

Licensing Sub-Committee

Thursday 31 October 2019
10.00 am

Ground Floor Meeting Room G01B - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Sunny Lambe
Councillor Charlie Smith

Reserves

Councillor Maria Linforth-Hall

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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: 22 October 2019



Licensing Sub-Committee

Thursday 31 October 2019
10.00 am

Ground Floor Meeting Room G01B - 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: CORPORATION PONCE, ARCH 144, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP	1 - 99
	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: 22 October 2019

Item No. 5.	Classification: Open	Date: 31 October 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Corporation Ponce, Arch 144, Eagle Yard, Hampton Street, London SE1 6SP	
Ward(s) or groups affected:		Newington	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Sabor De Mi Tierra Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: Corporation Ponce, Arch 144, Eagle Yard, Hampton Street, London SE1 6SP.
2. Notes:
 - The application seeks to vary the premises licence held under current legislation in respect of the premises known as: Corporation Ponce – Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP, under section 34 of the Licensing Act 2003. Existing permitted licensable activities are not under consideration at this meeting. The variation application is subject to outstanding representations submitted by local residents and is therefore referred to the sub-committee for determination.
 - Paragraph 7 of this report provides a summary of the existing premises licence. A copy of the existing premises licence is attached at Appendix A.
 - Paragraphs 8 to 10 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix B. A map showing the location of the premises is attached as Appendix E.
 - Paragraphs 12 to 19 of this report deal with the representations submitted in respect of the application (copies of the representations for Responsible Authorities and local residents are attached in Appendices C and D).

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a new licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.

Within Southwark, this council wholly administers the licensing responsibility.

4. 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.
5. 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.
6. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The current premises licence

7. The current premises licence issued in respect of the premises known as the Corporation Ponce – Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP was issued on 30 July 2018 and allows the following licensable activities:
- The sale of alcohol to be consumed on the premises:
 - Sunday to Thursday from 14:00 to 22:30
 - Friday and Saturday from 14:00 to 23:30
 - The provision of late night refreshment (indoors):
 - Friday and Saturday from 23:00 to 23:30
 - The provision of regulated entertainment in the form of live and recorded music (indoors):
 - Friday and Saturday from 14:00 to 23:30
 - Sunday from 14:00 to 22:30
 - Opening hours:
 - Sunday to Thursday from 09:00 to 23:00
 - Friday and Saturday from 09:00 to 00:00 (midnight)
 - A copy of the existing premises licence is attached as Appendix A.

The variation application

8. On 30 August 2019 Sabor De Mi Tierra Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence issued in respect of the premises known as Corporation Ponce, Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP.
9. The application for variation is described as follows:
 - ‘...Extension of opening and licensable hours Friday and Saturday. Removal of Condition 840. Amendment of Condition 843.’
 - Removal of Condition 840: That intoxicating liquor shall not be sold or supplied on the *premises* otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal.
 - Amendment of Condition 843: That on Friday and Saturdays one SIA registered door supervisor shall patrol the outside areas of the premises between the hours of 21:00 until close to monitor the patrons and number of smokers outside the premises.
 - The application is essentially to extend the weekend hours of the operation for sale of late night refreshment and alcohol and the provision of regulated entertainment and for the premises to no longer run as a restaurant.
10. A copy of the application is attached to this report as Appendix B.

Designated premises supervisor

11. The designated premises supervisor (DPS) under the existing premises licence is Luis Ernesto Barragan Ponce (the previous licence holder Director), holding a personal licence with the London Borough of Lambeth.

Representations from responsible authorities

12. The Metropolitan Police Service have made a representation under the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. The police have concerns relating to the premises location in relation to residential properties and that the hours applied for are significantly outside of the hours recommended in the Southwark licensing policy. In addition, the police have received complaints regarding the management of the premises and been part of inspections with the night time economy team, during which multiple licence breaches were found on two occasions, during the consultation period relating to this variation application.
13. Southwark environmental protection team have made a representation. They have raised concerns in relation to the proximity to residential addresses and the egress of noise, pointing to a history of complaints in the area concerning noise. The representation also raises concerns that the operating schedule of the application falls short on addressing concerns relating to the potential for public nuisance. The department’s noise team have also received multiple noise complaints.
14. Southwark Public Health have made a representation. Their concerns are in relation to the extension of hours outside of the recommended hours in the Southwark licensing policy and the potential for alcohol-related harm from a late-night premises.

15. Southwark trading standards have made representation, stating that the hours applied for are outside of the recommended hours in the Southwark licensing policy. In addition, attention is drawn to the recent licence breaches and that the premises is already being run as a nightclub / bar and further that young children remain on the premises late at night.
16. The licensing authority have made representation under the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. They advise that the application is inconsistent with the hours in relation to the Southwark licensing policy. A warning letter from a recent inspection is exhibited as part of the representation. The warning letter shows multiple licence breaches and states that the premises is already being run as a non-food-led premises.
17. Copies of all the representations made by responsible authorities are available in Appendix C.

Representations from other persons

18. Representations have been received from 26 local addresses, predominately from with the Strata Building located nearby. These are available in Appendix D.
19. There are ongoing concerns in relation to music noise emanating from the premises and the anti-social behaviour already caused by patrons departing the premises and similar premises in the immediate vicinity. Residents state that the premises already opens beyond its hours, fails to control its patrons and has concerns that the children of the patrons are left unattended outside the premises late at night. Residents are concerned that the granting of this variation will exacerbate existing issues.

Conciliation

20. Copies of representations were provided to the applicant's agent. At the point of publication of this report, the applicant had not responded the concerns of the responsible authorities or local residents.

Operating history

21. Multiple temporary events notices (TENs) have been issued to the premises.

Applicant	Dates	Activities	Counter Notice
Luis Ernesto Barragan Ponce	From 01/01/2017 to 01/01/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 12/02/2017 to 12/02/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 05/03/2017 to 05/03/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 26/03/2017 to 26/03/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the	No

Applicant	Dates	Activities	Counter Notice
		premises	
Luis Ernesto Barragan Ponce	From 14/05/2017 to 14/05/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 09/07/2017 to 09/07/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 09/07/2017 to 09/07/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 17/09/2017 to 17/09/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 08/10/2017 to 08/10/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 29/10/2017 to 29/10/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 09/12/2017 to 09/12/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 25/12/2017 to 25/12/2017 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 01/01/2018 to 01/01/2018 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 27/01/2018 to 27/01/2018 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	Withdrawn following representation from Police
Luis Ernesto Barragan Ponce	From 28/01/2018 to 28/01/2018 00:00 - 04:00	Sale by retail of alcohol to be consumed on the premises	Withdrawn following representation from Police
Jimmy Canos Ross	From 02/03/2018 to 04/03/2018 For 48 hrs from 23:30	Sale by retail of alcohol to be consumed on the premises	Late TEN, rejected following representation from Police

Applicant	Dates	Activities	Counter Notice
Luis Ernesto Barragan Ponce	From 26/08/2018 to 26/08/2018 22:01 - 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 16/09/2018 to 16/09/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 07/10/2018 to 07/10/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 28/10/2018 to 28/10/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 04/11/2018 to 04/11/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 02/12/2018 to 02/12/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 09/12/2018 to 09/12/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 15/12/2018 to 15/12/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 16/12/2018 to 16/12/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	Rejected as not 24hrs between events
Luis Ernesto Barragan Ponce	From 23/12/2018 to 23/12/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 25/12/2018 to 25/12/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 30/12/2018 to 30/12/2018 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 01/01/2019 to 01/01/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto	From 20/01/2019 to	Sale by retail of	No

Applicant	Dates	Activities	Counter Notice
Barragan Ponce	20/01/2019 00:00 to 04:00	alcohol to be consumed on the premises	
Luis Ernesto Barragan Ponce	From 26/01/2019 to 26/01/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 17/02/2019 to 17/02/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 03/03/2019 to 03/03/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 24/03/2019 to 24/03/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 12/05/2019 to 12/05/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 19/05/2019 to 19/05/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 26/05/2019 to 26/05/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 09/06/2019 to 09/06/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 06/06/2019 to 16/06/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 23/06/2019 to 23/06/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 11/08/2019 to 11/08/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No
Luis Ernesto Barragan Ponce	From 25/08/2019 to 25/08/2019 00:00 to 04:00	Sale by retail of alcohol to be consumed on the premises	No

22. On 4 February 2016 Ponce's Corporation Limited applied for a new premises licence in respect of this premises. The Metropolitan Police Service and the council's environmental protection team objected to the application. The application went before the Southwark licensing sub-committee on 19 April 2016 and the licence was granted with conditions.
23. On 22 December 2017 Ponce's Corporation Limited (Co Number: 07237574, Director: Luis Ernesto Barragan Ponce) applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence. The application drew representations from 11 local residents and the Metropolitan Police Service, Southwark environmental protection team, Southwark public health and Southwark licensing authority as responsible Authorities. The Police provided evidence that the premises had been visited at 02:40 on 6 January 2018 and was found to be open and selling alcohol to the public, contrary to the premises licence in place. The application was withdrawn on 18 January 2018, before the sub-committee hearing, the following week.
24. On 30 July 2018, a designated premises supervisor variation application was received, changing to the name of Luis Ernesto Barragan Ponce and transferring the licence to Sabor De Mi Tierra Ltd (Co Number: 11365743, Director: Maria Dineis Gaitan Varagas).
25. On 30 August 2019 Sabor De Mi Tierra Limited applied under section 34 of the Licensing Act 2003 to this council to vary the premises licence, which makes up the current application under consideration.
26. Complaints have been received by the council's licensing department specifically to this premises, however, complaints are often also in relation to anti-social behaviour in the immediate vicinity associated with surrounding premises. The council's environmental health department's noise team have also received additional complaints which are listed in their written representation. The following are complaints specifically to this premises:

Date	Complainant	Complaint	Action
21/05/2018	Local Resident	Complaint of escalating weekend noise from premises. Doors left open during regulated entertainment.	Premises visited 21:25 on 30/05/2018. Doors closed. Advice given to keep doors closed. Further walk-bys to note doors closed: 09/06/2018, 15/06/2018, 16/06/2018, 29/06/2018, 14/07/2018 and 07/09/2018
08/08/2019	Local Resident	Complaint of table outside with customers consuming alcohol	Visit 22:18 on 16/08/2019 – advised to keep doors closed. No table outside – advised no off sales, or licenced area outside.

Date	Complainant	Complaint	Action
12/08/2019	Local Resident	Complaint of noise of music and cheering from premises	See above.
16/09/2019	Local Resident	Complaint of the last six weeks trading until midnight on a Sunday with the following issues: - Patrons leaving the premises extremely noisily; - No visible signs at the entrance and exit reminding customers to leave the premises sensibly; - Children left unsupervised after 23:00; - People leaving premises with alcohol; - People leaving the premises urinate outside Strata building; - No soundproofing - loud music spilling out of venue; - People loitering outside, drinking, smoking and shouting; unchallenged by the venue staff.	Visit at 21:19 on 21/09/2019 (follow up inspection – continued breaches of licence found). Warning given re patrons on egress and use of external area.
29/09/2019	Local Resident	- Premises open on Sunday beyond closing time (complaint that this is a regular Sunday issue); - Audible music.	

27. Inspections conducted at the premises:

Date	Time	Outcome
15/12/2018	20:45	Breaches of conditions: 352, 353, 356, 357, 361 and 841. Warning letter sent. Revisit at 22:30 on 09/02/2019, premises found to be compliant.
07/09/2019	20:23	Breaches of conditions: 343, 344, 351, 354, 356 and 840 – premises found to be running as a nightclub / bar. S19 Closure Notice issued by Police and warning letter sent. Revisit at 21:19 on 21/09/2019, breaches of conditions: 351, 356, 357, 362, 840 and 841. Premises revisited at 00:12 on 22/09/2019, found to be closed.

Map

28. A map of the area is attached to this report as Appendix F. There are many licensed premises in the immediate vicinity:

Dragon Castle, 100 Walworth Road, London SE17 1JL

- The sale by retail of alcohol (on sales only):
 - Monday to Sunday from 11:00 to 23:30
- The provision of late night refreshment (both indoors and outdoors):
 - Monday to Sunday from 11:00 to 23:30

Da Spago Limited, Unit 1, 163 Dashwood Way, London SE17 3PZ

- The sale by retail of alcohol (off sales only):
 - Monday to Saturday from 08:00 to 19:30
 - Sunday from 11:00 to 15:00

After Taste Chinese Restaurant, 97 Newington Butts, London SE1 6SF

- The sale by retail of alcohol (both on and off sales):
 - Monday to Saturday from 11:00 to 00:00 (midnight)
 - Sunday from 12:00 (midday) to 23:30
- The provision of late night refreshment (indoors):
 - Monday to Saturday from 23:00 to 00:00 (midnight)
 - Sunday from 12:00 (midday) to 23:30

Ivory Arch, 80-82 Walworth Road, London SE1 6SW

- The sale by retail of alcohol (both on and off sales):
 - Monday to Sunday from 11:00 to 00:00 (midnight)
- The provision of late night refreshment (both indoors and outdoors):
 - Monday to Sunday from 23:00 to 00:00 (midnight)
- The provision of regulated entertainment in the form of live music, recorded music, films and plays:
 - Monday to Sunday from 11:00 to 00:00 (midnight)

Mamuska, 16 Elephant and Castle, London SE1 6TH

- The sale by retail of alcohol (both on and off sales):
 - Monday to Saturday from 10:00 to 02:00 (the following day)
 - Sunday from 12:00 (midday) to 23:00
- The provision of late night refreshment (both indoors and outdoors):
 - Monday to Saturday from 23:00 to 02:30 (the following day)
 - Sunday from 23:00 to 23:30

- The provision of regulated entertainment in the form of live music, recorded music, and performances of dance:
 - Monday to Saturday from 09:00 to 02:00 (the following day)
 - Sunday from 09:00 to 23:00

Chatkhara Restaurant, 84 Walworth Road, London SE1 6SQ

- The provision of late night refreshment (indoors):
 - Monday to Sunday from 23:00 to 02:00 (the following day)

La Barra, Arch 147, Eagle Yard, London SE1 6SP

- The sale by retail of alcohol (on sales only):
 - Sunday to Thursday from 10:00 to 23:00
 - Friday and Saturday from 10:00 to 00:00
- The provision of late night refreshment (indoors):
 - Sunday to Thursday from 23:00 to 23:30
 - Friday and Saturday from 23:00 to 00:00

Rincon Tropical, 2nd Floor, Arch 147 Eagle Yard, London SE1 6SP

- The sale by retail of alcohol (on sales only):
 - Sunday to Thursday from 10:00 to 23:00
 - Friday and Saturday from 10:00 to 00:00
- The provision of late night refreshment (indoors):
 - Sunday to Thursday from 23:00 to 23:30
 - Friday and Saturday from 23:00 to 00:30.

Southwark council statement of licensing policy

29. Council assembly approved Southwark's statement of licensing policy 2019 - 2021 on 27 March 2019. The policy came into effect on 28 March 2019. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:

- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
- Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.

- Section 6 – Local cumulative impact policies. This sets out this Authority’s approach to cumulative impact and defines the boundaries of the current special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy
 - Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
30. The purpose of Southwark’s statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Cumulative impact zone (CIZ)

31. The premises is not situated in any of Southwark’s CIZs. The premises is situated in the Elephant and Castle major town centre area.
32. Under the Southwark statement of licensing policy 2019 - 2021 the following closing times are recommended as appropriate within this area for these categories of premises:
- Restaurants and cafes:
 - Sunday to Monday to 00:00 (midnight)
 - Friday and Saturday to 01:00 (the following day)
 - Public houses, wine bars or other drinking establishments:
 - Sunday to Monday to 23:00
 - Friday and Saturday to 00:00 (midnight)
 - Night clubs (with sui generis planning classification):
 - Monday to Thursday to 01:00 (the following day)
 - Friday and Saturday to 03:00 (the following day)

Resource implications

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

Consultation

34. Consultation has been carried out in respect of 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 at the premises for a period of 28 consecutive days.

Community impact statement

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

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

Principles for making the determination

38. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
39. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
40. Relevant representations are those which
- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
41. If relevant representations are received then the Sub-Committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
- Add to, omit, and/or alter the conditions of the licence or,
 - Reject the whole or part of the application for variation.

Conditions

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

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

43. The four licensing objectives are
- The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
44. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
45. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
46. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced three new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional two conditions will come into force – age verification policy and smaller measures for alcoholic drinks.
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 to vary the premises licence, it must give reasons for its decision.

Hearing procedures

49. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority

- If given permission by the committee, question any other party.
- In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
- The committee shall disregard any information given by a party which is not relevant to the particular application before the committee and the licensing objectives
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing
- This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

50. 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.
51. 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.
52. 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.
53. 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.

54. 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.
55. 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.
56. 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

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

Strategic Director of Finance and Governance

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title

Appendix A	Copy of the existing premises licence
Appendix B	Copy of the application
Appendix C	Copies of representations from responsible authorities:
Appendix D	Copies of the representations submitted by local residents
Appendix E	Map of the local area

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	Andrew, Principal Licensing Officer	
Version	Final	
Dated	9 October 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	9 October 2019	

Licensing Act 2003 Premises Licence



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

Premises licence number

864230

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Corporation Ponce Arch 144, Eagle Yard Hampton Street London SE1 6SP Ordnance survey map reference (if applicable), 178730532057	
Post town London	Post code SE1 6SP
Telephone number [REDACTED]	

Where the licence is time limited the dates

Licensable activities authorised by the licence

Live Music - Indoors
 Recorded Music - Indoors
 Late Night Refreshment - Indoors
 Sale by retail of alcohol to be consumed on premises

The opening hours of the premises

For any non standard timings see **Annex 2**

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 23:00
Thursday	09:00 - 23:00
Friday	09:00 - 00:00
Saturday	09:00 - 00:00
Sunday	09:00 - 23:00

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

Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities

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

Live Music - Indoors

Friday	14:00 - 23:30
Saturday	14:00 - 23:30
Sunday	14:00 - 22:30

Recorded Music - Indoors

Friday	14:00 - 23:30
Saturday	14:00 - 23:30
Sunday	14:00 - 22:30

Late Night Refreshment - Indoors

Friday	23:00 - 23:30
Saturday	23:00 - 23:30

Sale by retail of alcohol to be consumed on premises

Monday	14:00 - 22:30
Tuesday	14:00 - 22:30
Wednesday	14:00 - 22:30
Thursday	14:00 - 22:30
Friday	14:00 - 23:30
Saturday	14:00 - 23:30
Sunday	14:00 - 22:30

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Sabor De Mi Tierra Ltd
Arch 144 Eagle Yard
Hampton Street
London
SE1 6SP

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

11365743

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

Luis Ernesto Barragan Ponce

[Redacted]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

[Redacted]

Licence Issue date 30/07/2018

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

Annex 1 - Mandatory conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) a holographic mark; or

(b) an ultraviolet feature.

489 The responsible person shall ensure that -

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

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

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

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

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

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

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

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

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

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

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence;

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

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

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

Annex 2 - Conditions consistent with the operating Schedule

340 That no noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.

341 That the applicant shall adequately ventilate the premises to allow doors and windows to remain closed during licensed entertainment.

342 That the applicant shall close all entrance doors when regulated entertainment takes place except for the purpose of immediate access and egress of persons to and from the premises. All externally facing windows must be kept shut at any time that regulated entertainment is provided at the premises.

343 That the applicant shall install a sound limiter device which shall be set and maintained to ensure that the maximum sound level of amplified music, song or speech at the premises does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest noise sensitive premises.

344 That the applicant shall route any sound generating / amplification equipment used at the premises through the sound limiter device.

345 That the applicant shall prominently display clearly legible signage at all patron exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours.

346 That the applicant shall employ suitably experienced person(s) at all times during licensable activities to ensure that patrons do not cause a nuisance in the vicinity of the premises.

347 That there shall be no more than five customers permitted to smoke outside the premises at any one time after 21:00 hours.

348 That the applicant shall not permit patrons to take drinks outside the premises at any time.

349 That the applicant shall keep the pavement in the immediate vicinity of the premises free from litter emanating from the premises while the premises are open.

350 That the applicant shall properly present and place out all waste for collection no earlier than 30 minutes before the scheduled collection times.

351 That all staff shall be trained in respect of the terms and conditions of this licence and their responsibilities in respect of the sale of alcohol. A record of such training shall be kept / be accessible at the premises at all times and will be made immediately available 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. Staff shall receive documented refresher training every 6 months.

352 That a CCTV system be installed at the premises, be maintained in full working order and be continually recording at all times the premises are in use. The CCTV system shall have a minimum of 9 cameras.

353 That all CCTV footage be kept for a period of 31 days and shall be made immediately available to officers of the police and the council on request.

354 An incident book / incident recording system shall be maintained at the premises to record details of any of the following occurrences at the premises:

- Instances of anti-social or disorderly behaviour
- Violence
- Calls to the police or fire brigade
- Abuse of staff and / or customers
- Ejections of people from the premises
- Visits to the premises by the local authority, police or fire brigade
- Refused sales of alcohol
- Any malfunction in respect of the CCTV system
- Any other relevant incidents

The incident book / incident recording system shall record the time, date, location and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use and shall be made available to officers of the council, police or fire brigade on request.

355 That a challenge 25 scheme shall be maintained at the premises 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.

356 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 to council or police officers on request. At any time, the preceding 12 months refusal register details shall be available at the premises.

357 That all staff shall be trained in the emergency procedures & emergency evacuation procedure(s) at the premises. A record of such training shall be kept / be accessible at the premises at all times and will be made immediately available 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.

358 That all waste from the premises shall be deposited into suitable receptacles.

359 That any waste in the immediate external area around the premises arising from the operation of the premises shall be cleared away at the end of trade on each day.

361 That all entrances and exits, emergency exits and emergency escape routes shall be kept free from obstructions at all times that the premises are in use.

362 That all staff involved in the sale of alcohol shall be trained in the challenge 25 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 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. Staff shall receive documented refresher training every 6 months.

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

840 That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal.

841 That a comprehensive dispersal policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the dispersal policy shall be kept at the premises and made available to officers of the council or the police on request.

842 That the premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary.

843 That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 and 00:00 to monitor the patrons and number of smokers outside the premises.

Annex 4 - Plans - Attached

Licence No. 864230
Plan No. 01
Plan Date 16/07/2011

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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



I/We Sabor De Mi Tierra Limited

(Insert name(s) of applicant)

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

Premises licence number 864290
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Corporation Ponce, Eagle Yard Arch 144, Hampton Street			
Post town	LONDON	Postcode	SE1 6SP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£10500

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

--	--	--	--	--	--	--	--	--	--

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)
Extension of opening & licensable hours Friday & Saturday. Removal of Condition 840. Amendment of Condition 843.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

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

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Mon					
Tue					
Wed					
Thur					
Fri	23:00	02:00			
Sat	23:00	04:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>					
Mon								
Tue								
Wed						<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Thur								
Fri	23:00	02:00				<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat	23:00	04:00						
Sun								

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Fri	23:00	02:00			
Sat	23:00	04:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri	14:00	02:00			
Sat	14:00	04:00			
Sun					
			<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 7)		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>N/A</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)
Tue			
Wed			
Thur			
Fri	09:00	02:00	
Sat	09:00	04:00	
Sun			

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

Remove

840. That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal.

Amendment

843. That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside areas of the premises between the hours of 21:00 until close to monitor the patrons and number of smokers outside the premises.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Same as previous licence

b) The prevention of crime and disorder

Same as previous licence

c) Public safety

Same as previous licence

d) The prevention of public nuisance

Same as previous licence

e) The protection of children from harm

Same as previous licence

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

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

Signature	Chris Nixon
Date	30 th August 2019
Capacity	Acting/Licensing Agent

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Knight Training
134 The Barracks
White Cross
South Road

Post town	LANCASTER	Post code	LA1 4XQ
Telephone number (if any)	[REDACTED]		



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: MD21/149/19

Date: 26th September 2019

Dear Sir/Madam

Re:- Corporation Ponce Arch 144 Eagle Yard Hampton St SE1 6SP

Police are in possession of an application from the above for a variation to their current licence.

The application seeks to increase the hours for licensable activities and opening hours, remove condition 840, which restricts the operation to that of a restaurant, and amend condition 843 to extend the hours SIA are required.

I note that the premise sits within the Elephant & Castle major town centre, as defined by Southwark's statement of licensing Policy. The removal of Condition 840 would move the premises from that of a restaurant to bar. The closing time for what a Bar would be 00:00 on the Friday and Saturday nights and 23.00hrs Sunday to Thursday as per policy, which the Licence already allows for.

The application has asked for the terminal hour and licensable activities to be extended to 02:00 on Friday & 04.00hrs Saturday Nights this does not allow for any drinking up time.

Although this venue is located in a major town centre as per the licensing Policy, it should be noted that it sits beneath and in very close proximity to a number of residential dwellings. As per the original application in 2016, I am of the opinion that this is not a suitable location for the premises to be open to the public until either 02:00 or 04.00hrs.

It is highly likely that patrons leaving the venue at time would cause considerable noise nuisance to local residents. We have received a number of complaints from local residents the last being on the 18th September 2019.

I also note the original in application in 2016 described the operation as a restaurant with Karaoke Bar. The extension to recorded music could be a potential issue with noise complaints.

On the 7th September 2019 at 20.40hrs officers from the Police Night time Economy team attended the premises and found them breaching a number of conditions on the

licence including Condition 840 alcohol served ancillary to a table meal, 343 & 344 which relate to the use of a sound limiting device. They also failed to maintain training records correctly breaching conditions 351 & 357. PC Ducker served a Section 19 closure Notice under Criminal justice and police act 2001. A follow up visit on the 21st September 2019 also revealed further breaches of the licence.

The major concern from the Police is the licence holder has failed to comply with conditions on the licence and any extension in hours or the removal of the restaurant condition would lead to issues by patrons leaving, an increase in crime and disorder associated with the extended hours for the supply of alcohol increasing intoxication.

We object to the granting of the application and recommend that the application to vary the premises licence is refused.

Yours Sincerely

PC Graham White

Southwark Police Licensing Unit

Tel: 0207 232 6756

From: Prickett, Mark
Sent: Friday, September 27, 2019 12:13 PM
To: Regen, Licensing
Cc: 'Graham.S.White@met.pnn.police.uk'; Tear, Jayne
Subject: EPT objection - Corporation Ponce major variation

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the premises licence variation for 'Corporation Ponce', Arch 144, Eagle Yard, Walworth Road, SE1 6SP.

The variation application seeks to remove condition 840, amend condition 843 and extend the following licensable activities;

Live music (indoors): Friday 23:00 – 02:00, Saturday 23:00 – 04:00. (Currently restricted to 23:30).

Recorded music (indoors): Friday 23:00 – 02:00, Saturday 23:00 – 04:00. (Currently restricted to 23:30).

Late night refreshment (indoors): Friday 23:00 – 02:00, Saturday 23:00 – 04:00. (Currently restricted to 23:30).

Sale of alcohol (on the premises): Friday 14:00 – 02:00, Saturday 14:00 – 04:00. (Currently restricted to 23:30).

Opening hours: Friday 09:00 - 02:00, Saturday 09:00 – 04:00 (Currently restricted to 00:00 / midnight).

The existing licence can be found through the following link;

<http://app.southwark.gov.uk/Licensing/LicPremisesGrantedDetails.asp?systemkey=864230>

Condition 840 to be removed: 'That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal.'

Condition 843 'That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 and 00:00 to monitor the patrons and number of smokers outside the premises.'

The amendment to this condition changes to midnight terminal hour to "until close" instead.

EPT STANCE

EPT objected to the major variation to extend opening hours & extend licensing activities in December 2017. This application was subsequently withdrawn by the applicant.

EPT have reviewed section M part d) of the application form. No new measures are outlined on how operations will be controlled to prevent public nuisance. This section is filled with "same as previous licence".

The application form does not advise what type of premises this is. EPT believe it to be a restaurant that now seeks to turn into a late night vertical drinking venue with live and recorded music and open late on weekends. This is confirmed by the removal on condition 840.

No information has been provided on the noise insulation standards of the railway arch as to whether this unit is able to contain live & recorded music levels, especially late into the night when background levels will be lower and when neighbouring residents will be sleeping. Nor is there any information on how the operator will control patrons leaving the premises late at night / early in the morning to ensure public nuisance will not occur.

The hours proposed exceed the Southwark Licensing Policy 2016-2020 suggested opening hours within the Elephant and Castle area.

EPT note that the premises has applied for numerous TENs to open until 3/4am in the past, however these applications were only ever for alcohol only. No live or recorded music was applied for under these TEN applications and as such these TEN events do not provide an accurate representation of this premises opening late at weekends.

Furthermore, a review of recent history details the following complaints

12th August 2019 - Complaint to Licensing Team from local resident. Complaint of noise from doors being "wedged open", contrary to condition 340 & 341.

12th August 2019 – Complaint to Licensing Team from different local resident. Patrons drinking outside the arch, contrary to condition 348.

25th August 2019 – Complaint to Noise & Nuisance Team from local resident at 02:36 on 25th August- "loud music and people noise from a party at the restaurant".

10th September 2019 – Complaint to EPT from local resident. Alleging "breached the terms of its licence by over an hour, causing significant additional nuisance for those of us in the several hundred apartments that overlook Eagle Yard".

16th September 2019 - Complaint to Licensing Team from different local resident re public nuisance.

21st September 2019 – Visit to the premises by Licensing officer at 21:19 during Night Time Economy service. "Conditions 351, 356, 357, 362, 840 and 841 were found to be in breach. Warning letter to be sent."

EPT OBJECTION

EPT have serious concerns that if this variation application was granted to permit operations late into the night it would cause widespread public nuisance to the numerous residential properties overlooking Eagle Yard.

There is also concern over the suitability of these arches in this location operating late into the night and their structural ability to contain noise / prevent public nuisance. The hours currently permitted on the existing premises licence are considered adequate and appropriate for location.

No information is provided within the variation application on how public nuisance would be controlled from the additional hours and licensable activities requested.

Furthermore the recent complaint log and visit by a Licensing Officer witnessing several breaches of the existing premises licence causes further serious concern. EPT do not have confidence in the Corporation Ponce management to operate within the restrictions placed on the existing premises licence, let alone being able to manage the proposed later hours & licensable activities for a vertical drinking establishment.

EPT therefore **object** to this variation application on the grounds that there is serious concern public nuisance will be caused if this application is granted.

Kind regards,

Mark Prickett
Principal Enforcement Officer

Environmental Protection Team

Tel: 020 7525 0023

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, 160 Tooley Street, London, SE1 2QH

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/>



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From: Public Health Licensing
Sent: Friday, September 27, 2019 4:00 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Corporation Ponce, Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP

To Whom it may concern:

RE: Corporation Ponce, Arch 144, Eagle Yard, Hampton Street, London, SE1 6SP

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:

- The prevention of crime and disorder;
- The prevention of public nuisance;
- The protection of children from harm.

General Comments

The application requests a major variation to:

- Remove condition 840 "That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal"
- Remove condition 843 "That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 and 00:00 to monitor the patrons and number of smokers outside the premises"
- Extend opening hours, recorded and live music, and sale of alcohol on the premises and late night refreshments on Friday and Saturday.

The current granted hours are:

Current times	Opening Hours	Alcohol sales On Premises	Live music - indoors	Recorded music – indoors	Late night refreshments
Sunday - Thursday	09:00 – 23:00	14:00 – 22:30	n/a	n/a	n/a
Friday - Saturday	09:00 – 00:00	14:00 – 23:30	14:00 – 23:30 (Friday and Saturday) 14:00 – 22:30 (Sunday)	14:00 – 23:30 (Friday and Saturday) 14:00 – 22:30 (Sunday)	23:00 – 23:30

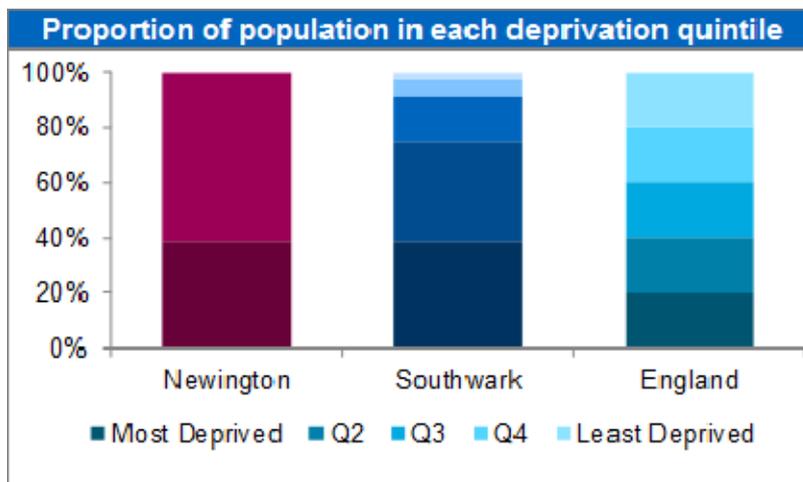
The requested changes to the hours are:

Requested times	Opening Hours	Alcohol sales On Premises	Live music - indoors	Recorded music – indoors	Late night refreshments
Sunday - Monday	09:00 – 23:00	14:00 – 22:30	n/a	09:00 – 05:00	n/a
Friday	09:00 – 02:00	14:00 – 02:00	23:00 – 02:00	23:00 – 02:00	23:00 – 02:00
Saturday	09:00 – 04:00	14:00 – 04:00	23:00 – 04:00 (Friday and Saturday) 14:00 – 22:30 (Sunday)	23:00 – 04:00 (Friday and Saturday) 14:00 – 22:30 (Sunday)	23:00 – 04:00

Concerns relating to this application

The premises is located in the Newington ward, which is a ward of high deprivation. Figure 1 shows that 39% of residents are in the most deprived quintile and 61% 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, Newington is responsible for 7% of all alcohol related ambulance call-outs in Southwark (217 in 2017 alone). As shown in Figure 2, this figure has been increasing since 2015.

Figure. 2 – Trend of alcohol related ambulance call outs in the Newington Ward

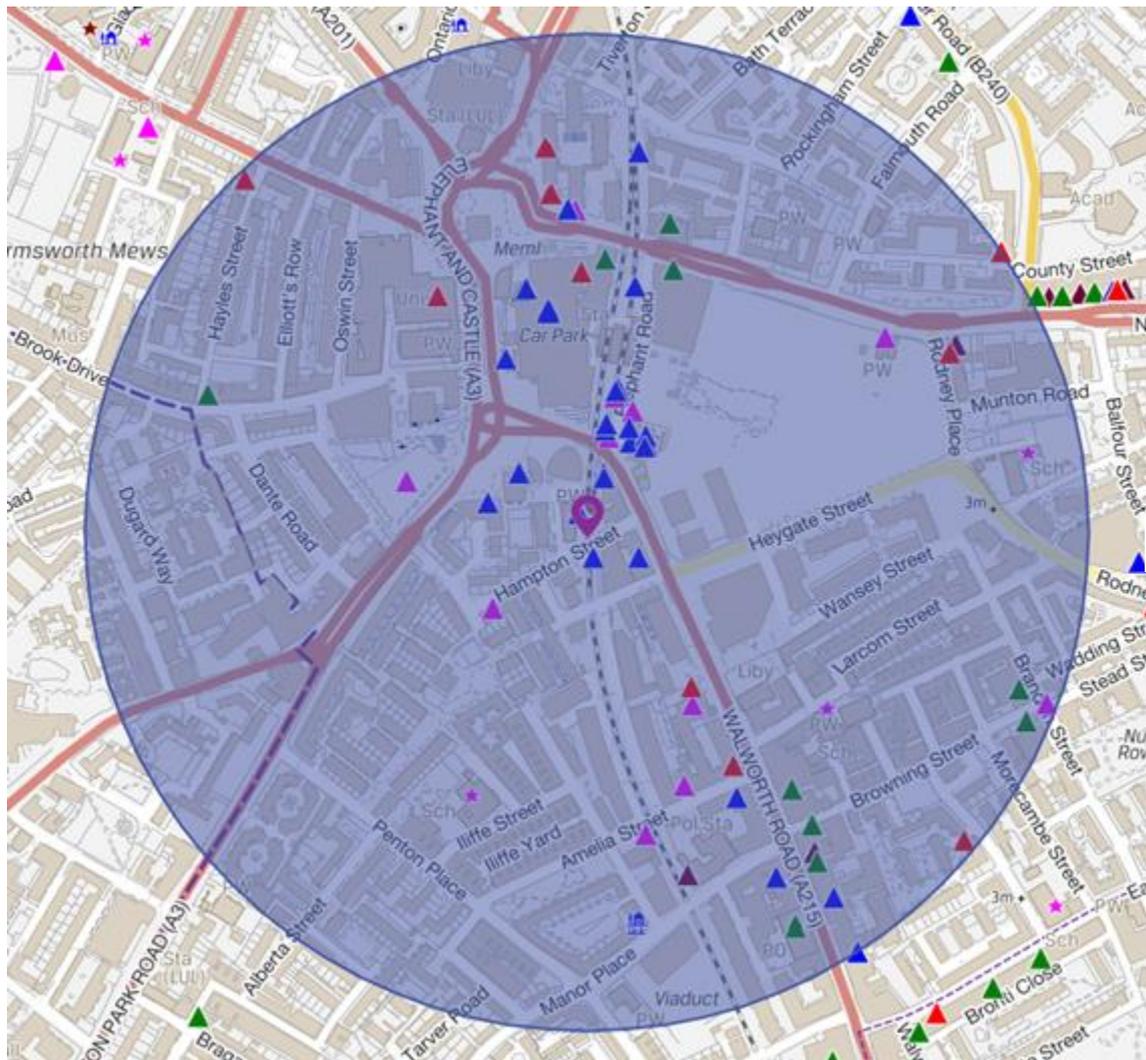


A further extension of the hours of operation raises considerable concerns which are not adequately addressed by the applicant. In fact, not only are they not proposing any further and more robust conditions to mitigate the possible negative effect of the considerably extended hours, they are also requesting to remove conditions 840 (known as restaurant condition) and 843 on having SIA registered door supervisors on Friday and Saturday from 21:00; two conditions supporting the prevention of crime and disorder.

The evidence (please see report attached) shows that 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). Also, the hours requested by the applicant do not account for any “drink-up” time.

Additionally Figure 3 shows that this premises is located within walking distance of several other licensed premises and drinking establishment in a residential area. Furthermore, the premises is located within 500m of 3 primary schools and one alcohol recovery centre/hostel. The increased hours for the recorded music and alcohol supply from this major variation could result in a cumulative impact related to excessive alcohol consumption, more noise and sleep disorder for local residents during late-night hours along with complaints.

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



▲ Licensed premises - Drinking Establishments

▲ Licensed premises - Eateries

▲ Licensed premises - Off-Sales

▲ Licensed premises - Other

▲ Licensed premises - Takeaways

Recommendations

To mitigate the negative impact that the requested major variation to this premises licence may have in an area that it's already saturated, I recommend this application be rejected in its current state.

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

Yours sincerely,

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

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E: Clizia.deidda@southwark.gov.uk

www.southwark.gov.uk



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The negative impact of late alcohol sale and excessive alcohol consumption to public health related harm

Evidence review paper - Last updated on April 8th 2019

Summary of evidence

This briefing paper summarise the evidence from a number of scientific studies from the UK and from high-income countries that strongly suggest that increases in heavy drinking have marked negative consequences on both physical and mental health. A number of studies have shown that longer on-premise alcohol availability leads to overall increases in alcohol consumption in the form of heavy drinking and that this, in turn, has detrimental effects on individual mental and physical health through increased heavy drinking. There is also a clear association between alcohol outlet density and violence and that suggest that the issues of alcohol availability and access are important to the prevention of alcohol-related problems within communities.

In light of this evidence, several scientific reviews have concluded that restricting the hours of alcohol sales is an effective strategy for reducing excessive alcohol consumption and related harms.

UK studies

Two related issues in public policy with respect to alcohol are how increased availability influences consumption and what effect excess consumption has on individual health outcomes. A review paper from Green et al (2015)¹ examined one particular source of variation in availability, bar opening hours, and how this influences consumption, physical and mental health. Authors focused on the extension of opening hours in England and Wales that occurred in 2005, and reported various sources of evidence demonstrating a marked increase in consumption, which appears to be concentrated in heavy drinking.

Within the UK, extensions of the hours of alcohol sales have been associated with increased per capita consumption of beer, increases in the number of alcohol-related diagnoses in hospitals, and increases in violent crime. Within London, increases in alcohol-related overnight attendances to the ED and alcohol-related admission rates were associated with the 2005 implementation of the 2003 Act. A study by Newton et al (2007)² reported that overnight alcohol related emergency attendances to St Thomas' hospital increased significantly (as consequence of injury and assault) after the introduction of new alcohol licensing legislation. If reproduced over longer time periods and across the UK as a whole, the additional burden on emergency care could be substantial.

Excessive alcohol consumption has a substantial impact on public health services. A key element determining alcohol availability is alcohol outlet density. A national small-area level ecological study (Maheswaran et al; 2018)³ investigated the relationship between on-trade and off-trade outlets and hospital admission rates found that higher densities of on-trade outlets (pubs, bars and nightclubs; restaurants licensed to sell alcohol; other on-trade outlets) and convenience stores were associated with higher admission rate ratios for acute and chronic wholly attributable conditions.

The main finding of another study conducted in Wales (Fone et al; 2016)⁴ was that change in walking outlet density was associated with alcohol-related harms: consumption, hospital

admissions and violent crime against the person each tracked the quarterly changes in outlet density.

International studies

Evaluations of alcohol policy changes demonstrate that restriction of trading hours of both 'on'- and 'off'-licence venues can be an effective means of reducing rates of alcohol-related harm. Despite this, the effects of different trading hour policy options over time, accounting for different contexts and demographic characteristics, and the common co-occurrence of other harm reduction strategies in trading hour policy initiatives, are difficult to estimate.

A number of international studies has shown 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)⁵ and a 34% increase in alcohol-related injuries (de Goeij, Veldhuizen, Buster & Kunst, 2015)⁶.

A review of evidence by Hahn et al (2010)⁷ found that increasing the hours when alcohol may be served in on-licensed premises by at least two hours a day increased alcohol-related harms. According to criteria adopted by the US government's Community Guide to identify effective health-related programmes, on grounds of alcohol-related harm, these findings are sufficient to support resistance to attempts to add two hours or more a day to permitted alcohol sales hours.

Take-away alcohol and alcohol consumption: A systematic review and meta-analyses by Sherk et al (2018)⁸ looked at the effect of changes in the physical availability of take-away alcohol on per capita alcohol consumption. Meta-analyses studying the effect of adding one additional day of sale found that this was associated with per capita consumption increases of 3.4% for total alcohol, 5.3% for beer, 2.6% for wine, and 2.6% for spirits. Authors concluded that restricting the physical availability of take-away alcohol would be expected to result in improvements to public health.

A recent study by Atkinson et al (2018)⁹ using an agent-based simulation model, suggested that restricting trading hours of licensed venues reduces rates of alcohol-related harm and extending trading hours of bottle shops increases rates of alcohol-related harm. The model can estimate the effects of a range of policy options.

A number of international bodies, including the World Health Organisation, have recommended the control of hours of alcohol sales as a means to reduce alcohol misuse and alcohol-related harms. (Stockwell & Gruenewald 2004¹⁰; Popova et al. 2009¹¹).

A review of evidence (Fitterer et al, 2015)¹² suggested that despite, some uncertainties particular studies showed that even modest policy changes, such as 1% increases in alcohol price, 1 h changes to closing times, and limiting establishment densities to <25 outlets per postal code substantively reduce violent crime.

Public health approach:

We in the Public Health team at Southwark Council are heeding this advice by recommending stronger policies to reduce alcohol misuse and alcohol-related harm. Indeed, **stronger policies have been associated with a reduced likelihood of youth drinking and youth binge drinking, and binge drinking in the general population** (Xuan et al. 2015)¹³. One of our recommendations is that the hours of alcohol sales be restricted. We are seeking a terminal hour of 00:00 for all off-licenses.

We would recommend some restriction on high-strength beers, lagers, and ciders, given that many purchasers of these drinks are alcohol misusers, and that one of these drinks exceeds the NHS's Safer Drinking Guidelines.

The NHS's Safer Drinking Guidelines state that males should not regularly drink more than 3-4 units of alcohol, and that females should not regularly drink more than 2-3 units. We decided to ask for the 5% because:

- One 330mL bottle of 5% beer/lager/cider contains 1.7 units of alcohol
- One 440mL can of 4.5% beer/lager/cider contains 2 units of alcohol
- One 440mL can of strong beer/lager/cider contains 4.5 units of alcohol

References:

¹ Green CP, Hollingsworth B, Navarro M. Longer opening hours, alcohol consumption and health. Economics working paper series 2015/029. http://eprints.lancs.ac.uk/76985/4/LancasterWP2015_029.pdf

² Newton A, Sarker SJ, Pahal GS, et al. Impact of the new UK licensing law on emergency hospital attendances: a cohort study. *Emerg Med J.* 2007; 24(8): 532–534.

³ Maheswaran R, Green MA, Strong M, et al. Alcohol outlet density and alcohol related hospital admissions in England: a national small-area level ecological study. *Addiction.* 2018;113(11):2051-2059.

⁴ Fone D¹, Morgan J, Fry R, Rodgers S, et al. Change in alcohol outlet density and alcohol-related harm to population health (CHALICE): a comprehensive record-linked database study in Wales. Southampton (UK): *NIHR Journals Library*; 2016.

⁵ Rossow I, Norstrom T. The impact of small changes in bar closing hours on violence. The Norwegian experience from 18 cities. *Addiction* 2012, 107 (3): 530-7.

⁶ de Goeij MC, Veldhuizen EM, Buster MC, Kunst AEThe impact of extended closing times of alcohol outlets on alcohol-related injuries in the nightlife areas of Amsterdam: a controlled before-and-after evaluation. *Addiction.* 2015;110(6):955-64.

⁷ Hahn RA¹, Kuzara JL, Elder R, et al. and Task Force on Community Preventive Services. Effectiveness of policies restricting hours of alcohol sales in preventing excessive alcohol consumption and related harms. *Am J Prev Med.* 2010; 39(6):590-604.

⁸ Sherk A, Stockwell T, Chikritzhs T, et al. Alcohol Consumption and the Physical Availability of Take-Away Alcohol: Systematic Reviews and Meta-Analyses of the Days and Hours of Sale and Outlet Density. *J Stud Alcohol Drugs* 2018;79(1):58-67.

⁹ Atkinson JA, et al. Impacts of licensed premises trading hour policies on alcohol-related harms. *Addiction* 2018; 113(7): 1244–1251.

¹⁰ Stockwell T, Gruenewald P. Controls on the physical availability of alcohol. In: Heather N, Peters TJ, Stockwell T, editors. International handbook of alcohol dependence and problems. *Chichester, UK: Wiley*; 2004. 699–719.

¹¹ Popova S, Giesbrecht N, Bekmuradov D, Patra J. Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol* 2009; 44:500–16.

¹² Fitterer JL, et al. A Review of Existing Studies Reporting the Negative Effects of Alcohol Access and Positive Effects of Alcohol Control Policies on Interpersonal Violence. *Front Public Health*. 2015; 3: 253.

¹³ XuanZ, Blanchette JG, Nelson TF, et al. Youth drinking in the United States: relationships with alcohol policies and adult drinking. *Pediatrics* *peds*.2015-0537.

From: Moore, Ray

Sent: Friday, September 27, 2019 6:51 PM

To: Regen, Licensing; 'chris@knighttraining.co.uk'

Cc: Tear, Jayne; Deidda, Clizia; Simcock, Eva; 'Ian.Clements@met.police.uk'; 'Graham.S.White@met.police.uk'

Subject: RE: Application for a major variation to the premises license for "Sabor De Mi Tierra Limited", Trading as "Corporacion Ponce" Eagle Arch 144, Hampton Street, London, SE1 6SP - Application Reference Number 869729

As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from "Sabor De Mi Tierra Limited" for an application for a major variation to a premises license that currently allows for alcohol with food. The application seeks to considerably extend the licensable hours and the removal of condition 840 and 843. The effect of condition 840 is to require alcohol with food. This would effectively turn the premises from a restaurant to a bar / club. The premises is in the Elephant and Castle Major Town Centre area and the current hours are those recommended in the statement of licensing policy. These representations are made under the licensing objectives the "protection of children from harm" and "the prevention of crime and disorder".

Ray MOORE from trading standards attended the premises along with Night Time Economy Officers and a licensing officer on Friday 7th September 2019. They arrived at approximately 20:30 hours. At the entrance there were a collection of children's prams and inside there were mothers with young babies and children running around, (inside and out of the premises). There were also people with 20cl bottles of spirits and beers at tables with no sign of any food being served. Very loud music was being played from the raised DJ area at the back of the arch. It should be noted that there are many residential flats in the immediate vicinity of the premises. Mr MOORE went up to the DJ area via a ladder along with the licensing officer... and it was noted that the sound limiter was not working. The music was turned down a bit during their visit. They then went to the raised office area at the front of the premises where there is a shop which they were told belonged to the owners mother. Mr MOORE has previously advised that the prescription medicines in this shop should be removed and not sold to customers. This had previously been raised with the premises following a complaint from a doctor. Prescription drugs can only be sold from a Pharmacist on prescription from a doctor.

This authority would therefore ask that the extension of the hours not be allowed as this would contravene the recommendations in the Southwark Statement of Licensing Policy for the Elephant and Castle Major Town Centre area and would cause considerable noise nuisance to local residents. This authority would also ask that condition 840 should not be removed as it would allow the business to operate as a bar / night club rather than a restaurant. In fact this condition is already being breached by the operators of the business..

The issue of young children running around the premises (inside and outside) that is effectively operating as a bar / nightclub is very concerning. Should the major variation be granted trading standards would ask that the following conditions be added to the premises license...

- That no children under the age of 18 be allowed on the premises after 19:00 hours
- 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

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

MEMO: Licensing Unit

To Licensing Unit **Date** 24 September 2019

Copies

From Jayne Tear **Telephone** 020 7525 0396

Email jayne.tear@southwark.gov.uk

Subject Re: Corporation Ponce, Arch 144 Eagle Yard, Hampton Street, London, SE1
6SP – Application to vary a premises licence

I write with regards to the above application to vary the premises licence submitted by Sabor De Mi Tierra Limited under the Licensing Act 2003, which seeks to vary the following licensable activities:

- To extend live music and recorded music (indoors) on Friday from 23:30 to 02:00 the following day and on Saturday from 23:30 to 04:00 the following day
- To extend late night refreshment (indoors) on Friday from 23:30 to 02:00 the following day and on Saturday from 23:30 to 04:00 the following day
- To extend the supply of alcohol (on the premises on Friday from 23:30 to 02:00 the following day and on Saturday from 23:30 to 04:00 the following day
- To extend the opening times shall on Friday from 00:00 to 02:00 the following day and on Saturday from 00:00 to 04:00 the following day

To remove condition 840 which states:

840 - That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal

To amend condition 843 which states:

843 - That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 and **00:00** to monitor the patrons and number of smokers outside the premises.

To read as follows:

843 - That on Fridays and Saturdays one SIA registered door supervisor shall patrol the outside the areas of the premises between the hours of 21:00 until **close** to monitor the patrons and number of smokers outside the premises.

The premises has been described in previous applications within the operating schedule as '*Corporation Ponce*' is neither a nightclub nor a bar but is simply a small licensed restaurant,

accommodating a maximum of sixty (60) diners seated at tables. The venue does not have a dance floor or any available floor space between the tables and chairs for dancing'

My representation is based on the Southwark Statement of Licensing policy 2019 – 2021 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

This premise is situated within a the Elephant and Castle Major Town Centre and under the Southwark Statement of Licensing policy 2019 – 2021 the appropriate closing times for restaurants and cafes on Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours. The appropriate closing time for public houses, wine bars or other drinking establishments on Sunday to Thursday is 23:00 hours and for Friday and Saturday is 00:00 hours. The appropriate closing time for night clubs (with sui generis planning classification) on Monday to Thursday is 01:00 hours and for Friday and Saturday is 03:00 hours and for Sunday is 00:00 hours.

The hours applied for are in excess of what it deemed appropriate for a bar in this area this area within the statement of licensing policy and the applicant has offered no further control measures to promote the licensing objectives within the operating schedule.

The premises is very close to local resident's who could be disturbed by patrons leaving the premises late at night. I object to the granting of the extended hours asked for within this application under the prevention of crime and disorder and public nuisance licensing objectives as the operation of the premises and of people leaving the premises even later at night could impact upon local residents living nearby and in the surrounding streets. The management would have no control of patrons that have left the premises and the possible impact of any rowdy and anti-social behaviour or crime and disorder.

It would seem that the premises is moving away from operating as a restaurant and wants to operate more as a bar/or night club, as the applicant has asked to remove condition 840.

In addition to this a licensing officer working with the NTET visited the premises and witnessed 6 breaches of the premises licence. A warning letter has been sent to the applicant and I attached a copy of the warning letter to this representation.

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

I may submit further supporting evidence to this representation at a later stage.

Southward's Statement of Licensing Policy 2019 – 2021 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

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



Sabor De Mi Tierra Ltd
Corporation Ponce
Arch 144 Eagle Yard
Hampton Street
London
SE1 6SP

Licensing Unit
Direct Dial - 020 7525 5767
Facsimile - 020 7525 5735
Our Ref: INU: 086047

11 September 2019

Dear Sirs

**RE: THE LICENSING ACT 2003 – WARNING LETTER
(London)**

On Saturday 7th September 2019 at 20:23, Licensing Enforcement Officers and the Police visited the premises to carry out an inspection, further to your application for a variation to your premises licence. We met with the DPS, Mr Luis Ernesto Barragan Ponce.

During the inspection, Officer witnessed breaches of the following conditions:

- **343** *That the applicant shall install a sound limiter device which shall be set and maintained to ensure that the maximum sound level of amplified music, song or speech at the premises does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest noise sensitive premises.*

The music in the premises was particularly loud, though it was gradually turned down throughout the inspection. The sound limiter was not being used, we were advised by Mr Ponce that the electrical feed to the device was not working.

- **344** *That the applicant shall route any sound generating / amplification equipment used at the premises through the sound limiter device.*

See above.

- **351** *That all staff shall be trained in respect of the terms and conditions of this licence and their responsibilities in respect of the sale of alcohol. A record of such training shall be kept / be accessible at the premises at all times and will be made immediately available 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*

Southwark Council - Regulatory Services, Licensing team, Hub 1, 3rd Floor, PO Box 64529, SE1P 5LX
Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk
Strategic Director of Environment and Leisure- Caroline Bruce

the training has been received. Staff shall receive documented refresher training every 6 months.

There were no clear staff training records. There was a sheet of paper that staff members had signed, but it did not relate to any specific staff training.

- **362** *That all staff involved in the sale of alcohol shall be trained in the challenge 25 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 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. Staff shall receive documented refresher training every 6 months.*

See above.

- **840** *That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal.*

Alcohol should be ancillary to food, however the premises was full. Hardly any tables had food when we arrived, but all had alcohol with bottled beers in buckets and small bottles of rum. Mr Ponce advised that they had already eaten. By 20:55, no tables had food. I advised that Mr Ponce should be aware that this is a condition on his licence, as the current application is to remove this condition and extend the hours. I advised Mr Ponce that it looked like the premises was being run like a club, not a restaurant.

I would advise you that the above constitutes a potential breach under Section 136 (1) (a) of The Licensing Act 2003, which states that:

"A person commits an offence if -

- (a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or*
- (b) knowingly allows a licensable activity to be so carried on.*

In addition, Condition 354 States:

- **354** *An incident book / incident recording system shall be maintained at the premises to record details of any of the following occurrences at the premises:*
 - *Instances of anti-social or disorderly behaviour*
 - *Violence*
 - *Calls to the police or fire brigade*
 - *Abuse of staff and / or customers*
 - *Ejections of people from the premises*
 - *Visits to the premises by the local authority, police or fire brigade*

- *Refused sales of alcohol*
- *Any malfunction in respect of the CCTV system*
- *Any other relevant incidents*
- *The incident book / incident recording system shall record the time, date, location and description of each incident, the printed and signed name of the person reporting the incident and any action taken in respect of the incident. The incident book / incident recording system shall be available / be accessible at the premises at all times that the premises are in use and shall be made available to officers of the council, police or fire brigade on request.*

While there was an incident book, but there was not a single incident entered in, just which SIA staff had worked each night. The Police commented that they were concerned that this may not be using this correctly, as it is unlikely that a premises has no incidents.

You must ensure that the hours listed and the conditions attached to the Operating Schedule of your licence are adhered to. A further visit will be made to check on these matters. If compliance is not achieved the Council may take formal action that may affect your license by leading to review and/or a prosecution. A person found guilty of an offence under the above section is liable on summary conviction to imprisonment for a term not exceeding 6 months or an unlimited fine. The current findings may affect the outcome of your application.

I hope this warning will ensure that compliance is achieved and no further action will be required. Thank you in anticipation of your co-operation. Should you wish to discuss this matter with a Licensing Enforcement Officer Please contact us by email at licensing@southwark.gov.uk or by telephone between the hours of 9:00 and 17:00, Monday to Friday. Alternatively you can write or visit us at the above address.

Yours sincerely,

Andrew Heron
Principal Licensing Officer
andrew.heron@southwark.gov.uk

RESIDENT A

From: [REDACTED]
Sent: Thursday, September 19, 2019 10:35 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

Dear Sir or Madam,

I am writing to lodge an objection to Application 869729, consisting of an extension to the licensing hours of Corporation Ponce at arch 144, Eagle Yard, Hampton Street, SE1 6SP.

I chair the Draper Resident's Association, the T&RA for the Draper Estate, and many of our members have repeatedly complained to me of issues of excessive noise in the early hours of the morning, and of antisocial behaviour by patrons of this establishment.

Extending the license by up to 04:00, as well as removing the current requirement that alcoholic beverages must be served only if to be consumed as part a 'substantial meal', will essentially turn this business from a restaurant to a nightclub with all the issues associated with such a venue.

Under the current licence, many Draper residents are being kept awake at night, if the application is successful it will result in more misery.

I understand that our neighbours in Strata Tower are also suffering because of this business.

I strongly urge the Licensing Committee to reject this application.

In faith,

[REDACTED]

RESIDENT B

From: [REDACTED]
Sent: Monday, September 23, 2019 2:36 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

Dear Southwark Licensing Team,

I am writing to lodge an objection to Application 869729; an extension to the licensing hours of Corporation Ponce aka arch 144.

As a resident of Strata (8 Walworth Road), which is located directly next to the premise, I would like to seriously object to this application based on the following considerations:

- The site's location is close to bedrooms of around 250 Strata flats on the south and east causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance. My partner and I have a 14-week old son (born 16 June 2019) and as we are situated on the 5th floor of Strata, the loud music and public nuisance has been especially unbearable.
- The licensee has been playing very loud music in breach of their existing license (864230), every weekend and especially on Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behaviour in the alley and in the parking/loading area by patrons leaving the premises late at night, causing public nuisance and public safety concerns. During the summer months, the loud music and noise caused by incoming/outgoing patrons to this venue has been especially unbearable.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise, smells and public safety concerns.
- Children of owners/visitors to the business are left unaccompanied and are using our loading area as a playground, which poses a risk of harm to them from vehicles using the area at night, as well as noise, which causes public nuisance deep into the night.

I strongly urge the Licensing Committee to reject this application as the owners and their patrons of this establishment have shown constant disregard/courtesy for those residents living in/around the area.

[REDACTED]

Thank you.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

RESIDENT C

From: [REDACTED]
Sent: 15 September 2019 23:00
To: Regen, Licensing
Subject: Objection to licence number 869755

Dear Sir/Madam,

My name is [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] I write this email today on 15 September 2019 to object to the application from Casa Colombia Limited to extend licensing hours until 11pm weekly.

This establishment is just metres away from Strata SE1, a development with approx 1000 inhabitants. This application seems to be very extensive in scope - for example there is no requirement to serve drinks only as part of a meal.

The size of the venue also makes it highly likely that drinkers will overflow outside the building, disturbing residents through noise and potential anti social behaviour.

I therefore hope licensing will be refused on the ground of the extreme proximity to the Strata building, where approximately half of the flats face east and will be directly impacted by the activity of this establishment.

Strata and the Draper Estate have already been seriously impacted by the activities of Corporation Ponce next door - a similar sized and styled establishment - and efforts to reduce this nuisance through official channels have not been very successful. As such I believe that allowing Casa Colombia to extend their licensing accordingly would cause serious harm to the area.

Many Thanks,
[REDACTED]

RESIDENT D

From: [REDACTED]
Sent: Tuesday, September 10, 2019 6:53 PM
To: Regen, Licensing
Subject: objection to Licence Number: 869729 (strata residence)

Dear Madam/Sir

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

I therefore write to you to object the extension of licence. I am in the strata building and this will become a huge point of future conflict point for all who wishes to live peacefully and harmoniously.

Thanks

[REDACTED]

RESIDENT E

From: [REDACTED]
Sent: Monday, September 09, 2019 7:32 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

[REDACTED]
[REDACTED]
[REDACTED]

My name- [REDACTED]

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

RESIDENT F

From: [REDACTED]
Sent: Monday, September 09, 2019 3:22 PM
To: Regen, Licensing
Subject: objection to Licence Number: 869729

[REDACTED]

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Regards

[REDACTED]

RESIDENT G**Heron, Andrew**

From: Regen, Licensing
Sent: 03 September 2019 08:04
To: Heron, Andrew
Subject: FW: Objection to 864230
Attachments: FB_IMG_1567449766309.jpg; 20190826_001424.jpg; 20190826_001442.jpg; 20190826_001535.jpg

From: [REDACTED]
Sent: Monday, September 02, 2019 7:59 PM
To: Regen, Licensing
Subject: Objection to 864230

Hello

This is an objection to the request for an extension of hours to the above named licence. Note I assume it's registered as an extension as I can find no log of this on your website but the attached has been put up by the premises.

I object to this application in the most strenuous terms.

As you will also see from the attached images, this bar already ignores its licensing terms - patrons are regularly loitering outside with alcohol, outside of the licensed hours. In addition, the door is regularly left open with loud music heard from a distance (as you can see I do not live directly by the premises). Those leaving late at night (up to 3am normally) are loud and urinate around all the buildings, including on the back of the Crossways Church. There are regularly domestic disputes. Individuals gather beneath my bedroom window to all hours.

I consider this a nuisance due to the hour of the disruption - Fridays and Saturdays are particularly bad in the Summer, but Sundays are the day I feel most aggrieved. They continually have patrons on the premises to 1am. An extension to their licence would only aggravate this issue, considering how bad it is when they readily ignore the licence anyway.

In addition, the premises are treated as a day care centre on Sunday evenings. Children (toddler age up) are left to play unsupervised in the car park. There is no attempt to ensure they are safe in an area with lots of traffic.

The premises already treat their neighbours abysmally with no respect for the area or attempt to keep their patrons following their current licensing terms. If their terms are extended then I expect it to get even worse and the disruptive behaviour to increase.

Kind regards,
[REDACTED]
[REDACTED]

**Notice of Application to Vary Premises Licence made under Section 34 of
the Licensing Act 2003**

Please take notice that we Sabor De Mi Tierra Limited

Have made application to the Southwark Council to Vary the Premises Licence in respect of Corporation Ponce, Eagle Yard Arch 144, Hampton Street, LONDON, SE1 6SP

The Proposed variation is as follows:

Extension of opening & licensable hours Friday & Saturday. Removal of Condition 840, Amended of Condition 843

The relevant licensable activities and proposed times to be varied

	<i>Days</i>	<i>Start Time</i>	<i>Finish Time</i>
<i>The retail sale of alcohol:</i>	<i>Friday</i>	<i>14:00</i>	<i>02:00</i>
	<i>Saturday</i>	<i>14:00</i>	<i>04:00</i>
<i>The provision of regulated entertainment:</i>	<i>Friday</i>	<i>23:00</i>	<i>02:00</i>
	<i>Saturday</i>	<i>23:00</i>	<i>04:00</i>
<i>The provision of late night refreshment:</i>	<i>Friday</i>	<i>23:00</i>	<i>02:00</i>
	<i>Saturday</i>	<i>23:00</i>	<i>04:00</i>
<i>Opening Hours:</i>	<i>Friday</i>	<i>09:00</i>	<i>02:00</i>
	<i>Saturday</i>	<i>09:00</i>	<i>04:00</i>

A register of all applications made within the Southwark area is maintained by: **The Licensing Service, Hub 1, 3rd Floor, 160 Tooley Street, London, SE1 2QH**

A record of this application may be inspected by visiting the office during normal office hours by appointment on 020 7525 4261; details are also on our website at <http://app.southwark.gov.uk/licensing/licenseregister.asp>

It is open to any interested party to make representations about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Representations must be made in writing to the Licensing Service at the office address given above and be received by the Service within a period of 28 days starting the day after the date shown below.

<http://www.southwark.gov.uk/business/licences/how-to-lodge-a-representation>

Note: It is an offence to knowingly or recklessly make a false statement in connection with an application. A person guilty of such offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**Applicant's Agent: Knight Training UK Ltd.
0330 999 3199 info@knighttraining.co.uk knight.training**

Date of application: 31st August 2019

Southwark
Council







RESIDENT H

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

Wednesday 26 September 2019

Dear Sir/Madam

Re: licence application 869729

I write in connection with the application by Corporacion Ponce for variations to its premises licence.

I object to the application, primarily in connection with the third licensing objective: namely, the prevention of public nuisance.

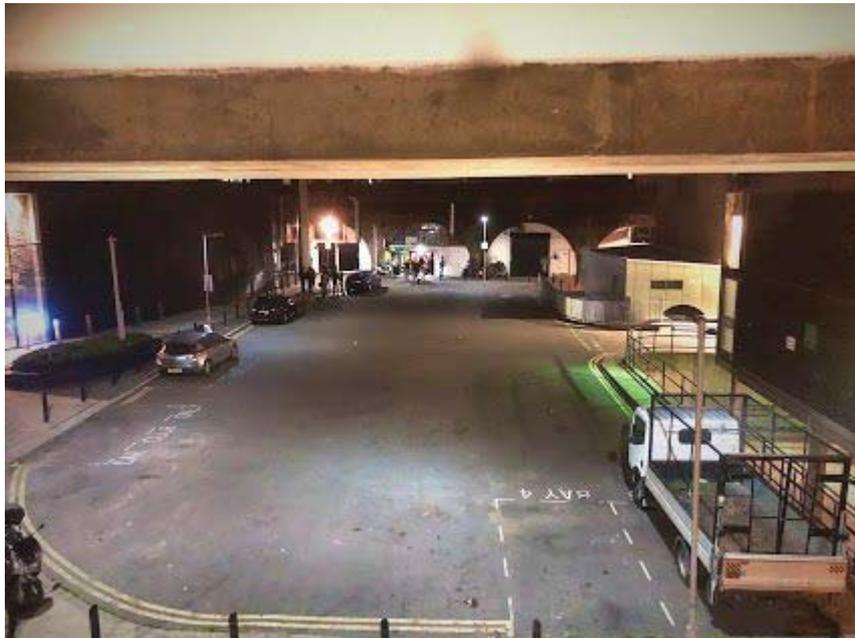
I live in Draper House. My flat is on the ██████████ directly opposite the premises which is on the other side of the servicing yard at the rear of the Strata SE1 tower.

I have lived at this address for four and a half years.

During this summer I have been disturbed on multiple occasions by noise associated with late night activity at this premises.

The noise sometimes comes from patrons gathered outside having loud conversations and disputes with raised voices, and sometimes from staff dealing with rubbish - including bottles - after the premises has closed.

The picture below shows customers leaving the premises at 0.03am on Monday 9 September. So far as I can tell under the existing licence the premises should close at 11pm on Sundays.



Staff use metal cages and bins to move waste materials around, generating considerable noise. The picture below - showing a cage of waste being moved by staff - was taken at 2.41am on Monday 12 August.



Condition 350 of the licence requires that "the applicant shall properly present and place out all waste for collection no earlier than 30 minutes before the scheduled collection times". Is the collection time really 3am on Monday mornings?

I would ask the committee to consider strengthening the conditions relating to how and when waste is dealt with.

The prospect of further noise at even later hours than at present is wholly unacceptable and will cause significant disturbance to the residents of both Strata and Draper House.

The hours applied for are significantly in excess of the model hours set out in the Southwark Statement of Licensing Policy, even for this major town centre location.

Please keep me updated on the progress of this application. I would like to attend any sub-committee meeting.

Yours sincerely

██████████

From: [REDACTED]
Sent: Wednesday, September 11, 2019 7:50 AM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

RESIDENT I

> Dear Madame/Sir,

> I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

>

> As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- > • The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- > • The inadequate soundproofing of the venue, causing public nuisance.
- > • The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- > • The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- > • Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- > • The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- > • Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Hope you will take my objection into an account when dealing with the issue in question.

Kind regards,

[REDACTED]

[REDACTED]

RESIDENT J

From: [REDACTED]
Sent: Monday, September 09, 2019 3:49 PM
To: Regen, Licensing
Subject: objection to Licence Number: 869729

To whom it may concern,

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Regards,

[REDACTED]

RESIDENT K

From: [REDACTED]
Sent: Monday, September 09, 2019 10:00 PM
To: Regen, Licensing
Subject: objection to Licence Number: 869729

Dear Southwark council,

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Thanks,

[REDACTED]

RESIDENT L

From: [REDACTED]
Sent: Sunday, September 08, 2019 12:09 PM
To: Regen, Licensing
Subject: Licence Number: 869729 Objection

08/09/2019

Re: Licence Number: 869729
Corporation Ponce
Arch 144, Eagle Yard Hampton Street SE1 6SP

Dear Sir/Madam,

I strongly oppose License 869729, which is the extension on premise licence for Corporation Ponce Arch 144, Eagle Yard Hampton Street SE1 6SP. My objections to the licence is that the increased hours present significant risks and concerns to the following:

1. Increased crime and disorder through alcohol consumption of customers entering and smoking outside the venue
2. Public safety concerns with patrons being under the influence of alcohol in a poorly lit area.
3. Public nuisance through noise and loud music at late hours, again with smoking guests patrons and those leaving and entering.
4. Protecting children from harm through noise and broken glass

I would also like to confirm as with other residents in the area that this venue routinely breaches its existing licence, with patrons entering and leaving the venue far later than 23:30 on Fridays and Sundays.

Kind Regards,

[REDACTED]

[REDACTED]

RESIDENT M

From: [REDACTED]
Sent: Tuesday, September 10, 2019 8:42 AM
To: Regen, Licensing
Subject: objection to Licence Number: 869729

To try to stop what was going on yesterday - could you please email licensing@southwark.gov.uk
SUBJECT objection to Licence Number: 869729

[REDACTED]

[REDACTED]

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Saturday 14th September 2019

RESIDENT N

[REDACTED]
[REDACTED]
[REDACTED]

To whom it may concern,

I am writing to object to the extension of trading hours of
Corporation Ponce
Arch 144, Eagle Yard Hampton Street
SE1 6SP
Licence application 869729

As a resident of the Strata tower, which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance. I have not seen any signs recommending punters to leave the premises in a responsible manner and a later closure will make things even worse.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behaviour in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns. I have witnessed fights, people urinating outside my building as well as discarded alcohol and broken bottles the following morning.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Yours sincerely,

[REDACTED]

RESIDENT O

From: [REDACTED]
Sent: Thursday, September 12, 2019 9:45 AM
To: Regen, Licensing
Subject: Application 869729

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sundaynights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

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

RESIDENT P

From: [REDACTED]
Sent: Monday, September 09, 2019 5:47 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

I am writing to object to the Application 869729 - which is an extension to the licensing hours of Corporation Ponce (arch 144).

As a resident of the Strata tower, which is directly opposite the premise, I would like to strongly object based on the following considerations:

- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns. For instance, shouting and screaming, urinating on our building and leaving rubbish on the pavement.
- Children of the business' visitors are left unaccompanied and use our loading area as playground, which poses a great risk of harm to them from vehicles using the area at night.
- Rubbish and generally very bad care of the Maldonado Walk, which is unhygienic but also potentially very dangerous for children and adults
- Many cars occupying the loading bay/parking area without permit, which could be potentially very dangerous for safety
- The provision of a smoking area below people's bedroom windows is unacceptable, as it causes public nuisance from noise and smells and public safety concerns.
- The licensee has been playing loud music in breach of their license every weekend and especially on Sunday nights, causing a lot of distress.

Kind Regards,

[REDACTED]

[REDACTED]

RESIDENT Q

From: [REDACTED]
Sent: Tuesday, September 24, 2019 2:09 PM
To: Regen, Licensing
Subject: Re: Objection to Licence Number: 869729

With apologies for the inconvenience to you, I have decided to resubmit my previously withdrawn objection, limiting observations to the facts rather than analysis, which I think may be better deployed elsewhere.

Kind regards,
 [REDACTED]

++++++

Dear sir/madam,

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce.

I strongly object to any relaxing of the existing licence terms, both in respect of any extension of hours, and in respect of the removal of the requirement that "That intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking a substantial table meal there and for consumption by such persons as ancillary to their meal."

The existing license holder has proven unable to operate a restaurant without causing considerable detriment to the area, with venue's music and customers causing nuisance on a regular basis. For the licence to be relaxed to more of a nightclub style of licence would only further damage the wellbeing of the local residents and the quality of the regeneration of Elephant & Castle.

Some observations in support of my objection:

All criteria (management quality)

- The property has a history of licence breaches and even insisting there was a licence before one had been applied for (see paperwork from the 2016 and 2018 applications)
- The property continues to frequently operate beyond its licensed hours – both for opening and licenced entertainment. In addition the property is in the habit of operating with the outer door wedged open when the weather is warm, increasing nuisance.
- The property's staff have been seen illegally dumping commercial waste in the bins of the Draper Estate beside Draper House.

Prevention of public nuisance/crime and disorder

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, creating elevated risk of public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud recorded music outside of the hours permitted by the licence, especially Sunday nights, causing public nuisance.

- Antisocial behavior in the alley and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.

Public safety

- Antisocial, drunken behavior in the ally and in parking/loading area by people leaving the premises late at night, causing safety concerns

Protection of children from harm

- Children of the visitors to the business are left unaccompanied and are using the car park as a playground. They are usually unsupervised and, for example, were recently playing with stolen supermarket trolleys until late [on Sunday evening](#) (1 Sept 2019) while cars are coming and going.

[REDACTED]

[REDACTED]

[REDACTED]

RESIDENT R

From: [REDACTED]
Sent: Monday, September 09, 2019 6:48 PM
To: Regen, Licensing
Cc: Lloyd Kwanten
Subject: Objection to licence number 869729

Hello,

We would like to lodge an objection to Application # 869729 - the extension to the licensing hours of Corporation Ponce, in Arch 144 of Maldonado Walk, SE1.

While strong supporters of the growth of local businesses in Elephant & Castle, it is unreasonable for Southwark to grant extended trading hours to a business which is operating in breach of its current licence's limits.

We wish for our objection to be taken into consideration in relation to the current application.

Kind regards,

[REDACTED]

RESIDENT S

From: [REDACTED]
Sent: Wednesday, September 25, 2019 12:09 PM
To: Regen, Licensing
Cc: [REDACTED]
Subject: Objection to Licence Number: 869729

Dear Sir or Madam,

I am writing to lodge an objection to Application 869729, consisting of an extension to the licensing hours of Corporation Ponce at arch 144, Eagle Yard, Hampton Street, SE1 6SP.

My name is [REDACTED] and I am the Director of the local charity Draper Together and as many of our local residents, I am extremely worried about the request of the extension of the Ponce's license.

The owner of the premises is already abusing the present license allowing for customers to *overstay their welcome* and displaying an extremely loud behaviour with noises (music, shouts and laughs) registered up to the early hours of the morning, keeping our residents (Draper and Strata's up at night.)

I would also like to inform you of the abuse of our residential waste disposals by the owner of the local business who dispose of large quantity of bottles and food waste!

I agree and cite what [REDACTED] has stated in his objection to this license:
Extending the license by up to 04:00, as well as removing the current requirement that alcoholic beverages must be served only if to be consumed as part a 'substantial meal', will essentially turn this business from a restaurant to a nightclub with all the issues associated with such a venue.

I strongly urge the Licensing Committee to reject this application.

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

[REDACTED]
[REDACTED]
[REDACTED]

RESIDENT T

From: [REDACTED]
Sent: Monday, September 09, 2019 2:10 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Regards,

[REDACTED]

RESIDENT U

From: [REDACTED]
Sent: 14 September 2019 09:04
To: Regen, Licensing
Subject: Licences Application 869729 Coropration Ponce - Represnation

To whom it may concern

[REDACTED]

Dated: 14 September 2019

Application opposed to: Licence Number 869729, Corporation Ponce, Arch 144, Eagle yard Hampton Street, SE1 6SP (the Premises)

Reasons for objection: As a resident of Strata, which is in the immediate vicinity of the Premises, I wish to lodge a strong objection to the application for an extension to the hours of music and supply of alcohol and light refreshments at the Premises for the following reasons:

1. The site is opposite my bedroom, as well of that of many residents, and the noise nuisance of the extended hours will be a serious disruption to sleep, especially as the venue does not have adequate soundproofing and the front door is often left open.
2. The licensee already frequently operates in breach of their existing licence, often causing late-night noise nuisance.
3. Contrary to assurances from the licensee, patrons leaving the Premises frequently indulge in anti-social behaviour, such as shouting loudly, gathering to smoke suspicious substances below open windows of residents above, and urinating in the street/ally way. Their presence late at night and in large numbers is a public safety concern.

In view of these concerns, I request that operating hours be restricted to no later than 23:00 on any night.

Yours faithfully

[REDACTED]

RESIDENT V

From: mar [REDACTED]
Sent: Monday, September 09, 2019 1:55 PM
To: Regen, Licensing
Subject: objection to Licence Number: 869729

Apartment [REDACTED] 8 walworth road London Se1 6EE
[REDACTED]

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

RESIDENT W

From: [REDACTED]
Sent: Monday, September 09, 2019 1:44 PM
To: Regen, Licensing
Subject: objection to Licence Number: 869729

From

[REDACTED]
[REDACTED]
[REDACTED] 09/09/19

objection to

Licensing Register - Applications for Premises Licences, Club Registrations, and Reviews Details for Licence Number: 869729

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behaviour in the ally by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Best wishes,

[REDACTED]

RESIDENT X

From: [REDACTED]
Sent: Monday, September 09, 2019 8:42 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

Dear Sir/Madam,

I am a resident of Apartment [REDACTED] Strata Tower, 8 Walworth Road, SE1 6EG.

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Kind regards,
[REDACTED]

From: [REDACTED]
Sent: Monday, September 09, 2019 4:07 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

RESIDENT Y

To whom it may concern,

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise. (They are a particular nuisance between 12:30am - 1am when they are throwing bottles in the larger bins and the sound echoes everywhere)
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Regards,

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Monday, September 09, 2019 6:25 PM
To: Regen, Licensing
Subject: Objection to Licence Number: 869729

RESIDENT Z

Name:
[REDACTED]

Address:
[REDACTED]

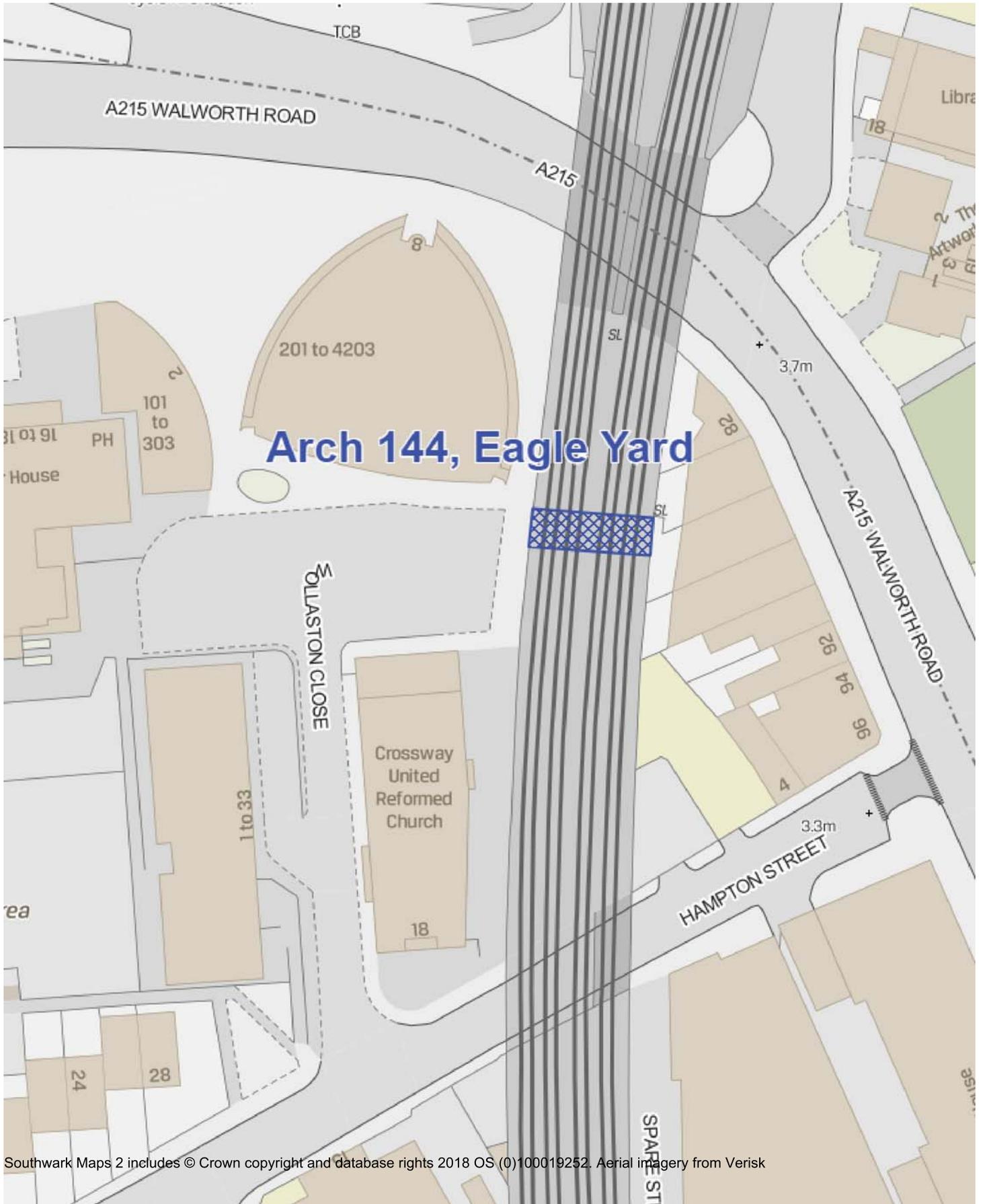
Email:
[REDACTED]

I am writing to lodge an objection to Application 869729 which is an extension to the licensing hours of Corporation Ponce aka arch 144 .

As a resident of the Strata tower which is directly opposite the premise I would like to seriously object based on the following considerations:

- The site's location close to bedrooms of around 250 Strata flats on the south and east, plus the Draper Estate, causing public nuisance.
- The inadequate soundproofing of the venue, causing public nuisance.
- The licensee has been playing loud music in breach of their license every weekend especially Sunday nights, causing public nuisance.
- The operation to-date with an inadequate front door arrangement that provides minimal sound proofing, leading to significant nuisance from noise.
- Antisocial behavior in the ally and in parking/loading area by people leaving the premises late at night, causing public nuisance and public safety concerns.
- The provision of a smoking area below people's bedroom windows is unacceptable causing public nuisance from noise and smells and public safety concerns.
- Children of the visitors to the business are left unaccompanied and are using our loading area as playground, which poses a risk of harm to them from vehicles using the area at night, and noise which causes public nuisance.

Best,
[REDACTED]



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5-Jan-2018

Scale = 1 : 661.500

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