live music and recorded music**
 - Monday to Wednesday from 12:00 to 23:30
 - Thursday from 12:00 to 00:00
 - Friday and Saturday from 12:00 to 03:30
 - Sunday from 12:00 to 23:30
 - Non standard timings:
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
 - An additional hour to the terminal hour on the commencement of British Summer Time.
 - An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00.
- **The supply of alcohol to be consumed on the premises**
 - Monday to Wednesday from 12:00 to 23:30
 - Thursday from 12:00 to 00:00
 - Friday and Saturday from 12:00 to 03:30
 - Sunday from 12:00 to 23:30
 - Non standard timings:
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
 - An additional hour to the terminal hour on the commencement of British Summer Time.
 - An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00.
- **Opening hours**
 - Monday to Wednesday from 12:00 to 00:00
 - Thursday from 12:00 to 01:00

- Friday and Saturday from 12:00 to 04:00
- Sunday from 12:00 to 00:30
- Non standard timings:
 - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
 - An additional hour to the terminal hour on the commencement of British Summer Time.
 - An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00.
- The premises, and the intended operation of the premises, are described in the application as follows:

“The site is located across the road from Peckham Rye Station, at the gateway to the Bussey Building and Copeland Park. Market will be at the heart of Peckham's thriving creative and cultural community.

The Music Venue is set within a newly-extended red brick Edwardian building, the site will play host to four floors of shared workspace, three independent restaurant/bars, a live music venue, a bookshop and a range of meeting and events spaces. This application relates solely to the music venue.

The premises is a purpose built live music venue with appropriate planning permission.

The premises will offer a safe and fun environment to watch varied and high calibre acts. The venue will be fully wheelchair accessible and provide an abundance of raised spectating areas so people can enjoy live music and other staged entertainment.

The venue will also provide DJ nights and will also be available for events, meetings and more opportunities during the daytime.”

10. The premises licence application form provides the applicant's operating schedule. Parts B, C, E, F, G, H, J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application then the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. Copies of the application and the dispersal policy submitted with the application are attached to this report as appendix A.

Designated Premises Supervisor

11. The proposed designated premises supervisor of the premises is Jake Dean Farey.

Representations from responsible authorities

12. Representations have been submitted by this council's environmental protection team, this council's licensing responsible authority, this council's public health authority, this council's trading standards service and also by the Metropolitan Police Service.

13. The environmental protection team's representation notes that the premises are within the Peckham cumulative impact policy (CIP) area. It is the environmental protection team's opinion that the premises' proposed closing times are likely to add to the cumulative impact of licensed premises in the locale as a result of nuisance from music and also nuisance caused by patrons leaving the premises. The environmental protection team have suggested control measures that the environmental protection team recommended should become conditions of any licence issued subsequent to the application, if the licensing sub committee are minded to grant the licence.
14. The licensing responsible authority's representation notes that the premises are within the Peckham CIP area and that Southwark Council's statement of licensing policy contains a 'rebuttal presumption' which means that applications for new premises licenses which are likely to add to the existing cumulative impact will normally be refused. The representation states that the applicant has not addressed the presumption to refuse the application within the operating schedule. The licensing responsible authority recommend refusal of the application unless the applicant can demonstrate that the premises will not contribute to crime and disorder, and public nuisance, within the Peckham CIP area.
15. The public health authority representation notes that the premises are within the Peckham CIP area. The public health authority recommends that should the licensing sub committee be minded to grant the application, to mitigate the negative impact of additional licensed premises in an area that it's already saturated, the licensing sub committee consider amending the premises' closing times to those suggested for nightclubs in this council's statement of licensing policy.
16. The trading standards service's representation notes that the premises are within the Peckham CIP area. The trading standards service have suggested control measures that the trading standards service recommended should become conditions of any licence issued subsequent to the application, should the licensing sub committee be minded to grant the licence.
17. The Metropolitan Police Service's representation notes that the premises are within the Peckham CIP area. The representation states that the applicant has provided an extensive operating schedule which includes a number of control measures congruent with the proposed operation of the premises, and that extensive dispersal and search policies have been provided. The representation notes that the proposed capacity of the premises is 220 persons and concludes that this number of patrons could add to the cumulative impact of licensed premises in the area. The Metropolitan Police Service object to the granting of the application under the prevention of crime and disorder licensing objective and ask that the licensing sub-committee decide if the applicants have sufficiently addressed the presumption to refuse the application.
18. Copies of the representations submitted by responsible authorities are attached as Appendix B.

Representations from other persons

19. Twenty six representations supporting the application have been submitted by 'other persons'. In summary the representations state that the proposed operation of the premises will not give rise to crime and disorder, be to the detriment of public safety or cause public nuisance. The representations also suggest that the premises will be operated well will contribute positively to the area.

20. Copies of the representations submitted by the other persons are attached as to this report as Appendix C.

Conciliation

21. At the time of the writing of this report all of the representations objecting to the application remain outstanding and so must be considered by the Licensing Sub Committee.

Premises history

22. The premises are still currently under construction. No licensing authorisation issued under the Licensing Act 2003, or any prior licensing legislation, has previously been held regarding the premises.
23. On 14 May 2019 FQBSC Limited applied to this council for the grant of a premises licence in respect of Market, Unit 2, Basement Area, 133 Rye Lane, London SE15 4ST.

Deregulation of entertainment

24. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
 - Live amplified music and recorded music are deregulated between 08:00 and 23:00 at on licensed premises for an audience of up to 500 people.
 - Plays and the performance of dance are deregulated between 08:00 and 23:00 for an audience of up to 500 people.
 - Indoor sporting events are deregulated between 08:00 and 23:00 for an audience of up to 1000 people.
25. Live music and recorded music can become licensable in on-licensed premises if the licensing authority removes the effect of deregulation following a licence review ('licence review mechanism').
26. The showing of films has not been de-regulated.

Map

27. A map, showing the location of the premises is attached to this report as appendix E. The following licensed premises are also shown on the map and provide licensable activities as stated:

Roof B (Bussey Building), 133 Copeland Road, London SE15 3SN licensed for:

- The sale of alcohol to be consumed on the premises:
 - Monday to Friday from 17:00 to 22:30
 - Saturday from 12:00 to 22:30.

- Films:
 - Monday to Sunday from 12:00 to 00:00.
- The provision of live music:
 - Monday to Sunday from 12:00 to 22:00.
- The provision of plays:
 - Monday to Sunday from 12:00 to 23:00.

Forza Win Ltd, Unit 4.1, Copeland Industrial Park, 133 Copeland Road, London SE15 3SN licensed for:

- The sale of alcohol to be consumed:
 - Wednesday to Saturday from 12:00 to 23:30
 - Saturday from 12:00 to 22:30.

The Last Refuge Arts, 133 Unit, 9a Copeland Road, London SE15 3SN licensed for:

- The provision of films:
 - Monday to Friday from 18:00 to 00:00
 - Saturday and Sunday from 12:00 to 00:00.
- The sale of alcohol and the provision of live music and recorded music:
 - Monday to Friday from 17:30 to 00:00
 - Saturday and Sunday from 14:30 to 00:00.
- The provision of plays:
 - Monday to Friday from 19:30 to 22:30
 - Saturday and Sunday from 14:30 to 22:30.

Tonkotsu, Ground Floor, 133 Rye Lane, Peckham, London SE15 4ST licensed for:

- The sale of alcohol to be consumed on the premises:
 - Sunday to Thursday from 11:00 to 23:30
 - Friday and Saturday from 11:00 to 00:30.
- The provision of late night refreshment:
 - Sunday to Thursday from 23:00 to 00:30
 - Friday and Saturday from 23:00 to 01:00.

Forza Win, 5th Floor, 133 Rye Lane, Peckham, London SE15 4ST licensed for:

- The sale of alcohol to be consumed on the premises:

- Sunday to Thursday from 10:00 to 00:00
- Friday and Saturday from 10:00 to 01:00.

- The provision of late night refreshment:
 - Sunday to Thursday from 10:00 to 00:00
 - Friday and Saturday from 10:00 to 01:00.

Rye Express, 137-139 Unit 1 Rye Lane, London SE15 4ST licensed for:

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

Il Giardino Restaurant, 7 Blenheim Grove, London SE15 4QS licensed for:

- The sale of alcohol to be consumed on the premises:
 - Monday to Saturday from 11:00 to 00:00
 - Sunday from 12:00 to 23:30.
- The provision of late night refreshment:
 - Monday to Saturday from 11:00 to 00:00
 - Sunday from 12:00 to 23:30.

Peckham Refreshment Rooms, 12-16 Unit 4 Blenheim Grove, London SE15 4QL licensed for:

- The sale of alcohol to be consumed on the premises
 - Monday to Friday from 07:00 to 22:30
 - Saturday from 09:00 to 23:30
 - Sunday from 09:00 to 16:30

Honest Burgers, 12-16 Unit 1 To 2 Blenheim Grove, London SE15 4QL licensed for:

- The sale of alcohol to be consumed on the premises:
 - Monday to Thursday from 10:00 to 23:00
 - Friday and Saturday from 10:00 to 00:00
 - Sunday from 10:00 to 23:00.
- The provision of late night refreshment:
 - Friday to Saturday from 23:00 to 00:00.

Brick Brewery, Railway Arch 209, Blenheim Grove, London SE15 4QL licensed for:

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Friday from 11:00 to 22:30.

Bar Story, Arch 213 Blenheim Grove, London SE15 4QL licensed for:

- The sale of alcohol to be consumed on the premises:
 - Monday to Saturday from 10:00 to 00:00
 - Sunday from 10:00 to 23:30.
- The provision of late night refreshment:
 - Monday to Saturday from 10:00 to 00:30
 - Sunday from 10:00 to 00:30.

Little Bird Gin Nights & Weekends, 22a Unit 1, Dovedale Business Centre Blenheim Grove, London SE15 4QN licensed for:

- The sale of alcohol to be consumed on the premises:
 - Monday to Sunday from 10:00 to 19:00
- The sale of alcohol to be consumed off the premises:
 - Thursday to Sunday from 10:00 to 22:00

Serious Pig, Railway Arch 221 Blenheim Grove, London SE15 4QL licensed for:

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Sunday from 10:00 to 19:00.

McDonald's Restaurants Limited, 72-74 Rye Lane, London SE15 5DQ licensed for:

- The provision of late night refreshment:
 - Sunday to Thursday from 23:00 to 01:00
 - Friday and Saturday from 23:00 to 02:00.

Southwark council saturation policy for Peckham

28. Council assembly approved the introduction of a special policy for Peckham on the cumulative impact of a concentration of licensed premises (saturation policy) on 12 October 2011. This was renewed in November 2015 when full council assembly approved the 2016 -2020 statement of licensing policy.
29. The decision to introduce saturation policy was taken with regard to the committee's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
30. The effect of this special policy is that is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative

impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

31. The applicant has been advised to address the committees concerns around cumulative impact at the meeting.

Southwark council statement of licensing policy

32. Council assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. 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. To be read in conjunction with Appendix B to the policy.
- Section 8 – The Prevention of Crime and Disorder. This provides general guidance on the promotion of the first licensing objective.
- Section 9 – Public Safety. This provides general guidance on the promotion of the second licensing objective.
- Section 10 – The Prevention of Nuisance. This provides general guidance on the promotion of the third licensing objective.
- Section 11 – The Protection of Children from Harm. This provides general guidance on the promotion of the fourth licensing objective.

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

34. The premises are located in Peckham major town centre area. Closing times as stated below are suggested in the statement of licensing policy for the following types of licensed premises located in residential areas:

Night clubs (with 'sui generis' planning classification)

Monday to Thursday: 01:00
 Friday and Saturday: 03:00
 Sunday: 00:00

Resource implications

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

Consultation

36. 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

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

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

Principles for making the determination

40. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
41. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
42. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- To grant the licence subject to:

- The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
 - Any condition which must under section 19, 20 or 21 be included in the licence
- To exclude from the scope of the licence any of the licensable activities to which the application relates
 - To refuse to specify a person in the licence as the premises supervisor
 - To reject the application.

Conditions

43. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
44. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
45. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
46. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
47. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

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

Hearing procedures

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

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

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

51. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
52. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
53. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
54. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The

proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

55. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
56. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
57. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
58. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

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

Strategic Director of Finance and Governance

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Copies of the application and the dispersal policy
Appendix B	Copies of the representations submitted by responsible authorities
Appendix C	Copies of the representations submitted by other persons
Appendix D	Map

AUDIT TRAIL

Lead Officer	Mick Lucas, Director of Environment	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	19 June 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	26 June 2019	

14/05/2019

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

Ref No. 1234023

Name of Applicant

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

	FQBSC Ltd
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Premises Details

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

£	0
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises
	No

Premises trading name

	Market
--	--------

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

Address Line 1	Unit 2 Basement Area
Address Line 2	133 Rye lane
Town	London
County	Greater london
Post code	SE15 4ST
Ordnance survey map reference	
Description of the location	Just across the road from Peckham Rye Station
Telephone number	██████████

Applicant Details

Please select whether you are applying for a premises licence as

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

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

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

Other Applicants

Personal Details - First Entry

Name	FQBSC Ltd
------	-----------

Address - First Entry

Street number or building name	The Stables, Goblands Farm Business Centre
Street Description	Cemetery Lane
Town	Hadlow
County	Kent
Post code	TN11 0LT
Registered number (where applicable)	11824138
Description of applicant (for example, partnership, company, unincorporated association etc)	Limited Company

Contact Details - First Entry

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

Operating Schedule

When do you want the premises licence to start?

	11/06/2019
--	------------

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

--	--

General description of premises (see guidance note 1)

	<p>The site is located across the road from Peckham Rye Station, at the gateway to the Bussey Building and Copeland Park. Market will be at the heart of Peckham's thriving creative and cultural community.</p> <p>The Music Venue is set within a newly-extended red brick Edwardian building, the site will play host to four floors of shared workspace, three independent restaurant/bars, a live music venue, a bookshop and a range of meeting and events spaces. This application relates solely to the music venue.</p> <p>The premises is a purpose built live music venue with appropriate planning permission. The premises will offer a safe and fun environment to watch varied and high caliber acts. The venue will be fully wheelchair accessible and provide an abundance of raised spectating areas so people can enjoy live music and other staged entertainment.</p> <p>The venue will also provide DJ nights and will also be available for events, meetings and more opportunities during the daytime.</p>
--	---

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

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

Operating Schedule part 2

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

	(Please see sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 of the Licensing Act 2003)
--	---

Provision of regulated entertainment (Please read guidance note 2)

	b) films
	c) indoor sporting events
	e) live music
	f) recorded music
	g) performance of dance
	h) anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment

--	--

Supply of alcohol

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

B- Films

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

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

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

	To permit the occasional showing of pre-recorded films, music videos and other entertainment (but nothing of an adult nature).
--	--

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

Day	Start	Finish
Mon	12:00	00:00
Tues	12:00	00:00
Wed	12:00	00:00
Thur	12:00	01:00
Fri	12:00	04:00
Sat	12:00	04:00
Sun	12:00	00:30

State any seasonal variations for the exhibition of films (Please read guidance note 5)

--	--

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

	From the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day. An additional hour to the terminal hour on the commencement of British Summer Time. An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00hrs.
--	---

C - Indoor Sporting Event

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

	Occasional sporting events eg darts, snooker, pool etc to be view by audiences.
--	---

Standard days and timings for Indoor Sporting Events (Please read guidance note 7)

Day	Start	Finish
Mon	12:00	00:00
Tues	12:00	00:00
Wed	12:00	00:00

Thur	12:00	00:00
Fri	12:00	00:00
Sat	12:00	00:00
Sun	12:00	00:00

State any seasonal variations for indoor sporting events (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed. (Please read guidance note 6)

	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00hrs.
--	--

E - Live Music

Will the performance of live music take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	Unamplified/amplified music will be via artists singing, DJ, bands and other music of a similar nature. The performance by live bands will end at 23.00.
--	--

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

Day	Start	Finish
Mon	12:00	00:00
Tues	12:00	00:00
Wed	12:00	00:00
Thur	12:00	00:30
Fri	12:00	03:30
Sat	12:00	03:30
Sun	12:00	00:00

State any seasonal variations for the performance of live music (Please read guidance note 5)

--	--

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 6)

	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the commencement of British Summer Time. An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00hrs.
--	---

F - Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 3)

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

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

	Music via a recorded source (eg CD, download, etc) for entertainment
--	--

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

Day	Start	Finish
Mon	12:00	00:00
Tues	12:00	00:00
Wed	12:00	00:00
Thur	12:00	00:30
Fri	12:00	03:30
Sat	12:00	03:30
Sun	12:00	00:00

State any seasonal variations for playing recorded music (Please read guidance note 5)

--	--

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 6)

	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the commencement of British Summer Time. An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00hrs
--	--

G - Performances of Dance

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

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

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

	Performance where dance is part of the entertainment.
--	---

Standard days and timings for Performance of dance (Please read guidance note 7)

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

State any seasonal variations for the performance of dance (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed. (Please read guidance note 6)

	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00hrs.
--	--

H - Anything of a similar description to that falling within (e), (f) or (g)

Please give a description of the type of entertainment you will be providing

	Anything similar in nature to (e), (f) and (g) but different enough to not be included within it.
--	---

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

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

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

	Anything similar in nature to (e), (f) and (g) but different enough to not be included within it.
--	---

Standard days and timings for Anything of a similar description to that falling within (e), (f) or (g) (Please read guidance note 7)

Day	Start	Finish
Mon	12:00	23:30
Tues	12:00	23:30
Wed	12:00	23:30
Thur	12:00	00:00
Fri	12:00	03:30
Sat	12:00	03:30
Sun	12:00	23:30

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed. (Please read guidance note 6)

	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the commencement of British Summer Time. An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00hrs.
--	---

J - Supply of Alcohol

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

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

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

Day	Start	Finish
Mon	12:00	23:30
Tues	12:00	23:30
Wed	12:00	23:30
Thur	12:00	00:30
Fri	12:00	03:30
Sat	12:00	03:30
Sun	12:00	00:00

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

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to

those listed. Please list, (Please read guidance note 6)

	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the commencement of British Summer Time. An extension of hours on Good Fridays, Bank Holiday Sundays to 03:30hrs.
--	---

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

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

Premises Supervisor

Full name of proposed designated premises supervisor

First names	Jake Dean
Surname	Farey

DOB

Date Of Birth	[REDACTED]
---------------	------------

Address of proposed designated premises supervisor

Street number or Building name	[REDACTED]
Street Description	[REDACTED]
Town	[REDACTED]
County	[REDACTED]
Post code	[REDACTED]

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

Personal licence number (if known)	[REDACTED]
Issuing authority (if known)	[REDACTED]

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 9)

	None
--	------

L - Hours premises are open to public

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

Day	Start	Finish
Mon	12:00	00:00
Tues	12:00	00:00
Wed	12:00	00:00
Thur	12:00	01:00
Fri	12:00	04:00
Sat	12:00	04:00
Sun	12:00	00:30

State any seasonal variations (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 6)

	<p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>An additional hour to the terminal hour on the commencement of British Summer Time.</p> <p>An extension of hours on Good Fridays, Bank Holiday Sundays to 04:00hrs.</p>
--	--

M - Steps to promote four licencing objectives

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

	<p>The new business is a joint venture between the owners of two successful Southwark based night-time operations, Four Quarters and Bermondsey Social Club, who are taking on the basement space at Market, 133 Rye Lane.</p> <p>The venue will be a bar and events space offering live music and DJs. Peckham currently as no dedicated live music venue but with the combined experience and contacts of the owners within the industry they will ensure the new premises is of a high caliber.</p> <p>The premises falls within the Cumulative Impact Area and we have taken this into account when drafting this application. The premises will offer something different within the Southwark Council district contributing to the wide-range of leisure and culture which the borough already offers. This will support the regeneration of the area.</p> <p>In order to ensure the success of this business and development of culture and entertainment in the area, it is crucial that the premises is permitted to provide a wide scope of activities to cater for customers of varied interests. The development of this operation will help make the Borough an exciting and vibrant area, contributing to tourism, providing employment and contributing to the local economy.</p> <p>The operation is first and foremost an entertainment venue, with the sale of alcohol being secondary to the entertainment. The misuse of alcohol will not be encouraged.</p>
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	<p>The hours and nature of the conditions which we are offering within the operating plan address any concerns and with proper management, will not impact on the Authorities Cumulative Impact Policy.</p> <p>We have consulted with the Metropolitan Police Licensing Department and the Council's Principle Environmental Protection Officer.</p>
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b) the prevention of crime and disorder

	<ol style="list-style-type: none"> 1) There will be a minimum of two door supervisors employed at the premises for live bands and a minimum of 3, from 23.00 on Fridays and Saturdays to at least 30 min after closing. The requirement for any additional door supervisors will be assessed by way of a written risk assessment and cognisance will be taken of any police advice. 2) On Fridays and Saturdays, where available, one female door supervisor will be employed at the premises to allow for searches on entry to be conducted on female customers. 3) All door supervisors will be in radio contact with each other. 4) Door supervisors will have search wands, which are to be maintained in good working order and used when the premises trades licensable activities past 00.00. 5) The Premises Licence Holder shall ensure that the premises are equipped with a digital closed circuit television system. All entry and exit points will be covered to enable frontal identification of every person entering the premises in any light condition. The CCTV system shall continually record inside and in the outside areas whilst the premises is open for licensable activities and during times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. 6) Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. 7) A staff member from the premises who is knowledgeable with the operation of the CCTV system shall be available when the premises are open to the public. This staff member must be able to show a Police or authorised office recent data or footage with absolute minimum of delay when requested. 8) A Designated Premises Supervisor or nominated Personal Licence Holder will be on duty at the premises from 23.00 on Fridays and Saturdays when licensable activities are taking place. 9) An incident log book shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:- <ol style="list-style-type: none"> a. Any incidents of disorder b. Any seizures of drugs or offensive weapons c. Any ejections of patrons d. Details of any refused sales of alcohol 10) The management and premises will have an absolute zero tolerance policy towards drug misuse. Any illegal drugs seized will be stored in a secure 'drugs box' and periodically the management will request the police to come and remove all drugs in the 'drugs box' for destruction. All seized drugs will be documented using a clear bagging and numbering system and this documentation will be provided to Police when drugs are collected for destruction. 11) There shall be separate written risk assessments for DJ, live music events and externally promoted events which takes place on a Friday or Saturday night. Copies will be made available to the Licensing Police and the Licensing Council Officers. 12) The premises shall maintain a written search policy, which shall be made available to the Police or an authorised officer of the Council upon request.
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c) public safety

	<p>1) All drinking vessels used for the consumption of drinks at the premises will be made of plastic, polycarbonate or other non-shatterable material.</p> <p>2) The Premises Licence Holder will ensure that all staff involved in the sale of alcohol are trained and are conversant with the licensing objectives, and Premises Licence conditions. They will be fully trained to avoid underage sales or serving to drunks. Individual training records will be kept for all staff and made available to the Licensing Police or Council Licensing Officer on request.</p> <p>3) The management will ensure that accurate control of numbers/capacity is undertaken. This will be by a method previously approved by the Local Authority but in any case not less effective than SIA registered door stewards, utilizing "clickers" to manually count people in and out of the premises.</p> <p>4) The capacity of the venue will be 220</p> <p>5) A qualified first-aider shall be on the premises at all times when SIA door supervisors are required to be present. The first aider must have a valid (non-expired) qualification in Emergency First Aid at Work or higher.</p>
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d) the prevention of public nuisance

	<p>1) The premises shall maintain a written dispersal policy which will be made available for inspection on request from the Police or an Authorised Officer of the Council or Responsible Authority.</p> <p>2) The licence holder / DPS shall arrange adequate supervision of any queue which may form to gain entry to the premises.</p> <p>3) Noise from the plant, patrons and activities at the premises shall be managed to ensure that public nuisance shall not be caused in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.</p> <p>4) Clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that customers should respect neighbors and leave the area quietly.</p> <p>5) The premises shall maintain a written dispersal and outside area management policy, which shall be made available to the Police or an authorised officer of the Council upon request.</p> <p>6) The Premises Licence Holder shall ensure that their staff are trained on and comply with their Policies.</p> <p>7) An effective method must be in place to manage customers wishing to smoke. No more than 20 persons shall be allowed in the smoking area at any one time before 23.00 and 15 persons thereafter. The area set aside for smoking will be clearly defined and customers will not be permitted to have any container or drink whilst using this area.</p> <p>8) When in use by customers, the designated smoking area will be continually supervised by staff.</p> <p>9) External waste handling, collections and deliveries shall only occur between the hours of 08:00 hours and 22:00 hours.</p> <p>10) There shall be no new entry to the premises for customers after 01:00 (save for re-entry for existing customers who have temporarily left the premises, e.g. to smoke).</p>
--	---

e) the protection of children from harm

	<p>1) A proof of age scheme such as Challenge 25 will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.</p>
--	--

Please upload a plan of the premises

	Plans.pdf
--	---------------------------

Please upload any additional information i.e. risk assessments

	Policy.docx
--	-----------------------------

Checklist

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

Home Office Declaration

Please tick to indicate agreement

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

Declaration

I agree to the above statement

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

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

Full name	████████████████████
Date (DD/MM/YYYY)	14/05/2019
Capacity	Solicitors for and on behalf of the Applicant

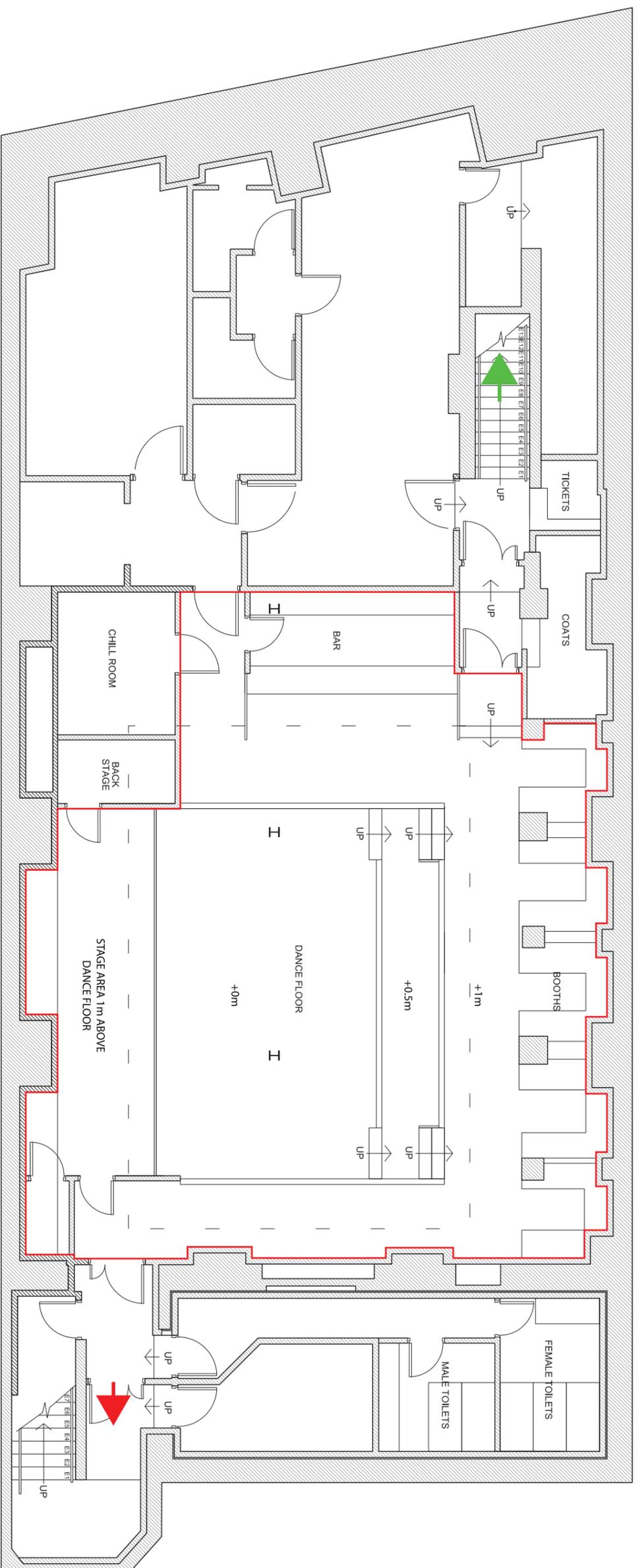
Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	14/05/2019
Capacity	

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

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

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



Anything shown on this plan which is not required by the Plan Regulations is for illustrative purposes only and **does not** form part of the Premises Licence

The location and type of any fire safety and any other safety equipment is shown as at present. This may be varied from time to time with the agreement of the Fire Officer or after a fire risk assessment

— The area where licensable activities will take place.

— Main Entrance and Exit

— Fire Escape

DO NOT SCALE FROM THIS DRAWING FOR ANY PURPOSES OTHER THAN PLANNING ASSESSMENT. ALL DIMENSIONS ARE TO BE TAKEN FROM THE ARCHITECT'S DRAWINGS AND ANY DIFFERENCES TO BE CONFIRMED WITH THE ARCHITECT, ARCHITECTS, SUBJECT TO BUILDING REGULATIONS AND STATUTORY APPROVALS. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL CONSULTANTS INFORMATION.

Revision	Date

Drawing Status CONCEPT	Client FOMR
13 Raymouth Road London SE16 2DB	Project 133 RYE LANE, PECKHAM, LONDON SE15 4ST
07734110673 d.rookeryan@gnll.com	Drawing Title SCHEME
Scale NOT TO SCALE	Drawn
Date APRIL 2019	Checked
Drawing No 0794 SCHEME	Rev. -

133 BASEMENT MUSIC VENUE – DISPERSAL POLICY

The basement music venue at 133 Rye Lane will aim to operate within the guidelines of this dispersal policy at all times.

The venue is a joint venture between two successful local operators 'Four Quarters' in Peckham and 'Bermondsey Social Club'. The team has a wealth of experience operating late night venues and the intention is to use that knowledge to provide the best possible experience for our customers whilst ensuring the licensing objectives are upheld at all times.

PREVENTION OF PUBLIC NUISANCE

- *Ensure patrons leave in an orderly manner*
- *On leaving the premises patrons are encouraged to move on quickly and not loiter*
- *Appropriate signage placed at and on the path to final exit doors reminding patrons to keep noise to a minimum on leaving*
- *SIA expected to monitor patrons leaving the venue and ensure they comply with our policy*
- *Regular staff training to ensure senior staff members are able to help ensure orderly exit from the venue alongside regular and effective management and staff training*
- *Effective management presence at all times*
- *A strong management and staff presence in the customer area during the closing time period to ensure all customers leave quietly.*
- *Music levels within the venue lowered to background levels half an hour before the terminal hour to reduce the likelihood of patrons raising their voices on leaving*
- *Doing our utmost to ensure patrons do not leave en-masse (see below for further detail)*

PREVENTION OF CRIME & DISORDER / PUBLIC SAFETY

- *All licensable activities cease 30 min before the terminal hour*
- *A sensible approach to drinks retailing to minimise risk of anti-social behaviour away from the premises*
- *A 30 minute drinking up time which is incorporated into the licence for the purposes of the Licensing Act 2003, which assists with gradual dispersal of all customers in the premises at the end of the evening*
- *Effective management presence at all times*
- *Regular and effective management and staff training*
- *SIA are expected to monitor patrons leaving the venue and ensure they are in no danger or likely to cause danger. Any patrons showing signs of intoxication or appearing vulnerable may require special attention and staff will be trained to deal with such scenarios*

- *No glass used on site, instead polycarbonate and disposable vessels will be used. No glass bottles served to customers (where possible using canned beverages and where not possible drinks to be decanted)*
- *Patrons not allowed to leave the venue with drinks at any time*
- *A personal license holder on site from 23:00 on Fridays & Saturdays when recorded or live music is being played. At other times the general manager or another senior management member will be available for support or emergencies*
- *Close working relationship with Bussey Building's security team (see below for further detail)*
- *Transport information will be available to patrons leaving the venue (see below for further detail)*

Bussey Building

We will foster a close relationship with Bussey Building's security team to ensure any incidents within the immediate area are dealt with and to make each other aware of any potential problems. It is not thought that our proposed hours will clash with Bussey Building hours as their terminal hour on Fridays & Saturdays is 05:00, but we will keep up to date on events in Bussey and the wider Copleand Park estate to avoid large numbers of our patrons exiting at the same time as other venues

Avoidance of mass exit

As a live-music led venue it is vital we do our best to avoid patrons leaving en-masse at the end of a show. Our policy will be to provide a safe and pleasant environment for customers to remain at the venue and take their time leaving. We will where possible ensure any live music ceases 45 minutes prior to the terminal hour or any curfew (changeover between events), this will mean patrons can still access the bar, use the toilet facilities, collect coats etc without feeling rushed, and will have the added benefits that patrons can safely reunite with friends before leaving the venue. We will gradually begin encouraging patrons to leave 15-20 minutes before the terminal hour. When operating DJ events, which will primarily be after 23:00 on Friday and Saturday nights, this issue becomes less prominent as our experience shows that patrons tend to disperse gradually from around 01:30. One benefit of our proposed opening hours will be the extra time patrons will have to disperse gradually. In any case all licensable activities will cease 30 mins before the terminal hour, and any music will be reduced to background levels.

Transport and on-going journeys

Our location is blessed with exceptional transport links. Peckham Rye station is less than one minute away while bus stops in either direction are less than 30 seconds. Our staff and SIA will be provided with transport information to guide patrons to their next destination. For late night journeys we will have details of the last train services from Peckham Rye and also which bus routes operate 24 hour services and their final destinations. We do not feel it is necessary to have a contract with a local cab firm as the nearest one is not conveniently located and also there is easy access for Uber and other transport app pick-ups in the immediate vicinity. We will of course have details of a trusted local mini-cab service available.

133 BASEMENT MUSIC VENUE –

SEARCH & ENTRANCE POLICY

The basement space will predominately operate as a live music venue, but will also host a variation of events such as DJ / club nights, corporate parties, private parties, comedy nights and more. Our experience gained from both Bermondsey Social Club and Four Quarters has given us an understanding that each type of event attracts a different type of crowd and each will be managed according to separate risk assessments which will be created for each type of event. For all events we will;

- *Operate a challenge 25 policy – anyone appearing to be younger than 25 will be asked for photographic ID before alcohol is served to them.*
- *Operate a zero tolerance policy towards drugs – anyone attempting to enter the venue with drugs on their person will be refused entrance and may be reported to the police*

For live music events and DJ led events our policy is as follows;

- *A minimum of 2 SIA will be employed for live music events, with a minimum of 3 SIA, including one female, employed on Friday & Saturday nights when licensable activities are taking place past 00:00*
- *For live music events bag searches will be conducted throughout, primarily to ensure that no glass is brought into the venue, but also to search for drugs, alcohol or any dangerous objects. We will also conduct pat-down searches if required by our risk assessment*
- *Prior searches mean we will not need to clear out the venue in between live and DJ events as all patrons will have been searched.*
- *Events falling under our low risk category will be assessed as per our risk assessment*

The General Manager will pass on all information regarding upcoming events to the Security team well in advance. Risk assessments will be in place for the following categories;

Level 1 (Low risk) - *Corporate events / private parties / comedy nights etc*

Level 2 (medium risk) - *Live music events (Terminal time 00:00)*

Level 3 (higher risk) - *DJ events where recorded music is played past 00:00*

133 BASEMENT MUSIC VENUE – OUTSIDE AREA POLICY

The designated smoking area will be outside on the main entrance to the right of the door as you look at the entrance. It will be recessed inside the shop front. This area will be cordoned off with either with barriers or roped off to distinguish those patrons that have already entered and those arriving to enter the premises.

The dedicated area can host a large number of patrons and it will be vital for us to have an appropriate number of patrons allowed outside to smoke during live music events. We have a capacity of 220 and we would expect around 20% of attendees to be smokers, meaning we may have to manage up to 44 smokers wanting to leave in between bands. As this is less of an issue during recorded music / DJ led events we will reduce the amount of patrons allowed outside past 23:00. An appropriate number for us to manage in the outside area at any one time would be 20 patrons before 23:00 and 15 patrons after 23:00.

The area will be managed by SIA door staff. One member of the SIA team will be tasked with managing the smoking area and will be primarily responsible for ensuring this policy is adhered to at all times;

- *No smokers will be allowed to use the smoking area from 30 minutes prior to the terminal hour*
- *Any smokers still outside at this time will be encouraged to come inside as soon as possible*
- *No drinks will be allowed outside at any time. This is vital to help ensure smokers are back inside the venue as soon as possible*
- *Regular and effective management and staff training to ensure staff, management and SIA are all able to identify potential flashpoints or disagreements and deal with or report them before they escalate*
- *Appropriate signage placed around the smoking area reminding patrons to keep noise to a minimum*
- *SIA expected to monitor patrons in the smoking area and ensure they comply with our policy*
- *Patrons not behaving appropriately will be either given a final warning or refused re-entry depending on the situation*
- *Smokers are encouraged to re-enter the venue as soon as they have finished and not loiter*

133 BASEMENT MUSIC VENUE –

NOISE MANAGEMENT POLICY

There is unlikely to be any issue with sound breakout from the premises because it is a basement space and also there will be three sets of sound rated doors between the street entrance and the venue.

However, as a condition of the lease we committing to adhering to strict sound level limits 1m from the nearest noise sensitive property, and also ensuring there is no loss of amenity to the ground floor restaurant unit or any other operators in the building (there is no residential property at 133 Rye Lane). There is already a full acoustic report available, which was conducted by the landlord prior to receiving planning permission, and we will be conducting further acoustic and noise assessments prior to the commencement of operation.

We will be ensuring appropriate insulation, especially within ducting/riser areas to outside plants, to ensure we stick to the set limits outside the venue, but as yet the DB limits *inside* the venue are not agreed. It is likely that there will be an overall DB limit inside the venue (by way of a 5min average), with hard limits of low frequencies, details of these limits and further acoustic reports will be available in due course.

We will also adhere to the following noise reduction policies;

- *Entrance doors will be monitored and kept closed where appropriate during the evening to ensure that neighbours are not disturbed. This also means that there is no risk of disturbance caused by music breakout*
- *The venue will be kept adequately ventilated*
- *Waste collections and emptying of bottles/refuse will only take place between 08:00-22:00*
- *All music and sound equipment will be routed through a sound limiting device to ensure pre-determined maximum levels are maintained*

Along with the following from our Dispersal Policy (prevention of public nuisance);

- *Ensure patrons leave in an orderly manner*
- *On leaving the premises patrons are encouraged to move on quickly and not loiter*
- *Appropriate signage placed at and on the path to final exit doors reminding patrons to keep noise to a minimum on leaving*
- *SIA expected to monitor patrons leaving or smoking outside the venue and ensure they comply with our policy*
- *Regular staff training to ensure senior staff members are able to help ensure orderly exit from the venue alongside regular and effective management and staff training*
- *Effective management presence at all times*
- *A strong management and staff presence in the customer area during the closing time period to ensure all customers leave quietly.*

- *Music levels within the venue lowered to background levels half an hour before the terminal hour to reduce the likelihood of patrons raising their voices on leaving*
- *Doing our utmost to ensure patrons do not leave en-masse (see dispersal policy for further detail)*

From: Binya, Raymond
Sent: Thursday, June 06, 2019 1:16 PM
To: Regen, Licensing
Cc: [REDACTED]
Subject: Market Unit 2 Basement Area, 133 Rye Lane SE15 4ST Application number 868118 EPT ref 900977

Dear Licensing Team,

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

Application reference number: 868118

Address: Market
 Unit 2
 Basement Area
 133 Rye Lane
 London SE15 4ST

I wish to make a representation on behalf of Southwark Environmental Protection Team (EPT) in our capacity as Environmental Health Responsible Authority, about the likely effect of the grant of the premises licence on the promotion of the 'prevention of public nuisance' licensing objective.

New Premises application is for:

- a) Films indoor: 12:00-00:00 Mon-Wed 12:00-01:00 Thu 12:00-04:00 Friday & Saturday 12:00-00:30 Sunday
- b) Indoor sporting event and performance of dance indoors: 12:00-00:00 Monday-Sunday
- c) Live and recorded music indoors: 12:00-00:00 Sunday-Wednesday 12:00-00:30 Thursday 12:00 - 03:30 Friday & Saturday
- d) Entertainment similar to music and dance indoors: 12:00-23:30 Sunday-Wednesday 12:00-00:00 Thursday 12:00-03:30 Friday & Saturday
- e) Supply of alcohol on the premises: 12:00-23:30 Mon-Wed 12:00-00:30 Thursday 12:00-03:30 Friday & Saturday 12:00-00:00 Sunday
- f) Opening hours 12:00-00:00 Monday-Wednesday 12:00-01:00 Thursday 12:00-04:00 Friday & Saturday 12:00-00:30 Sunday.

EPT have reviewed the above application and we are concerned that proposed licensing activities are likely to cause public nuisance if are to be carried out on the applied late night hours. The premises is within a CIP area, it is EPT 's opinion that the closing times will likely to a cumulative impact on already busy area as a result of nuisance from music and patrons leaving the premises. We therefore object this application and recommend the closing times should match those of the Licensing Policy i.e. Fri – Sat 0000 and Sun – Thurs 2300.

However, if the sub-committee is minded to grant this application, together with proposed conditions within applicant's operating schedule and the mandatory conditions, I would recommend the following conditions:

- a) A sound limiting device shall be installed, set and maintained, to control maximum levels of amplified sound inside the premises so as to ensure entertainment noise from the premises does not cause a public nuisance in the vicinity of the premises, and in particular is not audible inside any nearby noise sensitive premises.
- b) Any additional amplification equipment imported on to the premises by third parties, permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be connected to and use the installed sound limited device/circuit.
- c) All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.
- d) During any licensed entertainment on the premises, all doors and windows shall remain closed (except for access or egress).
- e) A management plan must be implemented to ensure that at least two of the sets of doors on main entrance via Rye Lane which has three sets of doors are closed at any one time.
- f) Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area. No more than 10 of customers will be permitted to remain in the designated smoking area at any one time.
- g) The movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 08.00hrs and shall only take place via the rear on Copeland Park
- h) A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most recent iteration of the policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request.
- i) Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- j) Suitably qualified or experienced persons shall be employed at all times, whilst licensable activity is being provided, and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.

Kind Regards,

Raymond Binya

Principal Environmental Protection Officer

Postal address: Southwark Council | Environmental Protection Team | Environmental and Leisure | 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: 02075254809 | Fax: 020 7525 5705 | e mail: raymond.binya@southwark.gov.uk

visit:

Air Quality web pages: <http://www.southwark.gov.uk/air-quality>

Construction web pages: <http://www.southwark.gov.uk/construction>

London Low Emission Construction Partnership - <http://www.llecp.org.uk/>

MEMO: Licensing Unit

To	Licensing Unit	Date	7 June 2019	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Market, Unit 2 Basement Area, 133 Rye Lane, London , SE15 4ST
 - Application for a premises licence

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

- Films (indoors) on Monday to Wednesday from 12:00 to 00:00; Thursday from 12:00 to 01:00 the following day, Friday and Saturday from 12:00 to 04:00 the following day and on Sunday from 12:00 to 00:30 the following day
- Indoor sporting events on Monday to Sunday from 12:00 to 00:00
- Live music and recorded music (indoors) Sunday to Wednesday from 12:00 to 00:00; Thursday from 12:00 to 00:30 the following day, Friday and Saturday from 12:00 to 03:30 the following day
- Performance of dance (indoors) on Monday to Sunday from 12:00 to 00:00
- Anything of a similar description to live, music recorded music and performance of dance (indoors) on Sunday to Wednesday from 12:00 to 23:30; Thursday from 12:00 to 00:00, Friday and Saturday from 12:00 to 03:30 the following day.
- Supply of alcohol (on the premises) on Monday to Wednesday from 12:00 to 23:30; Thursday from 12:00 to 00:30 the following day, Friday and Saturday from 12:00 to 03:30 the following day and on Sunday from 12:00 to 00:00
- Overall opening times shall be on Monday to Wednesday from 12:00 to 00:00; Thursday from 12:00 to 01:00 the following day, Friday and Saturday from 12:00 to 04:00 the following day and on Sunday from 12:00 to 00:30 the following day

Non standard timing requested:

- Indoor sporting events & Performance of dance – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An extension of hours on Good Fridays, Bank holiday Sundays to 04:00 hours
- Films; Live music, recorded music, anything of a similar description to live, music recorded music and performance of dance - From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour on the commencement of British Summer time. An extension of hours on Good Fridays, Bank holiday Sundays to 04:00 hours
- Supply of alcohol - From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour on the commencement of British Summer time. An extension of hours on Good Fridays, Bank holiday Sundays to 03:30 hours
- Opening times - From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour on the commencement of British Summer time. An extension of hours on Good Fridays, Bank holiday Sundays to 04:00 hours

The premises is described as follows within the application:

‘This site is located across the road from Peckham Rye Station, at the gateway to the Bussey Building and Copeland Park. Market will be at the heart of Peckham’s thriving creative and cultural community. The Music Venue is set within a newly-extended red brick Edwardian building, the site will play host to four floors of shared workspace, three independent restaurants/bars a live music venue, a bookshop and a range of meeting and event spaces. This application relates solely to the music venue. The premises is a purpose built live music venue with appropriate planning permission. The premises will offer a safe and fun environment to watch varied higher calibre acts. The venue will be fully wheelchair accessible and provide an abundance of raised spectating areas so people can enjoy live music and other staged entertainment. The venue will also provide D.J nights and will be available for events, meetings and more opportunities during the daytime’.

The premises is situated in Peckham Major Town Centre Area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for Night Clubs (with sui generis planning classification) is on Monday to Thursday 01:00 hours, for Friday and Saturday 03:00 hours and for Sunday 00:00 hours.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy 2016 – 2020.

The premises is situated in Peckham Major Town Centre and also falls within the Peckham CIP Area. Under the Southwark Statement of Licensing Policy 2016 - 2020 the Local CIP applies to night clubs, public houses & bars, off-licenses, supermarkets, grocers, convenience stores and similar premises.

Section six of the policy (from page 32) deals with Southwark’s local cumulative impact policies. This premises sits in the Peckham policy area as defined in paragraph 135 of the policy and, as nightclub this type premises, falls into the class of premises in 136 of the policy.

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

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

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

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

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

From: Public Health Licensing
Sent: Wednesday, June 12, 2019 2:39 PM
To: Regen, Licensing
Cc: Public Health Licensing; Shapo, Leidon
Subject: RE: Market, Unit 2 Basement area, 133 Rye Lane, London SE15 4ST

To Whom it may concern:

RE: Market, Unit 2 Basement area, 133 Rye Lane, London SE15 4ST

On behalf of the Director of Place and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make a representation in respect of the above.

This representation is made in respect of the following licensing objectives:

General Comments

The applicant requests a new premises licence for Sale of alcohol on the premises, Entertainment similar to live/recorded music - indoors , Live music indoors, Recorded music, Indoor sporting event, Films indoors and Performance of dance indoors, with opening hours of 12:00 - 00:00 Monday to Wednesday, 12:00 – 01:00 Thursday, 12:00 – 04:00 Friday and Saturday and 12:00 – 00:30 Sunday.

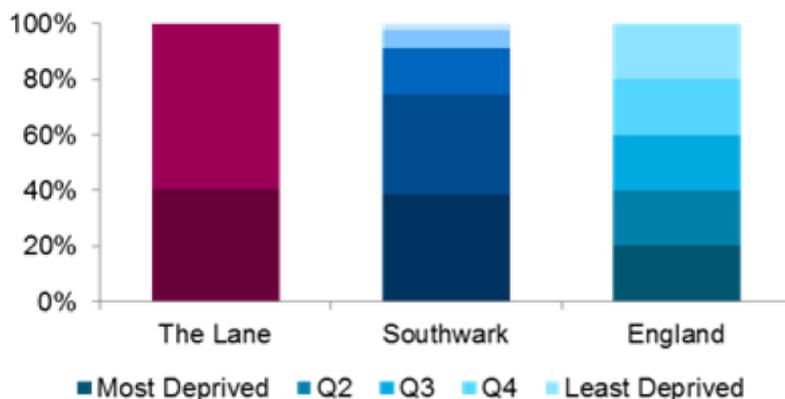
Requested times	Opening Hours	Alcohol sales on Premises	Entertainment similar to live / recorded music - indoors	Live music - indoors	Recorded music – indoors	Indoor sporting event	Films - indoors	Performance of dance - indoors
Monday - Wednesday	12:00 – 00:00	12:00 – 23:30	12:00 – 23:30	12:00 – 23:30	12:00 – 23:30	12:00 – 00:00	12:00 – 00:00	12:00 – 00:00
Thursday	12:00 – 01:00	12:00 – 00:30	12:00 – 00:00	12:00 – 00:30	12:00 – 00:30	12:00 – 00:00	12:00 – 01:00	12:00 – 00:00
Friday - Saturday	12:00 – 04:00	12:00 – 03:30	12:00 – 03:30	12:00 – 03:30	12:00 – 03:30	12:00 – 00:00	12:00 – 04:00	12:00 – 00:00
Sunday	12:00 – 00:30	12:00 – 00:00	12:00 – 22:30	12:00 – 00:00	12:00 – 00:00	12:00 – 00:00	12:00 – 00:30	12:00 – 00:00

Concerns relating to this application

This premises is located in The Lane ward and is within the Peckham Cumulative Impact Policy (CIP) area; a geographical zone within which the current saturation of licensed premises is having a negative impact on the local area. These negative impacts include crime, anti-social behaviour (see attached report) and alcohol-related health harms.

The Lane is a ward with high levels of deprivation (Figure 1). Approximately 40% of residents are in the most deprived quintile and the other 60% of residents are in the second most deprived quintile. Additionally 24% of working age adults in The Lane are claiming out-of-work benefits. This is relevant because the evidence shows that deprived populations are disproportionately affected by alcohol related harm.

Figure 1 – Proportion of population in each deprivation quintile

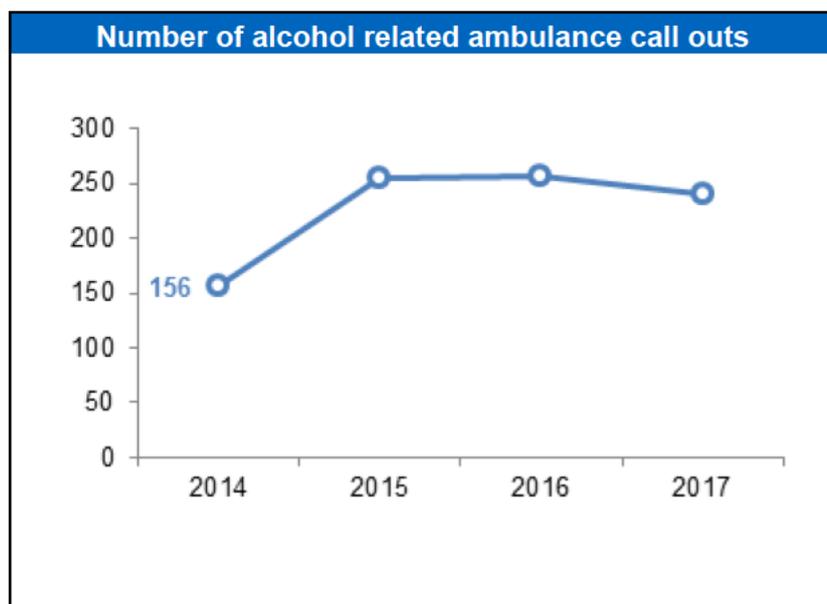


In my opinion, the applicant has not adequately rebutted the claims that the proposed premises will contribute to the alcohol related disorder in the area (i.e. through crime, anti-social behaviour and alcohol-related health impacts). The attached report shows that the Peckham CIP area contributes to 10.8% of Southwark's rowdy behaviour and street drinking, 6.1% of alcohol-related ambulance call outs and 10.4% of Southwark's non-domestic violence.

More specifically, The Lane has a statistically higher number of licensed premises to residents compared to the Southwark average and is responsible for 7% of all alcohol-related ambulance call-outs in the borough (240 in 2017 alone, increased 51% in the last 3 years, as shown in Figure 2). Furthermore, the standardised hospital admission ratio for alcohol-related harm for The Lane is statistically higher compared to England (by 2%).

Hence, it is evident that alcohol-related crime and disorder and public nuisance are causes for concern within this ward.

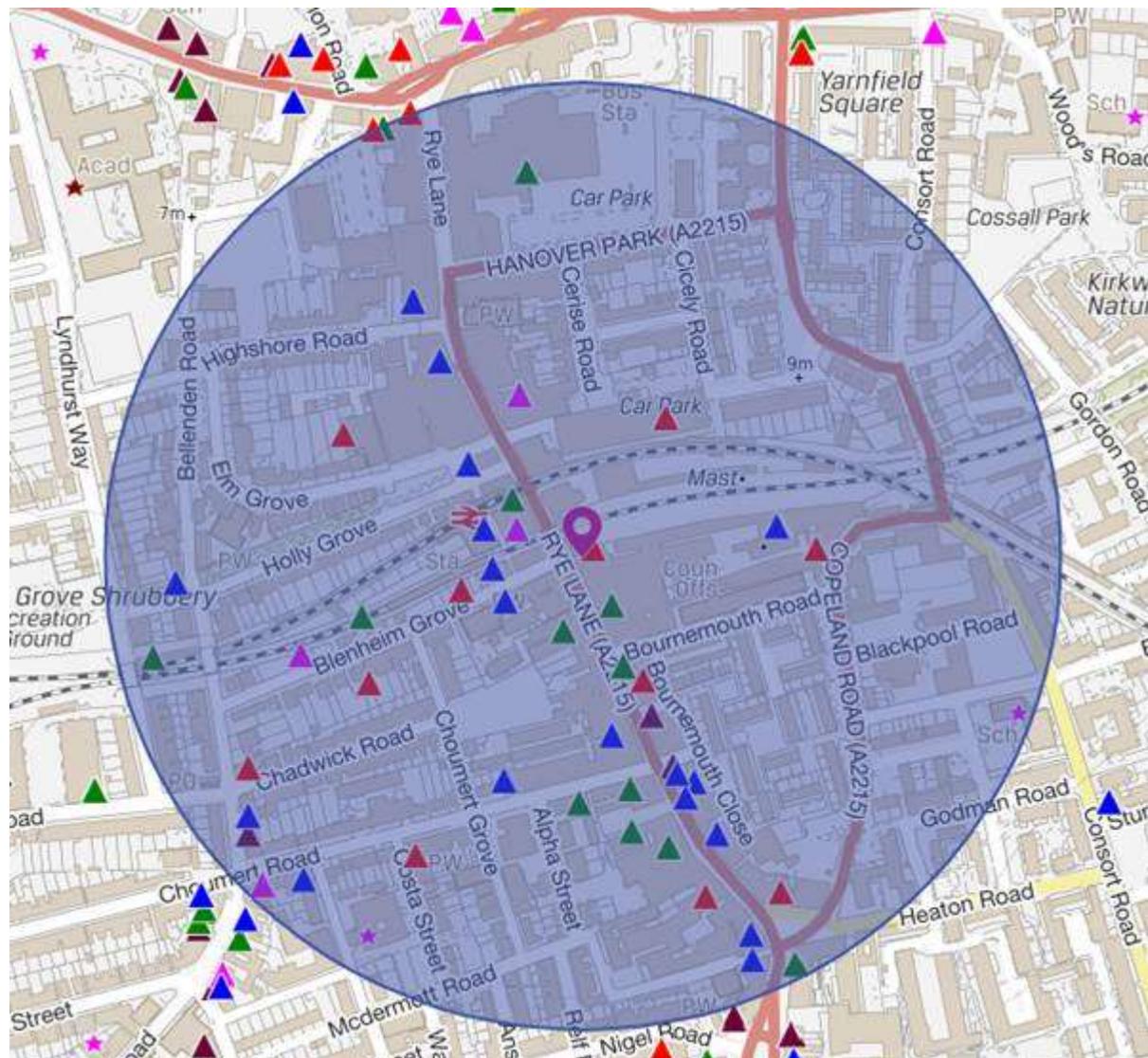
Fig. 2 – Number of alcohol related ambulance call outs in The Lane from 2014 – 2017



Additionally, this premises is located close to local residents and therefore the dispersal from events, daily, has the potential to result in public nuisance and disturb local residents. The premises is also located within a 10 minute walk from two primary schools. It is therefore likely that children will live close to this premises and are likely to be negatively impacted as

a result. In addition to this, this premises is in close vicinity of numerous other licenced establishments (Figure 3).

Figure 3 – map showing the proximity of the premises to other licenced establishments and schools



- ▲ Licensed premises - Drinking Establishments
- ▲ Licensed premises - Eateries
- ▲ Licensed premises - Off-Sales
- ▲ Licensed premises - Other
- ▲ Licensed premises - Takeaways
- ★ School phase of education - Primary

Finally the hours requested by the applicant are outside of the Switham's Statement of Licensing Policy recommended hours for drinking establishment and sui generis night clubs, and raise considerable concerns. In fact, it has been shown (report attached to email) that

each additional 1-hour extension to the opening times of premises selling alcohol was associated with a 16% increase in violent crime (Rossow & Norstrom 2012) and a 34% increase in alcohol-related injuries (de Goeij, Veldhuizen, Buster & Kunst, 2015).

Recommendations

To mitigate the negative impact of an additional licensed premises in an area that it's already saturated, I recommend the Licensing Committee consider the following amendments to the requested hours, which would be in line with the Statement of Licensing Policy for nightclubs.

Requested times	Opening Hours	Alcohol sales On Premises	Entertainment similar to live/recorded music - indoors	Live music - indoors	Recorded music - indoors	Indoor sporting event	Films - indoors	Performance of dance - indoors
Monday - Wednesday	12:00 – 00:00	12:00 – 23:30	12:00 – 23:30	12:00 – 23:30	12:00 – 23:30	12:00 – 00:00	12:00 – 00:00	12:00 – 00:00
Thursday	12:00 – 01:00	12:00 – 00:30	12:00 – 00:00	12:00 – 00:30	12:00 – 00:30	12:00 – 00:00	12:00 – 01:00	12:00 – 00:00
Friday - Saturday	12:00 – 03:00	12:00 – 02:30	12:00 – 02:30	12:00 – 02:30	12:00 – 02:30	12:00 – 00:00	12:00 – 02:30	12:00 – 00:00
Sunday	12:00 – 00:00	12:00 – 23:30	12:00 – 22:30	12:00 – 23:30	12:00 – 23:30	12:00 – 00:00	12:00 – 23:30	12:00 – 23:30

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

Yours sincerely,

Clizia Deidda

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

Clizia Deidda

Public Health Policy Officer (Mental Health, Substance Misuse & Healthcare) | Public Health Division

Place and Wellbeing Department | London Borough of Southwark

160 Tooley Street | London SE1P 5LX

T: 0207 525 7707 | M: 07710 179 570

E: Clizia.deidda@southwark.gov.uk

www.southwark.gov.uk

From: Moore, Ray

Sent: Tuesday, May 28, 2019 2:57 PM

To: Regen, Licensing; Alcohol@homeoffice.gsi.gov.uk ; Qau Safeguarding; Costin, Holly; DIP Team; FireSafetyRegulationSE@london-fire.gov.uk (FSR-AdminSupport@london-fire.gov.uk); Graham White; Highwayslicensing; Moore, Ray; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Reg Health and Safety; southwark.repro@pbms.co.uk; Taylor, Dan; Tear, Jayne; West Team diary

Cc: Gander, Paul; Tear, Jayne

Subject: Licensing Application Ref 868118 - The Market, 133 Rye Lane, SE15 4ST

As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from FQBSC Ltd for an application to sell alcohol from 12:00 hours to 23:30 hours, Monday to Wednesday; 12:00 to 00:30 Thursday; 12:00 to 03:30 Friday and Saturday and 12:00 to 00:00 Sundays. This premises is in the Peckham Cumulative impact zone. In the licensing objectives there is only the following references wrt the methods for preventing minors from obtaining alcohol . Under the general section there is a small reference to refused under age sales of alcohol being recorded in an incident book and in the "Protection of children from harm section it makes reference to an age verification scheme. Trading Standards would rather a more detailed description of how sales of alcohol to minors can be prevented.

This authority would therefore ask that the following conditions are added to create a more robust system to ensure that alcohol is not sold to children:-

- That a challenge 25 scheme shall be maintained at the stalls selling alcohol requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the stall. A record of such training shall be kept / be accessible at the stall at all times and be made immediately available for inspection at the stall to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

- No gambling machines will be on the premises

If the business needs refusals registers and training materials this authority is more than happy to provide them.

Ray MOORE ray.moore@southwark.gov.uk

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

www.southwark.gov.uk/TradingStandards

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

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



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/21/086/19

Date: 12th June 2019

Dear Sir/Madam

Re:- Market, Unit 2 Basement Area 133 Rye Lane London SE15 4ST

Police are in possession of an application from the above for a new premises licence 868118. The application describes the premises as a purpose built live music venue, providing space for live music acts, DJ nights and various other staged entertainment.

The premises is situated within the Peckham cumulative impact zone and in what has been defined as a major town centre, as detailed in Southwark's statement of licensing policy. As well as being inside of the CIZ the hours applied for on Friday and Saturday sit outside of the framework hours of 3am for night clubs in major town centres.

The applicant has provided an extensive operating schedule including a number of control measures in line with the proposed operation. An extensive dispersal policy and search policy have also been provided.

I attended a pre application meeting with applicants where the issues around the CIZ and the rebuttable presumption were discussed. I can see from the detailed application that this has been a considered.

The capacity as detailed in the application is for 220 persons, there is no getting around the fact that this number of patrons could further impact on the CIZ. In addition, the entrance to this venue sits next to the entrance of the CLF art café nightclub. This is a large capacity night club operating late night hours also on the Friday & Saturday. The applicant has addressed the dispersal from the premises but as far as I can see has not addressed access and the queuing of patrons entering the venue. There is a possibility that both ques could conflict with each other at opening times.

I object to the granting of this premises licence under the prevention of crime and disorder licensing objective and ask the licensing subcommittee to decide if the applicants have sufficiently addressed the rebuttable presumption.

The Following is submitted for your consideration.

Yours Sincerely
 PC Ian Clements ian.clements@met.pnn.police.uk
 Licensing Officer
 Southwark Police Licensing Unit

Party 1

RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

As a musician I am writing in support of the above application. I believe the proposed dedicated music venue will be a valuable asset for the area as there are currently very few places for local bands and musicians to play. I also believe it will attract a high calibre of artists and will help improve the area's standing within the London music scene.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

██████████

████████████████████

Party 2

From: e-mail [REDACTED]
Sent: Thursday, June 06, 2019 2:39 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE15 4ST

Licensing Application no: 868118

As a local resident and musician I am writing in support of the above application. I believe the proposed dedicated music venue will be a valuable asset for the area as there are currently very few places for local bands and musicians to play. I also believe it will attract a high calibre of artists and will help improve the area's standing within the London music scene. Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

[REDACTED]
[REDACTED]

Party 3

From: [REDACTED]
Sent: Friday, June 07, 2019 10:25 AM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

Licensing Application no: 868118

To whom it may concern,

As a local resident, I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in dire need of a dedicated music venue.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

[REDACTED]

[REDACTED]

Party 4

From: [REDACTED]
Sent: Monday, June 10, 2019 10:22 AM
To: Regen, Licensing
Subject: Licensing Application no: 868118 letter of support

To whom it may concern,

I am a local resident who has lived in Peckham for the past eight years. I am writing to you to express my support for the above licensing application.

In recent years Peckham has undergone a hugely positive transformation into one of London's foremost destinations for nightlife. But there is still a long way to go. It is well known that music venues can play a major role in rejuvenating urban areas and I believe this venue, the only one in Peckham that will be dedicated solely to live music, will become an integral part of the local community, and help to cement Peckham's place on the map. I'm certain it will make a hugely positive contribution to the local economy and to the lives of the locals and Londoners. I believe it is also crucial in helping to address the closure of London's live music venues, a third of which have closed since 2010.

I have known Mr Farey for several years and I have complete confidence that his venue will not only be well-run, but also a force for good in Peckham.

Yours sincerely,

[REDACTED]

[REDACTED]

Party 5

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

From: [REDACTED]
Sent: Monday, June 10, 2019 11:04 AM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST

Licensing Application no: 868118

To whom it may concern,

As a local business owner, I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in dire need of a dedicated music venue.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

[REDACTED]

Party 6

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

As a local resident of Peckham for the last 4 years and a touring musician for the last 15 years I am writing in support of the above application. I believe that the proposed venue will be of great benefit to the local area.

There is currently a void in the local area of dedicated music venues of this capacity. This means that musicians and bands of a certain calibre and size are unable to come to the area to play gigs as their current options are too small and inadequate for their needs. I believe that by having a dedicated music venue of the proposed size will encourage a growth of the music scene within the area thus bringing more people and business to the many smaller businesses within the area.

As a resident of Peckham I have experienced first hand the lack of dedicated music venues which can cater for the larger musicians and bands. Having one in the area would mean that I wouldn't have to travel out of the area to go and see concerts.

Having known the applicant for many years and seeing his other venue, The Bermondsey Social Club, do very well since its conception, I feel strongly that the new proposed venue would be run extremely well without any negative effects on crime and disorder within the area. I see the proposed venue as having nothing but positive effects for the local area and population.

Yours sincerely,

██████████ - Bass player in The ██████████

██████████

████████████████████

██████████

██████████

Party 7

FQBSC Ltd, 133 Rye Lane, SE154ST
Re: Licensing Application no: 868118

To whom it may concern

This is a letter of support for the above licensing application.

My name is [REDACTED] and I live and work in Peckham, I believe a dedicated live music venue is essential for Peckham.

I have been going to gigs and music events my whole life and living in south east London that usually means travelling a long way. Peckham is such a vibrant and exciting place now with an abundance of restaurants and shops and I believe a live music venue is the next logical step.

Through my job as a barber at [REDACTED] I have met and got to know a huge amount of local residents and the general consensus among our clientele is that Peckham is crying out for some live music.

South east London and Peckham in particular has a huge amount of young talent in the art and music world with Camberwell college of art and Goldsmiths flooding the area with interesting young people, we have many musicians of all ages and backgrounds that come in our shop and it seems a no brainer that they should have a local venue to play at rather than traveling to other parts of London.

I have been a regular at the applicants other local businesses Four Quarters and Bermondsey Social Club for quite a while now. Both venues are very well run and I have had some fantastic experiences in both establishments with great knowledgeable and friendly staff and a very good clientele, I have never witnessed any trouble at either venue and i always recommend both places to friends as really great destinations for a great night out.

My motivation in writing this recommendation is that I really hope in some way I can help to ensure we have a great live music venue in our local town.

Yours sincerely

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

Party 8

From: [REDACTED]
Sent: Tuesday, June 11, 2019 10:32 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

As a musician I am writing in support of the above application. I believe the proposed dedicated music venue will be a valuable asset for the area as there are currently very few places for local bands and musicians to play which is strange considering Peckham's current status as a cultural hotbed. I also believe it will attract a high calibre of artists and will help improve the area's standing within the London music scene.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

[REDACTED]

[REDACTED]

Party 9

From: [REDACTED]
Sent: Wednesday, June 12, 2019 12:01 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

As a local resident, musician and owner of [REDACTED] Records, I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in need of a dedicated music venue.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area. We have successfully put on nights with him in other areas that have been very successful and community enriching and we are looking forward to continuing this relationship in the new space.

Yours sincerely,

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPhone

Party 10

From: [REDACTED]
Sent: Wednesday, June 12, 2019 11:56 AM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

As a local resident and local musician I am writing in support of the above application. I believe the proposed venue will provide a valuable space for live music in Peckham. A live music venue of this size will be greatly beneficial to the community and enrich the arts of the local area.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Many thanks,

[REDACTED]
Musician

Party 11

From: [REDACTED]
Sent: Thursday, June 06, 2019 11:39 AM
To: Regen, Licensing
Subject: Licensing Application no: 868118

To whom it may concern,

As a local business owner, I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in dire need of a dedicated music venue.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

All of us at [REDACTED] Rye Lane

Party 12

From: [REDACTED]
Sent: Thursday, June 06, 2019 12:24 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

As a local resident I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in dire need of a dedicated music venue.

As a musician I am writing in support of the above application. I believe the proposed dedicated music venue will be a valuable asset for the area as there are currently very few places for local bands and musicians to play. I also believe it will attract a high calibre of artists and will help improve the area's standing within the London music scene.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

Party 13

██████████
██████████████████
██████████

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

My name is ██████████ a local Peckham resident with an interest in Licensing Application no: 868118. As someone with a keen interest in the long-term vibrancy and wellbeing of my local community I am writing to you so to support this application. I believe the proposed venue will provide a valuable contribution to the social mix and economy of the local area. I also strongly believe that Peckham is in significant need of a dedicated music venue, something that other comparable town centers are able to boast.

I believe that this proposal, offering a dedicated music venue in the heart of Peckham will be a valuable asset to the local community, offering an outlet for young musicians and a hub for community engagement. I also believe it will boost the area's standing within the London music scene and prove a significant boon to the local economy, supporting a range of other outlets such as our existing restaurants, shops or bars.

In addition to this, I have had the positive experience of enjoying the applicants others ventures, such as the Bermondsey Social Club, which has always provided a safe and welcoming environment. Based on this I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance. I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

██████████████████

██████████

Party 14

From: [REDACTED]
Sent: Friday, June 07, 2019 3:25 PM
To: Regen, Licensing
Subject: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To Licensing at Southwark,

I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in dire need of a dedicated music venue.

Through my company, [REDACTED], I have gotten to know the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Chief Revenue Officer

•

The best nights out are on [REDACTED]

Party 15

From: [REDACTED]
Sent: Sunday, June 09, 2019 12:13 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

To whom it may concern,

As a local resident, I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in need of a dedicated music venue etc.

We are always looking to support local venues in our area and I am writing in support of the above application. I believe the proposed dedicated music venue will be a valuable asset for the area as there are currently very few places for local bands and musicians to play. I also believe it will attract a high caliber of artists and will help improve the area's standing within the London music scene etc.

Knowing the applicant, I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area. The applicant is a successful entrepreneur running an already established venue as well as a printing business and is an honest and trustworthy person. I have no doubt in my mind that the proposed business venture will be a success, providing a much-needed hub for creative arts in the local area.

Yours sincerely,

[REDACTED]
TV Producer / Director

[REDACTED]
[REDACTED]

Party 16

From: [REDACTED]
Sent: Wednesday, June 12, 2019 4:38 PM
To: Regen, Licensing
Subject: Re: Licensing Application No: 868118

FQBSC Ltd
133 Rye Lane
SE15 4ST
Licensing Application No: 868118

To whom it may concern,

As a local resident within the Peckham Rye and Denmark Hill area I am writing in support of the above application.

I have lived within the Peckham Rye and Denmark Hill area for the past 3 years and have been very grateful in seeing the growth of the area for independent restaurants, bars, and entertainment areas such as Peckham Levels and the Four Quarters. Independent venues offer a good connection to the local community, valuable employment to locals and in particular students . Independent venues also foster a safe environment for people to visit. Rye Lane in particular is thriving at the moment and any venue that supports the arts in this area would be great to showcase live music and entertainment of which there are not many places nearby to host this. I often go to see live music in Bermondsey Social Club which has grown very well over the past few years it has been open and also do the same in New Cross, and Camden.

Peckham currently lacks something to support local artists and acts which I know utilise recording studio's around Bellenden Road for example, there is a wealth of talent that just needs an area to perform, and I believe a venue like this would offer something different to the area.

Please feel free to contact me if necessary.

Best,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Party 17

From: [REDACTED]
Sent: Wednesday, June 12, 2019 4:15 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

Hi there,

As a local resident I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in dire need of a dedicated music venue.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

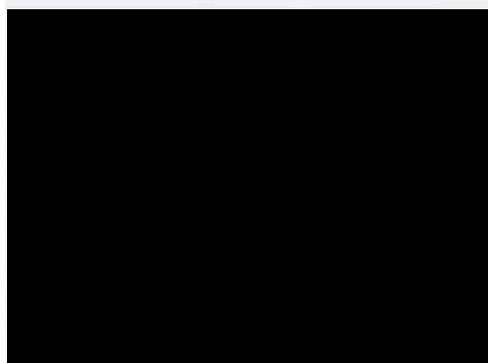
Yours sincerely,

[REDACTED]
[REDACTED]

■

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Party 18

RE: Licensing Application no: 868118

**FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118**

To whom it may concern,

I am writing to you in support of the above application. I am a Creative Director producing artwork and campaigns for the biggest artists in the Music Industry. I have recently worked with Ed Sheeran, Vampire Weekend, Paolo Nutini, Interpol, Tyler the Creator to name a few.

My studios are in the Bussey building and I feel that a venue like this would be a huge benefit

This venue will help in attracting a high calibre of artists to the area - increasing Peckham's standing within the London music scene and also providing a much needed contribution to the economy of the local area.

Having known the applicant for several years and worked with them directly on artwork and events, I believe that this venue will be run and have a positive contribution to the local area.

Yours sincerely,



Party 19

From: [REDACTED]
Sent: Thursday, June 13, 2019 3:39 PM
To: Regen, Licensing
Subject: Licensing Application no: 868118

RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

I am writing to you in support of the above application. I am an agent at 13 Artists, one of the UK's leading live music agencies, which represents the likes of Radiohead, Arctic Monkeys, George Ezra and many more.

We regularly route tours through London and feel that Peckham is missing out on quality touring artists due to a lack of dedicated venue.

This venue will help in attracting a high calibre of artists to the area - increasing Peckham's standing within the London music scene and also providing a much needed contribution to the economy of the local area.

Having known the applicant for several years and worked with them directly at other venues and events, I believe that this venue will be run and have a positive contribution to the local area.

Yours sincerely,

[REDACTED]
13/06/19

Party 20

SUBJECT FOR EMAIL - RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

As a local resident I am writing in support of the above application. Having been a local resident for most of my life and witnessing the steady regeneration of the proposed area, I believe additions, such as this proposal, provide essential creative outlets for local (or otherwise) musicians to platform their talents in an accessible way.

Seeing the challenging environment that smaller music venues are operating in presently, we seem to be running the risk of diminishing the opportunity for the many aspiring creative people to showcase talent and provide local people with equally accessible, diverse and enjoyable performances outside of large and often overly expensive cooperate venues.

Presently, there are few smaller venues in the local area, and I believe this proposal has the potential to be a hub that benefits not only aspiring artists and bands but also the eclectic and energetic community surrounding it. The trend toward giving space to bland and faceless companies, that lack any real responsibility toward the community they preside in, continues to threaten these areas and projects like this are a means to emphasise and reflect the true nature of Peckham and London's inhabitants.

Knowing the applicant, I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Party 21

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

RE: Licensing Application no: 868118
FQBSC Ltd, 133 Rye Lane, SE154ST

Licensing Application no: 868118

To whom it may concern,

As a local resident who works in the creative industries I am writing in support of the above application. The proposed music venue will create an important cultural and economic benefit to the area.

I will become a valuable asset for the area as there are currently very few places for local bands and musicians to perform. As live music venues are sadly disappearing all over London and the UK it is incredibly important that they are supported.

I have known the applicant for many years and I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a professional venue that will contribute enormously to the area.

Yours sincerely,

[REDACTED]

[REDACTED]

Party 22

From: [REDACTED]
Sent: Wednesday, June 12, 2019 6:23 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom this may concern,

I currently programme and produce events for my London based events company [REDACTED] and I also run a promotions company called [REDACTED] I have worked on events from 60 capacity to 10,000 capacity over my 6 years in the music industry. With acts like Lady Gaga, Jarvis Cocker, Four Tet and many more.

I have some personal experience of the local area having booked the live music for The Montague Arms for 14 months until it's recent refurbishment.

One thing we found was that there was a hunger for live music in the area and bands were very willing to come and play. Despite the fact the area offered very little in terms of properly kitted out and available venues.

The Montague of course has ceased as a music venue, Ghost Notes has folded, The Five Bells only today announced it would be changing hands and stopping live music and Bussey Building is often a difficult to find space for events due to their commitment to other facets of the arts and the dilapidated Amersham Arms is in desperate need of funding.

Therefore, I wholeheartedly support the planning application for a new live music and club venue on Rye Lane, I believe the local economy will prosper culturally, financially and socially.

I have known the applicants for a number of years and can vouch for their professionalism and dedication to producing safe spaces and exciting events.

Please do not hesitate to contact me regarding anything in this supporting letter.

Cheers,

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

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Party 23

From: [REDACTED]
Sent: Wednesday, June 12, 2019 6:12 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

As a local resident I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy and cultural diversity of the local area. The area is need of a dedicated live music venue for residents to enjoy locally, and the large number of artists and musicians living in Peckham would surely benefit too.

Knowing the applicant, I have no concerns that this premises would contribute negatively to crime and disorder, affect public safety or cause public nuisance, and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

[REDACTED]

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

Party 25**MAYOR OF LONDON**

Via Email: [REDACTED]

13th June 2019

Dear Jake,

Thank you for getting in touch regarding your licence application for a new music venue in Peckham.

As you may know, the Mayor has pledged to make safeguarding London's night-time economy and culture a core priority. It attracts domestic and international visitors and is a key driver of the economic and cultural regeneration of town centres, worth more than £26bn to our economy and employing a third of London's workforce.

Protecting and growing the capital's live music scene is a key part of this work. Venues play a vital role in nurturing musical and creative talent and fostering community cohesion, keeping London's talent pipeline flowing. At a time when our economy at night and culture are at risk, I'm delighted to hear about your plans to open a new live music venue in Peckham. London has lost a third of its grassroots music venues and a quarter of its pubs over the last ten years, so we're always pleased to hear about new openings.

Having visited your current venue, Bermondsey Social Club, I am confident you and your team have the necessary knowledge and experience to make this new venture a success. Peckham already has a vibrant nightlife and would definitely benefit from the addition of a new dedicated music venue.

I hope a resolution can be found to enable you and your team to continue doing excellent work in Southwark and beyond. Do not hesitate to contact me if you require any further information and I look forward to seeing how we can work together in the future.

Yours sincerely,

Amy Lame
London's Night Czar

City Hall, London, SE1 2AA london.gov.uk-mayor@london.gov.uk - 020 7983 4000

Party 26

From: [REDACTED]
Sent: Monday, June 10, 2019 12:53 PM
To: Regen, Licensing
Subject: RE: Licensing Application no: 868118

FQBSC Ltd, 133 Rye Lane, SE154ST
Licensing Application no: 868118

To whom it may concern,

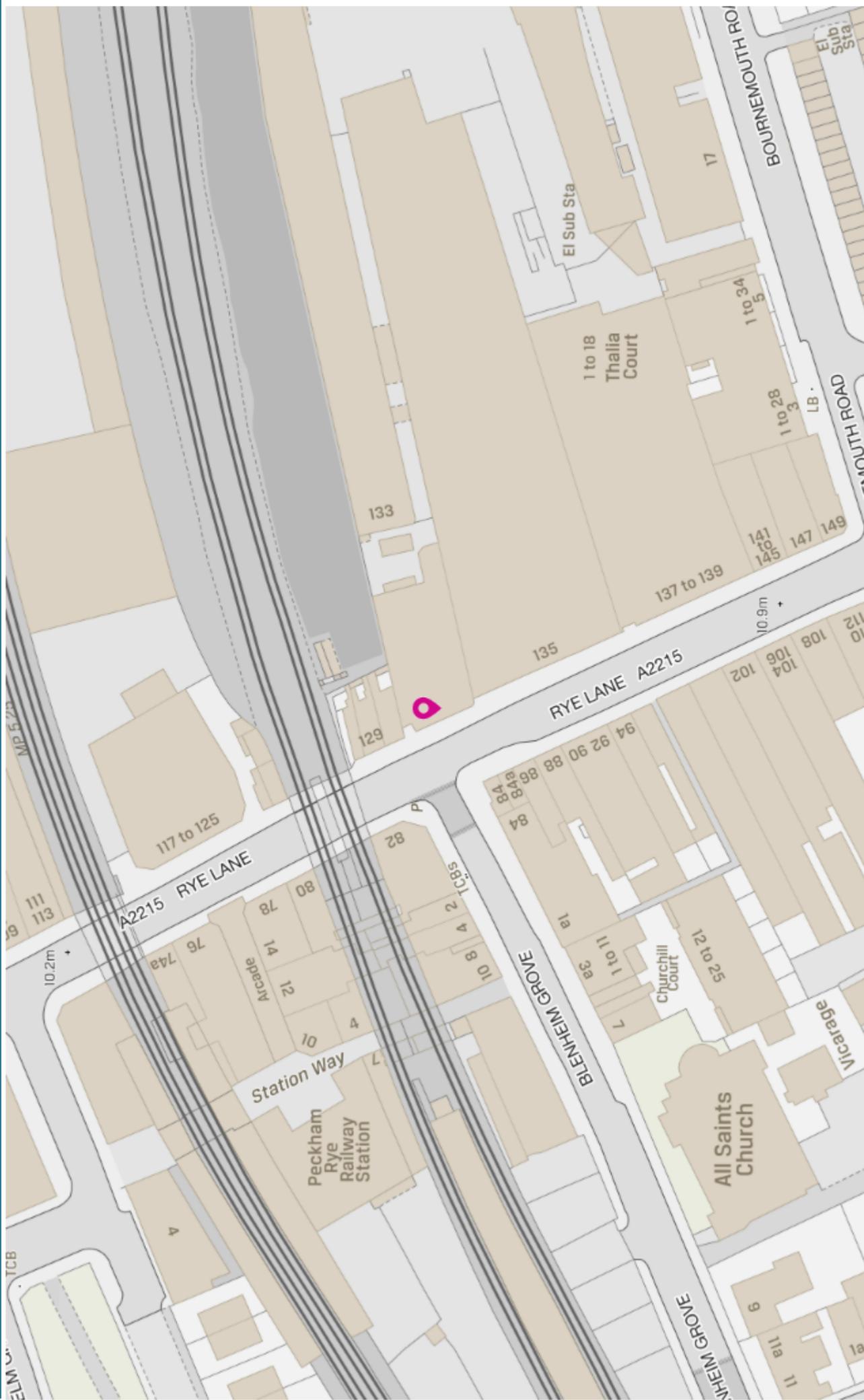
As a local resident and musician I am writing in support of the above application. I believe the proposed venue will provide a valuable contribution to the economy of the local area, which is in dire need of a dedicated music venue.

as there are currently very few places for local bands and musicians to play. I also believe it will attract a high calibre of artists and will help improve the area's standing within the London music scene.

Knowing the applicant I have no concerns that this premises will contribute negatively to crime and disorder, affect public safety or cause public nuisance and I believe it will be a well-run venue that will contribute positively to the area.

Yours sincerely,

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



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Item No. 6.	Classification: Open	Date: 8 July 2019	Meeting Name: Licensing Sub-Committee
Report Title		Licensing Act 2003: Spiedie Shack, External Trading Area, Surrey Quays Shopping Centre, Redriff Road, London SE16 7LL	
Ward(s) of group(s) affected		Rotherhithe	
From		Director of Environment	

RECOMMENDATION

1. That the licensing sub-committee considers whether an application submitted by Robert Wennberg for a premises licence be granted under the Licensing Act 2003 in respect of the premises known as Spiedie Shack, External Trading Area, Surrey Quays Shopping Centre, Redriff Road, London SE16 7LL.
2. Notes:
 - a) The application is for a premises licence and was submitted under Section 17 of the Licensing Act 2003. The application is subject to representations and is therefore referred to the licensing sub-committee for determination.
 - b) Paragraphs 8 to 11 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A.
 - c) Paragraphs 12 to 18 of this report deal with the representations submitted in respect of the application. Copies of the representations are attached to this report in Appendix B. A map showing the location of the premises is attached to this report as Appendix C.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to applications made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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

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

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

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On 14 May 2019 Robert Wennberg applied to this council for the grant of a premises licence in respect of Spiedie Shack, External Trading Area, Surrey Quays Shopping Centre, Redriff Road, London SE16 7LL.

9. The application is summarised as follows:
 - **Sale of alcohol to be consumed on and off the premises**
 - Monday to Sunday: 07:30 to 23:00

 - **Opening hours**
 - Monday to Sunday: 07:30 to 23:00

 - The premises, and the intended operation of the premises, are described in the application as follows:

“A shipping container converted to a kiosk for operating as a new street food concept located outside the Surrey Quays Shopping Centre. Outdoor seating in front of the container but no indoor seating for customers.”

10. The premises licence application form provides the applicant's operating schedule. Parts J, K, L, and M of the operating schedule set out the proposed licensable activities, operating hours and operating control measures in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises

licence be issued in respect of the application then the information provided in part M of the operating schedule will form the basis of conditions that will be attached to any licence granted subsequent to the application. A copy of the application is attached to this report as Appendix A.

Designated Premises Supervisor

11. The proposed designated premises supervisor of the premises is Robert Wennberg.

Representations from responsible authorities

12. Representations have been submitted by this council's trading standards service, this council's licensing responsible authority, this council's environmental protection team, this council's public health authority, and also by the Metropolitan Police Service.
13. The trading standards service's representation has been submitted in respect of the prevention of crime and disorder and the protection of children from harm licensing objectives. The representation suggests control measures relating to age verification that the trading standards service recommend should become conditions of any licence issued subsequent to the application.
14. The licensing responsible authority's representation has been submitted in respect of the prevention of crime and disorder and the prevention of public nuisance licensing objectives. The representation states that the operating schedule provided in the application is sparse and does not adequately address the licensing objectives. The licensing responsible authority request that the finish time for alcohol sales be amended to 22:30 daily, that an 'accommodation limit' be provided in respect of the outside area, that the applicant addresses how the external area will be controlled, that a written dispersal policy is provided and that control measures relating to off sales, which should become conditions of any licence issued subsequent to the application, are included in the application.
15. The environmental protection team's representation was submitted in respect of the prevention of public nuisance licensing objective. The representation stated that the application didn't contain sufficient information and controls to provide assurance that the prevention of public nuisance licensing objective would be met. The representation requested a location plan and an accommodation limit for the external area. The applicant provided a response, which included a location plan and amendments to the application, to the environmental protection team.
16. The public health authority's representation has been submitted in respect of the prevention of public nuisance, the prevention of crime and disorder and the protection of children from harm licensing objectives. The public health authority is concerned by the proposed early hours for the sale of alcohol. The public health authority notes that early morning alcohol purchasers are more likely to be alcohol misusers and may thus contribute to antisocial behaviour such as street drinking. The public health authority recommends that the start time for the sale of alcohol is amended to 11:00 hours daily, that alcohol 'on' sales cease at 22:30 daily, that a condition restricting the sale of lagers, beers, ciders or similar alcoholic drinks with an alcohol by volume (ABV) of over 6.5% is included in the application and that any off sales off alcohol must be provided in sealed containers to be taken away from the premises.
17. The Metropolitan Police Service's representation states that the applicant has failed to address any of the four licensing objectives with sufficient detail within the

application's operating schedule. The Metropolitan Police Service objects to the application on the basis that the applicant has failed to address the prevention of crime and disorder licensing objective.

18. Copies of the representations submitted by responsible authorities, and related correspondence, are attached as Appendix B.

Representations from other persons

19. No representations were submitted by 'other persons'.

Conciliation

20. Further to correspondence between the applicant and the council's environmental protection team, the environmental protection team withdrew their representation.
21. The applicant provided a response to this council's licensing responsible authority and this council's trading standards service's representations, however at the time of the writing of this report both of these representations remain outstanding, as do all of the other representations submitted.
22. The outstanding representations must be considered by the licensing sub-committee.

Premises history

23. The premises are new and no licensing authorisation issued under the Licensing Act 2003, or any prior licensing legislation, has previously been held regarding the premises.
24. On 14 May 2019 Robert Wennberg applied to this council for the grant of a premises licence in respect of Spiedie Shack, External Trading Area, Surrey Quays Shopping Centre, Redriff Road, London SE16 7LL.

Deregulation of entertainment

25. On 6 April 2015 entertainment became deregulated and as a result:
 - Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
 - Live amplified music and recorded music are deregulated between 08:00 and 23:00 at on licensed premises for an audience of up to 500 people.
 - Plays and the performance of dance are deregulated between 08:00 and 23:00 for an audience of up to 500 people.
 - Indoor sporting events are deregulated between 08:00 and 23:00 for an audience of up to 1000 people.
26. Live music and recorded music can become licensable in on-licensed premises if the licensing authority removes the effect of deregulation following a licence review ('licence review mechanism').
27. The showing of films has not been de-regulated.

Map

28. A map, showing the location of the premises is attached to this report as appendix E. The following licensed premises are also shown on the map and provide licensable activities as stated:

Odeon, Surrey Quays Leisure Park, Redriff Road, London SE16 7LL licensed for:

- The sale of alcohol to be consumed on the premises:
 - Monday to Sunday: 11:00 to 01:00
- Films, live music, recorded music, anything similar to live or recorded music & performances of dance:
 - Monday to Sunday: 09:00 to 03:00
- Late night refreshment:
 - Monday to Sunday: 23:00 to 03:00

Tesco Surrey Quays, Surrey Quays Shopping Centre, London SE16 7LL licensed for:

- The sale of alcohol to be consumed off the premises:
 - Monday to Saturday: 00:00 to 00:00 (24 hours)
 - Sunday: 11:00 to 17:30

Pizza Hut, 5 Teredo Street, London SE16 7LW licensed for:

- The sale of alcohol to be consumed on the premises:
 - Monday to Saturday: 11:00 to 00:00
 - Sunday: 12:00 to 23:30
- Late night refreshment:
 - Monday to Saturday: 23:00 to 00:30
 - Sunday: 23:00 to 00:00

Pizza 1889, Outside Surrey Quays Shopping Centre, London SE16 7LL licensed for:

- The sale of alcohol to be consumed on and off the premises:
 - Monday to Thursday: 12:00 to 00:00
 - Friday and Saturday: 12:00 to 23:30
 - Sunday: 12:00 to 17:00
- Late night refreshment:
 - Monday to Saturday: 23:00 to 00:30

- Sunday: 23:00 to 00:00.

Southwark council statement of licensing policy

29. Council assembly approved Southwark's statement of licensing policy 2016-20 on 25 November 2015. 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. To be read in conjunction with Appendix B to the policy.
 - Section 8 – The Prevention of Crime and Disorder. This provides general guidance on the promotion of the first licensing objective.
 - Section 9 – Public Safety. This provides general guidance on the promotion of the second licensing objective.
 - Section 10 – The Prevention of Nuisance. This provides general guidance on the promotion of the third licensing objective.
 - Section 11 – The Protection of Children from Harm. This provides general guidance on the promotion of the fourth licensing objective.
30. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.
31. The premises are located in Canada Water major town centre area. Closing times as stated below are suggested in the statement of licensing policy for the following types of licensed premises located in residential areas:
- Restaurants and cafes:
 - Sunday to Thursday: 00:00
 - Friday and Saturday: 01:00

- Restaurants and cafes, public houses, wine bars, or other drinking establishments and bars in other types of premises
 - Sunday to Thursday: 23:00
 - Friday and Saturday: 00:00.

Resource implications

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

Consultation

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

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

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

Principles for making the determination

37. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
38. Relevant representations are those which:
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
39. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:

- To grant the licence subject to:
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives
 - Any condition which must under section 19, 20 or 21 be included in the licence
- To exclude from the scope of the licence any of the licensable activities to which the application relates
- To refuse to specify a person in the licence as the premises supervisor
- To reject the application.

Conditions

40. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
41. The four licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
42. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
43. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
44. Members are also referred to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

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

Hearing procedures

46. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:

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

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

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

give fair consideration to the contentions of all persons entitled to make representations to them.

51. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
52. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
53. The sub-committee can only consider matters within the application that have been raised through representations from other persons and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
54. Under the Human Rights Act 1998, the sub-committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
55. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

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

Strategic Director of Finance and Governance

57. The head of 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 Revised Guidance to the Act Secondary Regulations Southwark statement of licensing policy Case file	Southwark Licensing, C/O Community Safety and Enforcement, 160 Tooley Street, London, SE1 2QH	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Copy of the application
Appendix B	Copies of the representations submitted by responsible authorities and related correspondence
Appendix C	Map

AUDIT TRAIL

Lead Officer	Mick Lucas, Director of Environment	
Report Author	Wesley McArthur, Principal Licensing Officer	
Version	Final	
Dated	25 June 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	26 June 2019	

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

RECEIVED
14 MAY 2019

I/We Robert Wennberg

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Spiedie Shack External Trading Area Surrey Quays Shopping Centre Redriff Road			
Post town	London	Postcode	SE16 7LL

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

Part 2 - Applicant details

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

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| | ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
28	05	2019

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
 A shipping container converted to a kiosk for operating as a new street food concept located outside the Surrey Quays Shopping Centre. Outdoor seating in front of the container but no indoor seating for customers.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	07:30	23:00			
Tue	07:30	23:00			
Wed	07:30	23:00			
Thur	07:30	23:00			
Fri	07:30	23:00			
Sat	07:30	23:00			
Sun	07:30	23:00			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

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

Name Robert Wennberg

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p>
Day	Start	Finish	
Mon	07:30	23:00	
Tue	07:30	23:00	
Wed	07:30	23:00	
Thur	07:30	23:00	
Fri	07:30	23:00	
Sat	07:30	23:00	
Sun	07:30	23:00	
			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>

M

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

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

Ensure adequate staffing during open hours.

b) The prevention of crime and disorder

Ensure staff are present during open hours and the container is securely locked during closed hours.

c) Public safety

Comply with health and safety regulations to reduce risk of accidents. Drinks to be poured and/or served to customers in containers that are not made of glass.

d) The prevention of public nuisance

Comply with regulations and best practice.

e) The protection of children from harm

Comply with regulations and best practice. Implement age verification scheme.

Checklist:

Please tick to indicate agreement

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

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

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

Part 4 – Signatures (please read guidance note 11)

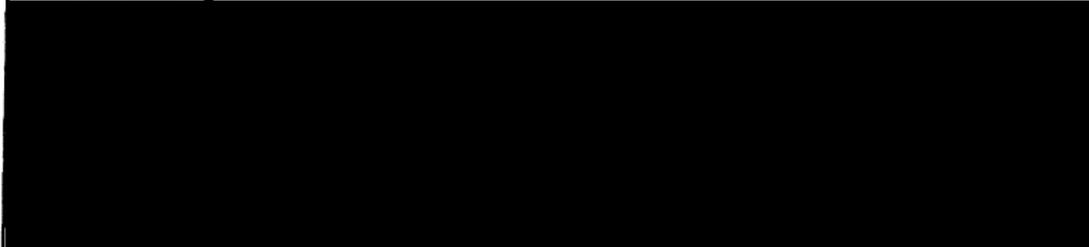
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

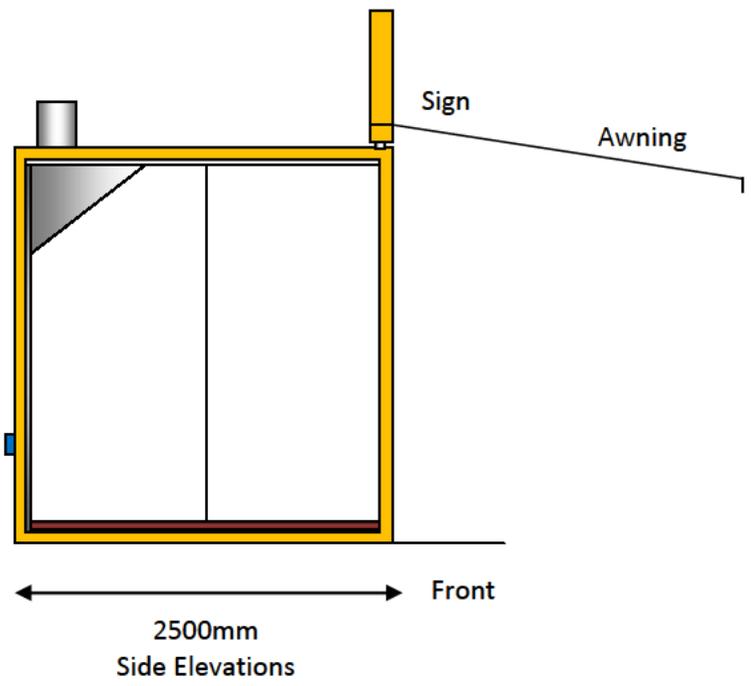
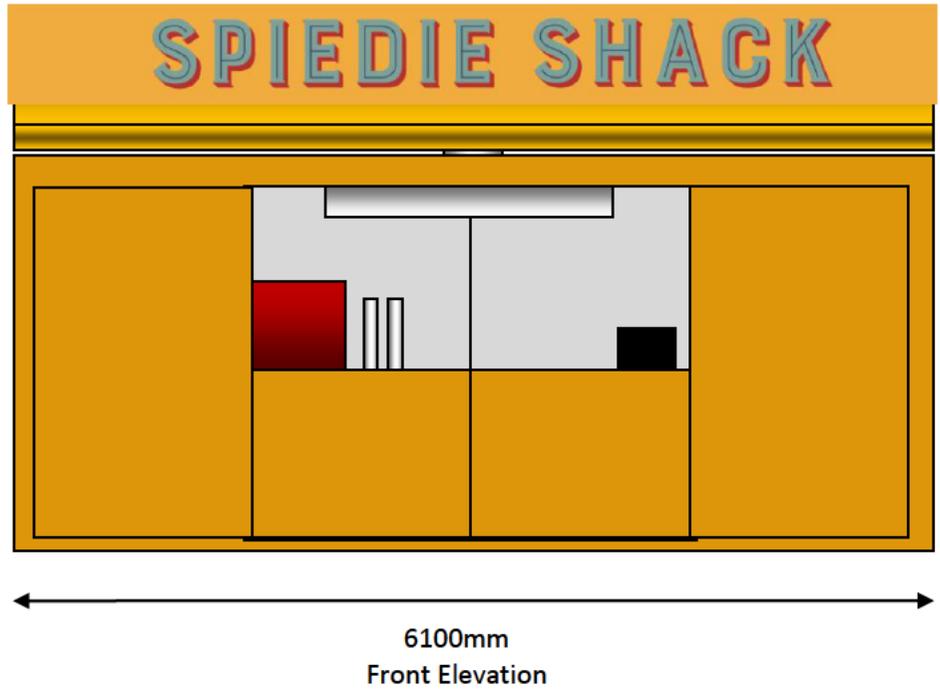
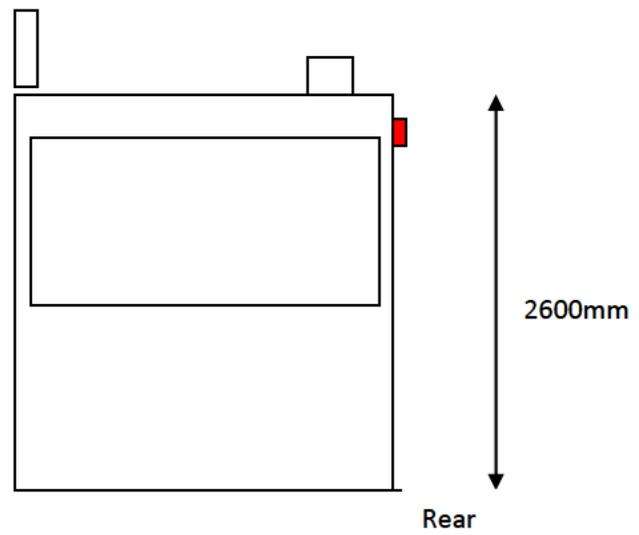
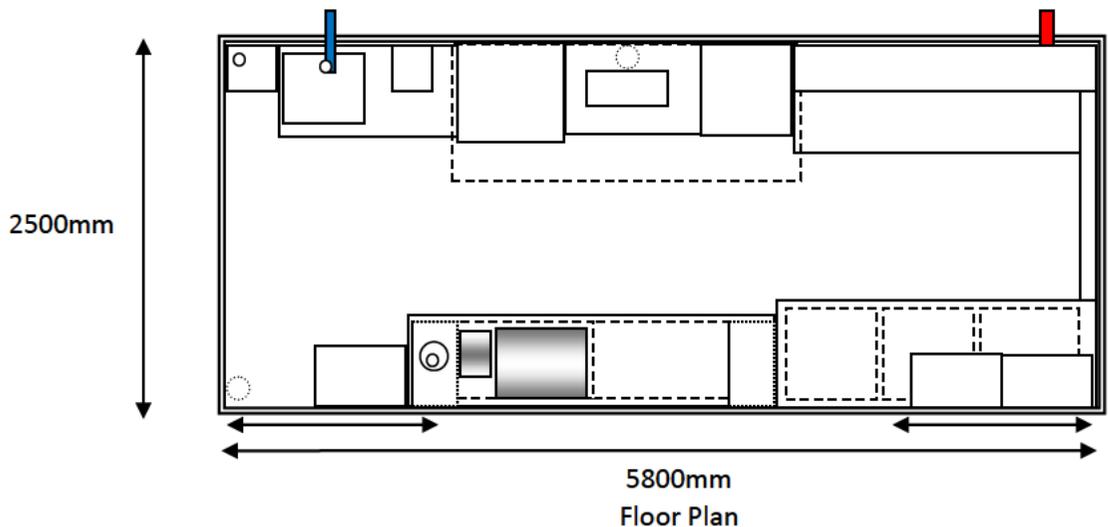
Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work
--------------------	--

	relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	14 May 2019
Capacity	Applicant

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

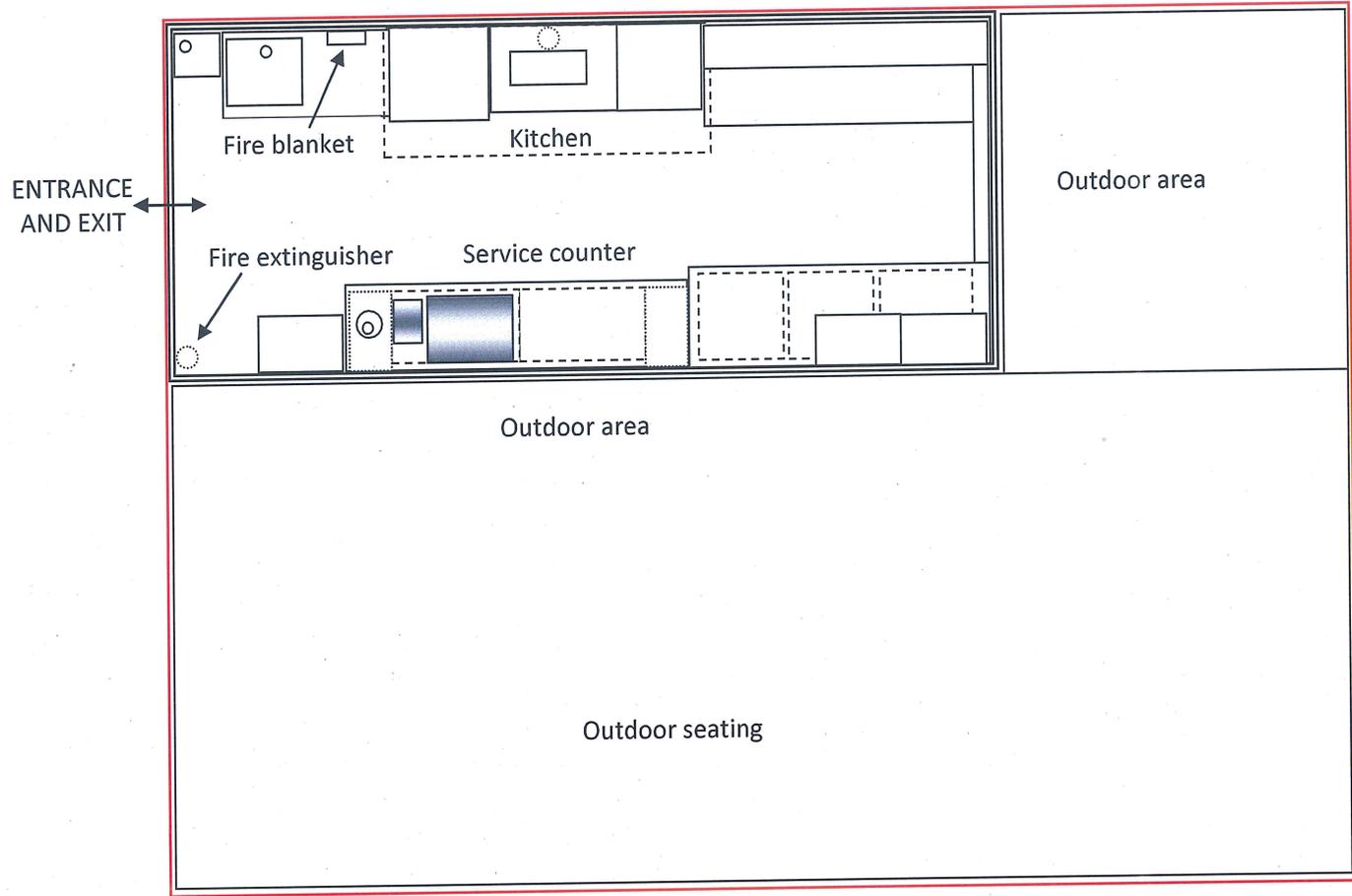
Signature	
Date	
Capacity	

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



Spiedie Shack Kiosk Drawing No: SSSQ 001 Scale 1:50 @ A4 1000mm





Spiedie Shack Kiosk Drawing No: SSSQ 002 Scale 1:50 @ A4

1000mm

From: Moore, Ray

Sent: Monday, May 20, 2019 8:55 AM

To: [REDACTED] Regen, Licensing; Alcohol@homeoffice.gsi.gov.uk ; Qau Safeguarding; Costin, Holly; DIP Team; FireSafetyRegulationSE@london-fire.gov.uk (FSR-AdminSupport@london-fire.gov.uk); Graham White; Highwayslicensing; Moore, Ray; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Reg Health and Safety; southwark.repro@pbms.co.uk; Taylor, Dan; Tear, Jayne; West Team diary

Subject: FW: Application for a premises license for Spedie Shack, External Trading Area, Outside Surrey Quays Shopping Centre - application reference 868113

As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from Robert Wennberg for an application to sell alcohol from 07:30 hours to 23:00 hours, Monday to Sunday (inclusive) from a converted container outside Surry Quays Shopping Centre. In the licensing objectives there is only the following references wrt the methods for preventing minors from obtaining alcohol "Comply with regulations and best practice. Implement age verification scheme." Having an age verification policy is a mandatory licensing condition. Trading Standards are therefore making representations wrt the licensing conditions "The Protection of Children from Harm" and "The prevention of Crime and Disorder." Trading Standards would rather a more detailed description of how sales of alcohol to minors can be prevented.

This authority would therefore ask that the following conditions are added to create a more robust system to ensure that alcohol is not sold to children:-

- That a challenge 25 scheme shall be maintained at the stalls selling alcohol requiring that staff selling alcohol request that any customer who looks under 25 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card and any Proof of Age Standards Scheme (PASS) accredited card such as the Proof of Age London (PAL) card.
- That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the stall. A record of such training shall be kept / be accessible at the stall at all times and be made immediately available for inspection at the stall to council or police officers on request. The training record shall include the trainee's name (in block capitals), the trainer's name (in block capitals), the signature of the trainee, the signature of the trainer, the date(s) of training and a declaration that the training has been received.
- That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
- That a register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the challenge 25 policy. The register shall be clearly and legibly marked on the front cover as a register of refused sales, with the address of the premises and with the name and address of the licence holder. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.

If the business needs refusals registers and training materials this authority is more than happy to provide them.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

From: Robert [REDACTED]
Sent: Tuesday, June 11, 2019 12:01 AM
To: Moore, Ray; Regen, Licensing; Alcohol@homeoffice.gsi.gov.uk; Qau Safeguarding; Costin, Holly; DIP Team; 'FireSafetyRegulationSE@london-fire.gov.uk'; 'Graham White'; Highwayslicensing; Planning.Enquiries; Public Health Licensing; Reg Env Protection; Reg Health and Safety; southwark.repro@pbms.co.uk; Taylor, Dan; Tear, Jayne; West Team diary
Subject: RE: Application for a premises license for Spedie Shack, External Trading Area, Outside Surrey Quays Shopping Centre - application reference 868113

Dear Ray,

Licence number: 868113 - Spiedie Shack, Surrey Quays Shopping Centre

Thank you for your email dated 20 May, 2019.

Before I respond to the matters you have raised I wish to clarify why the operating schedule lacks a detailed description. I took into consideration guidance provide on the Government website Gov.uk, and in particular Section “**M: steps to promote the licensing objectives**”. I kept a copy of this page at the time I was preparing my application, which I have attached for your convenience.

My understanding at the time, based on my reading of this note, was that as we will of course abide by all relevant legislation and will adopt best practice it was not necessary to for me to add a great deal of detail in this section of my application, but it has transpired that I was mistaken. I could argue therefore that this Government guidance note is too casual and misleading.

Having read other representations made in response to my application, I now understand why I was initially surprised and taken aback by your approach. You may have valid concerns you wish to raise, but the manner in which you have raised them seems unnecessary and is not how I would have expected a professional Principal Trading Standards Enforcement Officer to communicate with other authorities and a local business. I could also argue that you have been misleading when you state that “there is only the following references wrt the methods of preventing minors from obtaining alcohol”, which you quoted (M.e.), when you know there is another reference, which you did not quote (M.a.).

I wish to record the fact that I object to your implication that I represent a risk to children, which is blatantly untrue. I have no idea how or why you have reached that extraordinary conclusion. You, commenting as the Principal Trading Standards Enforcement Officer for Southwark Council on my licence application, should already know that I am a responsible applicant and a Designated Premises Supervisor who has been operating The yellow house, an independent restaurant in Surrey Quays SE16, for nearly 16 years, that The yellow house is a family friendly restaurant with many local and loyal customers and that as the owner of this small independent company I would not do or permit anything to be done that could damage our established and hard-earned reputation at The yellow house, or the reputation of and prospects for our new venture in Surrey Quays, London SE16.

When completing my application I also took into consideration the Premises Licence granted by Southwark Council to Pizza 1889 (No: 859228) who also operate from a converted shipping container and who are also located near the entrance to Surrey Quays Shopping Centre. As this licence is an obvious precedent, I have “copied and pasted” below the sections that refer to the safe-guarding of children at the premises:

348 - That a written policy for the safe-guarding of children at the premises shall be devised. A copy of the policy shall be kept at the premises at all times that the premises are in operation and shall be made available to police or council officers on request.

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.

4AB - That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons and the age verification scheme in operation at the premises. A record of such training shall be kept / be accessible at the premises at all times and be made immediately available for inspection at the premises to council and / or police officers on request.

4AC - That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers stating to the effect that alcohol can only be sold to persons aged 18 years old and over, and that identification may be requested in regards to alcohol sales.

4AG - That an age verification scheme shall be implemented at the premises requiring that staff selling alcohol request that any customer who looks under 18 years old, and who is attempting to purchase alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a driving licence, passport, UK armed services ID card, any Proof of Age Standards Scheme (PASS) accredited card or any card approved by the Secretary of State.

Some of these paragraphs appear to be repetitive. Please let me know if I have missed anything relation to the safe-guarding of children in Licence No: 859228.

I am confident Pizza 1889 also have no intention of selling alcohol to children. I refer to their licence only because our premises and location are identical and because their age verification scheme is acceptable whereas the same age verification scheme proposed in my application is apparently not acceptable.

Why do you think it is necessary to impose a “more robust system to ensure that alcohol is not sold to children” at Spiedie Shack than the system at Pizza 1889?

With reference to your concern about the lack of a more detail description of how sales of alcohol to minors can be prevented, I respond as follows:

- Spiedie Shack is a small business operating from a converted 20' x 8' shipping container with limited storage
- The principal business of Spiedie Shack is the sale of food made to order for consumption on our outside area or for take-away
- The sale of alcohol is expected to be a small part of our business (unlike for example sales of alcohol at Tesco nearby)
- We will adopt an age verification policy that complies with the mandatory condition which is appropriate for the scale of this operation
- We will adopt an age verification policy that is consistent with the age verification policy of our neighboring trading partner (Pizza 1889)

- We will maintain an incident log to record refusals to sell alcohol
- We will ensure there will always be at least two people working at Spiedie Shack during open hours
- We will ensure that there will always be one personal licence holder working and if a personal licence holder is absent we will not permit the sale of alcohol for the duration of that absence
- We will ensure that staff involved in the sale of alcohol are trained in the prevention of sales of alcohol to underage persons and the age verification scheme in operation at the premises.
- We will keep a record of such training at the premises which will be available for inspection at the premises to council and / or police officers on request
- We will install internal CCTV cameras
- We intend to install the CCTV server off-site for better security at The yellow house, located adjacent to the Surrey Quays Shopping Centre, where we can make recordings available for inspection

These are the details I omitted in the application but which I will ensure obviously be applying as a responsible owner of a licensed business.

I can assure you I have no wish or intention to permit Spiedie Shack staff to sell alcohol to anyone under the age of 18 years.

Regards,
Robert Wennberg

████████████████████
████████████████████

M: steps to promote the licensing objectives

You are asked to describe the steps you intend to take to promote the 4 licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Don't forget that you should already be abiding by relevant legislation in other areas. Your starting point should be compliance with these requirements. If you feel there is nothing more you need to do, then you might wish to write 'N/A' or something like 'nothing beyond existing health and safety/fire safety etc requirements'. This shows you have considered the objectives and come to a decision that you have nothing additional to do and not that you have forgotten to write anything in this section. Of course, if a responsible authority for one of the licensing objectives considers that you need to do more, they will be able to make representations. If you have concerns, you may find it useful to talk to the relevant responsible authority before completing the form. Further information on responsible authorities is available from the [Home Office website](#) or from your local authority licensing officer or website.

If you do intend to take additional measures, you should consider carefully what to include. Anything you put down here is likely to become a condition of your licence. Failure to meet those conditions would constitute an offence under the act. You should therefore think carefully about adding conditions to ensure that they are achievable, realistic, appropriate, proportionate and within your control. Base your response on a proper, common sense consideration of the risks and what you can realistically do to mitigate them. In the 'general box', list the steps you will take to promote all 4 licensing objectives together, for example, employing additional staff.

MEMO: Licensing Unit

To	Licensing Unit	Date	5 June 2019	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Spiedie Shack, External Trading Area, Surrey Quays Shopping Centre, Redriff Road, London SE16 7LL – Application for a premises licence

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

- Supply of Alcohol (on and off the premises) on Monday to Sunday from 07:30 to 23:00
- The proposed opening hours will be on Monday to Sunday from 07:30 to 23:00

The premises is described as '*A shipping container converted into a kiosk for operating as a new street food concept located outside the Surrey Quays Shopping Centre. Outdoor seating in front of the container but no indoor seating for customers*'.

This premise is situated within Canada Water Major Town Centre Area.

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

The operating schedule is sparse and does not adequately address the licensing objectives.

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

I ask the applicant to amend the finish time for alcohol '*on sales*' as follows:

- Sale of alcohol on the premises shall cease at 22:30 daily

This will allow for half an hour drinking up time.

Due to the limited information on the application form and to further promote the licensing objectives I ask the applicant to provide the following information and to consider adding the following conditions to the operating schedule:

- Provide an accomodation limit for the outside area of the premises as defined on the plans (to be conditioned), and to further explain how this area will be controlled to prevent patrons drinking in the street or the carpark area of the shopping centre.
- To provide a written dispersal policy for the premises. (to be conditioned)

To add further conditions:

- Any '*off sales*' of alcohol shall be provided in sealed containers and taken away from the premises save for the outside area as defined on the premises plans.
- 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 except for the premises outside seating area.

I reserve the right to comment further once all of the information is received and welcome any discussion with the applicant regarding conciliation of this representation.

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

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

From: Robert [REDACTED]
Sent: Monday, June 10, 2019 6:21 PM
To: Tear, Jayne; Earis, Richard
Cc: McArthur, Wesley; Regen, Licensing
Subject: RE: REPRESENTATION RE SPIEDIE SHACK

Dear Jayne and Richard,

Licence number: 868113 - Spiedie Shack, Surrey Quays Shopping Centre

Thank you for your email and representation dated 5 June, 2019 and your email dated 10 June, 2019.

I have taken on board the comments you have made and, as you have both raised similar concerns about prevention of crime and disorder and prevention of public nuisance, I hope it is acceptable for me to respond to you both with this email.

Before I respond to each of the matters you have raised I wish to clarify why the operating schedule appears to be, as you've stated, sparse. I took into consideration guidance provide on the Government website Gov.uk, and in particular Section "**M: steps to promote the licensing objectives**". I kept a copy of this page at the time I was preparing my application, which I have attached for your convenience.

My understanding at the time, based on my reading of this note, was that as we will of course abide by all relevant legislation and will adopt best practice (N.B. I am a practicing DPS and have been operating The yellow house in Surrey Quays for nearly 16 years) it was not necessary to for me to add a great deal of detail in this section of my application, but it has transpired that I was mistaken. I could argue therefore that this Government guidance note is too casual and misleading.

With reference to the matters you have raised, I respond as follows:

- **I wish to amend the finish time for the sale of alcohol to be consumed both on and off the premises to 22:30 daily**
- **I wish to add an accommodation limit of 40 people for the outside seating area as defined on the premises plan**
- **I wish to add that sales of alcohol to be consumed both on and off the premises will only be made to customers who also purchase food**
- **I wish to add that sales alcohol to be consume off the premises will be in sealed containers to be taken away from the premises save for the outside area as defined on the premises plan**

We will ask customer to remain within our outside area as defined on the premises plan (the "Green Area" as designated by green astro-turf laid on the ground) when they purchase an alcoholic drink to consume with a meal on the premises. Staff will be instructed to remind customers to move back into the Green Area if they stray outside this area. We will not allow a customer who persists in going beyond the Green Area to make another purchase of alcohol for consumption on the premises.

I am familiar with Pizza 1889 (Licence Number: 859228), who are operating in a shipping container located adjacent to Spiedie Shack, and I have not witnessed customers wandering off with open alcoholic drinks and drinking in the adjacent car park so I believe this risk is not great and is manageable. Please note that there are CCTV cameras covering the outdoor areas of Surrey Quays

Shopping Centre. I believe it is certainly a much lower risk than the nuisance and dis-order we witness from time to time outside our local Wetherspoon's. We will not be aiming to sell 'cheap booze' – our intention is to permit our customers (who we hope will become regulars, many of whom will already be customers of ours at The yellow house) to purchase for example a can of craft beer to enjoy with one of our spiedies, either while sitting on one of our benches or to take home with them for supper.

Site plan

Both the Spiedie Shack and Pizza 1889 containers are located outside and to the left of the main entrance to Surrey Quays Shopping Centre. I have attached a copy of the site plan provided to me by British land, our landlord. The Spiedie Shack container is marked in red on this copy, but please note that the final outside area (the Green Area referred to above) is wider than the container and on the right side of the container as shown on the premises plan attached to my application.

I submit my written response now in the hope that I have addressed your concerns in full as I am aware of the 11th June deadline, but I am happy to phone you to discuss any of the matters you have raised.

I can assure you that I am a responsible applicant and would not do or permit anything to be done that could damage our established reputation at The yellow house or the reputation of our new venture in Surrey Quays, London SE16.

Best regards,
Robert Wennberg.

████████████████████
████████████████████

From: Earis, Richard
Sent: Monday, June 10, 2019 10:39 AM
To: Regen, Licensing
Cc: [REDACTED]
Subject: New License Objection - Spiedie Shack Surrey Quays Shopping Centre

RE: New License Application - Spiedie Shack External Trading Area Surrey Quays Shopping Centre Redriff Road - food kiosk for operating as a new street food concept located outside the Surrey Quays Shopping Centre

I have considered the above and I would like to object under the prevention of public nuisance licensing objective. The reason for the objection is that the application does not contain sufficient information and controls to provide assurance that the licensing objective will be met.

In particular it is unclear exactly where the premises is located on the wider site as no location plan has been provided.

Please could the applicant provide a location plan and proposed accommodation limit for the marked external area?

I will then comment further to see whether it is possible to conciliate my objections.

Kind Regards,

Richard

Richard Earis
Principal Environmental Protection Officer
Environmental Protection Team

020 7525 2469

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

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

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



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

From: Robert [REDACTED]
Sent: Monday, June 10, 2019 6:21 PM
To: Tear, Jayne; Earis, Richard
Cc: McArthur, Wesley; Regen, Licensing
Subject: RE: REPRESENTATION RE SPIEDIE SHACK

Dear Jayne and Richard,

Licence number: 868113 - Spiedie Shack, Surrey Quays Shopping Centre

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I can assure you that I am a responsible applicant and would not do or permit anything to be done that could damage our established reputation at The yellow house or the reputation of our new venture in Surrey Quays, London SE16.

Best regards,
Robert Wennberg.

[REDACTED]
[REDACTED]

From: Earis, Richard
Sent: Tuesday, June 11, 2019 10:56 AM
To: Regen, Licensing
Cc: McArthur, Wesley; 'Robert'; Tear, Jayne
Subject: RE: REPRESENTATION RE SPIEDIE SHACK

Dear Licensing,

On the basis of the information provided and the newly offered conditions (highlighted in red below), I confirm that my concerns have been addressed and I withdraw my objections.

Kind Regards,

Richard

Richard Earis
Principal Environmental Protection Officer
Environmental Protection Team

020 7525 2469

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

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

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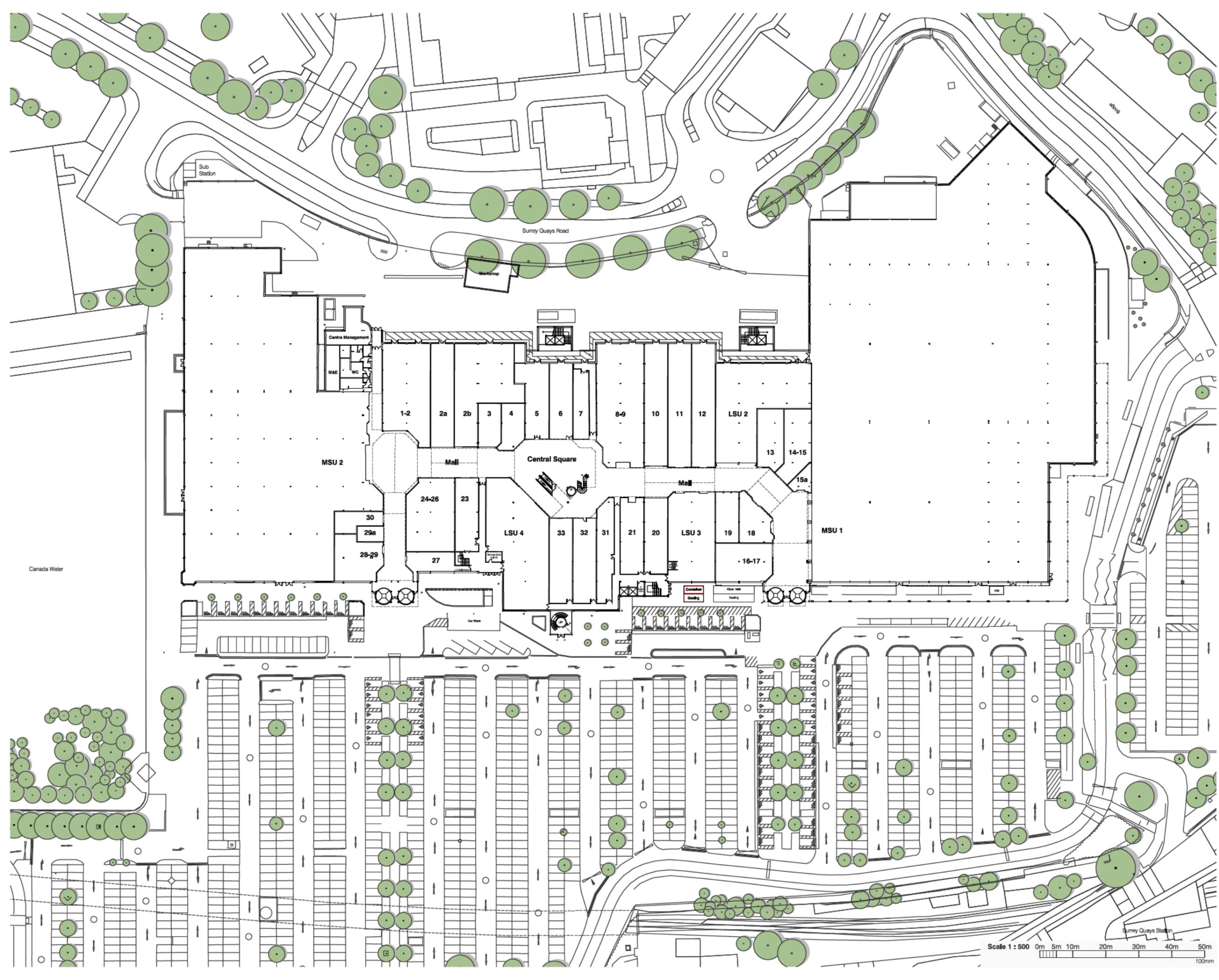
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Location Plan

Notes
 SQ-LDA-SA-00-05001
 SQ-LDA-EX-00-06001
 SQ-LDA-EX-00-07001
 SQ-LDA-EX-00-08001
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Rev. No.	Date	Revision	By	Checked
P02	17.09.18	Unit Spacing Update	YX	AR
P01	16.08.18	General Update	YX	AR
P00	02.11.17	Initial Issue	LR	MS

leonard design architects
 4th floor, Abdon House
 5-13 Canal Street
 Nottingham, NG1 7EG, United Kingdom
 L +44 (0) 115 945 0080
 e. office@leonarddesignarchitects.com



Project
Existing Centre Refurbishment
 Surrey Quays Shopping Centre
 Canada Water

Drawing Title Project Number 0416
Lease Plan
Ground Floor
Container

Comp. File No.	Status
sq-lda-ex-00-05001	S0
sq-lda-ex-00-06001	S0
sq-lda-ex-00-07001	S0
sq-lda-ex-00-08001	S0
sq-lda-ex-00-09001	S0
sq-lda-ex-00-10001	S0
sq-lda-ex-00-11001	S0
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Purpose of Issue Leasing
Workflow Status PRELIMINARY



111

From: Public Health Licensing
Sent: Monday, June 10, 2019 12:51 PM
To: Regen, Licensing
Cc: Deidda, Clizia; Shapo, Leidon
Subject: RE: Spiedie Shack, External Trading Area, Surrey Quays Shopping Centre, Redriff Road, London, SE16 7LL

To Whom it may concern:

RE: Spiedie Shack, External Trading Area, Surrey Quays Shopping Centre, Redriff Road, London, SE16 7LL

On behalf of the Director of Place and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make a representation in respect of the above.

This representation is made in respect of the following licensing objective:

- Public nuisance
- Prevention of crime and disorder
- Protection of children from harm

General Comments

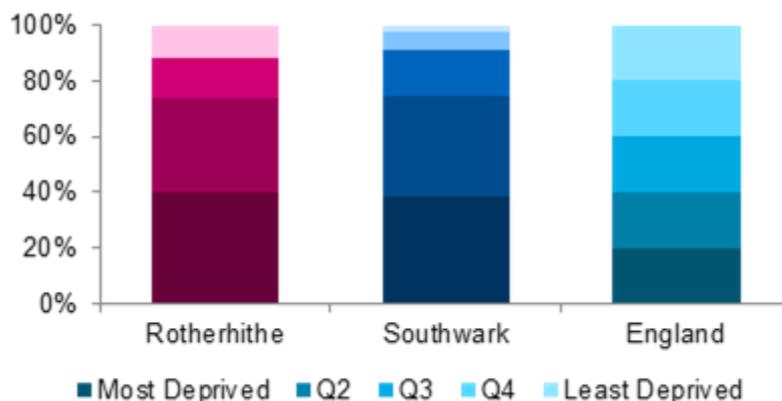
The applicant requests a new application for the sale of alcohol on and off the premises.

Requested hours of operation	Opening Hours	Sale of alcohol off the premises	Sale of alcohol on the premises
Monday to Sunday	07:30 – 23:00	07:30 – 23:00	07:30 – 23:00

Concerns relating to this application

The premises is located in the Rotherhithe ward, which is a ward with high levels of deprivation. Figure 1 shows that 40% of residents are in the most deprived quintile and 34% are in the 2nd most deprived quintile. This is relevant because the evidence shows that deprived populations are disproportionately affected by alcohol related harm.

Figure 1. Proportion of population in each deprivation quintile



Furthermore, Rotherhithe is responsible for 4% of all alcohol related ambulance call-outs in Southwark (131 in 2017 alone). This thus shows that alcohol-fuelled activities are having a negative impact on the ward.

I also have concerns regarding the hours of alcohol sales requested and I would suggest a later start time for alcohol sales: early-morning alcohol purchasers are more likely to be alcohol misusers and may thereby contribute to antisocial behaviour such as street drinking. In fact, early morning drinking is considered one of the indicators for alcohol misuse (this is regularly screened for in the AUDIT, CAGE and T-ACE Alcohol misuse screening questionnaires).

Finally, the operating schedule provided by the Applicant is very vague, and I am not satisfied the proposed conditions will promote the four licensing objectives. For example, I would like to see a rather more detailed description on how the Applicant will prevent the sale of alcohol to minors, for example by adopting the industry standard Challenge 25 scheme. I would also like to know more about the nature of the business: is this going to be a restaurant, or mostly a café/takeaway?

Recommendations

Taking in to account all of the above, I recommend the operating hours be amended to:

Requested hours of operation	Opening Hours	Sale of alcohol off the premises	Sale of alcohol on the premises
Monday to Sunday	07:30 – 23:00	11:00 – 23:00	11:00 – 22:30

Also, I recommend that no beers, lagers, ciders or similar alcohols to be sold in cans with an Alcohol By Volume (ABV) in excess of 6.5% or in bottles larger than 750ml with an ABV in excess of 6.5% and that any off sales of alcohol shall be provided in sealed containers and taken away from the premises.

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

Yours sincerely,

Clizia Deidda

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

Clizia Deidda

Public Health Policy Officer (Mental Health, Substance Misuse & Healthcare) | Public Health Division

Place and Wellbeing Department | London Borough of Southwark

160 Tooley Street | London SE1P 5LX

T: 0207 525 7707 | M: 07710 179 570

E: Clizia.deidda@southwark.gov.uk

www.southwark.gov.uk



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/21/085/19**

Date: **11/06/2019**

Dear Sir/Madam

Re:- Spiedie Shack Surrey Quays Shopping Centre Redriffe Road SE16 7LL

Police are in possession of an application from the above for a new premises licence. The general description of the premises is a Shipping container operating as a new food concept with indoor and outdoor seating.

The proposed opening hours and provision for the supply of alcohol are 07:30 to 23:00 Monday to Sunday.

Unfortunately the applicant has failed to address any of the four licensing objectives with sufficient detail within the operating schedule.

With reference to the prevention of crime and disorder the applicant has offered *the presence of staff during opening hours and that the container is locked when closed.*

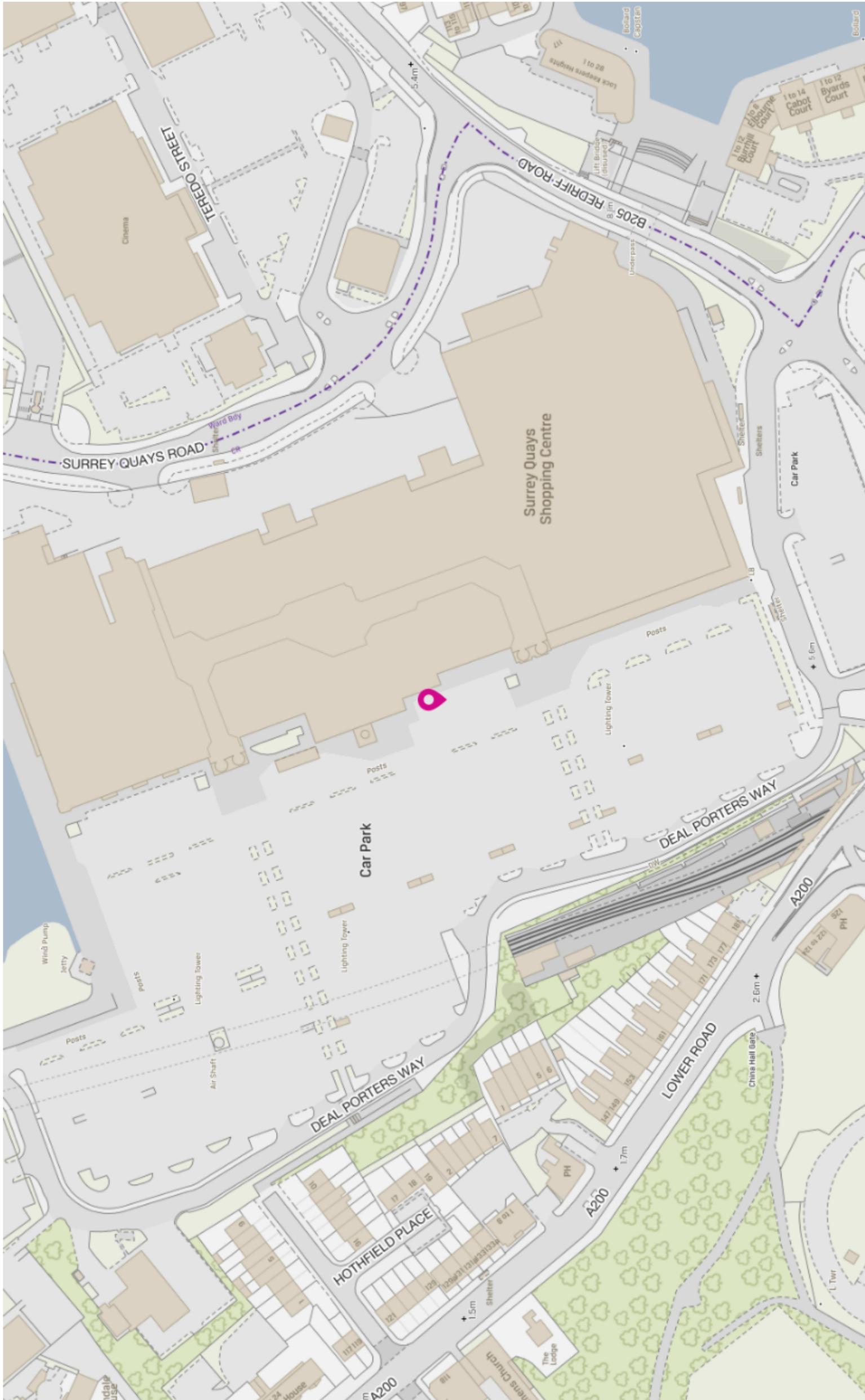
One would expect that this would be more common sense than a precise and enforceable control measure as per home office guidance.

Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

I am unable to comment further on this application due to the lack of information contained within. It is for this reason that I object to this application on the basis that the applicant has failed to address the promotion of the prevention of crime and disorder.

Yours Sincerely

PC Ian Clements
 Southwark Police Licensing Unit
 Tel: 0207 232 6756
ian.Clements@met.pnn.police.uk



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25-Jun-2019



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