

Licensing Sub-Committee

Thursday 12 March 2020

10.00 am

Room G06 - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Barrie Hargrove
Councillor Sirajul Islam

Reserves

Councillor Lorraine Lauder MBE

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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: 3 March 2020



Licensing Sub-Committee

Thursday 12 March 2020
10.00 am
Room G06 - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003: THE TAP IN, 2 SAYER STREET, LONDON SE17 1FG	1 - 65
	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: 3 March 2020

Item No. 5.	Classification: Open	Date: 24 February 2020	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: The Tap In, 2 Sayer Street, London SE17 1FG	
Ward(s) or groups affected:		North Walworth	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Six yard Box Limited to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as: The Tap In, 2 Sayer Street, London, SE17 1FG.
2. Notes:
 - The application seeks to vary the premises licence held under current legislation in respect of the premises known as: The Tap In, 2 Sayer Street, London SE17 1FG, 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 one local resident and the environmental protection team (EPT) as a responsible authority and is therefore referred to the sub-committee for determination.
 - Paragraph 8 of this report provides a summary of the existing premises licence. A copy of the existing premises licence is attached at Appendix A.
 - Paragraphs 9 to 11 of this report provide a summary of the application under consideration by the sub - committee. A copy of the full application is attached as Appendix B.
 - Paragraphs 13 to 21 of this report deal with the representations submitted in respect of the application (copies of the representation from a Responsible Authority and local residents are attached in Appendices C and D).
 - The licensing service has received letters of support from three local residents which is detailed at Appendix E.
 - A map showing the location of the premises is attached as Appendix G.

BACKGROUND INFORMATION

The Licensing Act 2003

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

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

KEY ISSUES FOR CONSIDERATION

The current premises licence

8. The current premises licence issued in respect of the premises known as The Tap In, 2 Sayer Street, London SE17 1FG was issued on 14 August 2019 and allows the following licensable activities:
 - The sale by retail of alcohol to be consumed on / off the premises:
 - Sunday to Thursday from 10:00 to 23:00
 - Friday and Saturday from 10:00 to 23:30
 - Seasonal variation (New Years Eve) from 10:00 to 01:00
 - 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 08:00 to 23:00
 - Friday and Saturday from 08:00 to 00:00 (midnight)
 - Seasonal variation (New Years Eve) from 08:00 to 01:30

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

The variation application

9. On 23 January 2020 Six Yard Box 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 The Tap In, 2 Sayer Street, London SE17 1FG.
10. The application for variation is described as follows:
 - ‘...to vary the number of patrons allowed outside. We are currently allowed to have 10 patrons in our outside area. We would like to increase the number to 30 patrons outside (Excluding Staff) to bring it in line with our neighbours licences’
 - Amendment of Condition 807: That there is an accomadation limit of 60 inside and 10 outside (Excluding staff).
 - Amendment of Condition 840: That there is a maximum of 10 patrons outside at any one time (including smokers).
 - The application is essentially to increase the number of patrons permitted externally when in operation from 10 to 30 (excluding staff). Additionally the applicant is seeking to extend the hours on New Years Eve for the sale by retail of alcohol On / Off to 10:00 to 01:00 and to extend the opening hours of the premises to 08:00 to 01:30 on New Years Eve.
11. A copy of the application is attached to this report as Appendix B.

Designated premises supervisor

12. The designated premises supervisor (DPS) under the existing premises licence is Sebastian O’Driscoll who holds a personal licence with the London Borough of Southwark.

Representations from responsible authorities

13. The environmental protection team (EPT) have made representation under the licensing objective the prevention of public nuisance. The concerns are raised in relation to the proximity to residential addresses and the egress of noise.
14. EPT state they have received a noise complaint in respect of patrons using the external area and since that area is in the open without any noise barriers, noise from patrons is likely to cause a nuisance to residential occupiers, the scale of which is likely to be greater when all the residential units are occupied.
15. EPT have proposed a number of conditions in their representation should the licensing sub-committee be minded to grant this application.

16. A copy of the representation made by EPT is available in Appendix C.

Representations from other persons

17. A representation has been received from a local resident on the grounds of prevention of public nuisance. This representation is detailed at Appendix D.
18. The resident states the applicant has repeatedly flouted their existing capacity restrictions, and has not proven that they will not again. The resident states smokers and outside drinkers regularly stay outside the roped-off section outside the premises. This blocks pavements and causes considerable smoke to drift upwards into residential properties.
19. Further, the resident states the premises is already very full during match days, with both music and crowd noise audible outside of the premises. This is disruptive to the local community as it is already and will only worsen with increased capacity.
20. The resident also states the outside set-up of the Tap Inn is very messy and often left untended all day, impacting on the smart appearance of the Elephant Park development.
21. Additionally, the resident states allowing an increase in capacity to a premises already incapable of controlling the numbers within it would be completely inappropriate. They need to demonstrate they're capable of staying within their current license for a period of at least a year before an increase can be asked for.

Support from other persons

22. Three letters of support have been received from local residents in respect of this variation premises licence application. Letters of support are detailed at Appendix E.

Conciliation

23. Copies of representations were provided to the Applicant. At the point of publication of this report, the Applicant had not responded to the concerns of the responsible authorities or local residents.

Operating history

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

Applicant	Dates	Activities	Counter Notice
Sebastian O'Driscoll	From 18/01/2020 to 19/01/2020, 23:00 - 05:00	Sale by retail of alcohol to be consumed On the premises / Late Night Refreshment	No
Sebastian O'Driscoll	From 01/02/2020 to 02/02/2020, 21:00 - 04:00	Sale by retail of alcohol to be consumed On the premises / Late Night Refreshment	No

Sebastian O'Driscoll	From 22/02/2020 to 23/02/2020 22:00 - 05:00	Sale by retail of alcohol to be consumed On the premises	No
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25. On 23 August 2018 Lendlease (Elephant & Castle) Retail Limited applied for a provisional statement. This application was granted at licensing sub-committee on the 17 October 2018 and is detailed at Appendix F.
26. On the 11 June 2019 Six Yard Box Limited applied under section 34 of the Licensing Act 2003 for a new premises licence in line with the provisional statement which had been granted. This application was granted under delegated authority on the 14 August 2019.
27. On the 23 January 2020 Six yard Box 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.
28. A complaint was received by the council's licensing department on the 20 January 2020 from a resident in relation to public nuisance which the resident attributed to patrons in the external parts of the premises causing noise nuisance.
29. EPT state that a complaint has been received by them in relation to noise nuisance which was notified to the licensing service and noise team.

Date	Complainant	Complaint	Action
23/01/2020	Local Resident	Complaint of escalating noise from patrons of the premises at the front of the premises when a temporary event notice (TEN's) was in operation at the premises.	Licensing enforcement officer contacted and discussed complaint with resident and advised them that the premises had a TEN's. Resident advised the licensing enforcement officer that on this basis there was no need to contact the premises. No further action was taken.
19/01/202	Local Resident	Noise complaint to EPT in relation to patrons causing noise nuisance outside the front of the premises.	EPT Officer notified licensing team / Noise team of the

			alleged noise nuisance issue at the premises.
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30. Inspections conducted at the premises:

Date	Time	Outcome
30/08/2019	23:45hrs	Licensing enforcement visit to the premises which was found to be compliant upon inspection.
21/09/2019	20:16hrs	Licensing enforcement visit to the premises. Officers witnessed 13 patrons outside the front of the premises in breach of premises licence condition; 840 which states that there is a maximum of 10 patrons outside at any one time (including smokers)

Map

31. A map of the area is attached to this report as Appendix G. Details of licensed premises in the immediate vicinity of the premises are detailed below:

Koi Ramen, 19 Sayer Street, London SE17 1FH

- The sale by retail of alcohol (on and off sales only):
 - Sunday to Thursday from 10:00 to 22:30
 - Friday to Saturday from 10:00 to 23:30
- The provision of late night refreshment (Indoors only):
 - Friday to Saturday from 23:00 to 23:30

Pot and Rice, 13 Sayer Street, London SE17 1FH

- The sale by retail of alcohol (on and off sales only):
 - Sunday to Thursday from 10:00 to 22:30
 - Friday to Saturday from 10:00 to 23:30
- The provision of late night refreshment (Indoors only):
 - Friday to Saturday from 23:00 to 23:30

Bobo Social, Unit R1 Block H2, Sayer Street, London SE17 1FY

- The sale by retail of alcohol (on and off sales only):
 - Sunday to Thursday from 10:00 to 22:30
 - Friday to Saturday from 10:00 to 23:30

- The provision of late night refreshment (Indoors only):
 - Friday to Saturday from 23:00 to 23:30
- Recorded Music (Indoors only):
 - Sunday to Thursday from 08:00 to 23:00
 - Friday to Saturday from 08:00 to 00:00.

Southwark council statement of licensing policy

32. 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.
33. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

34. Under the Southwark statement of licensing policy 2016 - 2020 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)

Cumulative impact zones

35. The premises is not situated in any of the council's cumulative impact zones. The premises is situated in the Elephant and Castle major town centre area.

Resource implications

36. 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

37. 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 twice (there was an error on the initial advert; however, this was republished within the specified time period to the satisfaction of the Licensing Authority). A similar notice exhibited at the premises for a period of 28 consecutive days. This was inspected by a Licensing Officer during the consultation period and found to be compliant.

Community impact statement

38. 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

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

Principles for making the determination

41. 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.
42. 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.
43. 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.
44. 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

45. 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.
46. The four licensing objectives are
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.
47. 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.
48. 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.
49. 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.

50. 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

51. 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

52. 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

53. 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.

54. 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.
55. 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.
56. 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.
57. 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.
58. 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.
59. 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

60. 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

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

BACKGROUND DOCUMENTS

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

APPENDICES

Name	Title
Appendix A	Copy of the existing premises licence
Appendix B	Copy of the application
Appendix C	Copy of representation from Environmental Protection Team
Appendix D	Copy of representation submitted by local resident
Appendix E	Letters of support from local residents
Appendix F	Provisional statement notice of decision from 17 October 2018
Appendix G	Map of the local area

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	Richard Kalu, Principal Licensing Officer	
Version	Final	
Dated	24 February 2020	
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	27 February 2020	

Licensing Act 2003 Premises Licence



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

Premises licence number

868499

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
The Tap In Unit 1 Block H6 Sayer Street Elephant Park	
Ordnance survey map reference (if applicable), 532260178712	
Post town London	Post code SE17 1FH
Telephone number 07751215572	

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

The opening hours of the premises
For any non standard timings see Annex 2
Monday 08:00 - 23:00
Tuesday 08:00 - 23:00
Wednesday 08:00 - 23:00
Thursday 08:00 - 23:00
Friday 08:00 - 00:00
Saturday 08:00 - 00:00
Sunday 08:00 - 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 Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

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

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 10:00 - 23:00
Tuesday 10:00 - 23:00
Wednesday 10:00 - 23:00
Thursday 10:00 - 23:00
Friday 10:00 - 23:30
Saturday 10:00 - 23:30
Sunday 10:00 - 23:00

Sale by retail of alcohol to be consumed off premises

Monday 10:00 - 23:00
Tuesday 10:00 - 23:00
Wednesday 10:00 - 23:00
Thursday 10:00 - 23:00
Friday 10:00 - 23:30
Saturday 10:00 - 23:30
Sunday 10:00 - 23:00

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

Six Yard Box Limited
34-36 Choumert Road
London, SE15 4SE

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

09312242

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. 

Authority 

Licence Issue date 14/08/2019

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

112 This licence allows for the premises to remain open for non standard timings as stated on the days below. New Years Eve 10:00 to 01:00 the following day

113 This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings as stated below on the following days: New Years Eve 10:00 to 01:00 the following day

288 That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises;

289 All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to Officers of the Police and the Council;

340 A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or Council Officer;

341 Save for the external seating area shown on the plan, any off sales of alcohol shall be provided in sealed containers and taken away from the premises.

342 Clear and legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as 'off sales' should (save for the external seating area) not be opened and consumed in the vicinity of the premises.

343 The Dispersal Policy shall be kept at the premises with the licence and made available for inspection by authorised council officers or the police. All relevant staff shall be trained in the implementation of the policy.

293 That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council;

138 Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises;

4AA 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;

4AB That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the 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. Refresher training shall be provided to all staff every six months;

4AC That clearly legible signs shall be prominently displayed where they can easily be seen and read by

customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times;

4A1 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. On a monthly basis, the Designated Premises Supervisor (DPS) shall check the register to ensure it is being properly completed. The DPS shall sign and date the register to that effect and where appropriate take corrective action in a timely manner if the register is not being completed correctly. The register shall be made immediately available for inspection at the premises to Council or Police Officers on request;

305 A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted;

316 Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents;

154 In relation to dispersal we will operate the following procedures and systems, to ensure that our premises operates in a neighbourly manner as effective management of customer behaviour whilst in the premises is paramount, this is achieved through:

- Strong management presence front-of-house at all times Management and staff training, in particular in specific area of customer management
- A 30minute drinking up time which is incorporated into the licence for the purposes of the Licensing Act 2003 which assists with gradual dispersal of all customers in the premises at the end of the evening
- Appropriate signage is placed at exit doors
- A strong management and staff presence in the customer area during the closing time period to ensure all customers leave quietly
- Providing appropriate information to customers who require a taxi
- Door & windows will be monitored and kept closed where appropriate during the evening to ensure that neighbours are not disturbed
- No external disposal of bottles/refuse after 23:00hrs

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

807 That there is an accommodation limit of 60 inside and 10 outside (excluding staff);

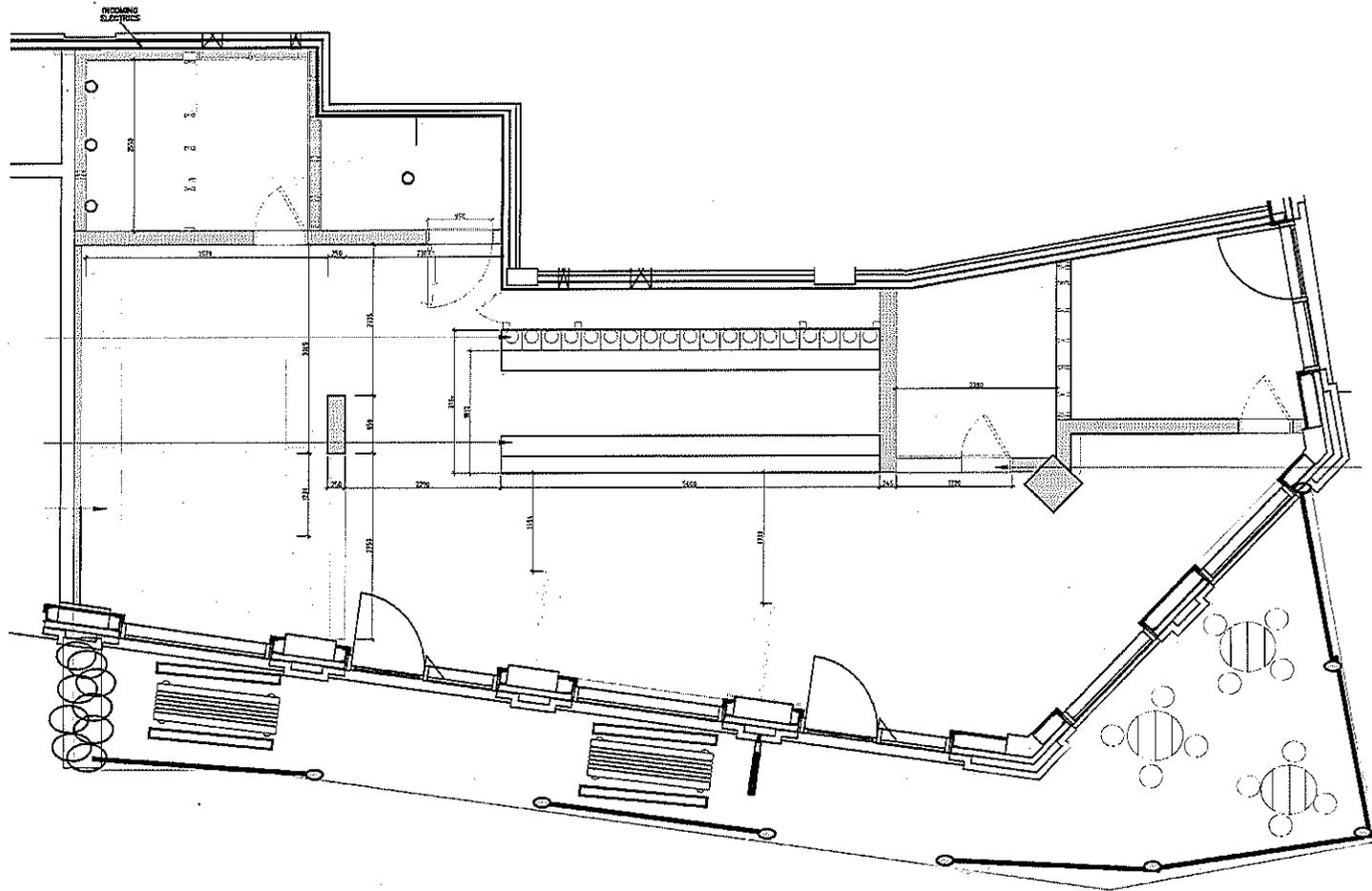
840 That there is a maximum of 10 patrons outside at any one time (including smokers);

815 That the external area will be out of use between 22:00hrs and 08:00hrs, with all furniture having lifted and brought into the premises or, if left outside, rendered unusable;

841 That the premises will use its best endeavours to ensure that any moving of outside furniture and barriers is done in a quiet and orderly fashion.

Annex 4 - Plans - Attached

Licence No. 868499
Plan No. L(-2)4011
Plan Date 15/3/2019



GENERAL ARRANGEMENT LAYOUT
SCALE 1:100 @ A3



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/ Six Yard Box Limited
We

(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 868499
--

Part 1 – Premises Details

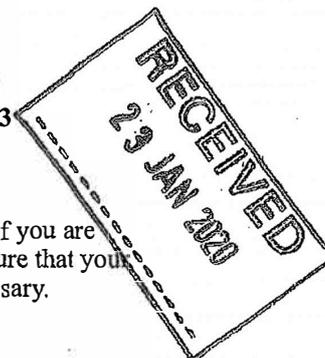
Postal address of premises or, if none, ordnance survey map reference or description			
2 Sayer Street			
Post town	London	Postcode	SE17 1FG

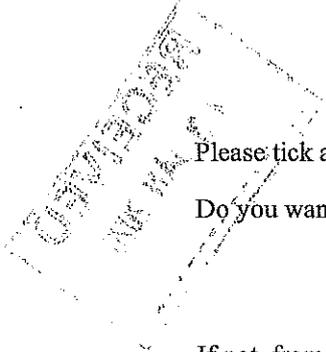
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 0

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
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**

DD MM YYYY

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

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)

We would like to vary the number of patrons allowed outside.
We are currently allowed to have 10 patrons in our outside area.
We would like to increase the number to 30 patrons outside (excluding staff) to bring it in to line with our neighbours licences at Mercato Factory and Bobo Social.

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: **NO**



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)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>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</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			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 (please read guidance note 7)
Fri			
Sat			
Sun			

D

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

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the <u>playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			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 (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	
Mon				Outdoors	
				Both	
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	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			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)		
Sat					
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	
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			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 (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>
--

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	23:00	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

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

807 - That there is an accommodation limit of 60 inside and 10 outside (excluding staff)

840 - That there is a maximum of 10 patrons outside at any one time (including smokers)

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)

We will erect cafe barriers around the outside area of the bar. This will enable us to effectively monitor outside numbers and create effective separation from the public.

External furniture will act as a barrier and ensure numbers able to occupy the external area is easy to monitor.

b) The prevention of crime and disorder

CCTV is in effect in the bar.

c) Public safety

Cafe Barriers will create effective separation of patrons from the public.

d) The prevention of public nuisance

Benches under flat windows will be non smoking. Smoking will only be permitted in the front round table area, which will be roughly the same amount of patrons currently permitted.

Staff to monitor noise levels. Signs asking patrons to respect neighbours to be visible in external areas.

Lights are placed in the windows obstructing TVs to prevent patrons and members of the public in external areas from watching matches outside.

Heavy level of soundproofing in the building and extra glazed windows have left the internal areas virtually soundproof. Heavy doors on closers ensure noise from internal area does not escape.

e) The protection of children from harm

Challenge 25 system in operation.

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	
Date	23/01/2020
Capacity	Director

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)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the

- organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not

exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Please submit the completed form to along with the payment either by cheque or postal order made payable to London Borough of Southwark and dispatch to the following address below.

***Environment and Social Regeneration
Regulatory Services – Licensing Team***

160 Tooley Street

3rd Floor Hub 1

PO Box 64529

London

SE1P 5LX

E-mail: licensing@southwark.gov.uk

Tel 020 7525 4261

Home Office

Alcohol Licensing Team

Lunar House

40 Wellesley Road

Croydon CR9 2BY

Email - Alcohol@homeoffice.gsi.gov.uk

***Commissioner of Police for the Metropolis (Licensing Office Southwark
Police Station***

323 Borough High Street

London

SE1 2ER

Tel: 0207 232 6756

Email: southwarklicensing@met.police.uk

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

22/01/2020

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

Ref No. 1372545

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

	[REDACTED]
Premises licence number	868499

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains

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

licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 11. Please list here steps you will take to promote all four licensing objectives together.
- 12. The application form must be signed.
- 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

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

15. This is the address which we shall use to correspond with you about this application.

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

£	0
---	---

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

Address Line 1	2 SAYER STREET
Address Line 2	
Town	LONDON
County	
Post code	SE17 1FG
Ordnance survey map reference	
Description of the location	
Telephone number	[REDACTED]

Part 2 - Applicant details

Daytime contact telephone number	[REDACTED]
Email address	[REDACTED]
Postal Address if different from premises address	2 Sayer Street
Town / City	London
Postcode	SE17 1FG

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

Please tick	<input checked="" type="checkbox"/> Yes
-------------	---

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

(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)

	<input type="checkbox"/> No
--	-----------------------------

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

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

	<p>We would like to vary the number of patrons allowed outside.</p> <p>We are currently allowed to have 10 patrons in our outside area.</p> <p>We would like to increase the number to 30 patrons outside (excluding staff) to bring it in to line with our neighbours licences at Mercato Factory and Bobo Social.</p>
--	---

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number

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

Notes

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

IN ALL CASES COMPLETE BOXES K, L AND M

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

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

--	--

Supply of alcohol (if ticking fill in box J)

--	--

In all cases complete boxes K, L and M

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)

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

	<p>We operate a challenge 25 scheme 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.</p> <p>All staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises. A record of such training is accessible at the premises at all times and be made immediately available for inspection at the premises to council or police officers on request. Signage informing customers of Challenge 25 policy is on display at the premises.</p>
--	--

Guidance Notes

10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

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

Day	Start	Finish
Mon	08:00	23:00
Tues	08:00	23:00
Wed	08:00	23:00
Thur	08:00	23:00
Fri	08:00	00:00
Sat	08:00	00:00
Sun	08:00	00:00

State any seasonal variations (Please read guidance note 6)

	New Years Eve - open until 02:00
--	----------------------------------

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 7)

	TENs will be sought for any irregular opening hours due to dates.
--	---

6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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.

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

	807 - That there is an accommodation limit of 60 inside and 10 outside (excluding staff)
	840 - That there is a maximum of 10 patrons outside at any one time (including smokers)

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

	Premier-Licence-The-Tap-In.pdf

Reason for not uploading the premises licence

--	--

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

	We will erect cafe barriers around the outside area of the bar. This will enable us to effectively monitor outside numbers and create effective separation from the public. External furniture will act as a barrier for overcrowding.
--	---

b) the prevention of crime and disorder

	CCTV is in effect in the bar.
--	-------------------------------

c) public safety

	Cafe Barriers will create effective separation of patrons from the public.
--	--

d) the prevention of public nuisance

	Benches under flat windows will be non smoking. Smoking will only be permitted in the front round table area, which will be roughly the same amount of patrons currently permitted. Staff to monitor noise levels. Signs asking patrons to respect neighbours to be visible in external areas. Lights are placed in the windows obstructing TVs to prevent patrons and members of the public in external areas from watching matches outside. Heavy level of soundproofing in the building and extra glazed windows have left the internal areas virtually soundproof. Heavy doors on closers ensure noise from internal area does not escape.
--	---

e) the protection of children from harm

	Challenge 25 system in operation.
--	-----------------------------------

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

Guidance note 11

Please list here steps you will take to promote all four licensing objectives together.

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

Upload proposed plans	<u>Outside-area-Tap-In.pdf</u>
Upload existing plans	<u>201-Tap-Room-London-General-Arrangement-Plan-Record-Drawing.pdf</u>

Checklist

	I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.
--	---

I/We Hereby declare the Information we have provided is true and Accurate.

I agree to the above statement

	I agree
PaymentDescription	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	

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

Full name	[REDACTED]
Date (DD/MM/YYYY)	22/01/2020
Capacity	Owner / Licencee

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

Full name	
Date (DD/MM/YYYY)	
Capacity	

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

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

Contact name and address for correspondence	The Tap In 2 Sayer Street London SE17 1FG
Telephone No.	07751215572
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

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 MAYBE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

GUIDANCE NOTES

15. This is the address which we shall use to correspond with you about this application.

Please tick to indicate agreement

<input type="checkbox"/>	I am not a company or limited liability partnership
--------------------------	---

Please upload proof of entitlement to work in the UK

<input type="checkbox"/>	IMG-6699.jpg
--------------------------	--------------

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

I/We Hereby declare the information we have provided is true and Accurate.

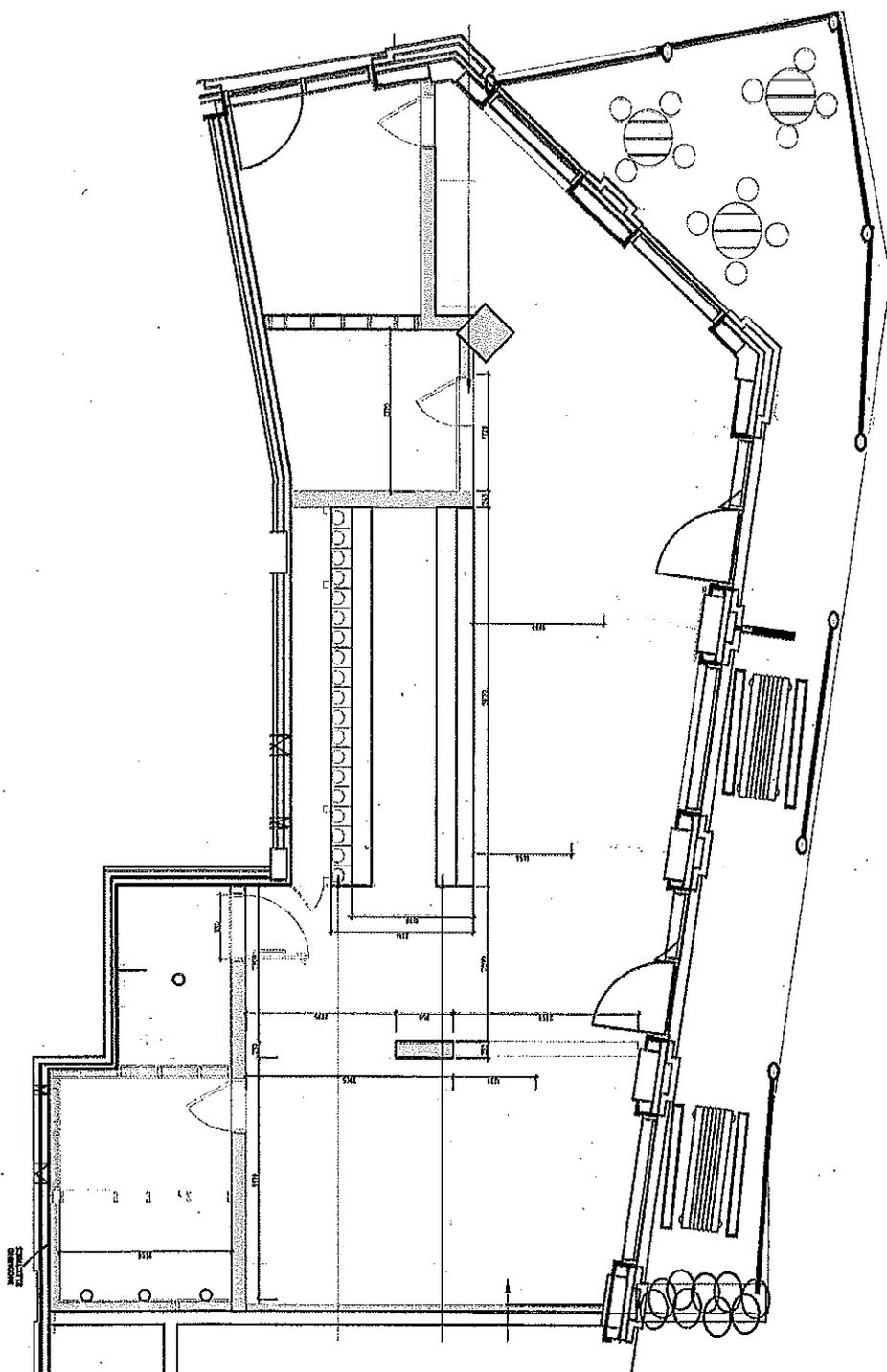
I agree to the above statement

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

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

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



GENERAL ARRANGEMENT LAYOUT
SCALE 1/8" = 1'-0"

MEMO: Environmental Protection Team

To Regen.licensing; **Date** 18 February 2020
Copies sixyardboxseb@gmail.com
From Ken Andrews **Telephone** 020 7525 54258 **Fax** 020 7525 5728
Email ken.andrews@southwark.gov.uk

The Tap Inn – 2 Sayer Street, SE17 1FG APP 918254 (EPRA) representation

Environmental Protection Responsible Authority (EPRA) has considered an application to vary the premises licence under Section 34 of the Licensing Act 2003.

The application is to vary the number of patrons allowed outside at the above address from 10 to 30 (excluding staff). The applicant indicated that staff will monitor noise levels and signs will be placed to ask to respect neighbours also benches below flat windows will be designated for non-smokers.

The Tap Inn is located in a predominantly residential area. The premises is in operation from 08:00-23:00 Monday-Thursday, 08:00-00:00 on Fridays and Saturdays and 08:00-23:00 on Sundays. The external areas are out of use between 22:00 hrs and 08:00 hrs.

The environmental Protection Team has received a complaint from noise from patrons using the external area and since that area is in the open without any noise barriers, noise from patrons is likely to cause a nuisance to residential occupiers, the scale of which is likely to be greater when all the residential units are occupied.

As a result, Environmental Protection Responsible Authority (EPRA) would like to object to the application to increase the number of the patrons using the external area under the prevention of public nuisance licensing objectives.

Should the committee be minded to any increase to the number of patrons outside, EPRA recommend the following to be placed as conditions to reduce the impact of noise nuisance.

1. That the external area to be used by patrons are clearly marked.
2. Customers to be asked not to stand around talking in the street outside the premises.
3. That the door leading to this area be lobbied to reduce noise escape.
4. That no external speakers are installed to service the external area
5. That staff will monitor noise levels on a regular basis.
6. That no smoking shall take place in areas below any residential balcony or openable windows

Ken Andrews - Principal Environmental Health Officer

From: XXXXXXXX

Sent: Wednesday, January 29, 2020 9:50 AM

To: Regen, Licensing

Subject: Licensing Representation: : 2 Sayer Street, London, SE17 1FG

Dear Southwark Council,

I'm writing to make an representation on the request to increase capacity of The Tap Inn, Unit R1, Block H6 Elephant Park, London, SE1.

I wish to do this under the terms of "Prevention of Public Nuisance" for the following reasons:

1. The applicant has repeatedly flouted their existing capacity restrictions, and have not proven that they will not again. Evidence of this has been provided to yourselves on numerous occasions in the past and can be provided again on request. This has not happened in recent months due to it being winter, but I have no doubt it'll strike up again come spring/summer.
2. Smokers and outside drinkers regularly stay outside the roped-off section outside the premises. This blocks pavements and causes considerable smoke to drift upwards
XXXXXXX.
3. The premises is already very full during match days, with both music and crowd noise audible outside of the premises. This is disruptive to the local community as it is already and will only worsen with increased capacity,
4. The outside set-up of the Tap Inn is very messy and often left untended all day, impacting on the smart appearance of the Elephant Park development

In summary, allowing an increase in capacity to a premises already incapable of controlling the numbers within it would be completely inappropriate. They need to demonstrate they're capable of staying within their current license for a period of at least a year before an increase can be asked for.

Please let me know what the next steps are following this representation submission.

Regards,

XXXXX

APPENDIX E

From: XXXXXXXX
Sent: Tuesday, February 18, 2020 2:41 PM
To: Regen, Licensing
Subject: Support of Licence at Tap In

Dear Councillors,

I would like to support the Tap In to increase their outside capacity to 30 people. I have visited the Tap In and think it has been a great addition to the neighbourhood. They currently have an outside area that can accommodate 10 people, however given the amount of outside space they have it seems ridiculous and a waste of space. I have seen the staff tell people who want a cigarette to go back in because they are at capacity yet there is loads of unused area right outside the bar. Bearing in mind that this is during the daytime how far the flats are from the current outside area this seems like massive overkill.

Having looked at their plans I think the proposal used the space well and distributes customers who want to go outside around the entire demise so I can't see how it will add much noise. Also I would think that as people leave the Tap In at closing time there must be well in excess of 30 people coming on to Sayer Street yet I am never bothered by any noise and from what I can tell nor are any of my neighbours.

In social media groups for our buildings there have been complaints about the noise from builder and roadworks but I have yet to see anything relating to the Tap In which suggests to me that the majority if not all of the other residents in the area share my experience.

Best Regards

XXXXXXXXXXXX

XXXXX
XXXXX
XXXX
XXXXX

17/02/20

Dear Councillors,

I would like to support the Tap In to increase their outside capacity to 30 people. I have visited the Tap In and think it has been a great addition to the neighbourhood. They currently have an outside area that can accommodate 10 people, however given the amount of outside space they have it seems ridiculous and a waste. I have seen the staff tell people who want a cigarette to go back in because they are at capacity yet there is loads of unused area right outside the bar. Bearing in mind that this is during the daytime how far the flats are from the current outside area this seems like massive overkill.

Having looked at their plans I think the proposal used the space well and distributes customers who want to go outside around the entire demise so I can't see how it will add much noise. Also I would think that as people leave the Tap In at closing time there must be well in excess of 30 people coming on to Sayer Street yet I am never bothered by any noise and from what I can tell nor are any of my neighbours.

In social media groups for our buildings there have been complaints about the noise from builder and roadworks but I have yet to see anything relating to the Tap In which suggests to me that the majority if not all of the other residents in the area share my experience.

Best Regards

XXXXXXX

XXXX
XXXXX
XXXX
XXXX

XXXX

16/02/2020

Dear Sir/Madame,

I am writing to express my support for the licensing variation proposed by the Tap In. Since they began trading regularly in August 2019 they have really added to our neighborhood. Furthermore they have done so with no incidents or any negative impact what so ever.

There is a lot of outside space in the footprint of their building and I support the idea of turning it into seating that can be used. Currently the space is vacant which makes Sayer Street feel emptier.

As long as the seating area operates to the current hours of 10pm I cannot see how it will cause any public safety concerns or cause any public nuisance. In the last 6 months there have been a number of public events with well over 100 people in Sayer Street/Wansey Street (which I frequent regularly) and the noise from people gathering was not an issue. In fact traffic noise, noise from delivery vans and construction noise still dwarfs any noise coming from groups of people on the street.

With regards to crime and disorder, the emptiness on Walworth Square and the streets have contributed to a growing number of phone thefts/muggings so I would think that an increase of people in the area could only help deter the muggers and prevent crime and disorder.

I hope the council allows the external capacity to be increased as what the guys at the Tap In are seeking. I genuinely think it will benefit the street and everybody on it.

Regards,

XXXXXX

NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 17 OCTOBER 2018

LICENSING ACT 2003: UNIT R1, BLOCK H6, ELEPHANT PARK, LONDON SE1

1. Decision

That the application made by Lendlease (Elephant and Castle) Retail Ltd for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Unit R1, Block H6, Elephant Park, London SE1 is granted as follows:

The sale by retail of alcohol (both on and off sales)	Sunday to Thursday from 10:00 to 23:00 Friday and Saturday from 10:00 to 23:30
Late night refreshment	Friday and Saturday from 23:00 to 23:30
Opening hours	Sunday to Thursday from 08:00 to 23:00 Friday and Saturday from 08:00 to 00:00

2. Conditions

1. That there is an accommodation limit of 60 inside and 10 outside staff.
2. That there is a maximum of 10 patrons outside at any one time including smokers.
3. That the external area will be out of use between 22:00 and 08:00 hours, with all furniture having lifted and brought into the premises or, if left outside, rendered unusable.
4. That the premises will use its best endeavours to ensure that any moving of outside furniture and barriers is done in a quiet and orderly fashion.

3. Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the representative for the applicant who advised that following the planning consent in 2013 the site where the premises was located is to the southeast of the central area of Elephant and Castle, where the New Kent Road runs to the north of the site and the National Rail railway line runs north/south to the west of the site.

Over the next 12 months the development would move into the operational phase, where community space and employment for residents would become available. Whilst the lease to Unit 1 had yet to be finalized and signed, the lease Hop Art had at the Art Works expires at the end of 2018 and would then open a bar and bottle shop with external seating. The premises licence the Hop Art currently had late hours seven days a week, until 01:00 hours. Hop Art were good licence holders with no issues known by the licensing authority.

All of the concerns raised by the other persons had been addressed by proposed conditions set out in the document submitted titled "Dispersal Policy" at section 10.

The licensing sub-Committee noted that licensing as a responsible authority had withdrawn their representation having conciliate with the applicant by agreeing conditions.

The licensing sub-committee then heard from Resident 5 who advised that their home was located approximately 20 metres from Garland Court where all the bedrooms are front facing the premises. The early opening until late closing seven days a week, would cause disturbance, increase the number of people milling around outside, raising noise and negatively impacting on residents' right to quiet enjoyment. Furthermore, the movement of furniture in the external area around would create a "scraping" noise that would disturb residents. There were also concerns of patrons of buying off-sales and consuming them in the local vicinity. Resident 5 called a witness who referred to planning considerations, but these were deemed irrelevant for the purposes of this provisional statement application.

The licensing sub-committee also heard from Resident 6 whose representation concerned the prevention of public nuisance licensing objective and raised similar issues as resident 5 regarding patrons smoking outside residential premises, noise that would disturb residents sleep and service deliveries and waste removal.

The licensing sub-committee noted the representations from 12 other persons.

Unit 1 forms part of a development that was granted planning permission 14/AP/3439. It is proposed that the unit will a bar and bottle shop leased to Hop Art, who currently hold a late licence premises licence at the Artworks, London SE17. The lease at the Artworks expires at the end of 2018. No evidence was presented to suggest that Hop Art is anything but compliant and reliable licence holders.

One of the concerns raised by the residents was that they were given explicit assurances prior to the purchase of their homes that licenced premises would not be permitted in the retail units. This is not a consideration for this sub-committee and alternatively, would need to be raised with the freeholders/developers.

The applicant has produced a schedule of conditions (within the dispersal policy) which addresses most of the concerns of the local residents. The hours applied for are within the recommended hours as detailed in Southwark's statement of licensing policy. This licensing sub-committee agree that these are placed on the provisional statement together with the conditions conciliated with licensing as a responsible authority. With the added conditions as detailed in this notice of decision, this committee is satisfied the premises, once operating will promote the licensing objective whilst the local residents will have sufficient protection from any adverse interference from the premises. Finally, this sub-committee recommend that the Elephant Park security ensure that all off-sales are not consumed on Wansey Street, London SE17.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4. Appeal rights

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) The licence ought not to be granted; or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

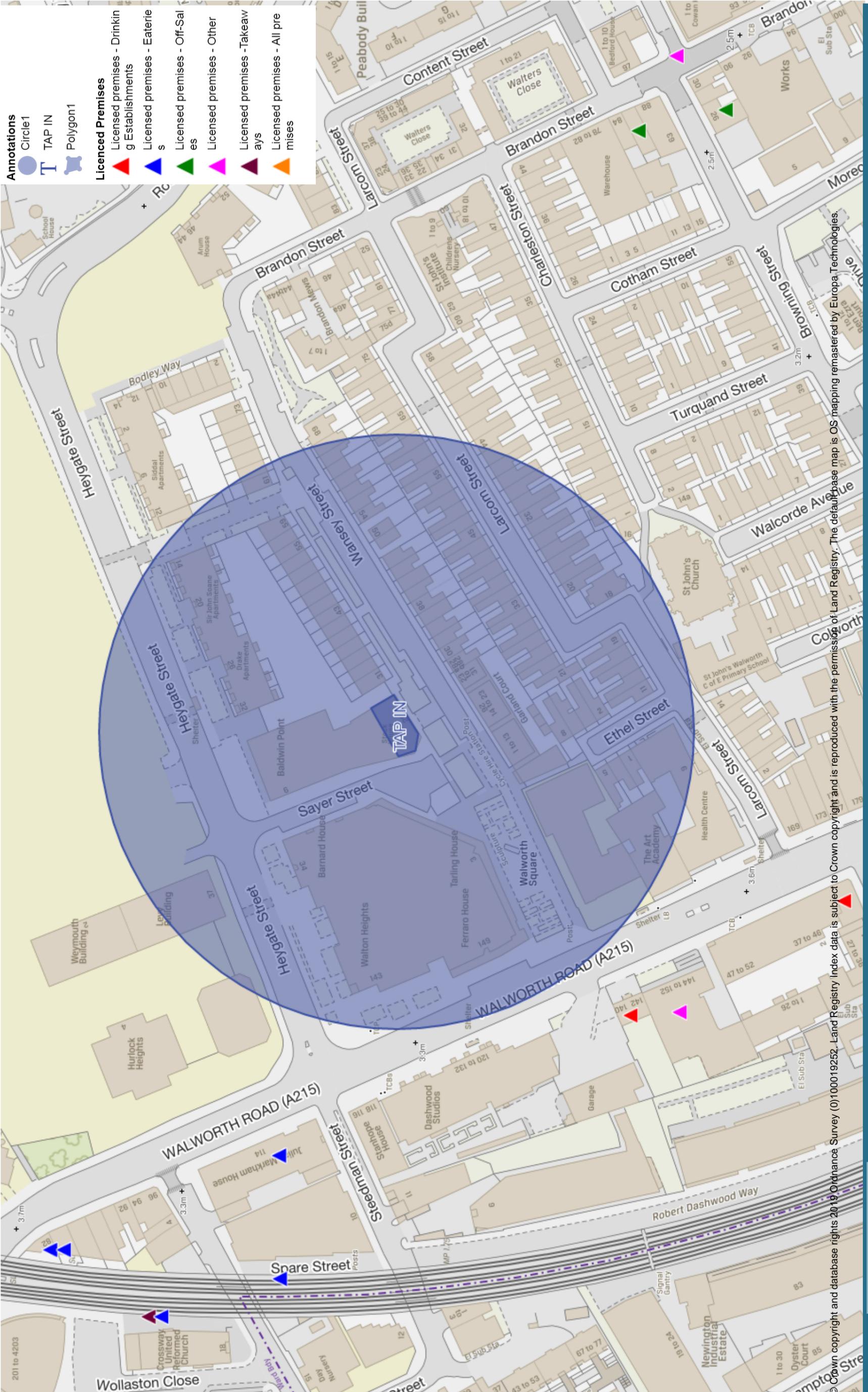
may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy.

Date: 17 October 2018

The Tap In, Unit 1, Block H6, Sayer Street Elephant Park, London, SE17 1FH



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8-Aug-2019

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LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2019-20

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

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Councillor Barrie Hargrove	1	Richard Kalu, licensing team	1
Councillor Sirajul Islam	1	Ken Andrews, environmental protection team	1
Reserve			
Councillor Lorraine Lauder MBE	By email	Andrew Weir (spares)	4
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